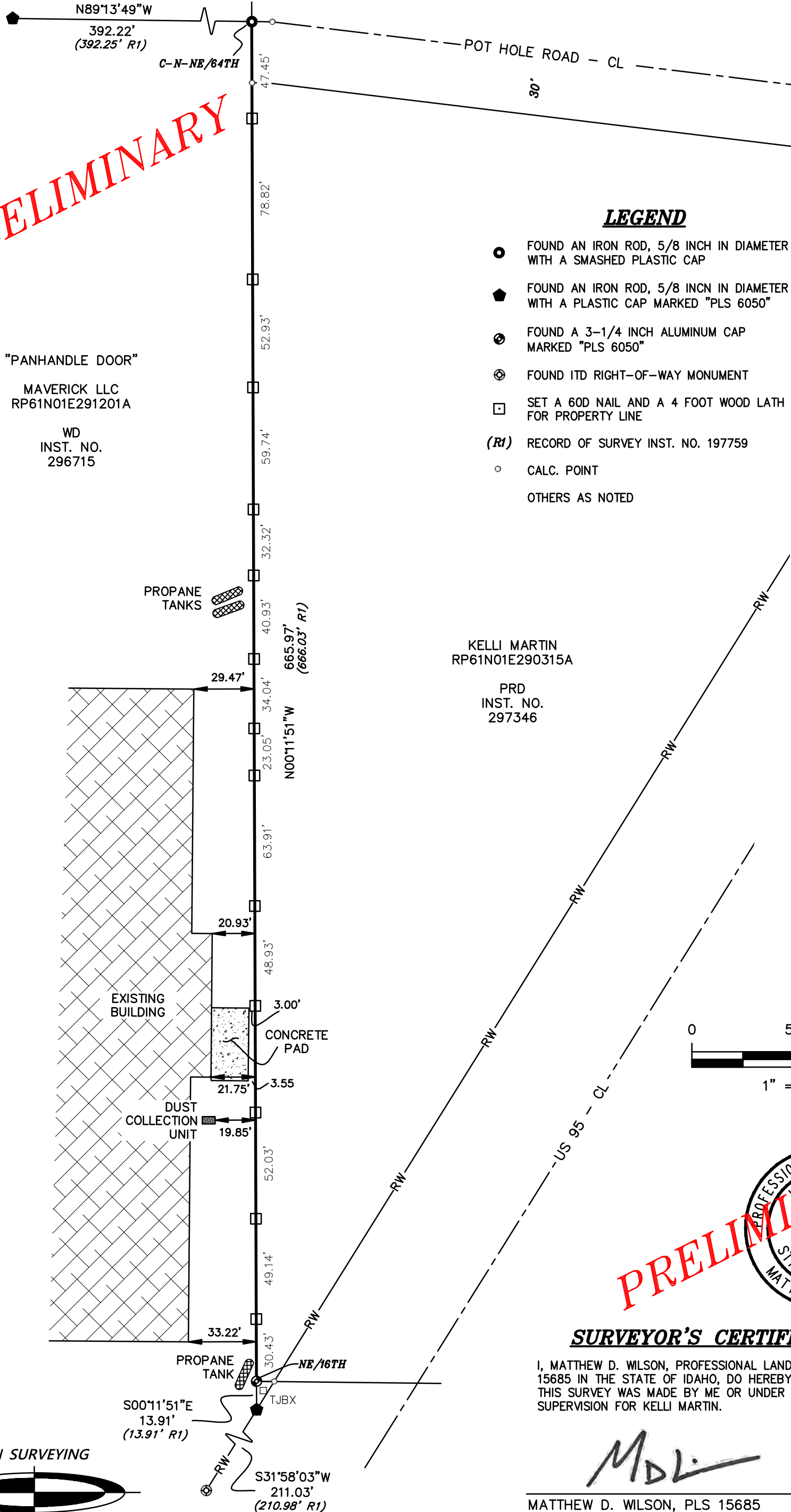


MARTIN EXHIBIT

SITUATED IN THE NORTHEAST QUARTER OF SEC. 29, T.61N., R.01E., B.M.,
BOUNDARY COUNTY, IDAHO

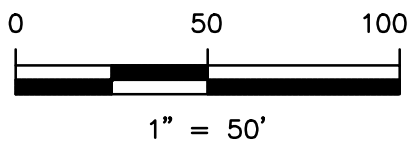
PRELIMINARY



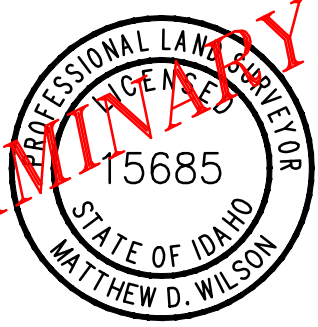
"PANHANDLE DOOR"
MAVERICK LLC
RP61N01E291201A
WD
INST. NO.
296715

- LEGEND**
- FOUND AN IRON ROD, 5/8 INCH IN DIAMETER WITH A SMASHED PLASTIC CAP
 - ◆ FOUND AN IRON ROD, 5/8 INCH IN DIAMETER WITH A PLASTIC CAP MARKED "PLS 6050"
 - ⊙ FOUND A 3-1/4 INCH ALUMINUM CAP MARKED "PLS 6050"
 - ⊕ FOUND ITD RIGHT-OF-WAY MONUMENT
 - SET A 60D NAIL AND A 4 FOOT WOOD LATH FOR PROPERTY LINE
 - (R1) RECORD OF SURVEY INST. NO. 197759
 - CALC. POINT
 - OTHERS AS NOTED

KELLI MARTIN
RP61N01E290315A
PRD
INST. NO.
297346



PRELIMINARY



SURVEYOR'S CERTIFICATE

I, MATTHEW D. WILSON, PROFESSIONAL LAND SURVEYOR No. 15685 IN THE STATE OF IDAHO, DO HEREBY CERTIFY THAT THIS SURVEY WAS MADE BY ME OR UNDER MY SUPERVISION FOR KELLI MARTIN.

M.D.W.

09/25/2024

MATTHEW D. WILSON, PLS 15685

- DATE -

MW SURVEYING



Appeal Exhibits

A-1 2005 CUP

A-2 2005 CUP Supporting Documents

B-1 Original Air Quality Complaints

B-2 DEQ Inspection Reports

C-1 Fire Incident Reports

D-1 P&Z Failure to Provide Records from Attorney Request

E-1 US EPA Wood & Mill Yard Debris Technical Guidance Manual

E-2 US EPA Alternative Uses of Wood & Mill Yard Debris

F-1 OSHA & Dept. of Labor: Chemicals & Other Hazards in Painting

F-1 OSHA Paint Storage Regulations

G-1 PDI June 2022 Letter to DEQ Reporting Scope of Paint Operations

G-1 Documentation showing PDI lack of proper filter usage

H-1 Paint Material Safety Data Sheets

I-1 ITD Communication Regarding PDI non-compliance

J-1 Solid Waste Approval Process not followed by PDI

K-1 EPA Records Source showing no PDI Compliance

L-1 DEQ Sept. 11, 2023 Air Quality Permit w/no relevance to actual operations

M-1 Kelli Martin Communication and Evidence to Shawn Sweetapple w/DEQ

N-1 PDI Water Heater unpermitted by DEQ

O-1 Panhandle Health District Response to D. Dewberry about Unpermitted PDI Septic System

P-1 DEQ Oct 21, 2023 Hazardous Waste Violations Letters to PDI

Q-1 P&Z Emails of Alarm Regarding D. Dewberry's complaint

R-1 MSDS for Wood Glue where PPE is not worn when handling

S-1 David Dewberry's Unanswered Complaint Email to Government Agencies

S-2 David Dewberry's Panhandle Health District Complaint

S-3 David Dewberry's Forwarded Complaint to Kevin Ardahl

T-1 DEQ Emails Referencing 7 Violations

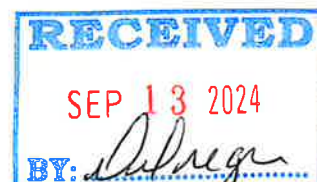
T-2 DEQ Internal Emails regarding Complaints & PDI

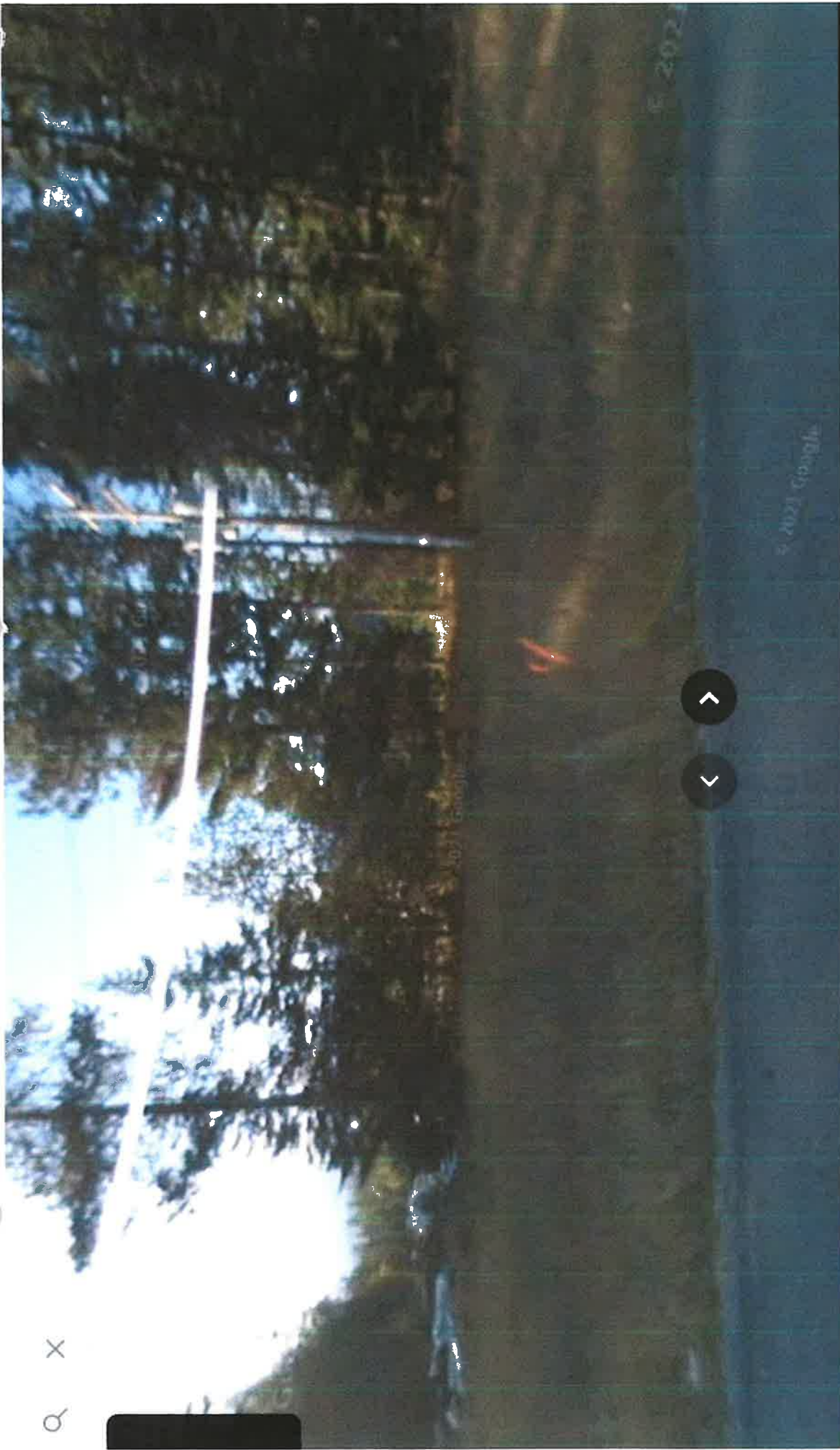
U-1 Enviroguard.com Paint Industry Standards & Practices

V-1 Complainants' Attorney Letter Regarding Cease & Desist

X-1 P&Z Ordinance References + Citations Regard CUP

Y-1 Flash Drive with video, photographic + documented evidence of false statement, non-compliance and illegal activities. We have more!





© 2021 Google



Dec 2021

Oct 2016

Sep 2008

Sep 2007

↑ Building w/o Permits! ↗
see Nothing



Sep 2007



Sep 2008



Oct 2016



Dec 2021



Aug 2022





Reference: Boundary County Assessor Map Image - 2021

11

11

11

1)



cut
down
trees
on
122 pot
Hole Rd
due to
White
Substance
on trees
from
off-gassing
Witnesses



year
water
↓

Dumping

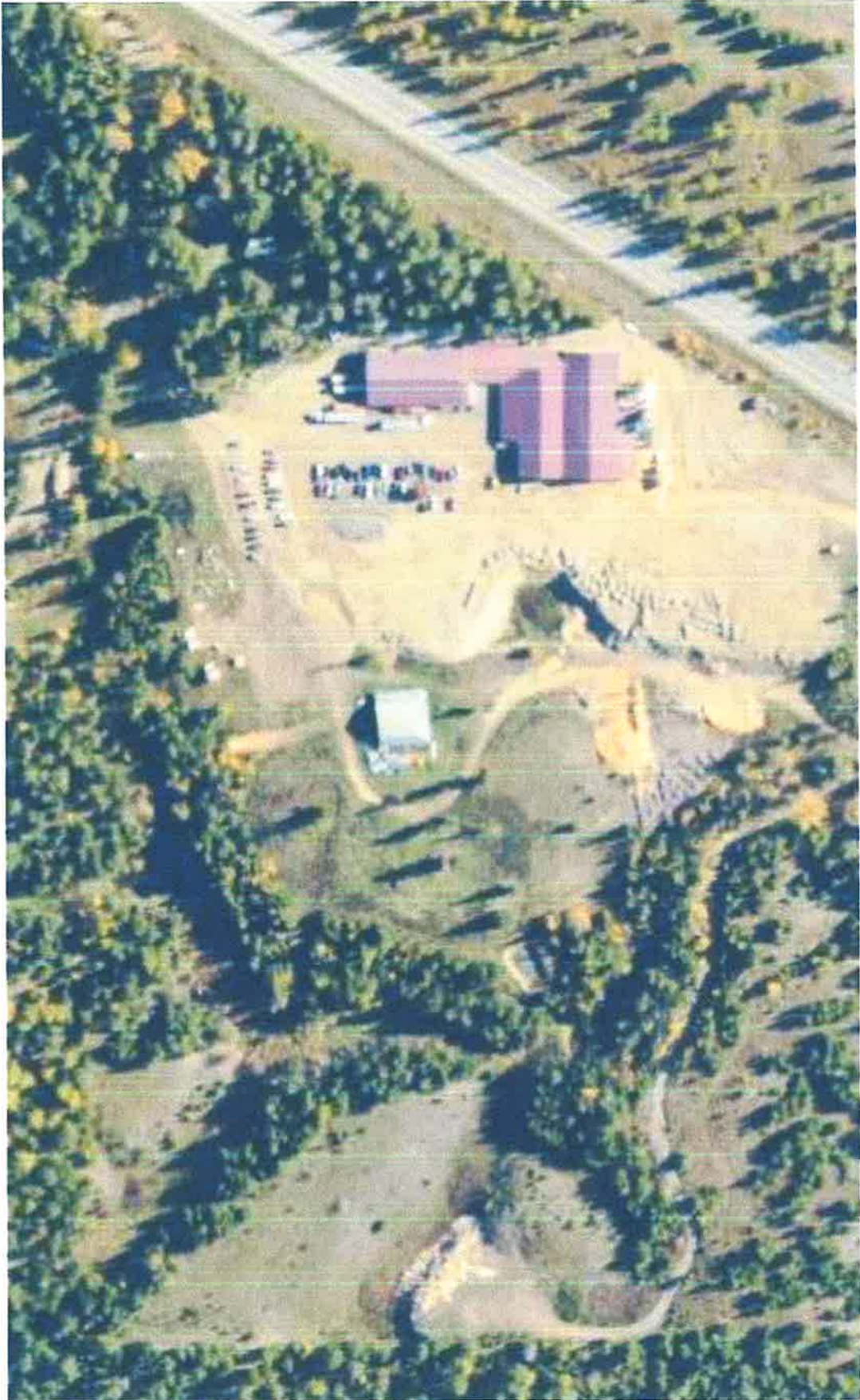
2)



Reference: Clearer image of the above

No Permits
No fence from OS

D



C

C



Reference: Google Earth Image - 2019

1

2

3

Boundary County Commissioners
10 a.m. Tuesday, August 23,
Commission Chambers, Boundary County
Courthouse

Special Use Application SUP 05-07 by
Joel R. Martin, dba
PANHANDLE KITCHEN & DOOR
To build cabinet doors, drawer boxes, & moldings

RP61N01E290900A

AFFIDAVIT OF PUBLICATION

State of Idaho

SS

County of Boundary, Gail Brown

being first duly sworn on oath deposes and says that he/she is Office Manager of the Bonners Ferry Herald, a newspaper printed and published at Bonners Ferry, Boundary County, Idaho; that the said newspaper has been continuously and uninterruptedly published in said Boundary County during a period of 12 months prior to the first publication of the hereto attached notice of publication in the case of:

#5637 Notice of Public Hearing

as it was published in the regular and entire issue of the said paper for a period of 1 consecutive weeks, commencing on 4 day of August, 2005 and ending on the 4 day of August, 2005 and that said notice was published in said newspaper.

Gail Brown

SUBSCRIBED AND SWORN TO before me, this

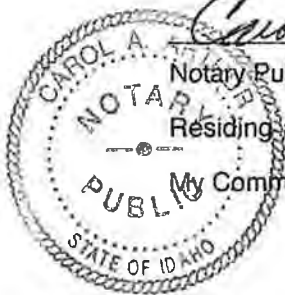
5 day of August, 2005.

Carol A. Arthur

Notary Public-State of Idaho

Residing at: Bonners Ferry

My Commission Expires: 2-25-11



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Boundary County Planning and Zoning

PO Box 419

Bonners Ferry, ID 83805

(208) 267-7212

Invoice of Mailing

File # SUP 0507

Pursuant to Chapter 16, Boundary County Zoning and Subdivision Ordinance, the following individuals and organizations have been contacted by mail to allow completion of your planning and zoning application. Please review this list carefully to ensure that no property owner within 300 feet of the parcel upon which application was made has been omitted. If you notice any missing property owner, please notify this office at once. Failure to notify all surrounding property owners could result in the nullification of your application. Please remit the amount shown at the bottom of this form to the above address within 30 days of receipt of this notice.

Name	Address		Postage
CABINET MOUNTAIN WATER DISTRICT	PO Box 1223	Bonners Ferry, ID 83805	\$.37
PANHANDLE HEALTH DISTRICT I	PO Box 893	Bonners Ferry, ID 83805	\$.37
NORTHERN LIGHTS, INC.	PO Box 269	Sagle, ID 83860	\$.37
DISTRICT TRANSPORTATION PLANNER	600 W Prairie Ave	Coeur d'Alene, ID 83815	\$.37
SOUTH BOUNDARY FIRE PROTECTION	P. O. Box 148	Naples, ID 83847	\$.37
Robert E. and Dixie L. Sutton	17754 Deer Park Loop	Baker City, OR 97814	\$.37
Norvan A. and Sharon S. Skrivseth	HCR 01 Box 262	Naples, ID 83847	\$.37
Sidney R. and Ruth M. Skrivseth	HCR 01 Box 261	Naples, ID 83847	\$.37
Charles C. and Doris Chamberlin	P. O. Box 932	Bonners Ferry, ID 83805	\$.37
Donald K. Jordan	P. O. Box 1655	Bonners Ferry, ID 83805	\$.37
Frank W. and Judy K. Weston	HCR 01 Box 260	Naples, ID 83847	\$.37
Vernon and Jean Helmuth	HCR 01 Box 328B	Naples, ID 83847	\$.37
Jerry J. and Judy H. Everhart	P. O. Box 1267	Bonners Ferry, ID 83805	\$.37
Bill Keeling	6848 Government Way #114 - PMB	Dalton Gardens, ID 83815	\$.37
Joel R. Martin	P. O. Box 3176	Bonners Ferry, ID 83805	\$.37

Total: \$5.55

FOR LEGAL PUBLICATION JUNE 9, 2005

Notice of Public Hearing

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BILL:
Boundary County Planning and Zoning
PO Box 419
Bonners Ferry, ID 83805

CHECK LIST PRE-HEARING PROCESS

Type of Hearing

P & Z

County Commissioners

Applicant Name & Type of Application:

Joel R. Martin dba Parkside Kitcher
(SUP, SUB, CUP, AM, LLA, etc) 05-07

Date of Hearing

4/23/05
(Must not be any sooner than 15 days after public notice was done)

Notice to the Herald sent in on

4/2/05 for publication on 6/9/05
(Must be at least 15 days before the hearing.)

Notices sent to surrounding landowners on

4/6/05
(Must be 15 days prior to the public hearing.)

Send a copy of the public notice to the Media

4/2/05
(Media contacts on e-mail-identified as "Media".)

Last date for written public comments

4/14/05

Last date to post sign on property

4/14/05

Sign posted on

(Must be at least 7 days prior to the hearing)

Post Notice of hearing on the office door of Planning and Zoning on

4/2/05
(7 days prior to hearing)

For **P&Z HEARINGS**, send out hearing packets to include the following: a staff report, a copy of maps or other materials sent in with the application, any public comment letters or letters from area agencies, a copy of the previous meeting minutes. This is done on the Friday before the P&Z meeting. Packets Sent: _____

For **COUNTY COMMISSIONERS HEARINGS**, give Michelle a packet for each commissioner including: the P&Z commissioners Facts and Recommendations, copy of letters submitted by the public and area agencies, a staff report and any other materials sent in with the application. Packets done: _____

NOTATION:

Subdivisions Road Names submitted to Naming Committee

Yes _____

No _____

AFFIDAVIT OF PUBLICATION

State of Idaho

ss

County of Boundary, Kellie Neff

being first duly sworn on oath deposes and says that he/she is Office Manager of the Bonners Ferry Herald, a newspaper printed and published at Bonners Ferry, Boundary County, Idaho; that the said newspaper has been continuously and uninterruptedly published in said Boundary County during a period of 12 months prior to the first publication of the hereto attached notice of publication in the case of:

#5591 Notice of Public Hearing - Martin

as it was published in the regular and entire issue of the said paper for a period of 1 consecutive weeks, commencing on 9th day of June, 2005 and ending on the 9th day of June, 2005 and that said notice was published in said newspaper.

Kellie Neff

SUBSCRIBED AND SWORN TO before me, this

9th day of June, 2005.

Carol A. Arthur

Notary Public-State of Idaho

Residing at: Bonners Ferry

My Commission Expires: 2-25-11



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Name	Address	City	File
Fall Creek Water Association	PO Box 43	Naples, ID 83847	
Moravia Water District	HCR 01, Box 325F	Naples, ID 83847	
20-Mile Water Association	PO Box 15	Bonners Ferry, ID 83805	
CABINET MOUNTAIN WATER DISTRICT	PO Box 1223	Bonners Ferry, ID 83805	
PANHANDLE HEALTH DISTRICT I	PO Box 893	Bonners Ferry, ID 83805	
NORTHERN LIGHTS, INC.	PO Box 269	Sagle, ID 83860	
DISTRICT TRANSPORTATION PLANNER	600 W Prairie Ave	Coeur d'Alene, ID 83815	
SOUTH BOUNDARY FIRE PROTECTION	P. O. Box 148	Naples, ID 83847	
TRANSCANADA - GTN System	534 E Spokane Falls	Spokane, WA 99202	
Robert E. and Dixie L. Sutton	17754 Deer Park	Baker City, OR 97814	
Norvan A. and Sharon S. Skrivseth	HCR 01 Box 262	Naples, ID 83847	
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Vernon and Jean Helmuth	HCR 01 Box 328B	Naples, ID 83847	
Jerry J. and Judy H. Everhart	P. O. Box 1267	Bonners Ferry, ID 83805	
E. Keeling	6848 Government	Dalton Gardens, ID 83815	
Joel R. Martin	P. O. Box 3176	Bonners Ferry, ID 83805	

Boundary County Planning and Zoning

PO Box 419

Bonners Ferry, ID 83805

(208) 267-7212

Invoice of Mailing

File # SUP 0507

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W. Keeling	6848 Government Way #114 - PMB Dalton Gardens, ID 83815	\$.37
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Total: \$7.03

FOR LEGAL PUBLICATION JUNE 9, 2005

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Rae Jeanne Adams

From: "Rae Jeanne Adams" <planning@boundarycounty.org>
To: "Kristie @ Woodbury Reports" <kristie@woodbury.com>
Cc: "Mike Weland" <editor@kvpress.com>; "KXLY Anne Marshall" <annem@kxly.com>; "Caroline Lobsinger" <clobsinger@cdapress.com>; "Katherine" <kathy@ruralnorthwest.com>; "Kevin Taylor" <kevint@spokesman.com>; "KREM News" <newsdesk@krem.com>; "KHQ" <q6newsdesk@khq.com>
Sent: Thursday, June 02, 2005 2:38 PM
Attach: PZ Legal SUP 0507.doc
Subject: PZ Legal SUP 0507

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Rae Jeanne Adams

From: "Rae Jeanne Adams" <planning@boundarycounty.org>
To: "Carol Arthur" <bfherald@cdapress.com>
Sent: Thursday, June 02, 2005 2:37 PM
Attach: PZ Legal SUP 0507.doc
Subject: PZ Legal SUP 0504.doc

FOR LEGAL PUBLICATION JUNE 9, 2005

Notice of Public Hearing

The Boundary County Planning and Zoning Commission will hold public hearing at 5:30 p.m. Thursday, June 23, 2005, in the main courtroom of the Boundary County Courthouse, to accept public comment on application SUP 05-07 by Joel R. Martin, dba PANHANDLE KITCHEN & DOOR operate an on-site business located on their 20-acre parcel identified as Assessor Parcel RP61N01E290900A.

Joel R. Martin, dba PANHANDLE KITCHEN & DOOR, is seeking a Special Use Permit to build cabinet doors, dovetail drawer boxes, and moldings situated in a 40'X130' metal shop building on five (5) acres separated from their twenty (20) acre parcel identified as RP61N01E290900A. Hours of operation are 6:00 a.m.-2:30 p.m., with an average of six to eight vehicles per day. The product is delivered with Panhandle Kitchen & Door's private vehicle and trailer. Facility is accessed off of Highway 95 @ Mile Marker 501 by a private road, approximately 5-1/2 miles south of Bonners Ferry.

The deadline for written comment and material is 5:00 p.m. Thursday, June 16, 2005. Written comment may be mailed to Boundary County Planning and Zoning, PO Box 419, Bonners Ferry, ID 83805, faxed to (208) 267-1205, or emailed to planning@boundarycounty.org. Written comment will be accepted at public hearing provided the material is read into the record. There may be a five-minute limit per person on verbal testimony.

Further information on this application is available at the Planning and Zoning Office, Room 16 of the Courthouse, and the application is available for public review. Information is also available by calling (208) 267-7212, or by visiting the Boundary County website, <http://www.boundary-idaho.com/legals>.

Anyone requiring special accommodation due to handicap or disability should contact the planning office at least two (2) days prior to the hearing.

BILL:
Boundary County Planning and Zoning
PO Box 419
Bonners Ferry, ID 83805

6/02/05

PMO100 - PARCEL MASTER INQUIRY

13:16:57

PARCEL: RP 61N01E290900 A

F9=MS F10=SW
F17=DD F19=SP

LEGACY INC

YOPT

LEGAL DESCRIPTION
S2 NW4NE4
SEC 29 T61N R1E

HC 85 BOX 73E

ProVal Area Number 1
CODE AREA 8-0000 OWNER CD _____
PARC TYPE _____ LOC CODE _____
EFFDATE 50I2005 EXPDATE _____
PREV PARCEL RP61N01E290900T

BONNERS FERRY ID 83805

X for parcel comments

CAT	RY	QUANTITY	UN	VALUE	HO MRKT	HO EXMP	CB MRKT	OTHER
12	2005	19000	AC	54000				
13	2005	1000	AC	17320				
32	2005			1760				
35	2005			126930				
TOTALS		20000		200010				

ENTER NEXT PARCEL NUMBER RP _____ A

FKeys: F2=TX F3=Exit F5=SS F6=NM F7=LG
F8=CT F13=TM F18=HS F20=SrcH F22=EU

Jack R. Martin

*2 + 3
300'*



6/06/05

PMO100 - PARCEL MASTER INQUIRY

10:05:34

PARCEL: RP 61N01E292401 A

F9=MS

F17=DD F19=SP

LEGAL DESCRIPTION

E 2/3 OF NE4NW4
SEC 29 T61N R1E

SUTTON, ROBERT E
& SUTTON, DIXIE L

YOPT

17754 DEER PARK LOOP

ProVal Area Number 1

CODE AREA 8-0000 OWNER CD

PARC TYPE LOC CODE

EFFDATE 5012003 EXPDATE

PREV PARCEL RP61N01E292401T

BAKER CITY OR 97814

X for parcel comments

CAT	RY	QUANTITY	UN	VALUE	HO MRKT	HO EXMP	CB MRKT	OTHER
5	2005	4670	AC	1590				
6	2005	22000	AC	10910				

TOTALS 26670 12500

ENTER NEXT PARCEL NUMBER RP _____ A

FKeys: F2=TX F3=Exit F5=SS F6=NM F7=LG
F8=CT F13=TM F18=HS F20=SrcH F22=EU

6/06/05

PMO100 - PARCEL MASTER INQUIRY

10:05:53

PARCEL: RP 61N01E290612 A

F9=MS F10=SW
F17=DD F19=SP

F14=HO

SKRIVSETH, NORVAN A
& SKRIVSETH, SHARON S

YOPT

LEGAL DESCRIPTION
N2 NW4NE4 LESS TAX 13
SEC 29 T61N R1E

ProVal Area Number 1

HCR 01 BOX 262

CODE AREA 8-0000 OWNER CD

PARC TYPE LOC CODE

NAPLES ID 83847

EFFDATE 5012002 EXPDATE

PREV PARCEL RP61N01E290612T

CAT	RY	QUANTITY	UN	VALUE	HO MRKT	HO EXMP	CB MRKT	OTHER
7	2005	13000	AC	1900				
10	2005	1000	AC	23800				
31	2005			155420	155420	50000		
32	2005			3310				
TOTALS		14000		184430	155420	50000		

ENTER NEXT PARCEL NUMBER RP _____ A

FKeys: F2=TX F3=Exit F5=SS F6=NM F7=LG
F8=CT F13=TM F18=HS F20=SrcH F22=EU



6/06/05

PMO100 - PARCEL MASTER INQUIRY

10:06:06

PARCEL: RP 61N01E290600 A

F9=MS F10=SW
F17=DD F19=SP

F14=HO

SKRIVSETH, SIDNEY R
& SKRIVSETH, RUTH M

YOPT

LEGAL DESCRIPTION
TAX 13
SEC 29 T61N R1E

HCR 01 BOX 261

ProVal Area Number 1
CODE AREA 8-0000 OWNER CD

NAPLES ID 83847-9709

PARC TYPE LOC CODE

EFFDATE 50I2002 EXPDATE

PREV PARCEL RP61N01E290600T

CAT	RY	QUANTITY	UN	VALUE	HO MRKT	HO EXMP	CB MRKT	OTHER
12	2005	6000	AC	36930				
34	2005			115750	115750	50000		

TOTALS 6000 152680 115750 50000

ENTER NEXT PARCEL NUMBER RP _____ A

FKeys: F2=TX F3=Exit F5=SS F6=NM F7=LG
F8=CT F13=TM F18=HS F20=SrcH F22=EU

6/06/05

PMO100 - PARCEL MASTER INQUIRY

10:06:16

PARCEL: RP 61N01E290160 A F1=SL

F9=MS F10=JW
F17=DD F19=SP

*TREND - LEGAL DESCRIPTION

CHAMBERLIN, CHARLES C
& CHAMBERLIN, DORIS

TAX 11
SEC 29 T61N R1E

PO BOX 932

ProVal Area Number 1
CODE AREA 8-0000 OWNER CD

BONNERS FERRY ID 83805

PARC TYPE LOC CODE

EFFDATE 10/1986 EXPDATE

83805

PREV PARCEL

CAT	RY	QUANTITY	UN	VALUE	HO MRKT	HO EXMP	CB MRKT	OTHER
12	2005	5500	AC	36240				
32	2005			1540				
34	2005			30030				

TOTALS 5500 67810

ENTER NEXT PARCEL NUMBER RP _____ A

FKeys: F2=TX F3=Exit F5=SS F6=NM F7=LG
F8=CT F13=TM F18=HS F20=SrcH F22=EU

6/06/05

PM0100 - PARCEL MASTER INQUIRY

10:06:29

PARCEL: RP 61N01E290312 A

F9=MS F10=OW
F17=DD F19=SP

F14=HO

LEGAL DESCRIPTION

JORDAN, DONALD K

TAX 15
SEC 29 T61N R1E

PO BOX 1655

ProVal Area Number 1
CODE AREA 8-0000 OWNER CD
PARC TYPE LOC CODE
EFFDATE 1132000 EXPDATE
PREV PARCEL RP61N01E290311T

BONNERS FERRY ID 83805

X for parcel comments

CAT	RY	QUANTITY	UN	VALUE	HO MRKT	HO EXMP	CB MRKT	OTHER
12	2005	3960	AC	34100				
34	2005			85850	85850	42925		

TOTALS 3960 119950 85850 42925

ENTER NEXT PARCEL NUMBER RP _____ A

FKeys: F2=TX F3=Exit F5=SS F6=NM F7=LG
F8=CT F13=TM F18=HS F20=SrcH F22=EU

6/06/05

PMO100 - PARCEL MASTER INQUIRY

10:06:40

PARCEL: RP 61N01E290315 A

F9=MS F10=SW

F14=HO

F17=DD F19=SP

LEGAL DESCRIPTION

WESTON, FRANK W
& WESTON, JUDY K

TAX 14
SEC 29 T61N R1E

HCR 01 BOX 260

ProVal Area Number 1

CODE AREA 8-0000 OWNER CD

PARC TYPE LOC CODE

EFFDATE 5012003 EXPDATE

PREV PARCEL RP61N01E290315T

NAPLES ID 83847

X for parcel comments

CAT	RY	QUANTITY	UN	VALUE	HO MRKT	HO EXMP	CB MRKT	OTHER
12	2005	2830	AC	32540				
32	2005			1660				
34	2005			57480	57480	28740		
TOTALS		2830		91680	57480	28740		

ENTER NEXT PARCEL NUMBER RP _____ A

FKeys: F2=TX F3=Exit F5=SS F6=NM F7=LG
F8=CT F13=TM F18=HS F20=SrcH F22=EU



6/06/05

PM0100 - PARCEL MASTER INQUIRY

10:07:12

PARCEL: RP 61N01E291211 A

F9=MS F10=SW
F17=DD F19=SP

LEGAL DESCRIPTION

SW4NE4 W OF HWY, LESS
TAX 16 & 17
SEC 29 T61N R1E

ProVal Area Number 1

CODE AREA 8-0000 OWNER CD

PARC TYPE LOC CODE

EFFDATE 5252005 EXPDATE

PREV PARCEL RP61N01E291210T

HCR 01 BOX 328B

NAPLES ID 83847

X for parcel comments

CAT	RY	QUANTITY	UN	VALUE	HO MRKT	HO EXMP	CB MRKT	OTHER
12	2005	11030	AC	43900				
32	2005			8810				
34	2005			135252				

TOTALS 11030 187962

ENTER NEXT PARCEL NUMBER RP A

FKeys: F2=TX F3=Exit F5=SS F6=NM F7=LG
F8=CT F13=TM F18=HS F20=SrcH F22=EU

6/06/05

PMO100 - PARCEL MASTER INQUIRY

10:07:48

PARCEL: RP 61N01E294200 A F1=SL

F9=MS
F17=DD F19=SP

LEGAL DESCRIPTION

HELMUTH, VERNON
& HELMUTH, JEAN

YOPT

S2NW4
SEC 29 T61N R1E

HCR 01 BOX 328B

ProVal Area Number 1
CODE AREA 8-0000 OWNER CD _____
PARC TYPE _____ LOC CODE _____
EFFDATE 50I2004 EXPDATE _____
PREV PARCEL RP61N01E294200T

NAPLES ID 83847

CAT	RY	QUANTITY	UN	VALUE	HO MRKT	HO EXMP	CB MRKT	OTHER
6	2005	80000	AC	39680				
10	2005			2000				
32	2005			780				

TOTALS 80000 42460

ENTER NEXT PARCEL NUMBER RP _____ A

FKeys: F2=TX F3=Exit F5=SS F6=NM F7=LG
F8=CT F13=TM F18=HS F20=SrcH F22=EU

6/06/05

PMO100 - PARCEL MASTER INQUIRY

10:06:57

PARCEL: RP 61N01E291200 A

F9=MS

F17=DD F19=SP

LEGAL DESCRIPTION

HELMUTH, JEAN

TAX 17

SEC 29 T61N R1E

HCR 01 BOX 328B

ProVal Area Number 1

CODE AREA 8-0000 OWNER CD

PARC TYPE LOC CODE

NAPLES ID 83847

EFFDATE 5252005 EXPDATE

PREV PARCEL RP61N01E291210T

X for parcel comments

CAT	RY	QUANTITY	UN	VALUE	HO MRKT	HO EXMP	CB MRKT	OTHER
12	2005	5720	AC	26540				

TOTALS

5720

26540

ENTER NEXT PARCEL NUMBER RP _____ A

FKeys: F2=TX F3=Exit F5=SS F6=NM F7=LG
 F8=CT F13=TM F18=HS F20=SrcH F22=EU

6/06/05

PMO100 - PARCEL MASTER INQUIRY

10:07:25

PARCEL: RP 61N01E291350 A

F9=MS

F17=DD F19=SP

LEGAL DESCRIPTION

HELMUTH, VERNON

TAX 16

SEC 29 T61N R1E

HCR 01 BOX 328B

ProVal Area Number 1

CODE AREA 8-0000 OWNER CD

PARC TYPE LOC CODE

NAPLES ID 83847

EFFDATE 5252005 EXPDATE

PREV PARCEL RP61N01E291210T

X for parcel comments

CAT	RY	QUANTITY	UN	VALUE	HO MRKT	HO EXMP	CB MRKT	OTHER
12	2005	7000	AC	28310				

TOTALS

7000

28310

ENTER NEXT PARCEL NUMBER RP _____ A

FKeys: F2=TX F3=Exit F5=SS F6=NM F7=LG
 F8=CT F13=TM F18=HS F20=SrcH F22=EU

6/06/05

PMO100 - PARCEL MASTER INQUIRY

10:07:37

PARCEL: RP 61N01E290011 A

F9=MS

F17=DD F19=SP

LEGAL DESCRIPTION

NE4 OF HWY, LESS TAX 10
SEC 29 T61N R1E

EVERHART, JERRY J
& EVERHART, JUDY H

YOPT

ProVal Area Number 1

CODE AREA 8-0000 OWNER CD

PARC TYPE LOC CODE

EFFDATE 4012001 EXPDATE

PREV PARCEL RP61N01E290011T

PO BOX 1267

BONNERS FERRY ID 83805

X for parcel comments

CAT	RY	QUANTITY	UN	VALUE	HO MRKT	HO EXMP	CB MRKT	OTHER
7	2005	62500	AC	9130				

TOTALS

62500

9130

ENTER NEXT PARCEL NUMBER RP _____ A

FKeys: F2=TX F3=Exit F5=SS F6=NM F7=LG
 F8=CT F13=TM F18=HS F20=SrcH F22=EU

6/06/05

PMO100 - PARCEL MASTER INQUIRY

10:24:57

PARCEL: RP 62N01E221355 A

F9=MS

F17=DD F19=SP

LEGAL DESCRIPTION

TAX 241

SEC 22 T62N R1E

KEELING, BILL

ProVal Area Number 1

CODE AREA 5-0000 OWNER CD

PARC TYPE LOC CODE

EFFDATE 5012004 EXPDATE

PREV PARCEL RP62N01E221355T

6848 GOVERNMENT WAY

#114 PMB 48

DALTON GARDENS ID 83815

X for parcel comments

CAT	RY	QUANTITY	UN	VALUE	HO MRKT	HO EXMP	CB MRKT	OTHER
7	2003	9830	AC	1000				

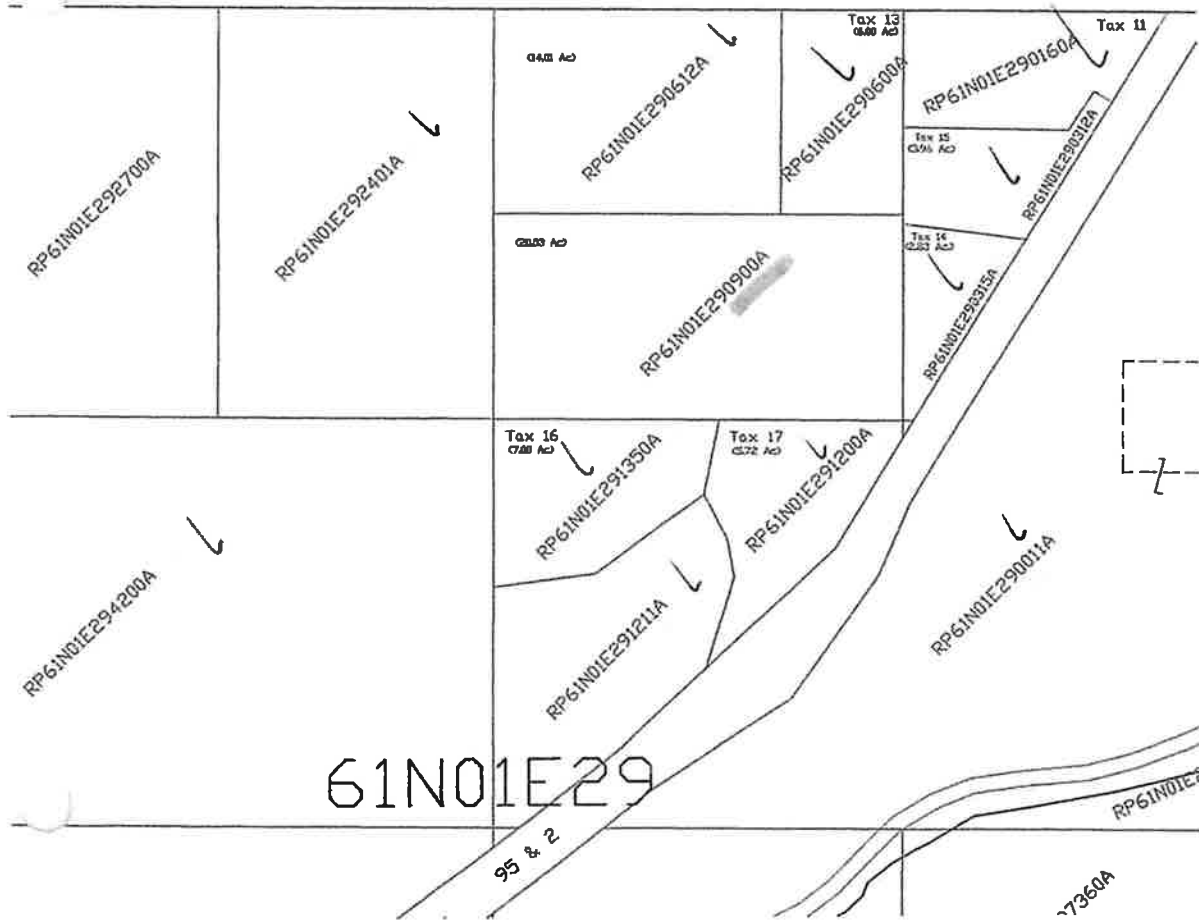
TOTALS

9830

1000

ENTER NEXT PARCEL NUMBER RP _____ A

FKeys: F2=TX F3=Exit F5=SS F6=NM F7=LG
 F8=CT F13=TM F18=HS F20=SrcH F22=EU



1" = 600'

Vernon Helmuth
HCR01 Box 328B
Naples, Idaho 83847
(208)267-7775
June 15, 2005

The Boundary County Planning and Zoning Commission
Bonners Ferry, Idaho 83805

RE: application SUP 05-07 by Joel R. Martin dba PANHANDLE KITCHEN & DOOR

I do not have any complaint regarding this application and would encourage the
Commission to approve this application.

Signed,



Vernon Helmuth


6/23/05

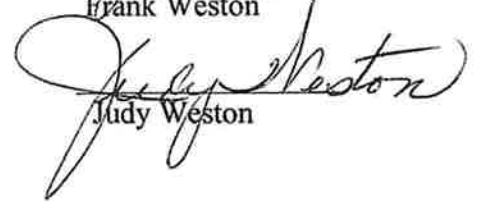
To: Planning and Zoning

Re: Joel Martin dba Panhandle Kitchen and Door Special Use Permit

We are the closest neighbors to Joel Martin, and are in favor of him obtaining a Special Use Permit. We believe that his business is an asset to the county, and that it does not have a negative impact on the surrounding properties.

Sincerely,


Frank Weston


Judy Weston

RECEIVED
JUN 23 2005
RESOURCE PLANNING

Mike Weland

From: "Don Jordan" <donj@nidaho.net>
To: "Planning and Zonning" <planning@boundarycounty.org>
Sent: Thursday, June 23, 2005 3:21 PM
Attach: Joel Martin.doc
Subject: Joel Martin Variance

Don Jordan
P.O. Box 1655
Bonners Ferry, Idaho 83805
Phone or Fax 208-267-4801 donj@nidaho.net

6/23/05

RECEIVED
JUN 23 2005
RESOURCE PLANNING

Hello to the dedicated Planning and Zoning Board,

I wish to say a few words in behalf of Joel Martin and his request for a variance for his cabinet shop, in case I can not get to the meeting tonight..

Joel and Lorna have been good neighbors and run a good business. Their access road is over an easement on the edge my property. When they moved in they further upgraded the road base, have graded it a couple times and have done most of the snow plowing. They have added some traffic to the road - but it has never been a problem.

Their operation does create a little noise that I can sometimes hear when I am outside, but it is very minor compared to the highway 95 road noise.

We need more quality businesses like theirs in the community.

I am unsure of all the advantages and disadvantages of the Conditional Use Permit vs a Rezone. I THINK the conditional use permit is a "better" way to go and commend Joel and Lorna for requesting it. I would expect that the Conditional Use Permit will legitimize their operation nearly as well as a Zone Change, but if the use should change in 10, 20 or 50 years the Permit could be reviewed. As long as the use has half the quality of the Martin's operation, I would hope and expect that the activity be encouraged.

If the use was to drastically change, I think it is also appropriate that the permit be reviewed. I am not sure a Zone Change would offer as good an option for encouraging appropriate business while offering some recourse to the community in the rare event of an inappropriate operation by some other owner in 50 years ???

At some point I would appreciate some clarification on the differences between a Variance and Zone Change.

Once again, I THANK YOU for your efforts.

6/23/2005

Best Wishes and enjoy your day!

Don Jordan

**Boundary County, Idaho
SPECIAL USE
PERMIT**

SUP # 05-07

This is to certify that
Joel R. Martin, dba PANHANDLE KITCHEN & DOOR

Have met the requirements of the
Boundary County Zoning and Subdivision Ordinance
to allow special use of real property located at:

RP61N01E290900A

To wit:

To operate a shop to build cabinet doors, dovetail drawer boxes, and moldings situated in a 40'X130' metal shop building on five (5) acres separated from their twenty (20) acre parcel identified as RP61N01E290900A. Hours of operation are 6:00 a.m.-2:30 p.m., with an average of six to eight vehicles per day. The product is delivered with Panhandle Kitchen & Door's private vehicle and trailer.

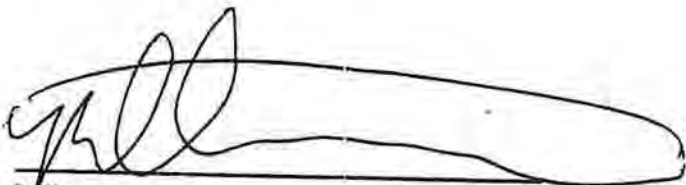
Subject to the following terms and conditions:

None

4/8/2015

The request to expand the building size does not effect the nature of this business nor alter the status of this permit.

John B. Moore



Mike Weland
Zoning Administrator

Issued: 10/4/05

This special use permit shall be deemed to run with the land on which it is attached, and shall remain the valid controlling plan for the above-referenced parcel for the duration of the use hereon described. Should the use not be established within twenty four (24) months of the date of issuance, this permit shall be deemed to lapse. This Special Use Permit shall not be changed or amended except by application for a new Special Use Permit. This permit does not waive additional permit requirements established by the Boundary County Zoning and Subdivision Ordinance nor from any applicable state or federal law.

**Boundary County, Idaho
SPECIAL USE
PERMIT**

SUP# 05-07

**This is to certify that
Joel R. Martin, dba PANHANDLE KITCHEN & DOOR
Have met the requirements of the
Boundary County Zoning and Subdivision Ordinance
to allow special use of real property located at:**

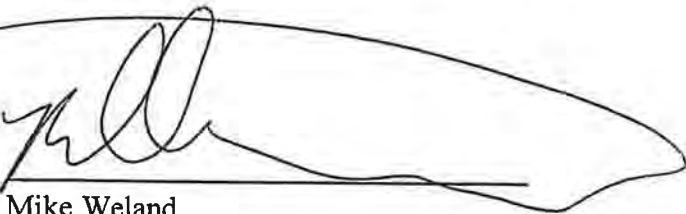
RP61N01E290900A

To wit:

To operate a shop to build cabinet doors, dovetail drawer boxes, and moldings situated in a 40'X130' metal shop building on five (5) acres separated from their twenty (20) acre parcel identified as RP61N01E290900A. Hours of operation are 6:00 a.m.-2:30 p.m., with an average of six to eight vehicles per day. The product is delivered with Panhandle Kitchen & Door's private vehicle and trailer.

Subject to the following terms and conditions:

None



Mike Weland
Zoning Administrator

Issued: 10/4/05

This special use permit shall be deemed to run with the land on which it is attached, and shall remain the valid controlling plan for the above-referenced parcel for the duration of the use hereon described. Should the use not be established within twenty four (24) months of the date of issuance, this permit shall be deemed to lapse. This Special Use Permit shall not be changed or amended except by application for a new Special Use Permit. This permit does not waive additional permit requirements established by the Boundary County Zoning and Subdivision Ordinance nor from any applicable state or federal law.


Boundary County Commissioners
Findings and Decision
SUP 0507 – Joel R. Martin dba Panhandle Kitchen and Door

1. The applicant is owner of 20-acre parcel RP61N01E290900A, on which his business, Panhandle Cabinet and Door, was established in 1999 to manufacture cabinets, dovetail drawer boxes and moldings for wholesale distribution. The enterprise occupies approximately five acres of the parcel, the remainder is used as the owner's residential property.
2. The area in which the parcel is located is zoned agriculture/forestry with a minimum lot size requirement of ten acres.
3. The Boundary County Planning and Zoning Commission held public hearing on this application, following proper public notification, on June 30, 2005. Prior to public hearing, three letters were received, all by neighboring property owners in favor of approval of the application.
4. At public hearing, the applicant testified that he had established the business without first obtaining a permit. He testified that prior to establishing the business, he had completed and passed a Small Business Administration environmental impact assessment. He stated that since its inception, the business has grown to employ ten people and last year brought \$650,000 revenue to the community, mostly from out of state.
5. Boundary County Commissioners held public hearing on application SUP 05-07 August 23 and did take into consideration the application materials, the statements of the applicant and the findings and recommendation of the planning and zoning commission. No member of the public spoke in favor of or against the proposal.
6. Following public hearing, commissioner Walt Kirby made motion that application SUP 05-07 be approved based on the findings and recommendation as presented by the planning and zoning commission.
7. The planning and zoning commission found that the application met the provisions of the Comprehensive Plan in that:
 - a. Section I: The use proposed provides the applicant the use of their property in their own best interests with little to no demonstrated adverse affects on the health and safety of neighboring property owners and without denying neighbors the same inherent rights.
 - b. Section III: That this enterprise is directly related to forestry and is a value-added enterprise that benefits the local economy. That this passage of this application promotes economic growth within Boundary County and enhances the economic condition of the community.
 - c. Section IV: That approval of this application encourages the formation of enterprises that add value to the existing economic base while imposing little to no adverse impact on surrounding uses of the parcel, the flow of traffic in the area or on increased demand to the Boundary County Landfill.
 - d. Section X: That approval of this application ensures the best use of the land and its resources without placing undue burden on the Boundary County infrastructure, and that approval promotes the initiative of the property owner to further his best economic interest.

8. The Planning and Zoning Commission further found that the application meets the criteria of a special use pursuant to Chapter 7, Section 1, and that the application meets the criteria of Chapter 13 in that:
- a. The site plan and other materials contained in the application are sufficient to provide a clear and unambiguous description of the nature of the use to be allowed.
 - b. That there is sufficient land area to accommodate the proposed special use and that structures are so arranged as to minimize adverse effects on surrounding properties.
 - c. That the proposed use will not have substantial adverse effects on adjacent property owners or to the general public, and will not create hazard to adjacent property owners.
 - d. That the proposed special use will not create noise, dust, traffic, odors, dust or other nuisances in excess of uses permitted in the zone district.
 - e. That adequate public services exist to accommodate the proposed use.
9. Based on the above facts and findings, following second to Kirby's motion by commissioner Dan Dinning, application SUP 05-07 is hereby approved as presented with no additional restrictions or conditions.



Ron Smith, Chairman



Dan Dinning, Member

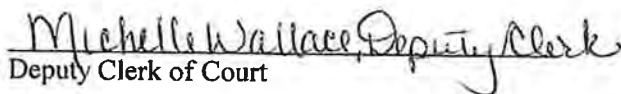


Walt Kirby, Member



October 4, 2005
Date

ATTEST:

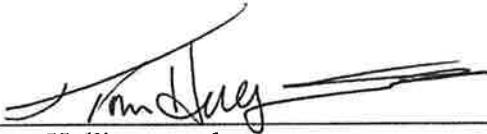


Deputy Clerk of Court

Boundary County Planning and Zoning Commission
Findings and Recommendation
SUP 0507 – Joel R. Martin dba Panhandle Kitchen and Door

1. The applicant is owner of 20-acre parcel RP61N01E290900A, on which his business, Panhandle Cabinet and Door, was established in 1999 to manufacture cabinets, dovetail drawer boxes and moldings for wholesale distribution. The enterprise occupies approximately five acres of the parcel, the remainder is used as the owner's residential property.
2. The area in which the parcel is located is zoned agriculture/forestry with a minimum lot size requirement of ten acres.
3. The Boundary County Planning and Zoning Commission held public hearing on this application, following proper public notification, on June 30, 2005. Prior to public hearing, three letters were received, all by neighboring property owners in favor of approval of the application.
4. At public hearing, the applicant testified that he had established the business without first obtaining a permit. He testified that prior to establishing the business, he had completed and passed a Small Business Administration environmental impact assessment. He stated that since its inception, the business has grown to employ ten people and last year brought \$650,000 revenue to the community, mostly from out of state.
5. Based on material contained in the application and on testimony received during public hearing, the Planning and Zoning Commission finds that the application meets the criteria of the Boundary County Comprehensive Plan in that:
 - a. Section I: The use proposed provides the applicant the use of their property in their own best interests with little to no demonstrated adverse affects on the health and safety of neighboring property owners and without denying neighbors the same inherent rights.
 - b. Section III: That this enterprise is directly related to forestry and is a value-added enterprise that benefits the local economy. That this passage of this application promotes economic growth within Boundary County and enhances the economic condition of the community.
 - c. Section IV: That approval of this application encourages the formation of enterprises that add value to the existing economic base while imposing little to no adverse impact on surrounding uses of the parcel, the flow of traffic in the area or on increased demand to the Boundary County Landfill.
 - d. Section X: That approval of this application ensures the best use of the land and its resources without placing undue burden on the Boundary County infrastructure, and that approval promotes the initiative of the property owner to further his best economic interest.
6. The Planning and Zoning Commission further finds that this application meets the criteria of a special use pursuant to Chapter 7, Section 1, and that the application meets the criteria of Chapter 13 in that:
 - a. The site plan and other materials contained in the application are sufficient to provide a clear and unambiguous description of the nature of the use to be allowed.

- b. That there is sufficient land area to accommodate the proposed special use and that structures are so arranged as to minimize adverse effects on surrounding properties.
 - c. That the proposed use will not have substantial adverse effects on adjacent property owners or to the general public, and will not create hazard to adjacent property owners.
 - d. That the proposed special use will not create noise, dust, traffic, odors, dust or other nuisances in excess of uses permitted in the zone district.
 - e. That adequate public services exist to accommodate the proposed use.
7. Based on the above facts and findings, and by unanimous vote following motion made by member Toby Schnuerle and seconded by member Rod Barcklay, the Boundary County Planning and Zoning Commission does hereby forward to Boundary County Commissioners a recommendation that application SUP 0507 by Joel Minor be approved as presented, and recommend no additional restrictions or conditions.



Tom Hollingsworth
Acting Chairman
Boundary County Planning and Zoning Commission

Date 7/11/05

STAFF REPORT

APPLICATION SUP 0507

Joel R. Martin dba Panhandle Kitchen and Door

1. The applicant is seeking a special use permit to continue operation of an existing business on U.S. 95 approximately two miles north of Naples. The business is accessed off U.S. 95 by a private frontage road, and traffic arising as a result of the enterprise is approximately six to eight vehicles per day. Panhandle Kitchen and Door builds cabinets, dovetail drawer boxes, and moldings inside a 40' by 130' metal shop building on a five-acre portion of 20-acre parcel RP61N01E290900A. Hours of operation are 6 a.m. to 2:30 p.m. Product is delivered to customers by private vehicle and trailer.
2. The parcel on which this proposal is made is zoned agriculture/forestry with a minimum parcel size of 10 acres. As no partition of the parcel is inherent in this application, the parcel meets the required minimum parcel size established by ordinance.
3. To date, no written public testimony, in favor of or opposed to this application, has been received.
4. Pursuant to Chapter 7, Section E, consideration of this proposed use is allowed as a special use.
5. In considering this application and rendering a recommendation to the board of county commissioners, the planning and zoning commission must consider written and oral testimony and determine:
 - a. That the site plan and other materials contained in this application are sufficient to provide a clear and unambiguous description of the nature of the use to be allowed under the terms and conditions of a special use permit.
 - b. That there is sufficient land area to accommodate the proposed special use and that the use and accessory structures are so arranged as to minimize adverse effects on surrounding properties.
 - c. That the proposed special use will not have any substantial adverse effects on adjacent properties or to the general public, and will not create hazards to adjacent property owners.
 - d. That the proposed special use will not create noise, traffic, odors, dust or other nuisances substantially in excess of permitted uses within the zone district.
 - e. That adequate public services, including water, sewage disposal, roads, fire protection, etc., exist or will be built to accommodate the proposed use.
6. Upon conclusion of public hearing, the planning and zoning commission may:
 - a. Recommend approval the application as presented.
 - b. Recommend approval of the application with terms and conditions to mitigate potential adverse impact.
 - c. Table the application pending receipt of additional information or amendment of the application.
 - d. Recommend the application be disapproved and determine what actions, if any, may be taken to gain approval.



June 6, 2005

RP61N0 E290900A

20

20a

Joel Martin
Panhandle Kitchen and Door
Special Use Permit

— Martin Parcel

• Martin Parcel Identification Number

Application Special Use Permit

Name Joel R. Martin, dba PANHANDLE KITCHEN & DOOR

SUP No 05-07

Address P. O. Box 3176

City, State, Zip Bonnors Ferry, ID 83805

Telephone 208/267-2067 & 267-2955

Parcel No. RP61N01E290900A

Size Parcel 20.000 acres

(Office Use Only)

Date Appl 4/7/2005

Date Pub 6/9/2005

Date Hrng PZ 6/23/2005

Zone Dist Ag/Forestry

Flood plain Yes No

Comply NFIP Yes No

Description of proposed use:

Joel R. Martin, dba PANHANDLE KITCHEN & DOOR, is seeking a Special Use Permit to build cabinet doors, dovetail drawer boxes, and moldings situated in a 40'X130' metal shop building on five (5) acres separated from their twenty (20) acre parcel identified as RP61N01E290900A. Hours of operation are 6:00 a.m.-2:30 p.m., with an average of six to eight vehicles per day. The product is delivered with Panhandle Kitchen & Door's private vehicle and trailer. Facility is accessed off of Highway 95 @ Mile Marker 501 by a private road, approximately 5-1/2 miles south of Bonnors Ferry.

(Use additional sheets if needed. Include information on hours of operation, estimated number of vehicle trips per day resulting from proposed use, whether use is permanent, temporary or seasonal, the size and nature of structures to be built and actions planned to reduce the effects of the use on surrounding properties. Description should contain enough detail to provide a clear description of the nature of the proposed special use.)

ATTACH: A site plan showing the property boundaries, general topography, building and accessory structure layout, setbacks, access, parking, storage areas, signage, landscaping and other details necessary to clearly depict the proposed use. If the nature of the use is commercial or industrial and a commercial site plan is required, this site plan will serve in that capacity and a \$25 administrative fee will be added to the application fee upon approval of the special use application.

Special Use application fee: \$100 plus postage as established at Chapter 16, Boundary County Planning and Zoning Ordinance.

Applicant's signature

Property owner's signature

Application Special Use Permit

SUP No -06

Name Joel Martin
 Address P.O. Box 3176
 City, State, Zip Bonnars Ferry, Idaho, 83805
 Telephone (208) 267-2067
 Parcel No. S2NW4NE4 Sec 29 Twp 6 N R1E Bm
 Size Parcel 20(+) acres (only 5 acres applied for)
Boundary County, IDAHO

(Office Use Only)	
Date Appl	
Date Pub	
Date Hrng/PZ	
Zone Dist	
Flood plain	<input type="radio"/> Yes <input checked="" type="radio"/> No
Comply NRIP	<input type="radio"/> Yes <input checked="" type="radio"/> No

Description of proposed use:

Joel Martin, dba Panhandle Kitchen + Door is currently building cabinet doors and dovetailed drawer boxes, and mouldings in a tan/maroon metal shop building that is 40'x 130'. A dumpster is on site for waste disposal. Hours of operation are 6:00 AM - 2:30 PM, M-F. Vehicle trips average 6-8 cars per day. A small truck & trailer delivers lumber once per week. Panhandle is not a retail shop, so there is no customer traffic. Product is delivered with our own pickup and trailer. Our customers are located from Kalispell & Missoula, MT. to Spokane, WA & all areas between.

I am requesting a special use permit on 5 of the 20 acres in this parcel (see diagram) The shop is accessed by a private road off Hwy 95 @ Mile Marker 501. No landscaping or signs are needed. A 6' board fence has been discussed & approved by Frank & Judy Weston, and is scheduled to be completed this year. (see diagram) Never Did

I believe that creating jobs is important, and currently have 10 employees.

(Use additional sheets if needed. Include information on hours of operation, estimated number of vehicle trips per day resulting from proposed use, whether use is permanent, temporary or seasonal, the size and nature of structures to be built and actions planned to reduce the effects of the use on surrounding properties. Description should contain enough detail to provide a clear description of the nature of the proposed special use.)

ATTACH: A site plan showing the property boundaries, general topography, building and accessory structure layout, setbacks, access, parking, storage areas, signage, landscaping and other details necessary to clearly depict the proposed use. If the nature of the use is commercial or industrial and a commercial site plan is required, this site plan will serve in that capacity and a \$25 administrative fee will be added to the application fee upon approval of the special use application.

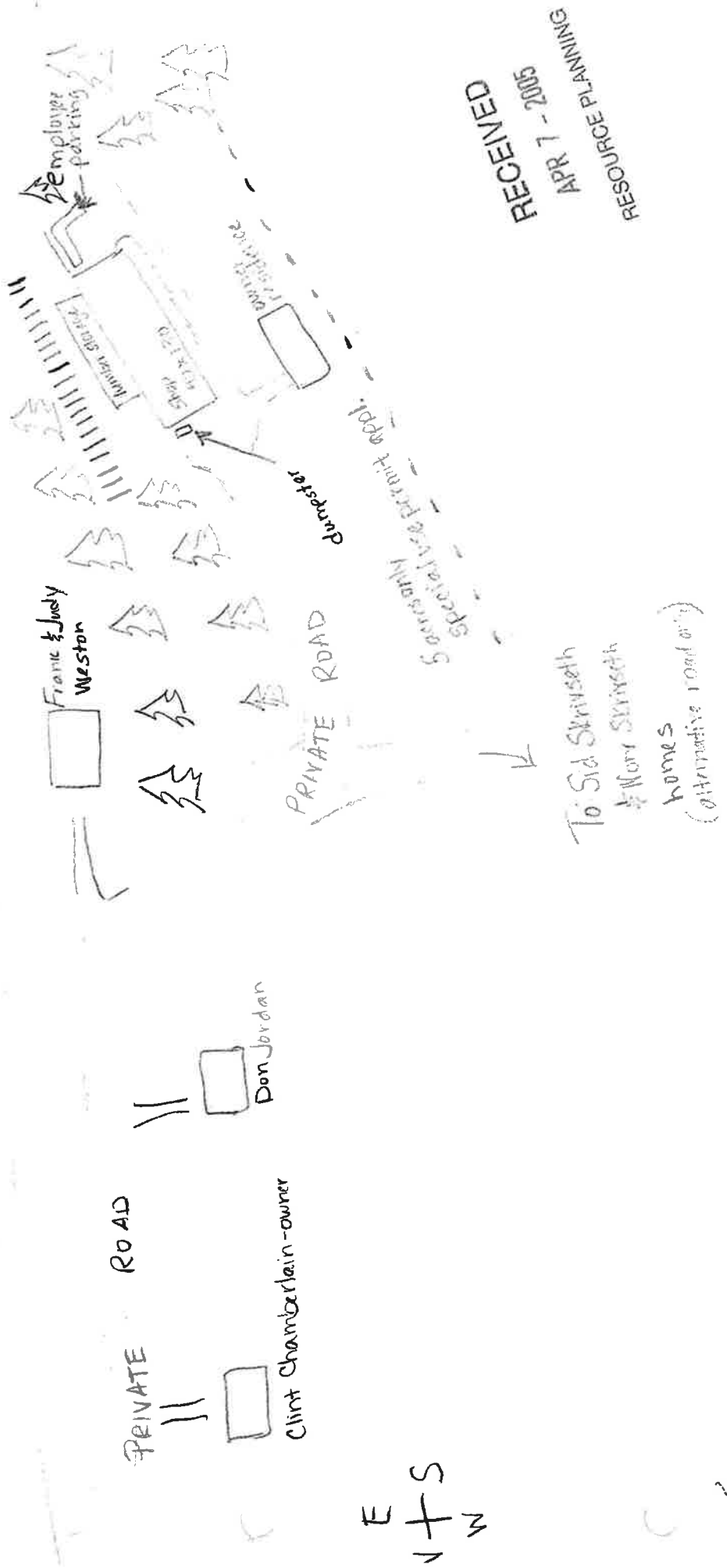
Special Use application fee: \$100 plus postage as established at Chapter 16, Boundary County Planning and Zoning Ordinance.

RECEIVED
APR 7 - 2005
RESOURCE PLANNING

Applicant's signature Joel Martin Property owner's signature William Weston

MM501

Bonnets Ferry ← Hwy 95 → Naples



Joel Martin -
Special Use Application

MAP CODE

▲ - trees

||||| - U-board fence

RECEIVED
APR 7 - 2005
RESOURCE PLANNING

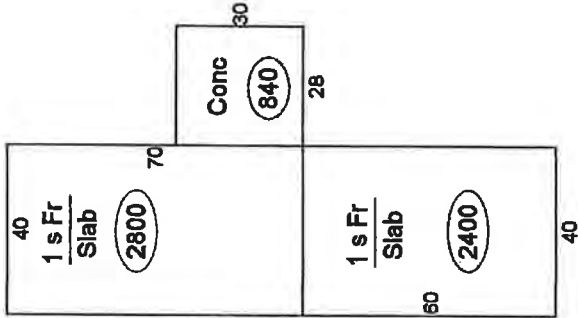
PHYSICAL CHARACTERISTICS

ROOFING
 Metal INSULATION
FRAMING
 Wd Jst B 1 2 0 U 0
 FINISH
 UF SF FO FD
 1 \$200 0 0 0
 Total \$200 0 0 0

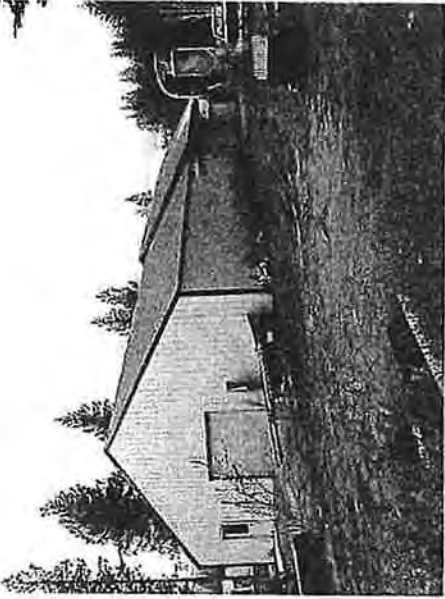
HEATING AND AIR CONDITIONING
 Heat B 0 1 2 0 U 0

FINISH Residential Commercial
 # TF # TF
 Full Baths 2 4
 Half Baths 0 0
 Extra Features 0 0

IMPROVEMENT DATA



Panhandle Kitchen & Door



SPECIAL FEATURES

Description	Value	ID	Use	Sty Hgt	Const Year	Const Grade	Base Rate	Feat-ures	Adj Rate	Size or Area	Computed Value	Phys Obsol. Value	Market Adj	Comp Value
C	IMEG	0.00	Low+	2000	2000	AV	0.00	N	0.00	5200	0	0	0	126930

SUMMARY OF IMPROVEMENTS

Year	Const	Grade	Base Rate	Feat-ures	Adj Rate	Size or Area	Computed Value	Phys Obsol. Value	Market Adj	Comp Value
2000	2000	AV	0.00	N	0.00	5200	0	0	0	126930

Data Collector/Data

KC 10/20/2004

Appraiser/Date

KC 12/09/2004

Neighborhood

Neigh 2200 AV

Supplemental Cards
TOTAL IMPROVEMENT VALUE

126930



RP61N01E290900A

6/02/05

PMO100 - PARCEL MASTER INQUIRY

13:16:57

PARCEL: RP 61N01E290900 A

F9=MS F10=SD
F17=DD F19=SP

LEGACY INC

YOPT

LEGAL DESCRIPTION
S2 NW4NE4
SEC 29 T61N R1E

HC 85 BOX 73E

ProVal Area Number 1
CODE AREA 8-0000 OWNER CD _____
PARC TYPE _____ LOC CODE _____
EFFDATE 5012005 EXPDATE _____
PREV PARCEL RP61N01E290900T

BONNERS FERRY ID 83805

X for parcel comments

CAT	RY	QUANTITY	UN	VALUE	HO MRKT	HO EXMP	CB MRKT	OTHER
12	2005	19000	AC	54000				
13	2005	1000	AC	17320				
32	2005			1760				
35	2005			126930				
TOTALS		20000		200010				

ENTER NEXT PARCEL NUMBER RP _____ A

FKeys: F2=TX F3=Exit F5=SS F6=NM F7=LG
F8=CT F13=TM F18=HS F20=Srch F22=EU

Paul R. Martin

61N01E29



RP61N01E290200A

RP61N01E2902100A

RP61N01E2902401A

RP61N01E290912A

RP61N01E290900A

RP61N01E290190A

RP61N01E290900A

RP61N01E290200A

RP61N01E290300A

RP61N01E291210A

RP61N01E290311A

61N01E29

RP61N01E290410A

U.S. Highway 95 & 2

Brown Creek

RP61N01E290315A

RP61N01E290400A

RP61N01E291300A

RP61N01E291210A

Tax 3
RP61N01E290100A

Tax 5
RP61N01E290200A

RP61N01E290400A
Tax 4

RP61N01E290410A

RP61N01E291000A

DEQ Intranet

Enter Complaint ID

Complaint Tracker

No results 2022 + 2023

[Add Complaint](#) [Search Complaints](#)

Edit Complaint

NOTE:

Complaint Tracker is on a new server (you have been redirected here from the old one). Please update your bookmarks to this new address (<http://apps/admin/complainttracker>) as the automatic redirect is temporary.

Complaint Id: 202948 Complaint Date and Time (Mountain Time): 6/29/2023 12:00:00 PM Complaint Recorder: Casile, Almer

Office:

Coeur d'Alene Regional Office ▾

Subject

General

Agriculture Air Engineering Ground Water/Remediation Surface Water Odor Other Drinking Water

Air

Stationary Source Fugitive Dust Open Burning Odors Other CRB

Water

WLAP Drinking Water Other Surface Water Ground Water Waste Water

Waste

RCRA Solid Waste UST/LUST Remediation Other

Referral from

ISDA IDL IDWR USFS BLM ACOE Tribe City/County Health District Other EPA

Referral to

ISDA IDL IDWR USFS BLM ACOE Tribe City/County Health District Other EPA

Complainant / Complainee

Keep Anonymous: Enforcement Confidential:

Complainant Name:*
Kelly Martin

Complaint Against:*
Panhandle Door

Complainant FULL Address:

Complainant Phone:
208/651-1172

Problem

Problem Description:*

Kelly Martin's parent lives adjacent to Panhandle Door. Ms. Martin states that odors from the facility

Problem Location (address, directions, etc.):

Panhandle Door is located at 168 Pot Hole Rd, Naples, ID 83847. Kelly Martin's parent is the next door neighbor.

Notifications - E-mail addresses to notify of changes or updates * (at least one required)

NOTE: By default, regional administrators automatically receive a copy of all e-mails sent for their region.

Almer.Casile@deq.idaho.gov 
shawn.sweetapple@deq.idaho.go 

Response(s)

Responder Name: Casile, Almer
Date: 6/30/2023 11:14:53 AM
Response:

I, Almer Casile, returned Kelly Martin's call at 0730hrs on 06/30/23. I informed Kelly that DEQ did not address odor complaints. I also informed her that the facility was going through DEQ's permitting process which would establish requirements for VOC and TAP/HAP emissions. I requested she contact Boundary County Building Department. I also asked if she wanted me to contact the facility if they were willing to address the complaint. She requested that I did not call the facility. She did not want to create conflict between her parent and the facility.

Add Response:

Conclusion(s)

Concluder Name: Casile, Almer
Date: 6/30/2023 11:14:53 AM
Conclusion:

Kelly Martin thanked me for the call and the information.

Add Conclusion:

Open / Close Complaint

Complaint status: Closed 

File(s)

Add File: No file chosen

Note: you must browse to the file and select it. Do not just paste in a path.

Note: Supported types: TXT, DOC, XLS, DOCX, XLSX, CSV, PDF, JPG, GIF, BMP, PNG, ZIP, RAR, 7Z

[Contact Help Desk](#) [DEQ Intranet](#) [DEQ Website](#)

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DEQ Intranet

Enter Complaint ID

Complaint Tracker

Family has been in Bonners Ferry
1902!

[Add Complaint](#) [Search Complaints](#)

Edit Complaint

NOTE:

Complaint Tracker is on a new server (you have been redirected here from the old one). Please update your bookmarks to this new address (<http://apps/admin/complaintracker>) as the automatic redirect is temporary.

Complaint Id: 203721 Complaint Date and Time (Mountain Time): 8/8/2024 5:50:00 PM Complaint Recorder: Kinney, Dean

Office:

Coeur d'Alene Regional Office

Subject

General

Agriculture Air Engineering Ground Water/Remediation Surface Water Odor Other Drinking Water

Air

Stationary Source Fugitive Dust Open Burning Odors Other CRB

Water

WLAP Drinking Water Other Surface Water Ground Water Waste Water

Waste

RCRA Solid Waste UST/LUST Remediation Other

Referral from

ISDA IDL IDWR USFS BLM ACOE Tribe City/County Health District Other EPA

Referral to

ISDA IDL IDWR USFS BLM ACOE Tribe City/County Health District Other EPA

Complainant / Complainee

Keep Anonymous: Enforcement Confidential:

Complainant Name:*

Gary Akins

Complaint Against:*

Panhandle Door/Maverick LLC

Complainant FULL Address:

Complainant Phone:

208-610-9188

Problem

Problem Description:*

Wood waste on the western parcel and other waste. Panhandle Door is filling in the ravine (drainage).

Problem Location (address, directions, etc.):

168 Pothole Rd, western parcel #RP61N01E290902A

Notifications - E-mail addresses to notify of changes or updates * (at least one required)

NOTE: By default, regional administrators automatically receive a copy of all e-mails sent for their region.

Save Complaint

@aho.gov

@idaho.gov

Response(s)

Responder Name: Kinney, Dean
Date: 9/6/2024 6:09:06 PM
Response:

Site visit on 9/3/24. D. Kinney & K. Aardahl walked the parcel. A wood waste pile is being chipped and will be removed. Some disturbance of the soil on the south side of the ravine, but no disturbance up top near the wood waste pile. Some soil was in the ravine from the south slope. Panhandle Door (Nelson Mast) agreed to remove that soil to return the ravine bottom to original elevations.

Add Response:

Conclusion(s)

Concluder Name: Kinney, Dean
Date: 9/6/2024 6:09:06 PM
Conclusion:

Verify wood waste is removed at the end of September, otherwise a closed issue.

Add Conclusion:

Open / Close Complaint

Complaint status: Closed ▾

File(s)

Add File: Browse... No file selected.

Upload

*Note: you must browse to the file and select it. Do not just paste in a path.
Note: Supported types: TXT, DOC, XLS, DOCX, XLSX, CSV, PDF, JPG, GIF, BMP, PNG, ZIP, RAR, 7Z*

From: [David Dewberry](#)
To: [David Dewberry](#); eketner@phd1.idaho.gov; [commissioners](#); [prosecutor](#)
Cc: [Chaseinvestigation](#); [Jeff Steinborn](#); [jjones185021](#); [Kevinkleinworth](#); [Kevin Aardahl](#); [pr](#); [idleginfo](#); [Isoweb](#); [SHerdon](#); [MSauter](#); sdixon@house.idaho.gov
Subject: Zoning and health complaint
Date: Thursday, June 27, 2024 3:34:34 PM

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Panhandle Health District, Boundary County Commissioners, Boundary County Prosecuting Attorney, government leaders and Whom It May Concern in government,

I am a citizen of District 3 in Boundary County, Idaho.

This is a complaint.

I have had serious and ongoing concerns about the business next door to me, located at 167 Pot Hole Road, Naples, ID, 83847 and otherwise know as Panhandle Door, Inc. (PDI). On many of these I expressed concerns, I do not know all the facts, but from what I have experienced, observed and learned from others, I believe they may have been operating outside some of the zoning and health requirements and/or guidelines designed to protect those in the community.

A bit of background...

When my family and I came to visit this north Idaho community in the summer of 2018, we had embarked on a road trip to explore where we would like to move. I was an owner operator truck driver, and my family of four had loaded into the big rig to work and explore. You see, we needed to move from where we were in Utah, because the poor air quality was making my wife nearly bedridden. Different people respond to particulates in the air differently, and we had discovered a clear connection to her degrading health in relation to the ever increasing pollution in the Salt Lake and Utah Valleys.

North Idaho, where we had friends from our church, who had already move here from Utah, was our first stop. We quickly knew we wanted to move here. We visited the local parish of the Christian church we are members of and found it was perfect for our young family. Our son was

12 and our daughter had just turned 11. We found that the people in the community were kind, the air and water was clean, and the mountain forests were beautiful, the political climate seemed to be one of personal liberty and respect for constitutional rights and the protection of life, liberty and the pursuit of happiness. My wife, just as she had experienced when we had recently taken a trip to Scotland, began to feel her energy and well being increase within days of being here. In short it seemed to be an ideal place to continue raising our family in peace and safety.

We went home, put our house up for sale, found a rental, and moved here in late October of 2018. We first rented a house in town near the Kootenai river. Being that there was no suitable place to park my big rig, our friends who lived in the first house off Pot Hole Road at the top of Peterson Hill, offered to let me park the rig there in a perfect spot right off the highway. This worked nicely, and I quickly began to become acquainted with the folks off Pot Hole Road. You see, as I would be tinkering with my truck, people would stop and say hi to the new person in town. All were kind and respectful and one in particular, Terry Bodenhammer, may God rest his soul, would stop every time he saw me. He was a Christian, a former Marine and a retired logger, and he was just as one would expect with those credentials...tough, fearless, straight talking, hard working, possessing a heart for service. It seemed you didn't have to guess where he stood with things, but he did surprise me because I always had this sense that he was sizing me up.

One day, while taking a break from working on my truck, and talking to my friend James in his driveway on Pot Hole Rd., Terry pulled up to us in his car and greeted James through the rolled down window, "You know, at first I didn't know what to think of this long haired hippie, but I have decided I like him." He was referring to me. I was a little surprised by the comment and the way it was delivered as if I wasn't standing there, while I held back the urge to correct him about the hippie reference, but I was also warmed by his expression of what felt to be an expression of affection, considering the source. It stuck with me, because it was so unexpected, and yet made me feel chosen, if you will. It was the first of many affirmations I received that God had brought us to the right place.

A few months into this routine and coming into spring as I recall, Terry pulled up to me beside my rig, in the usual spot off the entrance of Pot Hole Road, stepped out of the car and said "You need to buy my house!". You see, he owned the house at the end of Pot Hole road on the right split, and through the wooden gates. The road also split left at the end and before the gates into PDI's parking lot.

We finalized the purchase agreement and began moving in late summer of 2019.

PDI, the business next door, operated from 6am to 2:30pm Monday through Friday, and I couldn't hear any noise to speak of from equipment such as dust collection fans etc., other than the occasional horn, or back up beeper from delivery trucks. Though not ideal, I assumed their operations were approved, and we decided we could live with the dust being kicked up on the road all summer, from employees along with the sparse occasional noises from their parking lot during the day. This is why we were ok with living here.

We did however notice, massive burns that would occasionally happen at the PDI property. They were burning their waste. After one particular accidental burn when the volunteer fire department had to come out, I heard that they complained about having to breath noxious gases coming from trash and treated woods. After starting to work there, I noticed that there seemed to be a continual antagonism from the fire department because they would come out and see accumulating trash in the wood pile that was to be burned, which I imagine they would be asked again to fight if there was an accidental ignition. Eventually the fire department told PDI that they could not burn their trash. This is when it seemed that even more trash was accumulating in the massive pile down the hill on the south side of the plant. This was what they eventually buried along with their septic system, when they began brining in the fill dirt from the highway and road projects. This is when I noticed trailers of waste plywood and mdf being tractored back to the landfill area they had due west of the plant on the adjacent property they owned, and dumped. My former neighbor, Kevin Kelinworth had told me he got pictures of the landfill area. He said he saw a lot barrel drums along with everything else.

Backing up on the timeline, not long after moving here, we decided to sell the trucking business so I could be home more consistently. I started sub contracting in construction, then went to Alaska for the summer of 2020 fishing season, then came home and took a temporary position with the Idaho Dept. of Transportation mainly driving their plow trucks over the winter of 2020-2021. Then I returned to construction, and not long after that, my wife suggested that I apply for work at PDI. After PDI making me a third offer, I accepted a position as their Shipping Dept, leader and started around the first of August 2021.

When I was hired, there were a few initiatives already in the works:

One was the decision to begin a swing shift from roughly 2:30pm to 11pm Monday through Friday, thereby expanding their scheduled hours to 6am to 11pm five days a week, in addition to the many hours outside that schedule used to work on facilities, maintenance and production overtime.

A second initiative was to install a single external dust collection system to replace the the internal dust collection systems.

Yet another change, was to expand their building foot print by about seven thousand square feet which would put them at roughly 22,000 square feet in my estimation.

Living next door, my home life immediately took a dive. I went from sporadic highway traffic noise that died down every day after business hours, to a steady loud drone of their dust collection system that would create a buzzing in our house that became very pronounced as the evenings progressed. So much for quite peaceful evenings. My wife said it was driving her crazy, and I was right behind her. I explained to the owners and showed them how a swing shift with 3 people was not necessary and introduced them to a dust collection engineer that showed them how they could cut out the noise from their system, but they did not want to do either. They said they would work on it.

Fast forward 3 years later, after complaining to government, they just within the last two months or so, tried to remedy the problem by changing some parts of their system but primarily by placing the noise generating aspects down low below the roof line on the opposite side of their buildings from me. I have notice some improvement, which has been a relief, but now our

neighbor on that side of the business continues to get a constant drone, just like I was. The sound seems like it is reflecting off of PDI's metal building toward them now.

Back to when I was hired, within a year, I was made the Production Manager, while still leading the Shipping and Trucking operations. I was leading everyone, save the two owners, the Operations Manager, Human Resources, the Sales team, Administrative team and the Maintenance team, which comprised about 10 people. I was leading the remaining roughly 75 people. You see, I had many years of experience as a Factory Manager and Maintenance Manager for large plants in Utah. During my tenure at USSynthetic in Orem Utah, I was part of a leadership team that helped transform the company over the course of 6 years to be one of only two companies in the US, that year, to win the Shingo Prize. Look it up and you will see that a core principle is to connect the culture to delivering value to everyone, including the employees and the community in order to create a sustainable and long term culture of excellence. Part of that is taking care of employees' and neighbors' safety as well as the environment. I could see the artifacts everywhere at PDI that revealed that these concerns seemed virtually absent. Retrospectively, despite my optimism to help folks see the value of a balanced perspective on the health of the business, I can see that it was not attainable because the owners actually did not seem to share that same perspective and desire. They seemed to only see how I could help increase profits and growth, which I did handily, because those solutions were adopted quickly and with vigor. However, nearly everything I had learned in overseeing the safety of several teams historically was being overlooked at PDI. Against my advise, they were quick to spend 100's of thousands of dollars on equipment in attempts to increase their throughput, or to expand the square footage, I could see there was plenty of work to do in terms of delivering better value to all the stakeholders and I felt up to the task of trying to help the owners achieve their business goals, as long as it involved taking proper care of all stakeholders.

I learned that I was further and further hamstrung by entrenched leaders and lack of resolve of the owners. For two years they would not budge (except a \$1000 investment for noise dampening devices in the shipping department to lower the decibels) when it came to smaller investments for

safety and the environment and neighbors such as myself. The owners appeared to be making a handsome profit, and I was being taken care of in terms of a competitive wage, however with no benefits, but it quickly became apparent to me that the long term health of the employees, community and the environment were not apparently part of any meaningful strategic discussions or actions. I know this, because I was in most of their planning meetings. I tried for the whole time I was there to get a dust collection table for this poor young man Aaron who would spend all day sanding dried clear coat from drawer boxes. His eyes would be completely red every day. God knows what his lungs must look like along with the condition of his hearing, with no respirator and no ear protection. I could not get his entrenched leaders to enforce the use of proper PPE. Although I was technically the 3rd tier leader for Aaron for a time, I was hamstrung to change requirements and systems to make things safer, due to the unwillingness for ownership to spend the money, and the unwillingness of the tenured and antagonistic leader of the Finish Department to make needed changes. His people were very unsafe in my opinion.

Also during my employment, I noticed a utility sink in the middle of the finish area. The space would make me light headed every time I walked in there. This sink is where they would clean and rinse their brushes and paint buckets and equipment. At the time it didn't occur to me to wonder where that water was going. They had two large paint booths which I believe were being exhausted directly into the neighbors back yard from only about a hundred feet from their home which was downwind from the venting fumes. I have what I believe are those vents on video while there were recently in action. When I recorded, I could smell the fumes.

I also remember when it apparently became a big problem that PDI may not have been disposing of their 55 gallon paint barrels correctly and they eventually started having SafetyClean carry them off.

On other occasions, while walking on the property just west of them, I noticed they had been dumping off the edge of a ravine and there was a large pile of landfill type items such as old equipment, plywood, mdf, paint barrels and the like. At the time it did not occur to me just how damaging that could be, especially since it was in a water shed area

that ran directly into a pond system than continue down stream to a shallow well at the neighbors'. Fortunately, I recently discovered that the neighbors are not using it because it dries up seasonally, as I recall. However, there has historically been big game and a lot of wildlife that waters at those ponds and streams.

Eventually I was relieved from production management responsibilities, and continued to lead the shipping and trucking, but then a little over a year ago, was relieved from employment all together with the explanation that I was on the wrong bus. I trusted that God had a plan for me, and as soon as it was known that I was available, by the grace of God, I was called and ultimately offered a position, resulting in not missing any days of work and having a much better job currently.

However, I have a string of texts to Nelson Mast and Vern Helmuth, the owners of PDI, pleading with them to fix the noise problem, as it continued to disturb the peace and caused me countless nights of little and poor sleep. What made it more stressful was that I knew they could solve the problem if they had the resolve. At this point, I also began to ask that they solve the ongoing problem of their loose trash from the dumpsters and the parked cars, blowing onto my property continually. As of yesterday, they still had not put up a barrier as they said they would a few months ago.

As I mentioned, starting a couple years ago, they started the process of bringing in seemingly thousands of tons of dirt from the side of the highway at McArthur lake as well as from a road project or projects in Bonners Ferry. I came to understand that it is plausible that the dirt may be contaminated with toxins including the remains of potentially old wooden sewage lines from town and the run off residue from years of highway service. I can't verify this, but I wonder were these soils tested for toxins, and if so, how accurately were they tested and what were the results?

One day I noticed a whole lot of earthworks on our adjoining fence line and upon asking Vern Helmuth what it was, he stated it was a septic system. After looking at it closer and losing sleep about the potential consequences, I asked someone I know their opinion on the situation. He is not a septic expert but he does work with water professionally. He said he

would expect that, based on the proximity of the system to my standing water as well as the system's position on top of a hill that was largely just recently created with heavy equipment, I would likely smell sewage there continually and that my wetlands would likely be contaminated with whatever is being drained. Then, I recalled seeing the PDI finish department utility sink in use, and the cleaning lady that came in a few times a week and used all kinds of cleaning supplies in the break room and bathrooms and all the people working and visiting the site using the bathrooms. I lost more sleep and then texted both Nelson and Vern on Feb. 7th, 2024 asking when we could meet with their septic contractor? There was no answer. I texted again on Feb. 13th. Still no answer. So I asked someone else who might know who the contractor was and was told more than likely KG&T. However, I was really developing a sour taste in my mouth, and not being interested in having someone try and talk me into agreeing to something I could never feel good about, I chose to visit the local Panhandle Health District and asked for permit info. They informed me that the only septic system approved was from 2000 when a system for 4 people and a 3 bedroom home was approved. I wonder if this is the system Vern told me they recently buried under tons of dirt? Upon discovery of this, I paid a visit to Vern and asked why they hadn't fixed the dust collector noise problem and why had they installed that septic system in such a seemingly terrible spot? He said something like he had been avoiding the dust collection fix, because it was work he dreaded and that with all the fill dirt being brought in and covering the existing septic system, he feared that if they had problems with it, they would not have a back up. He expressed that this is why they had put the new one in. I asked why they hadn't gotten it permitted because I would be surprised if it would pass. His response was on the lines that he didn't want to have to deal with the requirements such as pressure testing etc. He conveyed that they hadn't hooked the new one up yet. I asked that it never be hooked up and that it be moved and he expressed that I would have to talk to Nelson about that as he made all of those kinds of decisions. I then asked when the noise problem with the dust collector would be solved, and he said he really could not say and furthermore was not even sure the changes would fix the problem.

At this point I contacted Nelson Mast and asked to meet. After a couple weeks, I was able to meet with him in his truck on March 23rd, as he

was leaving the PDI property I asked him to move the septic system away from such a terrible spot near me and he said he wanted to first see if they could get it permitted by PHD. I was appalled and expressed to him that even if it was permitted, I would challenge it, based on the seemingly obvious problems. I then asked for a commitment to stop the dust collection noise, especially during swing shift, and he conveyed that they were still working on it but that he believed the community really needed an industrial zone on the south side of town, with the me getting the inferred implication that he would spearhead that effort with PDI. In my view, reflecting on the patterns that were emerging, this was in the works for some time, and it would seem with little to no consideration of the neighbors and the environment they use, nor the rules and requirements designed to protect them.

The experiences of my family dealing with the choices of the owners of PDI, up to now, which have been riddled with exhaustion and attempts to protect the inheritance and home I am working to leave for my children, as I deal with business owners who seemingly treat this whole area as if it is theirs for the taking, has left me no choice but to seek redress through the government agencies that I hope are still geared toward helping citizens, such as all concerned in these circumstances on and around Pot Hole Road.

In this process, I have learned that other neighbors have been experiencing similar problems, and one family in particular, is getting it worse than all of us combined, I believe. I believe I have plausible reasons for concern that there may be potential poisoning of the air, the ground and the potential of an unusual and ever present fire hazard that may be an imminent and highly unusual threat to the people in our neighborhood.

I wonder if many of the observed actions are lawfully permitted or within zoning laws.

I am told by neighbors that three people previously living in closest proximity to PDI have died in the past year and the most recent one was less than a month ago. I am told all three who died, had symptoms associated with some listed effects for chemicals that may be being exhausted into the air by PDI's finishing operations.

I fear for the safety of my neighbors and my family.

This is not the first complaint I have issued regarding this business, and I wonder if these complaints have been taken seriously and what can be done to alleviate my concerns.

Will you please investigate?

I have video of what seemed to be paint, varnish, lacquer or solvent fumes, based on the smell, being exhausted at near ground level very close to my neighbors residence. The smells made me feel nausea.

I have months of text messages along with witnesses to corroborate the legitimacy of my claims and basic timeline.

Can you get answers about the fill dirt dumping? I ask because the wind is regularly stirring up the dust from that dirt and sending it across many of my neighbors homes and property. Just past Sunday, I was visiting with neighbors and the dust was making it hard to breath and keep our eyes open. This was never a problem before the dirt was brought in. Also, I am concerned that the runoff from that dirt will pollute the ground water. My exclusive water source is a shallow well.

I received copies of public records concerning the zoning of the property where PDI is and there was no evidence, that I recall seeing, that their operations were in compliance with the laws.

I personally witnessed piles of plywood and mdf sheets that had been dumped near PDI into what I would call a small watershed ravine that looks to drain into a pond and seasonal stream system that runs to the neighbors property. Another neighbor told me he also saw barrels in the dump pile.

Their truck and employee traffic is daily kicking up dust on our only ingress and egress road, and they have multiple times had their trucks and cars or those of their suppliers vehicles get stuck and block the road entirely, so as to prevent any vehicles from entering or exiting.

In conclusion, this business is seemingly operating without many needed permissions, and at best is a nuisance on many levels and at worst seems to be also expelling potentially dangerous and harmful

toxins.

Will you please investigate all the points of my complaint and help us resolve this to everyone's benefit? In my opinion, PDI would do well to relocate their operation away from residences and to be sure they are in compliance with laws regulating their business. I wonder even if the very large "For Hire" sign they placed at the entrance of Pot Hole Road is approved. If so, why would it be? It looks as if all of us neighbors are living in PDI's private industrial park, when in fact it is zoned rural residential or ag/forrest.

I have met parishioners who would not consider buying here, which is close to our church, because of the proximity to PDI. Surely, I would imagine that PDI's seemingly unchecked growth and ways of doing business there has had a diminishing effect on the sales value of our properties, all other things being held equal.

I saw this on one of your websites: "REPORTING VIOLATIONS OF THE BOUNDARY COUNTY ZONING AND SUBDIVISION ORDINANCE

As an ordinance of Boundary County, the Boundary County Zoning and Subdivision Ordinance has the force of law and penalties for violations and the process for enforcing violations are outlined in Sections 4. Violations of the ordinance are considered a misdemeanor punishable by fines not to exceed \$1000 and/or imprisonment in the county jail not to exceed six months. In addition, the property owner may be required by the court to correct the violation at their own expense, which could mean removing any structure which violates the provisions of the zoning and subdivision ordinance.

Boundary County does not employ a building inspector or an officer or agent to seek out and prosecute violations of the ordinance, but relies instead on complaints from citizens. If you have reason to believe that a violation of this ordinance exists or is about to take place, you should notify the zoning administrator, providing the name of the owner of the property on which the violation may be occurring, the location of the property and the nature of the alleged violation. This notification may be in writing, by telephone, fax or email. You may, if you choose, remain anonymous.

Upon receipt of complaint, the zoning administrator will determine if the complaint is valid and, if it appears that a violation exists, will send the property owner against whom the complaint was made a certified Notice of Violation setting forth the alleged violation(s), the provisions of the zoning and subdivision ordinance which apply and what actions, if any, can be taken to correct the violation. The property owner is then afforded a set amount of time to respond to the notice, either to refute the allegations or to establish a course of action to correct the violation. It is the intent of Boundary County to resolve violations without intervention by the courts whenever possible.

If the nature of the violation is deemed by the Board of County Commissioners to pose a threat to the health or welfare of the citizens of Boundary County, a cease and desist order will be issued by the Prosecuting Attorney pending review and investigation of the violation.

If the property owner fails to respond to the notice of violation in the established time frame, a copy of the complaint is forwarded to the Board of County Commissioners with a recommendation that the complaint be forwarded to the Prosecuting Attorney for further enforcement action."

I wonder, has the above process been enacted?

Thank you for your kind attention to our concerns and thank you in retrospect and in advance for anything you have or will do to help rectify these circumstances.

Sincerely, With All Rights Reserved, Without Prejudice,

Jim "David" Dewberry
331 Pot Hole Road, Naples, ID 83847
daviddewberry@runbox.com
208-908-3170

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Regional Manager Signature

Date

Evaluation:

On-site Inspection

Off-site Inspection

(If off-site, provide a reason in the Comments section below.)

F.

Facility Permit Number & Issuance Date:

021-00030

Permit P-2023.0011, issued 09/11/2023

Facility Name:

Panhandle Door, Inc

Facility Address:

168 Pot Hole Rd., Naple, ID 83847

Facility Mailing Address:

Same

Facility Contact Name:

Nelson Mast

Facility Contact Phone #:

208-267-2955

Facility Contact Email:

nelson@panhandledoor.com

Onsite Inspection Date(s):

07/15/2024

Records Review Period:

2023-2024

Inspector:

Shawn Sweetapple

Region Performing Insp.:

BRO CRO IFRO LRO PRO
TFRO TS

Operating Status During Inspection: Operating

Out of State

Temporarily Not Operating

Permanently Closed

Compliance Status: *If Out of Compliance, briefly summarize the apparent violations:*

In

Out

Pending

Previous Enforcement Actions and/or Previous Inspection Date:

Notice To Comply No. CRO-NTC-2022-0005, signed 05/16/2022 and terminated 01/04/2023.

Purpose and Opening Conference:

I, Shawn Sweetapple, along with Dean Kinney and Mark Kalbaugh of Coeur d'Alene Regional Office's remediation section, arrived on site at the administrative building of Panhandle Door, Inc. at 1015hrs on 07/15/24, and informed the receptionist I was there to conduct an air quality inspection. I displayed my credentials and requested to speak to Nelson Mast, Owner/Manager. Mr. Mast came to the front desk where he greeted us, and I explained the reason for my visit

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while Dean explained that he and Mark were there to investigate a complaint.

Inspection Narrative:

After the introductions at the administrative building, we proceeded to the sales office, where I was introduced to Ryan Schlabauch, Department Manager. Mr. Mast indicated that Mr. Schlabauch would provide any records I required for the inspection.

At the production building, I met with Dan Fairchild, Logistics Manager. I displayed my credentials to Mr. Fairchild. I informed him I was there to conduct an inspection to determine compliance with the permit conditions of Permit to Construct No. P-2016.0052, issued 09/02/2016. After the introduction, I requested to review operational and maintenance records. The records were provided for my review.

Prior to conducting the records review, we asked to tour the property the facility is situated on. We walked the perimeter of the approximately 14-acre property. I observed an area to the south of the building that is a flat dirt area created by fill material, a small ravine further to the south that contained 2 piles of chipped waste wood that is being sold as hog fuel, a pile of old waste wood that Mr. Mast stated would be hauled to the dump, a slash pile that Mr. Mast said would be hauled away, and a pile of bundled waste wood at the north end of the property that is sold as firewood or to woodworkers.

I did not observe fugitive dust leaving the facility property boundaries while entering or touring the property. We also walked around the outside of the facility and observed the venting for the coatings area of the building, a small baghouse for the sanding machine in the spraying area; the two large baghouses, a storage silo, and boiler building on the south side of the main building; and the chipper and conveyor belt for waste wood operating on the southwest corner of the building.

After returning to the sales office Dean and Mark left the facility to conduct other business while I stayed and completed the records review. I reviewed my findings and likely compliance status of the facility with Mr. Mast and requested he sign the preliminary inspection findings form. After he signed the form, I left the facility at approximately 1330hrs. See the following section for additional information regarding permit conditions reviewed.

Permit Conditions, Regulations, and Photo's used to Determine Compliance:

1 Permit Scope

Regulated Sources

Table 1.1 lists all sources of regulated emissions in this permit.

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Table 1.1 Regulated Sources

Permit Section	Source	Control Equipment
2	<u>Paint Spray Booth:</u> Manufacturer: Global Finishing Solutions Model: U63057-A Manufacture Date: 2016	<u>Dry Filter Control:</u> Manufacturer: Viskon-Aire Model: XHD Type: Side Draft PM ₁₀ control efficiency: 98% <u>Spray Gun Control (Gun No. 1-4):</u> Manufacturer: Wagner Model: GM4700AC Type: Air Atomization Transfer efficiency: ≥65% <u>Spray Gun Control (Gun No. 5):</u> Manufacturer: Kremlin Model: AVX Type: Air Atomization Transfer efficiency: ≥65%
3	<u>Water Heater:</u> Manufacturer: Swebo Model: Airmax Rating: 0.9 MMBtu hr Fuel: Dry Hardwood Chips or Bark	<u>None</u>
4	<u>Woodworking:</u> Saws, Sanders, Drills, Planer, etc.	<u>Baghouse Control:</u> Manufacturer: Superior PM ₁₀ control efficiency: 98%

Comment: There are four open faced spray booths, and one closed, automated booth located in the finishing area of the facility. There are one Global Finishing Solutions booth, indicated above, three JC Metal Fabrication booths, and one Makor Q-One reciprocating spray machine. See Photos 1-5. Additionally, there is a small baghouse that collects dust from an automated sanding machine located in the finishing section. See photo 6 which is of the sanding machine which was manufactured by Heesemann. No picture of small baghouse was taken. It was slightly larger than a standard filing cabinet and located on the east side of the main building.

Compliance Status Results: In Compliance In Violation Status Unknown

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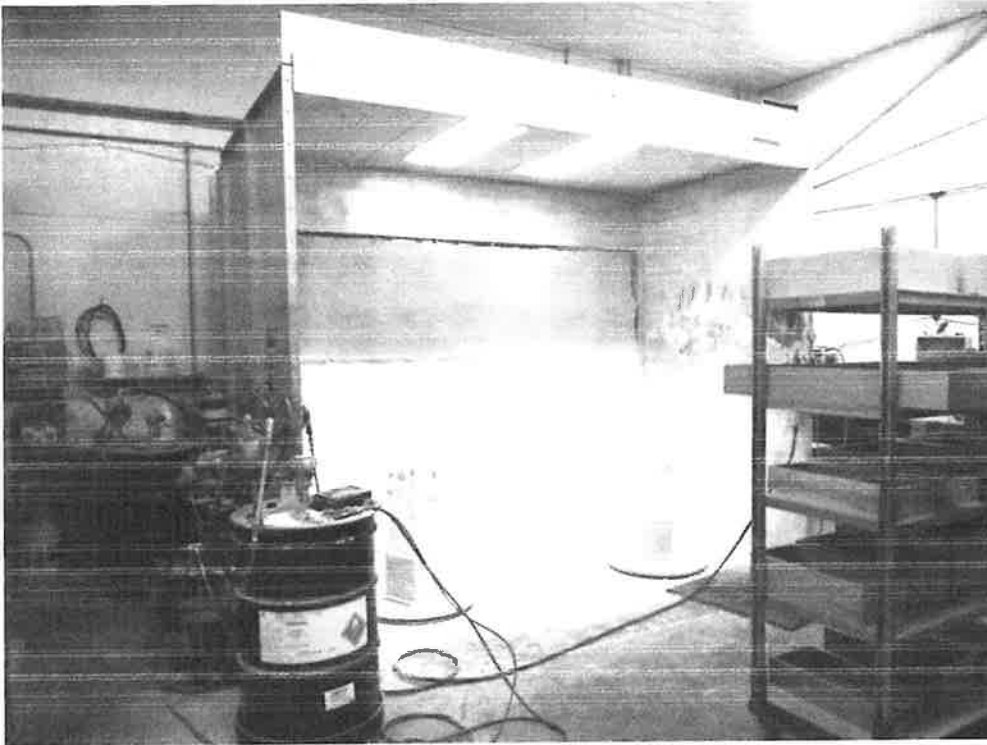


Photo #1: Open faced spray booth #1. Manufactured by Global Finishing Solutions, model U63057-A and manufactured in 2016.

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Photo #2: Open faced spray booth #2. Manufactured by JC Metal Fabrication, no model number visible.



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Photo #3: Open faced spray booth #3. Manufactured by JC Metal Fabrication, no model number visible.

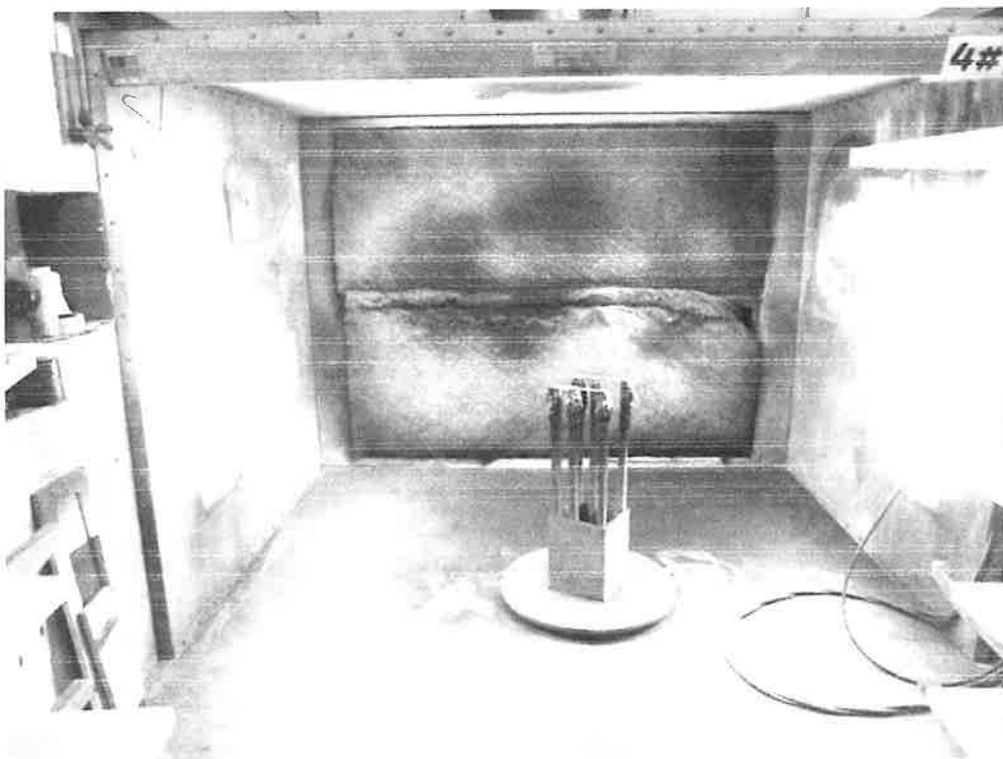


Photo #4: Open faced spray booth #4. Manufactured by JC Metal Fabrication, no model number visible.

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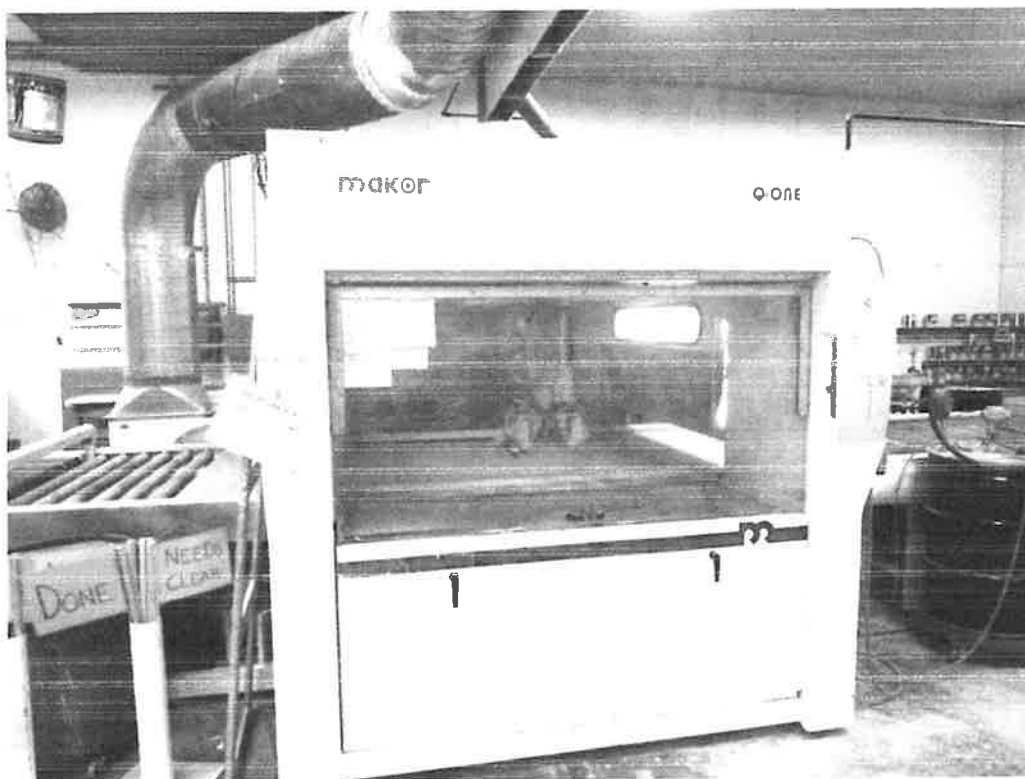


Photo #5: Enclosed, automated spray booth. Manufactured by Makor, Q-One series, no model number visible.

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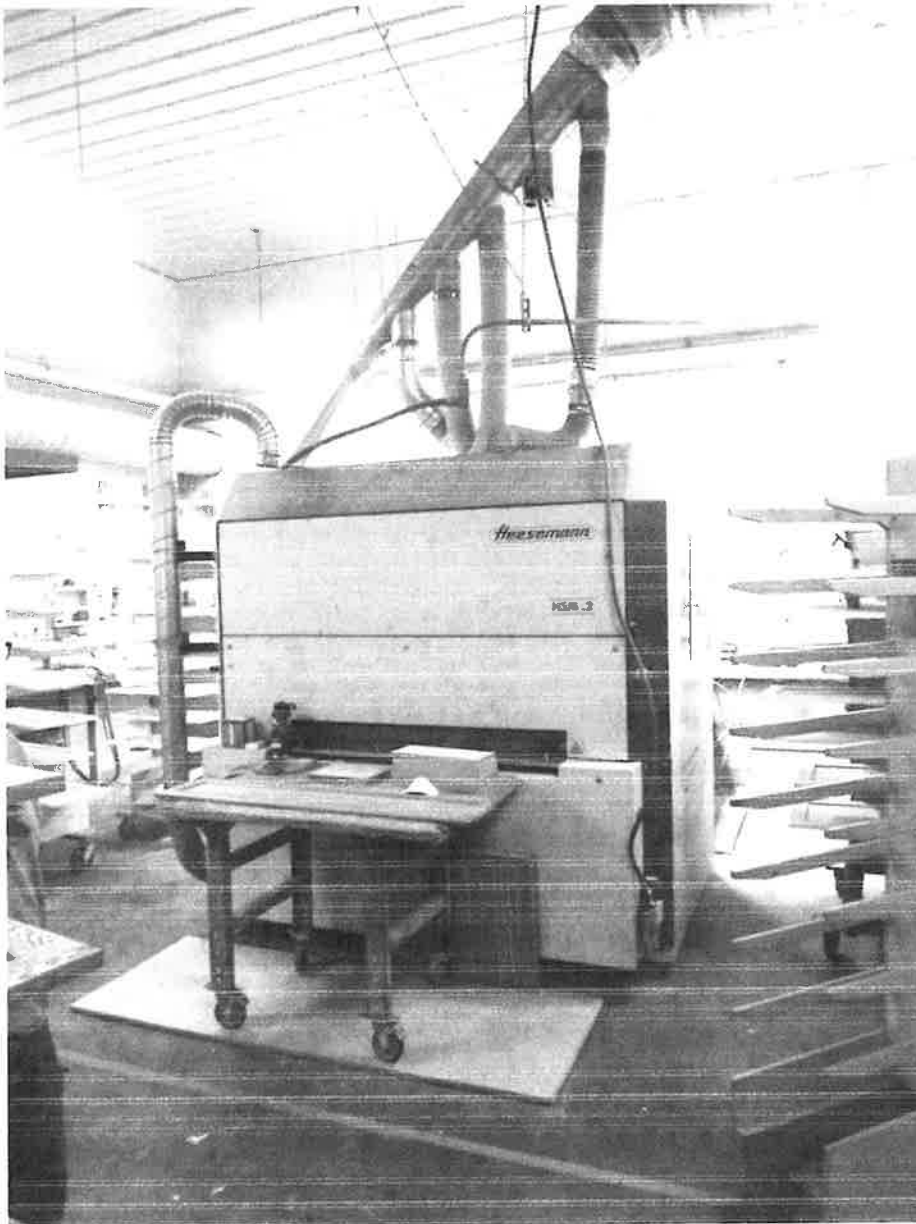


Photo #6: automated sanding machine manufactured by Heeseman located in finishing section.



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1 Paint Spray Booth

3.1 Process Description

Cabinet doors and drawer boxes are painted in a paint spray booth. The booth is equipped with side draft, dry filter controls. Application of the coating materials utilizes air atomization spray guns with transfer efficiencies as documented by the spray gun manufacturer.

3.2 Control Device Descriptions

Table 2.1 Paint Spray Booth Description

Emissions Units / Processes	Control Devices	Emission Points
<u>Paint Spray Booth:</u> Manufacturer: Global Finishing Solutions Model: U63057-A Manufacture Date: 2016	<u>Dry Filter Control:</u> Manufacturer: Viskon-Aire Model: XHD Type: Side Draft PM ₁₀ control efficiency: 98% <u>Spray Gun Control (Gun No. 1-4):</u> Manufacturer: Wagner Model: GM4700AC Type: Air Atomization Transfer efficiency: ≥65% <u>Spray Gun Control (Gun No. 5):</u> Manufacturer: Kremlin Model: AVX Type: Air Atomization Transfer efficiency: ≥65%	Paint booth stack exhaust

Comment: All four open-faced spray booths used the indicated control devices. The Makor automated, enclosed spray booth used Sames/Kremlin AVX spray guns with a transfer efficiency of 86% and the same filter material as the other booths. The four open-faced booths each vent directly out the side of the building. The Makor booth is ducted to a vent out the side of the building. Findings do not meet requirement because only one booth is identified in the permit.

Compliance Status Results: In Compliance In Violation Status Unknown

Emission Limits

3.3 Coating Emission Limits

The emissions from the Paint Spray Booth stack must not exceed any corresponding emissions rate limits listed in Table 2.2.

Table 2.2 Paint Spray Booth Emission Limits^(a)

Source Description	PM _{2.5} /PM ₁₀ ^(b)	VOC	Single HAP	Total HAPs
	T/yr ^(d)	T/yr ^(d)	T/yr ^(d)	T/yr ^(d)
Paint Spray Booth	0.126	21.13	5.38	15.44



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- a) In absence of any other credible evidence, compliance is ensured by complying with permit operating, monitoring, and record keeping requirements.
- b) Particulate matter with an aerodynamic diameter less than or equal to a nominal two point five (2.5) and ten (10) micrometers, including condensable particulate as defined in IDAPA 58.01.01.006.
- c) Pounds per hour, as determined by a test method prescribed by IDAPA 58.01.01.157, EPA reference test method, continuous emission monitoring system (CEMS) data, or DEQ-approved alternative.
- d) Tons per any consecutive 12-calendar month period.

Comment: This requirement is not being met because monitoring and recordkeeping requirements are not being met.

Compliance Status Results: In Compliance In Violation Status Unknown

3.4 Opacity Limit

Emissions from the Paint Spray Booth stack, or any other stack, vent, or functionally equivalent opening associated with the Paint Spray Booth, must not exceed 20% opacity for a period or periods aggregating more than three minutes in any 60-minute period as required by IDAPA 58.01.01.625. Opacity must be determined by the procedures contained in IDAPA 58.01.01.625.

Comment: No Method 9 visible emissions evaluations were done during inspection. I conducted see /no-see evaluations on all vents and did not see any visible particulates leaving vents.

Compliance Status Results: In Compliance In Violation Status Unknown

Operating Requirements

3.5 Approved Coating Usage Limits

Unless the permittee is complying with an Alternate Daily Coating Usage Scenario which demonstrates compliance with Coating Emission Limits and Screening Emission Rates and Modeled Concentration Limits, the permittee shall comply with the coating usage limits in Table 2.3.

Table 2.3 Approved Coating Usage Scenario

Coating Material	Daily Coating Usage Limit (gal/day) ^(a)	Yearly Coating Usage Limit (gal/yr) ^(b)
Axalta AUF580X Ultraguard LF Conversion Varnish - 550VOC	23.0 gal/day Combined	5.750 gal yr Combined
Titebond Original Wood Glue		
Axalta Acid Catalyst CXC4010		
Butyl Acetate		
Axalta Premium Laquer Thinner YYT1009		
Axalta Ultraguard White Conversion Varnish A UW710X		



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Graintone Plus™ Wiping Stain VWS0909
AUW1260 White C.V Undercoat

- a) Gallons per calendar day
- b) Gallons per any consecutive 12-month period.

Comment: Facility is not meeting this requirement due to two factors.

- 1) The facility is using coatings not listed in table 2.3. without an Alternate Daily Coating Usage Scenario.

List of 60 coatings and acetone purchased between January 1, 2023, and July 31, 2024

	Coating	Gallons
AUF5801	ULTRAGAURD CONV VARNISH - MATTE	1785.0
AUF5802	ULTGRD CONV VARN SATIN 50GA	330.0
AUF5804	ULTGRD CONV VARN SOFT GLS	5.0
AUF580X	Ultraguard™ LF Conversion Varnish -550VOC (AUF580X)	100.0
AUF7000	ULTGRD NEUTRAL CV PRMR	372.8
AUS5800	ULTRAGAURD CONV VARN SEALR	545.0
AUW7000	UGRD WHITW C-V PRIMER	1061.0
AUW7101	ULTRAGR D WHT 10 SHN CV	54.9
AUW7102	ULTRAGR D WHT SATIN	609.6
AUW7104	ULTRAGR D WHT CV SFTGLS	3.8
CXC1100	IMRON ACRYLIC CATALYST	8.0
CXC4000	CONV VARNISH CATALYST	126.0
CXC4010	ACID CATALYST	126.0
CXC7500	ZTH WB CV CATALYST	1.5
LKS7400	ZTH WB CLEAR SEALER	8.0
LKW7450	ZTH WB UC WHITE	18.7
NUF2402	AMARIUM PROD PC LAQ SATN	100.0
NUF4001	AMARIUM PRO PC LAQ MATTE	40.0
NUF4002	20SHN PRECAT LACQUER	40.0
NUF4501	AMARIUM CONV LAQ MATTE	30.0
NUF4502	AMARIUM CONV LAQ SATIN	25.0
NUS4020	PRECAT LACQUER SEALER	20.0
NUW3610	AMARIUM PRECAT WHITE UC	135.0
NUW3612	PREM PC WHT LAQ SATN	111.3
NUW3614	PREM PC WHT LAQ SFTGLS	7.5
NVS2400	AMARIUM PC VINYL SEALER	20.0
PKF7201	ZENITH WB PRECAT LAQ MATTE	40.0
PKF7501	ZTH WB CONV VARN MATTE	4.0



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PKF7502	ZTH WB CONV VARN SATIN	34.0
PWW7802	ZTHWB CONV VARN WHITE	19.4
TAF3000	Imron Acryl TC - Dead Flat	32.0
TUF2001	IMRON PU TOPCOAT MATTE	8.0
TUF2002	IMRON PU TOPCOAT SATIN	8.0
TUW2200	IMRON WHITE PU PRIMER	4.0
TUW2202	IMRON WHITE PU TC SATIN	4.0
ULX0005	OPCLR XP 4132 PHTHALO BLUE	3.0
UXA0035	OPCLR XP 4191 BLACK	17.5
UXB0256	OPCLR XP 4185 BURNT UMBER	4.0
UXB0257	OPCLR XP 4183 RAW UMBER	3.0
UXG0010	OPCLR XP 4121 PHTHALO GRN	1.5
UXL0005	OPCLR XP 4132 PHTHALO BLUE	3.0
UXR0035	OPCLR XP 4148 QUNIDO Red	1.5
UXR0036	NAPTHOL RED 4142	6.0
UXW0048	OPTCLR XP 4100 WHT	25.0
UXW0048	OPTCLR XP 4100 WHT	2.3
UXY0020	OPCLR XP 4110 ORG YELLW	3.0
UXY0021	MEDIUM YELLOW 4112 XP MY	9.5
UXY0022	OPCLR XP 4177 YELLOW OX	5.0
VCS0512	VAN DYKE BRWN 785 EACTINT	2.0
VDS1073	GRNTONE+ BLK NGR DYE	2.0
VDS1074	GRNTONE+ ORG NGR DYE	1.0
VDS1075	GRNTONE+ BLU NGR DYE	32.8
VSS0194	GRNTONE+ SPSTN BASE	7.5
VUW2000	VNYL BC W TINT BASE 680	96.4
VWS0680	GRAINTONE PLUS WP ST CLEAR	25.5
VWS0807	GRNTONE+CV GLAZE BASE	96.4
VWS0909	GRNTONE+ WS BASE	22.7
VWS1196	GRNTONE+ PREM WS BASE	1075.0
XYT1001	ACETONE	380.0
XYT1003	BYTL ACETATE 99% URTHN GRD	20.0
YXT1008	PM ACETATE	440.0
YYT1009	PREM LAQ THINNER	1785.0



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2) The facility exceeded their daily usage limit of 23.0 gal/day in March, April, May, June of 2024.

Month	Gallons per month	Workdays in month	Gallons per day	Over Daily Limit
January	418.3	20	20.9	
February	373.1	20	18.7	
March	470.5	20	23.5	X
April	537.6	20	26.9	X
May	474.8	20	23.7	X
June	592.5	20	29.6	X
July	304.2	20	15.2	

Compliance Status Results: In Compliance In Violation Status Unknown

3.6 Spray Gun and Spray Booth(s) Filter System

- All painting at this facility, including application of primer, must be conducted inside the booth(s) or preparation station(s) with filter system in place, exhaust fan(s) operating, and door(s) or curtain(s) closed. The booth must be fully enclosed with a full roof, and four complete walls or complete side curtains, and must be ventilated at negative pressure so that air is drawn into any openings in the booth walls or side curtains.
- All painting must be conducted with a HVLP (high-volume low-pressure) spray gun, Air Atomization spray gun, or equivalent technology, with a minimum 65% transfer efficiency as documented by the spray gun manufacturer.
- The permittee must install, maintain, and operate according to the manufacturer's specifications and recommendations, a spray booth filter system or a preparation station filter system with a minimum control efficiency of 98% for PM₁₀ emissions as documented by the filter manufacturer.

Comment: Booths were not fully enclosed. Painting was conducted with HVLP spray guns that met requirements. Filter systems of booths met requirement.

Compliance Status Results: In Compliance In Violation Status Unknown



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Alternate Daily Coating Usage Scenarios (If Applicable)

Unless using an Approved Daily Coating Usage Scenario for which compliance has previously been determined in Table 2.3, when new or reformulated coating materials are introduced, each day before a new coating material is used the permittee shall follow the procedures of this section. The permittee shall not use any new Daily Coating Usage Scenario until Coating TAP compliance and Coating Emission Limit compliance have been demonstrated for that Scenario according to the following permit conditions.

3.7 Propose a Daily Coating Usage Scenario

Prior to using or implementing a new Daily Coating Usage Scenario:

- The permittee shall propose and record maximum daily coating usage limits for each coating material that will be used in the Scenario, in gallons per day (gal/day). The permittee shall not use or implement any Scenario that does not have recorded maximum daily coating usage limits.
- The permittee shall estimate emissions of PM₁₀/PM_{2.5}, VOC, individual HAP, total HAP, and all TAP contained in the new daily coating usage scenario (lb/day for each pollutant), using the procedures described below for estimating emissions. TAPs are contained in IDAPA 58.01.01.585 and 586.
- The permittee shall demonstrate coating TAP compliance for the Scenario, using the procedures described below for demonstrating coating TAP compliance. The permittee shall not use or implement any Scenario that does not demonstrate coating TAP compliance.
- The permittee shall demonstrate Coating Emission Limit compliance for the Scenario, using the procedures described below for demonstrating Coating Emission Limit compliance. The permittee shall not use or implement any Scenario that does not demonstrate Coating Emission Limit compliance.
- The daily coating usage limits and emission estimates used in determining coating TAP compliance and Coating Emission Limit compliance shall be based on estimated emissions from all coatings to be used from all coating operations at the facility (i.e., facility-wide).

Comment: Facility was not using alternate daily coating usage scenario procedure while using coatings not listed in permit.

Compliance Status Results: In Compliance In Violation Status Unknown

3.8 Estimate Coating TAP Emissions

TAP emissions shall be estimated for all TAP contained in IDAPA 58.01.01.585 and 586:

- Emissions shall be estimated by multiplying each maximum daily coating usage rate (gal/day) by the TAP content (lb/gal) of that coating, summing the total emissions from all coating materials (lb/day), dividing by 24 hours per day, to get emissions in pounds per hour (lb/hr). TAP emissions which are designated as a particulate may also be multiplied by one minus the spray gun transfer efficiency listed in Table 2.1 and by one minus the filtration system control efficiency listed in Table 2.1 when control equipment will be applied to such emissions.



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TAP content (lb/gal) of a coating is specified on the Safety Data Sheet (SDS) for that coating or shall be calculated by multiplying the weight percentage of TAP (%) by the density (lb/gal) of the coating from the SDS.

- For TAP content, if a range is presented on the SDS for a coating, the highest value of the range shall be used when estimating emissions.
- When the TAP content is listed as below detection on SDS or other documentation, the TAP content shall be assumed equal to the detection limit when estimating emissions.

Comment: Facility is not using alternate daily coating usage scenario procedure while using coatings not listed in permit.

Compliance Status Results: In Compliance In Violation Status Unknown

3.9 Demonstrate Coating TAP Compliance

For each Daily Coating Usage Scenario, the permittee shall estimate TAP emissions from all coating operations and compare against the TAP Screening Emission Levels (EL – lb/hr) or perform an air dispersion modeling analysis and compare against the TAP Acceptable Ambient Concentrations (mg/m³):

- The permittee shall compare estimated TAP emissions for all coatings against the Screening Emission Rates in IDAPA 58.01.01.585 and 586. For emissions equal or less than the Screening Emission Rate, modeling analyses is not required. For emissions in excess of the Screening Emission Rate, modeling analyses is required to determine the maximum modeled concentration.
- Modeled emissions from all coating operations for a Daily Coating Usage Scenario shall not exceed the Modeled Concentration Limits in IDAPA 58.01.01.585 and 586. The permittee shall not use or implement any Scenario that exceeds a Modeled Concentration Limit.
- All modeling analyses shall use EPA-approved models and follow relevant guidance in the most recent version of the “State of Idaho Guideline for Performing Air Quality Impact Analyses,” available for download at DEQ’s website.

Comment: Facility is not using alternate daily coating usage scenario procedure while using coatings not listed in permit.

Compliance Status Results: In Compliance In Violation Status Unknown

3.10 Demonstrate Coating Emission Limit Compliance

For each Daily Coating Usage Scenario, the permittee shall estimate emissions from all coating operations and compare against the Coating Emission Limits in Table 2.2:

- Daily PM₁₀/PM_{2.5} emissions shall be estimated by multiplying each coating maximum daily coating usage rate (gal/day) by the solids content (lb/gal) of that coating and summing the total emissions from all coatings (lb/day). Emissions may also be multiplied by one minus the



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transfer efficiency and by one minus the filter control efficiency when control equipment will be applied to such emissions.

- Daily VOC emissions shall be estimated by multiplying each coating maximum daily coating usage rate (gal/day) by the VOC content (lb/gal) for that coating material and summing the total emissions from all coating materials (lb/day).
- Daily HAP emissions shall be estimated by multiplying each coating maximum daily coating usage rate (gal/day) by the HAP content (lb/gal) for each coating material and summing the total emissions from all coating materials (lb/day).
- Annual PM₁₀/PM_{2.5}, VOC, and HAP emissions shall be determined by summing daily emissions (lb/day) over the previous consecutive 365-day period and dividing by 2000 pounds per ton (lb/T).
- For solids content, VOC content, and HAP content, if a range is presented on the SDS for a coating, the highest value of the range shall be used when estimating emissions.
- When the solids content, VOC content, or HAP content is listed as below detection on SDS or other documentation, the content shall be assumed equal to the detection limit when estimating emissions.
- The permittee shall compare estimated emissions for all coating materials against the Coating Emission Limits in Table 2.2. The permittee shall not use or implement any Scenario that exceeds a Coating Emission Limit.

Comment: Facility is not using alternate daily coating usage scenario procedure while using coatings not listed in permit.

Compliance Status Results: In Compliance In Violation Status Unknown

Monitoring and Recordkeeping Requirements

3.11 Coating Material Monitoring and Recordkeeping

Each calendar day when using approved coatings, the permittee shall monitor and record the total coatings used in gallons per day. Monthly coating usage shall be determined by summing daily usage over the previous calendar month. The annual usage shall be determined by summing the monthly coating usages over the previous consecutive 12-month period to demonstrate compliance with the Approved Coating Usage Limits permit condition.

- Exceedances of Approved Coating Usage Limits must be treated as excess emission event(s), and the permittee shall report these in accordance with the excess emission procedures and requirements provided in the General Provisions of this permit.

Comment: Facility is not monitoring usage of non-listed coatings.

Compliance Status Results: In Compliance In Violation Status Unknown



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3.12 Alternate Daily Coating Usage Scenario Monitoring and Recordkeeping

Each calendar day on which an Alternate Daily Coating Usage Scenario will be used, the permittee must use the procedure for Alternate Daily Coating Usage Scenarios to determine compliance with PM10/PM25, VOC and TAP emissions. The permittee must monitor and record the alternate daily coating scenario, the emissions estimations, and the compliance determinations for each new alternate daily coating scenario.

- Only one Alternate Daily Coating Usage Scenario may be used each calendar day.
- The permittee shall not exceed any coating emission limit for the Scenario chosen that calendar day.
- The permittee shall maintain documentation such as coating material SDS, manufacturer's specification sheets that support filter control efficiencies, transfer efficiencies, capture efficiencies, and other engineering assumptions relied upon in emission calculations.

Comment: Facility is not using alternate daily coating usage scenario procedure while using coatings not listed in permit.

Compliance Status Results: In Compliance In Violation Status Unknown

3.13 Coating Material Purchase and Safety Data Sheet Recordkeeping

For each coating material used at the facility, including but not limited to primers, stains, basecoats, glazes, sealers, lacquers, thinners, solvents, reducers, caulking, and adhesives, the permittee shall record and maintain the following records:

- Material purchase records
- Safety Data Sheets (SDS)

Comment: Purchase records provided upon request. SDS sheets available online.

Compliance Status Results: In Compliance In Violation Status Unknown

3.14 Coating Usage Scenario Reporting

Each year, for Coating Usage Scenarios that have not already been submitted, the permittee shall submit a report by May 1st on all unapproved Daily Coating Usage Scenarios used each calendar day during the previous 365-day period. The report shall include documentation supporting the TAP compliance demonstrations and the Coating Emission Limit compliance demonstrations relied upon for each Daily Coating Usage Scenario, and any modeling analyses conducted in each coating TAP compliance demonstration. Documentation should be in sufficient detail, including documentation of all calculations and electronic copies of modeling files, such that DEQ can verify the analysis. The report shall be titled "Permit-Required TAP Compliance Report" and shall be sent to:

Air Quality Permit Compliance
Department of Environmental Quality
Coeur d'Alene Regional Office



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2110 Ironwood Parkway
Coeur d'Alene, ID 83814
Phone: (208) 769-1422
Fax: (208) 769-1404

1 Water Heater

4.1 Process Description

A 0.9 MMBtu per hour water heater is used at the facility that combusts dry hardwood chips as fuel. The hardwood chips have a moisture content of less than 8%

4.2 Control Device Descriptions

Table 3.1 Water Heater Description

Emissions Units / Processes	Control Devices	Emission Points
Water Heater: Manufacturer: Swebo Model: Airmax Rating: 0.9 MMBtu hr Fuel: Dry Hardwood Chips	None	Exhaust Stack: Diameter: 12 inches Height: 6 feet Temperature: 500 °F Orientation: Vertical

Emission Limits

4.3 Emission Limits

The emissions from the Water Heater stack must not exceed any corresponding emissions rate limits listed in Table 3.2.

Table 3.2 Water Heater Emission Limits^(a)

Source Description	PM _{2.5} /PM ₁₀ ^(b)		SO ₂		NO _x		CO		VOC	
	lb/hr ^(c)	T/yr ^(d)	lb/hr ^(c)	T/yr ^(d)	lb/hr ^(c)	T/yr ^(d)	lb/hr ^(c)	T/yr ^(d)	lb/hr ^(c)	T/yr ^(d)
Water Heater	0.32	1.42	0.023	0.099	0.44	1.93	0.54	2.37	0.015	0.067

- a) In absence of any other credible evidence, compliance is ensured by complying with permit operating, monitoring, and record keeping requirements.
- b) Particulate matter with an aerodynamic diameter less than or equal to a nominal two point five (2.5) and ten (10) micrometers, including condensable particulate as defined in IDAPA 58.01.01.006.
- c) Pounds per hour, as determined by a test method prescribed by IDAPA 58.01.01.157, EPA reference test method, continuous emission monitoring system (CEMS) data, or DEQ-approved alternative.
- d) Tons per any consecutive 12-calendar month period.

Comment: Wood water heater was not operating at time of inspection. It is only used seasonally to heat main building.

Compliance Status Results: In Compliance In Violation Status Unknown

4.4 Opacity Limit

Emissions from the Water Heater stack, or any other stack, vent, or functionally equivalent opening associated with the Water Heater, must not exceed 20% opacity for a period or periods aggregating more than three minutes in any 60-minute period as required by IDAPA 58.01.01.625. Opacity must be determined by the procedures contained in IDAPA 58.01.01.625.



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Comment: Water heater not operating.

Compliance Status Results: In Compliance In Violation Status Unknown

Operating Requirements

4.5 Water Heater Fuel Requirements

To demonstrate compliance with the Emission Limits permit condition, the water heater must only combust dry hardwood chips.

Comment: Water heater is only designed to operate by combusting wood chips.

Compliance Status Results: In Compliance In Violation Status Unknown

1 Woodworking

5.1 Process Description

The facility uses various woodworking tools to build cabinet doors and drawer boxes. The woodworking equipment is controlled by a dust collector with particulate filtration. Woodworking equipment includes, but is not limited to, saws, sanders, planers, jointers, drills, etc.

5.2 Control Device Descriptions

Table 4.1 Woodworking Description

Emissions Units / Processes	Control Devices	Emission Points
<u>Woodworking:</u> Saws, Sanders, Drills, Planer, etc.	<u>Baghouse Control:</u> Manufacturer: Superior PM ₁₀ control efficiency: 98%	Baghouse exhaust stack

Comment: Wood working dust is controlled through use of two baghouses. The white baghouse is manufactured by Superior Metal Works. The Blue baghouse is manufactured by Torrit.



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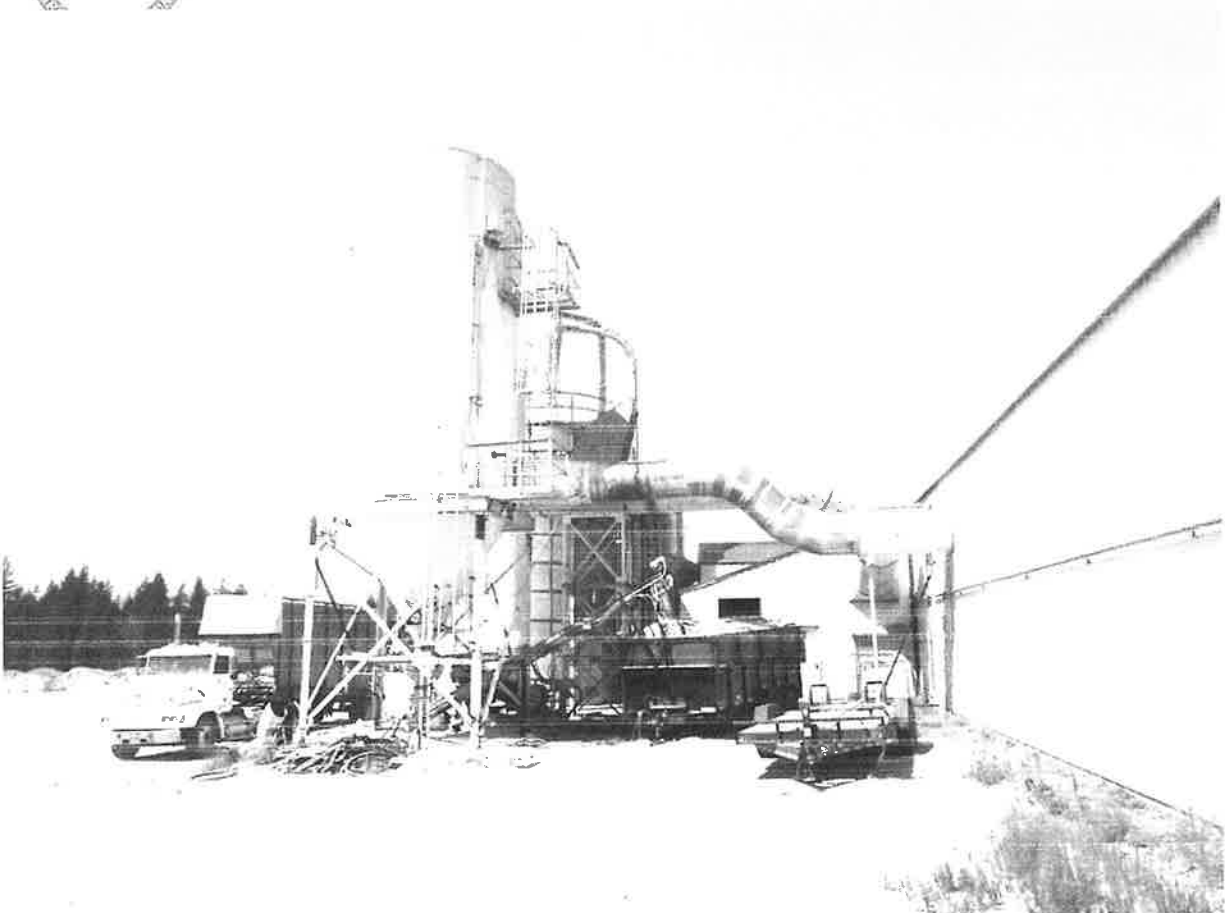


Photo #7: White Baghouse manufactured by Superior Metal Works



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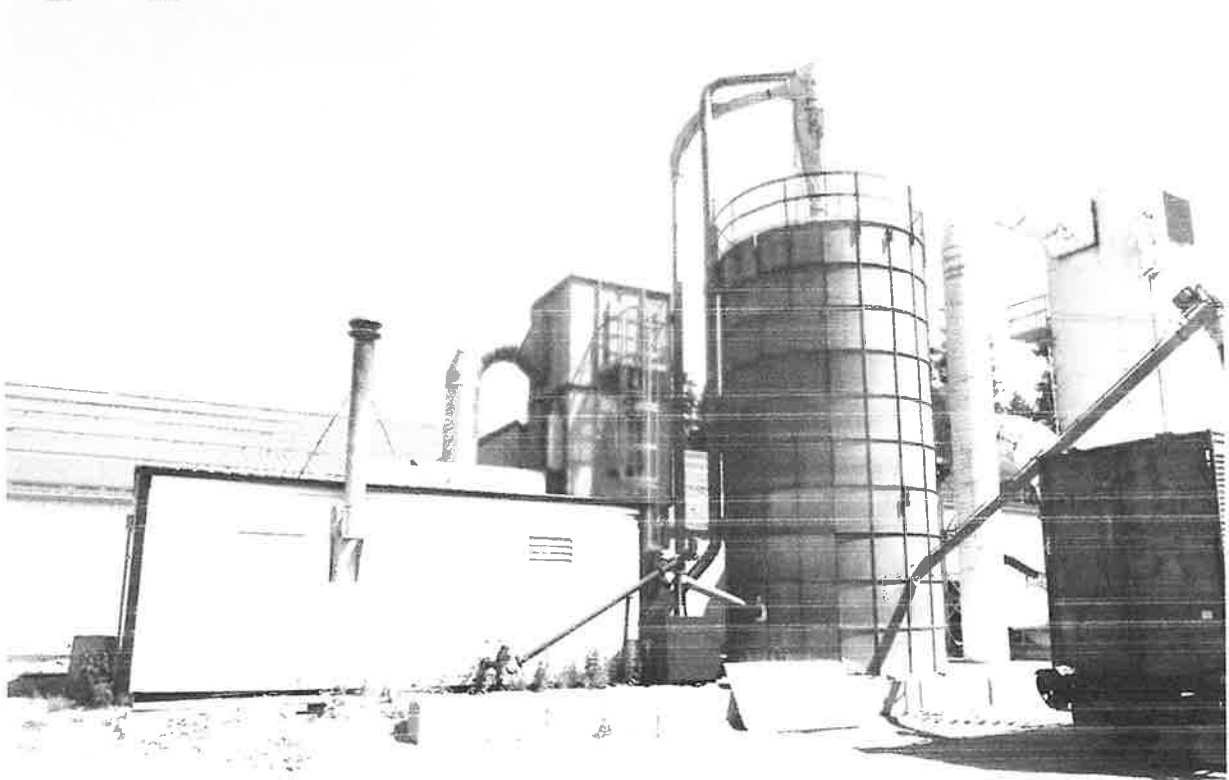


Photo #8: Blue Baghouse manufactured by Torrit. Grey silo is for material collected by the baghouses which is fed into the water heater located in the small white building.

Compliance Status Results: In Compliance In Violation Status Unknown

Emission Limits

5.3 Emission Limits

The emissions from the woodworking stack must not exceed any corresponding emissions rate limits listed in Table 4.2.

Table 4.2 Woodworking Emission Limits^(a)

Source Description	PM _{2.5} /PM ₁₀ ^(b)	
	lb/hr ^(c)	T/yr ^(d)



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Woodworking	0.06	0.26
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- a) In absence of any other credible evidence, compliance is ensured by complying with permit operating, monitoring, and record keeping requirements.
- b) Particulate matter with an aerodynamic diameter less than or equal to a nominal two point five (2.5) and ten (10) micrometers, including condensable particulate as defined in IDAPA 58.01.01.006.
- c) Pounds per hour, as determined by a test method prescribed by IDAPA 58.01.01.157, EPA reference test method, continuous emission monitoring system (CEMS) data, or DEQ-approved alternative.
- d) Tons per any consecutive 12-calendar month period.

Comment: Meets requirement.

Compliance Status Results: In Compliance In Violation Status Unknown

5.4 Opacity Limit

Emissions from the woodworking stack, or any other stack, vent, or functionally equivalent opening associated with the woodworking, must not exceed 20% opacity for a period or periods aggregating more than three minutes in any 60-minute period as required by IDAPA 58.01.01.625. Opacity must be determined by the procedures contained in IDAPA 58.01.01.625.

Comment: No visible emissions observations were conducted but see/no see evaluations noted no emissions from return vents from baghouses.

Compliance Status Results: In Compliance In Violation Status Unknown

Operating Requirements

5.5 Baghouse Operating Requirement

The permittee must install and operate a baghouse to control particulate emissions from the woodworking processes at the facility. The baghouse must be operating at all times there is active woodworking being conducted.

Comment: Baghouses were in operation during inspection and facility staff stated that they are always operating when woodworking is occurring.

Compliance Status Results: In Compliance In Violation Status Unknown

5.6 Baghouse Filter System Procedures

Within 60 days of initial start-up, the permittee must develop a Baghouse Filter System Procedures document for the inspection and operation of the baghouse filter system which controls particulate matter emissions from the woodworking process. The Baghouse Filter System Procedures document will be a permittee-developed document independent of the manufacturer supplied operating manual but may include summaries of procedures included in the manufacturer supplied operating manual.

The Baghouse Filter System Procedures document must describe the procedures that will be followed to comply with the General Compliance General Provisions and must contain requirements for monthly see/no-see visible emissions inspections of the baghouse. The inspection must occur during daylight hours and under normal operating conditions.



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The Baghouse Filter System Procedures document must include a schedule and procedures for corrective action that will be taken if visible emissions are present from the baghouse. At a minimum the document must include:

- Procedures to determine if bags or cartridges are ruptured; and
- Procedures to determine if bags or cartridges are not appropriately secured in place.

The permittee must maintain records of the results of each baghouse filter system inspection. The records must include, but not be limited to, the following:

- Date and time of inspection;
- Equipment inspected (e.g. exterior housing of baghouse, fan motor, auger, inlet air ducting);
- Description of whether visible emissions were present, and if visible emissions were present a description of the corrective action that was taken; and
- Date corrective action was taken.

The Baghouse Filter System Procedures document must be submitted to DEQ within 60 days of initial start-up and must contain a certification by a responsible official. Any changes to the Baghouse Filter System Procedures document must be submitted within 15 days of the change.

The Baghouse Filter System Procedures document must remain on-site at all times and must be made available to DEQ representatives upon request.

The operating, monitoring, and recordkeeping requirements specified in the Baghouse Filter System Procedures document are incorporated by reference into this permit and are enforceable permit conditions.

Comment: Facility submitted a copy of their baghouse inspection and maintenance manual on August 4, 2024. Manual meets all requirements.

Compliance Status Results: In Compliance In Violation Status Unknown

Monitoring and Recordkeeping Requirements

5.7 Baghouse Monitoring Requirement

The permittee must maintain records of baghouse inspections and maintenance performed on the baghouse in accordance with the baghouse filter system procedures permit condition.

Comment: At the time of inspection, no records of baghouse inspections or maintenance were available. Facility staff stated that all necessary actions were being taken, they just weren't being recorded.

Compliance Status Results: In Compliance In Violation Status Unknown



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1 General Provisions

General Compliance

6.1 The permittee has a continuing duty to comply with all terms and conditions of this permit. All emissions authorized herein must be consistent with the terms and conditions of this permit and the "Rules for the Control of Air Pollution in Idaho." The emissions of any pollutant in excess of the limitations specified herein, or noncompliance with any other condition or limitation contained in this permit, must constitute a violation of this permit, the "Rules for the Control of Air Pollution in Idaho," and the Environmental Protection and Health Act (Idaho Code §39-101, et seq).

[Idaho Code §39-101, et seq.]

Comment: The facility was not complying with permit conditions 1.1, 2.2, 2.3, 2.5, 2.6, 2.7, 2.8, 2.9, 2.10, 2.11, 2.12, 4.7, 5.1 and 5.10 at the time of the inspection.

Compliance Status Results: In Compliance In Violation Status Unknown

6.2 The permittee must at all times (except as provided in the "Rules for the Control of Air Pollution in Idaho") maintain in good working order and operate as efficiently as practicable all treatment or control facilities or systems installed or used to achieve compliance with the terms and conditions of this permit and other applicable Idaho laws for the control of air pollution.

[IDAPA 58.01.01.211]

Comment: All control devices and systems appeared to be operating and in good working order.

Compliance Status Results: In Compliance In Violation Status Unknown

6.3 Receiving a permit to construct, a Tier I operating permit, a Tier II operating permit, a Permit by Rule, or a Certificate of Registration for portable equipment does not relieve any owner or operator of the responsibility to comply with all applicable local, state and federal statutes, rules and regulations.

[IDAPA 58.01.01.108]

Comment: No determination required for this administrative condition.

Compliance Status Results: In Compliance In Violation Status Unknown

Inspection and Entry

6.4 Upon presentation of credentials, the permittee must allow DEQ or an authorized representative of DEQ to do the following:

- Enter upon the permittee's premises where an emissions source is located, emissions-related activity is conducted, or where records are kept under conditions of this permit;
- Have access to and copy, at reasonable times, any records that are kept under the conditions of this permit;
- Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit; and
- As authorized by the Idaho Environmental Protection and Health Act, sample or monitor, at reasonable times, substances or parameters for the purpose of determining or ensuring compliance with this permit or applicable requirements.



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[Idaho Code §39-108]

Comment: Access to the facility was granted and all inspector requests were met.

Compliance Status Results: In Compliance In Violation Status Unknown

Construction and Operation Notification

6.5 The Department may cancel a permit to construct if the construction is not begun within two (2) years from the date of issuance, or if during the construction, work is suspended for one (1) year. [IDAPA 58.01.01.211.02]

Comment: Facility was in operation at time of permit's issuance.

Compliance Status Results: In Compliance In Violation Status Unknown

6.6 The permittee must furnish DEQ written notifications as follows:

- A notification of the date of initiation of construction, within five working days after occurrence; except in the case where pre-permit construction approval has been granted then notification must be made within five working days after occurrence or within five working days after permit issuance whichever is later;
- A notification of the date of any suspension of construction, if such suspension lasts for one year or more; and
- A notification of the initial date of achieving the maximum production rate, within five working days after occurrence - production rate and date.

[IDAPA 58.01.01.211.01]

Comment: Facility was in operation at time of permit's issuance.

Compliance Status Results: In Compliance In Violation Status Unknown

- A notification of the anticipated date of initial start-up of the stationary source or facility not more than sixty days or less than thirty days prior to such date; and
- A notification of the actual date of initial start-up of the stationary source or facility within fifteen (15) days after such date.

[IDAPA 58.01.01.211.03]

Comment: Facility was in operation at time of permit's issuance.

Compliance Status Results: In Compliance In Violation Status Unknown

Performance Testing

6.7 If performance testing (air emissions source test) is required by this permit, the permittee must provide notice of intent to test to DEQ at least 15 days prior to the scheduled test date or shorter time period as approved by DEQ. DEQ may, at its option, have an observer present at any emissions tests conducted on a source. DEQ requests that such testing not be performed on weekends or state holidays.

Comment: No performance testing is required by this permit.

Compliance Status Results: In Compliance In Violation Status Unknown



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- 6.8 All performance testing must all be conducted in accordance with the procedures in IDAPA 58.01.01.157. Without prior DEQ approval, any alternative testing is conducted solely at the permittee's risk. If the permittee fails to obtain prior written approval by DEQ for any testing deviations, DEQ may determine that the testing does not satisfy the testing requirements. Therefore, at least 30 days prior to conducting any performance test, the permittee is encouraged to submit a performance test protocol to DEQ for approval. The written protocol must include a description of the test method(s) to be used, an explanation of any or unusual circumstances regarding the proposed test, and the proposed test schedule for conducting and reporting the test.

Comment: No performance testing is required by this permit.

Compliance Status Results: In Compliance In Violation Status Unknown

- 6.9 Within 60 days following the date in which a performance test required by this permit is concluded, the permittee must submit to DEQ a performance test report. The report must include a description of the process, identification of the test method(s) used, equipment used, all process operating data collected during the test period, and test results, as well as raw test data and associated documentation, including any approved test protocol.

[IDAPA 58.01.01.157]

Comment: No performance testing is required by this permit.

Compliance Status Results: In Compliance In Violation Status Unknown

Monitoring and Recordkeeping

- 6.10 The permittee must maintain sufficient records to ensure compliance with all of the terms and conditions of this permit. Monitoring records must include, but not be limited to, the following: (a) the date, place, and times of sampling or measurements; (b) the date analyses were performed; (c) the company or entity that performed the analyses; (d) the analytical techniques or methods used; (e) the results of such analyses; and (f) the operating conditions existing at the time of sampling or measurement. All monitoring records and support information must be retained for a period of at least five years from the date of the monitoring sample, measurement, report, or application. Supporting information includes, but is not limited to, all calibration and maintenance records, all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by this permit. All records required to be maintained by this permit must be made available in either hard copy or electronic format to DEQ representatives upon request.

[IDAPA 58.01.01.211]

Comment: No records for inspection of baghouses were available.

Compliance Status Results: In Compliance In Violation Status Unknown



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Excess Emissions

6.11 The permittee must comply with the procedures and requirements of IDAPA 58.01.01.130-136 for excess emissions. The provisions of IDAPA 58.01.01.130-136 must govern in the event of conflicts between the excess emissions general provisions and the regulations of IDAPA 58.01.01.130-136.

During an excess emissions event, the permittee must, with all practicable speed, initiate and complete appropriate and reasonable action to correct the conditions causing the excess emissions event; to reduce the frequency of occurrence of such events; to minimize the amount by which the emission standard is exceeded; and must, as provided below or upon request of DEQ, submit a full report of such occurrence, including a statement of all known causes, and of the scheduling and nature of the actions to be taken.

[IDAPA 58.01.01.132]

Comment: No excess emissions have been reported.

Compliance Status Results: In Compliance In Violation Status Unknown

6.12 In all cases where startup, shutdown, or scheduled maintenance of any equipment or emission unit is expected to result or results in an excess emissions event, the permittee must demonstrate compliance with IDAPA 58.01.01.133.01(a) through (d), including, but not limited to, the following:

- Ensure that no scheduled startup, shutdown, or maintenance resulting in excess emissions occurs during any period in which an Air Quality Advisory has been declared by DEQ.
- Notifying DEQ of the excess emissions event as soon as reasonably possible, but no later than two hours prior to, the start of the event, unless the permittee demonstrates to DEQ's satisfaction that a shorter advance notice was necessary.
- Reporting and recording the information required pursuant to the excess emissions reporting and recordkeeping requirements and IDAPA 58.01.01.135 and 136 for each excess emissions event due to startup, shutdown, or scheduled maintenance.

[IDAPA 58.01.01.133]

Comment: No excess emissions have been reported.

Compliance Status Results: In Compliance In Violation Status Unknown

6.13 In all cases where upset or breakdown of equipment or an emissions unit, or the initiation of safety measures, results or may result in an excess emissions event, the permittee must demonstrate compliance with IDAPA 58.01.01.134.01(a) and (b) and the following:

- Immediately undertake all appropriate measures to reduce and, to the extent possible, eliminate excess emissions resulting from the event and to minimize the impact of such excess emissions on the ambient air quality and public health.
- Notify DEQ of any upset, breakdown, or safety event that results in excess emissions. Such notification must identify the time, specific location, equipment or emissions unit involved, and (to the extent known) the cause(s) of the occurrence. The notification must be given as soon as reasonably possible, but no later than 24 hours after the event, unless the permittee demonstrates to DEQ's satisfaction that the longer reporting period was necessary.



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Report and record the information required pursuant to the excess emissions reporting and recordkeeping facility wide conditions and IDAPA 58.01.01.135 and 136 for each excess emissions event caused by an upset, breakdown, or safety measure.

- During any period of excess emissions caused by upset, breakdown, or operation under facility safety measures. DEQ may require the permittee to immediately reduce or cease operation of the equipment or emissions unit causing the period until such time as the condition causing the excess has been corrected or brought under control. Such action by DEQ must be taken upon consideration of the factors listed in IDAPA 58.01.01.134.03 and after consultation with the permittee.

[IDAPA 58.01.01.134]

Comment: No excess emissions have been reported.

Compliance Status Results: In Compliance In Violation Status Unknown

6.14 The permittee must submit a written report to DEQ for each excess emissions event, no later than 15 days after the beginning of such an event. Each report must contain the information specified in IDAPA 58.01.01.135.02.

[IDAPA 58.01.01.135]

Comment: No excess emissions have been reported.

Compliance Status Results: In Compliance In Violation Status Unknown

6.15 The permittee must maintain excess emissions records at the facility for the most recent five calendar-year period. The excess emissions records must all be made available to DEQ upon request and must include the information requested by IDAPA 58.01.01.136.03(a) and (b) as summarized in the following:

- An excess emissions log book for each emissions unit or piece of equipment containing copies of all reports that have been submitted to DEQ pursuant to IDAPA 58.01.01.135 for the particular emissions unit or equipment; and
- Copies of all startup, shutdown, and scheduled maintenance procedures and upset, breakdown, or safety preventative maintenance plans that have been developed by the permittee in accordance with IDAPA 58.01.01.133 and 134, and facility records as necessary to demonstrate compliance with such procedures and plans.

[IDAPA 58.01.01.136]

Comment: No excess emissions have been reported.

Compliance Status Results: In Compliance In Violation Status Unknown

Certification

6.16 All documents submitted to DEQ including, but not limited to, records, monitoring data, supporting information, requests for confidential treatment, testing reports, or compliance certification must contain a certification by a responsible official. The certification must state that, based on information and belief formed after reasonable inquiry, the statements and information in the document(s) are true, accurate, and complete.

[IDAPA 58.01.01.123]



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Comment: No qualifying documents have been submitted to DEQ.

Compliance Status Results: In Compliance In Violation Status Unknown

False Statements

6.17 No person must knowingly make any false statement, representation, or certification in any form, notice, or report required under this permit or any applicable rule or order in force pursuant thereto.

[IDAPA 58.01.01.125]

Comment: No apparent false statements were made during inspection.

Compliance Status Results: In Compliance In Violation Status Unknown

Tampering

6.18 Persons are prohibited from knowingly interfering with any monitoring device or method required under this permit or any applicable rule or order in force pursuant thereto.

[IDAPA 58.01.01.126]

Comment: No evidence of tampering was discovered during inspection.

Compliance Status Results: In Compliance In Violation Status Unknown

Transferability

6.19 This permit is transferable in accordance with procedures listed in IDAPA 58.01.01.209.05.

[IDAPA 58.01.01.209.05]

Comment: No determination required for this administrative condition.

Compliance Status Results: In Compliance In Violation Status Unknown

Severability

6.20 The provisions of this permit are severable, and if any provision of this permit to any circumstance is held invalid, the application of such provision to other circumstances, and the remainder of this permit, must not be affected thereby.

[IDAPA 58.01.01.211]

Comment: No determination required for this administrative condition.

Compliance Status Results: In Compliance In Violation Status Unknown

Closing and/or Additional Comments:

At the time of the inspection only one violation was noted on the Preliminary Inspection Findings Form. Subsequently, as evidence collected during the inspection were considered, it became apparent that there were more violations than initially noted. These violations relate to the use of coatings that are not listed in the permit, higher daily usage of coatings than limits indicated in permit, having more spray booths than listed in permit, and having more control equipment than listed in permit.



MINOR SOURCE INSPECTION REPORT

REPORT FORM AQ-C7M

It appears that the permit was written to match the information submitted on the facility's application for a PTC. Upon investigation it is apparent that the actual coatings used, equipment in use, and methods of operation are not fully represented in this permit.

[Handwritten Signature]

Inspector Signature

8/20/2024

Date

[Handwritten Signature]

Regional Manager Signature

8/20/2024

Date



MINOR SOURCE INSPECTION REPORT

REPORT FORM AQ-C7M

- INTERNAL USE ONLY -

SUPPORTING/REFERENCED DOCUMENTS:

Document Description	TRIM Record No.
Preliminary Inspection Findings Form (PIFF)	
Inspection Report Cover Letter	

If more rows are needed, contact Marilyn Seymore at 373-0211.

INCIDENT REPORT - PUBLIC

Infraction: Misdemeanor: Felony: Non Criminal:

Initial NOC: EVENT 26200
Ver NOC: ARSON
Location: 168 POT HOLE RD
Cross St:
District:
Rpted to: ALLINGER, GRANITE
Dispatch: ALLINGER, GRANITE

Reported Date/Time: 01/23/2023 04:22
Occurred Date: 1/23/2023 TO 1/23/2023
Occurred Time: 4:22:58AM TO 4:22:58AM
Rpt By: ANDREWS, DANIEL LOREN

Officers (O/I Reports)

1511 BLACKMORE, BRANDON

Incident Officers

RP REPORTING PARTY
1456 ALLINGER, GRANITE
1511 BLACKMORE, BRANDON
300 CHIEF 300

Incident Names

*** OWNERS ***

HELMUTH, VERNON JAY

*** REPORTING PARTIES ***

ANDREWS, DANIEL LOREN
MAST, NELSON RAY

*** SUSPECTS ***

JENSEN, MARTIN EARL

*** OTHERS ***

PANHANDLE DOOR AND DRAWER
GLAZIER, DONALD PAUL

*** VICTIMS ***

PANHANDLE DOOR AND DRAWER
HELMUTH, VERNON JAY

*** WITNESSES ***

HELMUTH, VERNON JAY

Incident Property

<u>Prop/Evid No.</u>	<u>Type / Description / Make / Model</u>	<u>Date / Serial No.</u>	<u>Value</u>
P3155	BURNED LARGE PILE OF WOOD WASTE MATERIAL	01/24/2023	1

*****END OF REPORT*****

Summary: On 01-23-2023, at approximately 0422 hours, Boundary County Dispatch was notified of a large fire, which consisted of wood waste material, located at 168 Pothole Road, Boundary County. The reporting party informed Dispatch no response was needed at this time due to fire being contained. At approximately 0610 hours I was dispatched to the above-mentioned location due to signs of the fire being lit by arson. At the conclusion of my investigation felony charges of arson, 3rd degree, is being forwarded to the Prosecutors Office for further review.

Location: 168 Pothole Road, Boundary County, Idaho.

Narrative: Upon my arrival I contacted the owner, Vernon Helmuth. Helmuth told me someone had lit the large waste pile of wood, located directly to the southwest of the main shop of Panhandle Door. Helmuth also said someone had put a rubber hose inside one of the work trucks gas tanks and siphoned out gasoline to apparently light the large fire. Helmuth also showed me a steel cable which had been fastened to the front bumper of the work truck. The steel cable ran down the hill from the work truck towards the large fire, approximately 100 feet in length. There was a loop tied in the end of the cable nearest to the fire. Helmuth said he did not know who lit the fire or who would have taken the gasoline out of the work truck. Helmuth told me he did not have exterior security cameras on the building. Photos were taken of the scene which included the steel cable and gas tank along with footprints in the snow, located directly below the gas tank with the rubber siphon hose protruding from the opening of the gas tank. Helmuth said he did not need fire crews to respond and the fire was contained.

At approximately 0730 hours on 01-23-2023, I responded back to 168 Pothole Road, because Helmuth advised the suspect, Martin Jensen, was at the business and confessed to lighting the fire and attempting suicide.

Upon my arrival the second time I contacted Helmuth who told me the following. Helmuth told me after my earlier departure one of his employees, Martin Jensen, approached him and said he was the one who lit the large fire. Helmuth said Jensen told him his vehicle ran out of gas and he attempted to siphon gas out of the work truck. Helmuth said Jensen told him he was feeling suicidal and depressed. Helmuth said Jensen told him he lit the large fire and was going to drive his vehicle into the fire with the steel cable fastened around Jensen's neck. Helmuth said Jensen told him the cable was tied to the work trucks bumper and fastened to his neck just in case the fire did not kill him. Jensen told Helmuth once he had the cable fastened to his neck, he was going to get inside of his vehicle and push it down the steep embankment and into the large fire below. Helmuth said Jensen told him he decided not to go through with the suicide and was currently sitting inside of the business.

I spoke with Jensen who told me the following. Jensen said "I tried to do an elaborate suicide attempt this morning and chickened out at the last moment." Jensen told me he no longer felt suicidal and did not need or want medical attention. I told Jensen to contact the Sheriff's Office if he needed any help or was feeling suicidal.

I spoke with Helmuth who told me they did not want to pursue any charges against Jensen for lighting the large fire.

I spoke with Paradise Valley Chief Glazier who told me he was concerned about the fire due to the hazardous materials and chemicals which might be present. Chief Glazier told me the owners of the

Panhandle Door have been previously warned about burning the waste pile. Chief Glazier advised there may be further investigation conducted by the fire marshal at a later date.

Charges for Arson, 3rd degree, felony, in violation of Idaho code 18-804, against Jensen, will be forwarded to the Boundary County Prosecutors Office for further review and prosecution.

There is body camera video and photos documenting the scene and interviews of the incident.

Closing Statements: Closed with report forwarded to the Boundary County Prosecutors Office for further review and prosecution.

Deputy Blackmore 1511 BCSO

Received:



BOUNDARY COUNTY REQUEST TO EXAMINE OR COPY PUBLIC RECORDS

P.O. Box 419, Bonners Ferry, Idaho 83805
Phone: (208) 267-7212

CONTACT INFORMATION:

Name of person requesting records: D. Scott Bauer, of Idaho Premier Law Group (IPLG)
Mailing Address: 617 Creek Side Lane
City: Sandpoint State: Idaho Zip: 83864
Phone: 208-254-0358 Email: scott@iplg.law

RESPONDING AGENCY:

Boundary County Planning & Zoning
6447 Kootenai Street, #18
Bonners Ferry, ID 83805
Phone: (208) 267-7212
Boundary County Planning & Zoning
P.O. Box 419
Bonners Ferry, ID 83805
Email: planning@ruenyeager.com

RECORDS REQUESTED: (Use additional paper, if needed)

I request to examine and/or I request copies of these records:

Description of records requested, including record dates:
SEE ATTACHED DOCUMENT STATING THE REQUEST

Media type: Electronic copies by email or data-stick - see attached

Note 1: Pursuant to I.C. 74-102(10)(b), if the above request is for more than 100 pages or includes records from which non-public information must be deleted, or the request exceeds two person hours, a fee may be charged.

Note 2: I agree that any records obtained pursuant to this request will not be used as a mailing list or telephone number list prohibited by *Idaho Code Section 74-120* or as otherwise required or prohibited by law.

Request: Approved on: No Records Found: Denied on: If denied, submitted to agency attorney for review.

Reason:

Rights of Appeal: (IC §74-115) The sole remedy for a person aggrieved by the denial of a request for disclosure is to institute proceedings in the district court of the county where the records are located within one hundred eighty (180) calendar days from the date of mailing of the notice of denial or partial denial by the public agency.

We will respond to this request within **three (3) business days**. If the material requested is not available within the three business days, we will notify you in writing, Idaho Code § 74-103, that said records will be provided no later **than ten (10) business days** following the date of request.

Requestor's signature: Scott Bauer Date: 8/19/24

ATTACHMENT TO PUBLIC RECORDS REQUEST FORM

D. Scott Bauer
Attorney at Law
Idaho Premier Law Group PLLC (IPLG)
617 Creekside Lane
Sandpoint, Idaho 83864
Telephone: (208) 254-0358
Email: scott@iplg.law

August 19, 2024

Boundary County Planning Department
Attention: Ben Jones, Zoning Administrator
P.O. Box 419
Bonners Ferry, Idaho 83805
Phone: (208) 267-7212
Email: bjones@boundarycountyid.org

Re: Public Records Request – Conditional Use Permit Application File #24-0076.

Dear Mr. Jones,

I am writing to request copies of public records related to Conditional Use Permit (CUP) application File #24-0076. Specifically, I am requesting the following:

1. All submissions provided to the Planning and Zoning (P&Z) Department related to File #24-0076, including but not limited to applications, supporting documents, correspondence, and any additional materials submitted by the applicant or interested parties.
2. Audio recordings of any hearings, meetings, or deliberations related to File #24-0076.
3. The decision document issued by the P&Z Department concerning File #24-0076.

4. Copies of any previous Conditional Use Permits (CUP) or similar permits issued for this site, dating back to January 1, 2006.

5. Any staff reports or analyses prepared by the P&Z Department or other county staff related to this site or to any CUP applications for this property.

6. Any formal land-use complaints filed against this property, including details of the complaints and any actions taken in response.

7. Copies of any building permits and placement permits on file for this property.

Please provide these records in electronic format if possible. Please send back by email or advise if personal pickup of a data stick is required. If there are any fees associated with this request, please notify me in advance of fulfilling the request.

Thank you for your attention to this matter. I look forward to your prompt response.

Sincerely,

Scott Bauer

D. Scott Bauer
Attorney at Law
Idaho Premier Law Group PLLC

Subject Re: Records Request
To: [Planning <planning@ruenyeager.com>]
From Scott Bauer <scott@iplg.law>
[bjones@boundarycountyid.org <bjones@boundarycountyid.org>, Kelli Martin <chaseinvestigations@aol.com>, Clare Marley <cmarley@ruenyeager.com>, Bill Wilson <bill.wilson@bonnercoid.gov>, Andrakay Pluid <apluid@boundarycountyid.org>]
Date: Thu, Aug 22, 2024 at 17:22

Re: Clarification on Timelines and Procedural Validity for File #24-0076

Hi Tess,

Thank you for the update on the status of my public records request and for the detailed information you provided. I have a specific question regarding the decision document issued by the P&Z Department for File #24-0076.

You mentioned that the document is to be signed by the Chair of the P&Z Commission, and you believe was signed "yesterday" (8/20/24). According to the zoning code, a P&Z decision is only considered final upon the Chair's signature. Given this, it appears that all associated timelines would commence from that signature date.

I am concerned about the possibility that my client may be proceeding with a process that could be procedurally defective from the outset if the timelines were not accurately calculated based on the actual signature date. Could you please review this and confirm whether the appeals clocks should indeed start from the date of the Chair's signature? If that is the case, it might be necessary to reset those clocks if there wasn't a signed P&Z instrument prior to the current date.

Perhaps there is an aspect I'm overlooking, but I wanted to raise this concern out of an abundance of caution. I appreciate your attention to this matter.

Best regards,
Scott

On Wed, Aug 21, 2024 at 8:00 AM Planning < > wrote:

Hello Scott:

An update on your public records request.

I will be getting the costs for the additional time it is going to take to complete this request as the first 2 hours of work have been used and there is still work to be completed. As soon as I have those costs I will get them over to you and they will need to be paid in full prior to anymore work being conducted. Also, a cost for a flashdrive will be included due to the size of the request.

Regarding what you have requested, please see below –

1. All submissions provided to the Planning & Zoning (P&Z) Department related to File #24-0076, including but not limited to applications, supporting documents, correspondence, and any additional materials submitted by the applicant or interested parties.
 - a.

2. Audio recordings of any hearings, meetings, or deliberations related to File #24-0076.
 - a.
3. The decision document issued by the P&Z Department concerning File #24-0076.
 - a.
4. Copies of any previous Conditional Use Permits (CUP) or similar permits issued for this site, dating back to January 1, 2006.
 - a.
5. Any staff reports or analyses prepared by the P&Z Department or other county staff related to this site or to any CUP applications for this property.
 - a.
6. Any formal land-use complaints filed against this property, including details of the complaints and any actions taken in response.
 - a.
7. Copies of any building permits and placement permits on file for this property.
 - a.

Tess Vogel, Planner

Planning

Ruen-Yeager & Associates, Inc.

219 Pine Street | Sandpoint, Idaho 83864

Office: 208.265.4629

Engineers | Planners | Surveyors



From: Scott Bauer <scott@iplg.law>
Sent: Tuesday, August 20, 2024 12:40 PM
To: Planning <>>
Cc: <>>; Kelli Martin <>>; Clare Marley <>>; Bill Wilson <>>; Andrakay Pluid <>>
Subject: Re: Records Request

Hello Tess,

Please include all submissions through the appeal process.

Thank you for clarifying,
Scott

On Tue, Aug 20, 2024 at 11:38 AM Planning <

> wrote:

Hi Scott:

#1 of your request states: *All submissions provided to the Planning & Zoning (P&Z) Department related to File #24-0076, including but not limited to applications, supporting documents, correspondence, and any additional materials submitted by the applicant or interested parties.* I just need clarification on whether or not you also want this for the appeal or just the original file up to the appeal?

Tess Vogel, Planner

Planning

Ruen-Yeager & Associates, Inc.

219 Pine Street | Sandpoint, Idaho 83864

Office: 208.265.4629

Engineers | Planners | Surveyors



From: Planning <

Sent: Monday, August 19, 2024 3:29 PM

To: Scott Bauer <

Cc: Kelli Martin <

>; Clare Marley <

>; Ben Jones <

>; 'Bill Wilson' <

>; Andrakay Pluid <

Subject: RE: Records Request

Hello Scott:

I've received your public records request and this email is a formal notice of a 10-day review period being needed. Also, as this request will possibly take longer than the free 2 hours provided, we will provide you with the estimated time it will take to fill the request along with the fee for that work that has to be paid prior to any work beyond the first 2 hours taking place. That will be provided to you as soon as possible. Thank you.

Tess Vogel, Planner

Planning

Ruen-Yeager & Associates, Inc.

219 Pine Street | Sandpoint, Idaho 83864

Office: 208.265.4629

Engineers | Planners | Surveyors



From: Scott Bauer < >
Sent: Monday, August 19, 2024 2:07 PM
To:
Cc: Planning < >; Kelli Martin < >
Subject: Records Request

Ben,

Please find the attached records request. I completed P&Z's official form and referenced the attached letter for the details of my request, as the form's space was limited.

If this approach presents any issues, please let me know. Otherwise, I will assume my request is in order.

Thank you for processing this request.

Scott

D. Scott Bauer

Principal Attorney

Idaho Premier Law Group

Web:

Email:

Main: 208-254-0358



15.9. AGRICULTURE/FORESTRY

15.9.1. Density: Ten acres.

15.9.2. Structure Setbacks: Property line: 25 feet.

15.9.3. Uses Not Regulated by Boundary County:

15.9.3.1. Unrestricted Class and Light Class uses.

15.9.3.2. Moderate class uses when located more than 500 feet from any existing residence.

15.9.3.3. Agriculture and silviculture and structures accessory to those uses.

15.9.4. Uses Requiring County Permit:

15.9.4.1. One (1) single-family primary residential structure on a buildable parcel or lot.

15.9.4.2. Accessory dwelling unit.

15.9.4.3. New primary structure for unregulated Light Class or Moderate Class Uses.

15.9.4.4. Off-site commercial greenhouses and produce stands.

15.9.4.5. Driveway access to a county road.

15.9.5. Conditional Uses:

15.9.5.1. Moderate class use when located less than 500 feet from any existing residence.

15.9.5.2. High occupancy and land-intensive uses.

15.9.5.3. Duplex, multi-family or multi-structure residential.

15.9.5.4. Animal boarding facilities, riding or equestrian training facilities, veterinary clinics.

15.9.5.5. Feed lots.

15.9.5.6. Industrial uses.

15.9.6. Prohibited Uses:

15.9.6.1. CAFO operations exceeding Idaho code 67-6529

15.9.6.2. Off premise signs.

15.9.6.3. Commercial junkyards.

15.9.6.4. Septage farms.

To: [chaseinvestigations@aol.com <chaseinvestigations@aol.com>]

From: chaseinvestigations@aol.com <chaseinvestigations@aol.com>

Date: Wed, Aug 28, 2024 at 10:04

TITLE 67

LOCAL GOVERNMENT AND STATE AFFAIRS

CHAPTER 65

LOCAL LAND USE PLANNING

67-6527. VIOLATIONS — CRIMINAL PENALTIES — ENFORCEMENT. A governing board may provide by ordinance for the enforcement of this chapter or any ordinance or regulation made pursuant to this chapter. A violation of any such ordinance or regulation may be declared a misdemeanor and the governing board may provide by ordinance for punishment thereof by fine or imprisonment or by both. Local ordinances adopted pursuant to authority granted by this chapter may be enforced by the imposition of infraction penalties. Except that where property has been made nonconforming by the exercise of eminent domain it shall not be a violation and no penalty, either civil or criminal, shall result. In addition, whenever it appears to a governing board that any person has engaged or is about to engage in any act or practice violating any provision of this chapter or an ordinance or regulation enacted pursuant to this chapter, the governing board may institute a civil action in the district court to enforce compliance with this chapter or any ordinance or regulation enacted hereunder. Upon a showing that a person has engaged or is about to engage in an act or practice constituting a violation of this chapter or ordinance or regulation enacted hereunder, a permanent or temporary injunction, restraining order, or such other relief as the court deems appropriate shall be granted. The governing board shall not be required to furnish bond.

History:

[67-6527, added I.C., sec. 67-6527, as added by 1975, ch. 188, sec. 2, p. 515; am. 1999, ch. 396, sec. 15, p. 1110.]

Kelli M. Martin

.The content of this email is confidential and intended for the recipient specified in message only. It is strictly forbidden to share any part of this message with any third party, without a written consent of the sender. If you received this message by mistake, please reply to this message and follow with its deletion, so that we can ensure such a mistake does not occur in the future.

Wood and Mill Yard Debris



Technical Guidance Manual

ABOUT THE COVER

The landscaped area in the cover photo is a sight-obscuring berm constructed of log yard debris. It is located in Coeur d'Alene next to North Idaho College and a popular public beach. This use of debris is described on page 6-10.1

WOOD AND MILL YARD DEBRIS

TECHNICAL GUIDANCE MANUAL

February 1998
Revised March 31, 2004

Publication of this document was financially supported by the U.S. EPA. However, the contents are not the opinion or determination of the U.S. EPA. Opinions and determinations expressed in this document are those of the Wood and Mill Yard Debris Technical Guidance Committee as Authorized by I.C 39-174.

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PURPOSE, INTENT, AND USE OF THE TECHNICAL GUIDANCE MANUAL

PURPOSE AND INTENT

The purpose of this document is to provide practical and approved best management plans for the handling, use, or disposal of wood and mill yard debris (wood debris). This has been accomplished by examining the management alternatives that are currently in use in the Northwest, evaluating their compliance with Idaho's solid waste rules, and describing the features of each method. Distribution of this manual is intended to make the alternatives widely known and available among industry and waste managers so they may make decisions regarding the final disposition of log yard debris with assurance that they are using a safe and acceptable method. Each alternative has been examined by the Wood and Mill Yard Debris Committee, which includes industry, government and technical representatives that have agreed on the use and restriction of each method. Each alternative can be treated as a proposal made on behalf of anyone using wood debris and accepted by the solid waste regulatory agencies throughout Idaho.

The Technical Guidance Manual (TGM) itself is designed to be an expandable document. It will be revised and updates will be available to anyone with an older edition. This will make new management techniques available to the industry in the fastest possible manner. The manual does not limit options. Alternative methods for use and disposal of wood debris may be approved in the same manner that it has been in the past. Establishment of the TGM is intended to make existing options known and easily implemented.

The decisions to include specific alternatives in the manual were based on:

- Protection of public health.
- Protection of ground and surface water.
- Use and minimization of waste.
- Assurance of regulatory compliance, and
- Practical application.

USE OF THE MANUAL

The TGM is a resource book that can assist managers in deciding the best ways for them to manage their wood debris. Since the alternatives have already been approved, it goes a step beyond mere information because it eliminates much of the uncertainty regarding the ability of the industry to obtain approval.

Most of the alternatives require no approval or notification of their use. They have been determined to have potential impacts that are low enough that it is inappropriate for agencies to review.

Some alternatives will require permitting. If a permit is required, you will need to contact the local District Health Department and the Department of Environmental Quality (DEQ) for assistance. Other agencies may have jurisdiction over a particular management alternative. This often includes county and some federal agencies. After reviewing the site, the District will be able to direct you to the other agencies and explain the Committee's role and approval of the option.

Existing disposal sites that desire to qualify for exemption from the Solid Waste Management Rules, by applying the WMYD TGM shall, within two (2) years from the adoption by reference of the TGM, comply with alternative uses and Wood and Mill Yard Debris Landfill Criteria Sections.

If you are suggesting a new alternative, it will have to be reviewed by the Health District and DEQ. The review may include consultation with the Wood and Mill Yard Debris Committee. If approved, the new alternative will be added to the manual and made available to anyone that may wish to use it. Your feedback is important to the long-term success of this effort.

INTRODUCTION

WOOD AND MILL YARD DEBRIS TECHNICAL GUIDANCE MANUAL

This manual references methods for the use and disposal of accumulated wood and mill yard debris which consists of wood fiber materials with components of soil, rock, and moisture. It also addresses blending of boiler ash with wood debris for management and disposal. Debris is generated within wood and mill yards during the process of manufacturing wood products.

The Wood and Mill Yard Debris Technical Guidance Manual is needed for the following reasons:

- defining the broad application of the term "wood waste."
- recognizing the variable composition, quantity, age and location of accumulated debris.
- identifying innovative uses of wood and mill yard debris as recycling and economic value of the material changes, and
- providing an acceptable approach to address the use and disposal of wood and mill yard debris as a type of non-municipal solid waste.

GOALS

The goals of the TGM are as follows:

- to protect human health,
- to protect ground water,
- to protect surface water, and
- to comply with environmental regulation.

To achieve these goals the Technical Guidance Committee has reviewed the solid waste rules, developed appropriate definitions, identified existing wood and mill yard debris practices, and developed approved alternative practices.

TECHNICAL GUIDANCE COMMITTEE

The Wood and Mill Yard Debris Technical Guidance Committee (wood debris TGC) is established by Idaho Code section §39-173. The committee is required to be composed of seven (7) individuals and shall include:

- One DEQ representative.
- Two District Health Department Representatives.
- Two Forest Industry Representatives, and
- Two Wood and Mill Yard Debris Technical Representatives.

Committee members are appointed by the Director of the Department of Environmental Quality and serve three (3) year terms. No committee member may serve more than two (2) full terms. The DEQ representative is charged with providing administrative and other support to the committee. The committee is required to meet at least twice a year in a location most convenient to a majority of the members.

The duties of the committee include:

1. Developing a TGM for the use, storage, management and disposal of wood and mill yard debris.
2. Considering and developing specific solutions for wood or mill yard debris use, storage, management or disposal as needed.
3. Developing and sharing knowledge related to the use, storage, management and disposal of wood or mill yard debris including ways to constructively use or reclaim the debris.
4. Making recommendations for any permits, rules, or legislation.
5. The wood debris TGC is to be the custodian of this wood debris TGM.

The printing of this Technical Guidance Manual (TGM) and evaluation of existing alternative uses and disposal of wood and mill yard debris was paid for by a grant from the US Environmental Protection Agency (EPA) Region X. This TGM is the result of a unique cooperative agreement and partnership between the forest products industry, the District Health Departments, the Department of Environmental Quality and the EPA. Through the negotiated development of this TGM and the partnership that has been formed, a statewide consensus for application of the approved alternative uses has been achieved.

The following individuals served as the original members of the Technical Guidance Committee:

John Emery, Potlatch Corporation
Ed Hale, Panhandle District Health Department
Carl Martin, Idaho Forest Industries*
Bill Lillibridge, North Central District Health Department
Ron Mensch, Twin Creek Enterprises
Representative Don Pischner
Barry Burnell, Division of Environmental Quality

*K.C. Hansen replaced Carl Martin on the TGC.

The following is a list of the current members serving on the Technical Guidance Committee:

Ron Mensch, Twin Creek Enterprises
Erik Ketner, Panhandle District Health Department
Dan Johnson, North Central District Health Department
Don Pischner, Stimpson Lumber Company
Bernie Wilmarth, Potlatch Corporation
Kevin Greenleaf, Louisiana Pacific Corp.
Dean Ehlert, Department of Environmental Quality

Technical Guidance Manuals may be obtained from the Panhandle District Health Department located at 2195 Ironwood Court, Coeur d'Alene, ID, 83814, (208) 667-9513. For a current list of TGC members, please contact either the District Health Department or the DEQ.

CURRENT WOOD DEBRIS MANAGEMENT PRACTICES

LEGISLATIVE BACKGROUND

Non-municipal waste (including wood yard debris) is governed by Idaho Code, chapter 1 title 39 and regulations derived from that 1973 law. The 1973 regulations covered municipal and non-municipal waste. In 1991, the US Environmental Protection Agency adopted new federal requirements for solid waste disposal (known as Subtitle D). The new regulations focused on municipal waste, and made no attempts to address non-municipal waste disposal, processing, transfer, collection, and storage. The state regulations were rewritten in 1992 (the Christmas Day regulations) in an effort to remove conflicts with the federal laws. The Christmas Day revisions, however, left vague standards and unclear permitting procedures for non-municipal waste.

To address the vague standards in regards to wood debris management, Representative Pischner introduced House Bill 696. The Second Regular Session of the 1996 Legislature of the State of Idaho passed House Bill 696, establishing a Technical Guidance Committee to "develop guidance on the use, storage, management and disposal of mill yard or wood debris." House Bill 696 amended the Environmental Protection and Health Act by adding sections 39-171 through 174. Section 39-171 provides the legislative findings and purpose. Section 39-172 lists the definitions. Section 39-174 identifies the committee members and terms and Section 39-174 details the committee's duties. The TGC is expected to produce a guidance manual similar to that currently used for septic systems in Idaho. This manual will provide several management and disposal options and will be allowed to develop and expand with the advent of new technologies and disposal problems.

The technical guidance committee meetings began on August 15th, 1997 and continued monthly until January 1998. A final draft of the manual was approved at the January 1998 meeting and printed on February 25, 1998.

To address the vague standards in the Christmas Day revisions, negotiated rulemaking was initiated in 1997. As a result of this negotiated rulemaking, revisions to IDAPA 58.01.06 received final approval from the state legislature in the spring of 2003. The 2003 revisions recognize this manual and provide a specific exemption from the solid waste rules for wood and mill yard debris managed in accordance with this manual (IDAPA 58.01.06.001.03.a.v). In IDAPA 58.01.06.009.05, all wood and mill yard debris facilities not complying with the manual shall be regulated as a Tier I facility for a period of one year starting on April 1, 2003. Thereafter, all wood or mill yard debris facilities not operating in accordance with the manual will be regulated as a Tier I facility unless, based on a site-specific criteria, the DEQ determines the facility is more appropriately regulated under a different tier classification within the rules.

Due to the changes in the Solid Waste Management Rules, interest in holding committee meetings renewed. Subsequent meetings were held in 2001, 2002 and 2003 to discuss needed changes to the manual. Updates to the manual were approved on March 31, 2004.

WOOD DEBRIS MANAGEMENT

Mill Operations Background

During normal operations, a wood products mill must sort, stack, and move large numbers of logs around the mill. As a consequence of these activities, significant volumes of log yard debris, consisting primarily of dirt and rock with smaller amounts of wood and bark, are formed. The bark and wood are typically driven over many times by yard equipment, mixing them with mud and rock, eventually making them unsuitable for fuel use. The debris is customarily scraped into piles and taken to fill areas when a sufficient amount has been accumulated. Typical debris production is 100 to 700 cubic yards per million board feet of logs processed. Historically, this material was landfilled near the producing yard, filling low areas and small draws.

Wood Debris Minimization

There are several areas at a log handling facility where it is appropriate to consider methods to minimize the accumulation of wood debris. These methods are:

- Surfacing usually involving an all-weather surface such as asphalt pavement or concrete,
- Centralized sorting and scaling where sorting is done using grapple loaders surrounded by bunks and scaling is confined to a designated area, and
- Good housekeeping, not only around the log yard but the entire plant site.

Surfaced Log Yards

Surfaced log yards can reduce the accumulation of wood and mill yard debris. Bark and woody material recovered from a surfaced log yard can be marketed as boiler fuel or beauty bark, depending on the species being handled and local market opportunities. Some mills are able to market the unground material from the log yard to beauty bark suppliers, while other mills choose to grind the wood debris in the mill hog with the bark being generated from log debarking operations. This material can be sold as boiler fuel and beauty bark.

Advantages to surfaced log yards are reduced debris generation rates and a decrease in the associated costs for debris disposal. Observations of paved log scaling areas show that the amount of bark and broken logs from paved log yards can be less than 50 % of that from unsurfaced areas. Other benefits of a surface yard are reduced operating costs in such areas as rolling stock repairs, tires, fuel and labor. Surfaced log yards also provide for less log breakage, fewer saw changes, and less downtime will be experienced in the sawmill. Because of improved equipment travel time and less time involved in picking up logs from a firm, even surface, efficiency of the rolling stock is greatly increased. Rock replacement costs can also be eliminated and with proper maintenance a paved log yard will never again be rocked.

Centralized Sorting and Scaling

Centralized sorting and scaling can significantly reduce log yard debris. Under this scenario, all logs are taken to a grapple loader for sorting. Quite often, this loader is surrounded with bunks to hold the sorted logs. This maximizes bark from the handling of logs to a confined area which allows most of this bark to be taken to the mill hog on a regular basis before it has become decomposed or contaminated. Scaled loads are also taken to this centralized sorting area rather than sorting on the landing. By scaling logs in a central area, wheel loader forks digging into the landing is minimized and wear on the landing surface is reduced, thus reducing the generation of log yard debris.

A variation of this approach places unsorted logs into one or two decks as they are removed from the trucks or the scaling area. These decks will be built as high as the wheel loader can reach and a grapple loader works the opposite end of the deck. The grapple loader bunches logs by species with the most predominant species being left on the deck area. The sorted logs are taken to the storage decks with the wheel loader. This approach concentrates most of the bark in a small area where much of it can be recovered. Because the grapple loader is working from a fairly high deck, the bunches of sorted logs will be larger, resulting in fewer trips to the storage decks, lighter impact on the yard surface, and less log yard debris.

Good Housekeeping

Many mills are disposing of the bark and broken logs from the feed deck by hauling it out to the log yard. This material is usually reasonably fresh with a minor amount of rock and dirt. Some mills are having good success feeding this material into the mill hog and marketing it as hog fuel. Hand picking of rock or screening is sometimes used to improve fuel quality.

Mill cleanup materials (spilled chips or sawdust, or board scraps) can also find their way into the log yard. This material makes excellent fuel. Minimizing leakage at byproduct bins, conveyors, and other transfer points can also reduce the amount of debris to be disposed.

Debris Reclamation

For most mills, wood debris is a potential resource. If kept fairly clean, the debris can be collected and used as a feedstock, hogged for fuel, or mulched for resale. By treating wood debris as a resource, building design and operation plans can be modified to recapture it.

Some mills have specially designed their log storage areas with debris recovery in mind. They have paved their lots to increase the quality of the recovered debris. Others have opted for less costly approaches, such as placing a geotextile liner below their fill rock to prevent dirt from "oozing up" during wet periods. Drainage ditches, storm water bypasses, and low water flow log deck sprinklers can decrease standing water and mud. Such modifications greatly decrease the amount of dirt and rock contamination in the wood debris, while also decreasing the wear on yard equipment from mud bogs. Mills that have improved their log sorting and scaling areas by paving or using geotextile liners have greatly reduced the amount of log yard debris requiring disposal. The wood fiber is fairly free of dirt and rock, making it acceptable for hog fuel. Through the implementation of this manual, the promotion of log yard improvements, and the adoption of other practical alternative uses for log yard debris, it is the intent of the TGC that extensive reuse of wood and mill yard debris may be achieved.

Storage

Wood and mill yard debris management practices for the storage of debris are critical to mill operations and protecting the environment. The following storage practices should be considered in developing a debris storage management plan:

1. Debris storage practices must minimize fire potential. A fire hazard exists when stockpiling wood and mill yard debris in large loose piles. In order to prevent the spontaneous combustion of wood debris stockpiles, wind-rowing and compaction of the stockpiles is preferred to large "mountainous" stockpiles.
2. Debris storage practices must prevent the generation of leachate which could adversely affect water quality.
3. Run-off of pollutants from stockpiles needs to be considered in the location and management of debris storage areas.

Wood and Mill Yard Debris Processing

There are several processing options for log yard debris including: hogging, screening, water bath classifiers, air knife classifiers and sand density classifiers. These options sort the debris into components that have beneficial uses: fines are used in a soil mix; reclaimed wood fiber is used for beauty bark, cattle bedding, or composting bulking agent; and rocks are used as a landscape material or returned to the mill for use in the log deck area.

Figures 1 and 2 are process diagrams of a typical sawmill and panelmill showing the wood fiber and wood debris streams as they are typically created at the mill.

The following is a brief description of several different processes to classify wood and mill yard debris materials. The resulting classified materials are considered products to use, sell or donate.

1. Water Bath Classifier: Log yard debris is processed through a vibratory or rotary screen to remove the fines, the larger material is further processed through a water bath. The rocks sink to the bottom of the water bath and the cleaned wood fiber is ground and marketed for mulch or fuel.
2. Air Knife Classifier: Log yard debris is processed through a vibratory or rotary screen to remove the fines, the larger material is removed via air knife.
3. Sand Density Classifier: Log yard debris is processed through a rotary trommel screen to remove the fines, the larger material is further processed with a sand density separator where the rocks fall out through the bottom and the wood fiber/bark/chips are separated out through the top.
4. Hog: Clean wood debris is ground and marketed as boiler fuel or other products. Occasionally, hand picking of rocks from the debris is also done before hogging.
5. Mechanical Screen: Log yard debris is separated by size, usually to remove the very fine material, as a preliminary step to further processing.

GENERAL MANAGEMENT ISSUES

SOLID WASTE RULE APPLICABILITY

All rules pertaining to a solid waste disposal facility shall be applicable, except as modified in this section for each alternative.

WATER QUALITY CONCERNS

Many of the options for the use of log yard debris include the construction of some type of structure: it may be a road, berm or a landfill. Any of these activities, as well as some others that are described in this guidance, raise concerns over potential effects on water quality. The actual potential for impact varies widely based on the volume of material being used, the surroundings of the project, and the content of the debris. The projects described in the guidance manual are based on suitability of log yard debris from a solid waste perspective. Any project may be regulated (and likely is) by other laws and rules that are the responsibility of other agencies. Meeting the requirements in the Technical Guidance Manual will ensure compliance with Idaho's regulations regarding solid waste. There are other rules at the federal, state and local level that may affect your project depending upon the location and exact nature of your proposed activity.

Other Agencies with Potential Oversight

In general, it is recommended that you contact the following agencies before pursuing projects suggested in this guidance manual.

- City where project is located (typically the planning and zoning department). Cities may have their own restrictions and requirements for some types of projects.
- County where project is located (typically the planning and zoning department). Conditional use permits may be required and some counties have stormwater control rules.
- Idaho Department of Environmental Quality (DEQ). Impacts on surface and ground water are regulated by DEQ.
- Idaho Department of Fish and Game. Water Quality often affects fish habitat which is regulated by this agency.
- Idaho Department of Water Resources. Regulates alterations to stream channels in Idaho.
- U.S. EPA. Has authority for sites over five acres that discharge stormwater. Note, County ordinances have recently been adopted that address stormwater runoff.
- U.S. Army Corps of Engineers. Projects involving navigable waters, filling and dredging, and wetlands will be a concern of this agency.

The only way to be certain that you are in compliance is to contact these agencies with details of the intended project. No other source can offer accurate information regarding their duties.

BOILER ASH

Most facilities that produce wood debris will also produce some quantity of boiler ash from their steam plant. Many studies have addressed the impacts of adding boiler ash to wood debris, both for land application and disposal. While no maximum allowable percentage of boiler ash has been determined, the following volumes have been shown to have no adverse environmental impacts:

- For land application, 2% boiler ash in wood debris, by volume.
- For disposal, 6% boiler ash in wood debris, by volume.

Use of boiler ash exceeding these percentages may be approved by the applicable agency. Ash used for these purposes cannot exhibit hazardous characteristics.

ALTERNATIVE USES OF WOOD AND MILL YARD DEBRIS

CHEMICALS AND OTHER HAZARDS IN PAINTING

This material was produced under a Susan Harwood Training Grant #SH-27667-SH5 from the Occupational Safety and Health Administration, U.S. Department of Labor. It does not necessarily reflect the views or policies of the U. S. Department of Labor, nor does mention of trade names, commercial products, or organizations imply endorsement by the U. S. Government.

Activity 1: Icebreaker – The Coin Race

Divide participants in two groups and have them stand in 2 lines. Each group will have to put a coin under their shirts and let it drop down to the floor. Starting from the first person of the line until it reaches the last person. Whichever group finishes first wins the round. The group that loses the round has to answer a question. The race is repeated until all the questions have been answered. This activity serves as an icebreaker and also as a pre-test.

Introduction:

Among the many types of jobs that day laborers perform, painting is one that most workers often do. Whether workers are painting the interior or exterior of a house or building, there are some hazards that workers should be aware of to prevent illnesses and injuries.

In this training, workers will learn:

- To identify hazards associated with the job of painting, such as exposure to chemicals, working at heights and uncomfortable working positions, among others.
- To learn about the dangers associated with the use of chemical products, the symptoms of being exposed to chemicals and first aid measures.
- To provide preventative measures workers can adopt to protect themselves from hazards in painting.
- To provide information on how to read chemical labels to use chemical safely.

As mentioned before, a painter applies paint and other decorative finishes to interior and exterior surfaces of buildings and other structures. The painter is primarily responsible for preparation of the surface to be painted, such as patching holes in drywall, using masking tape and other protection on surfaces not to be painted, applying the paint and then cleaning up.

Ask participants: Can you think of any other tasks that painters do? Let participants respond and write the answers on butcher paper.

Some of the answers may include:

- Prepare surfaces to be painted (includes scraping, removal of wallpaper, etc.).

- Determine what materials will be needed.
- Use, clean and maintain various equipment.
- Mix paintings.
- Supervise apprentices or other workers.

Ask participants to share if they have had any incidents when working with paint. Allow time to hear their stories and keep a note of the incidents, as those stories will be used to illustrate the hazards that workers are exposed to in the industry of painting.

Activity 2: Learning the Hazards

Explain to participants: Painters can work at a variety of workplaces, construction sites, homes, renovation, etc. and constantly face different hazards. There are many work place issues that can affect potential exposure to hazardous materials used by painters. By considering the main issues and taking some action, employers and workers can more effectively reduce workers' exposure to the hazardous products.

A hazard is the potential for harm (physical or mental) to the health and safety of people.

Work hazards can be divided in the following categories. (For each category, ask participants to give you examples). Participants will be able to look at images that represent each hazard.



- **Safety hazards** can cause immediate accidents and injuries. Examples are hot surfaces, broken ladders, and slippery floors. Safety hazards can result in burns, cuts, broken bones, electric shock, or death.
- **Physical hazards** are factors within the environment that can harm the body without necessarily touching it. Physical Hazards include: radiation, high exposure to sunlight/ultraviolet rays, extreme temperatures and constant loud noise.
- **Chemical hazards** are present when a worker is exposed to any chemical preparation in the workplace in any form (solid, liquid or gas). Some are safer than others, but to some workers who are more sensitive to chemicals, even common solutions can cause illness, skin irritation, or breathing problems. Examples include cleaning products, asbestos, and pesticides.
- **Biological hazards** are associated with working with animals, people, or infectious plant materials. Work in schools, day care facilities, colleges and universities, hospitals, laboratories, emergency response, nursing homes, outdoor occupations, etc. may expose you to biological hazards. They include viruses, bacteria, mold, body fluids, animal droppings, plants, etc.
- **Ergonomic hazards** occur when the type of work, body positions and working conditions put strain on your body. They are the hardest to spot since you don't always immediately notice the strain on your body or the

harm that these hazards pose. Short-term exposure may result in “sore muscles” the next day or in the days following exposure, but long-term exposure can result in serious long-term illnesses. Some of the hazards include frequent lifting, poor posture, awkward movements, repeating the same movements over and over, having to use too much force, etc.

- **Work organization hazards** are hazards or stressors that cause stress (short-term effects) and strain (long-term effects). These are the hazards associated with workplace issues such as workload, lack of control and/or respect, etc. Examples of work organization hazards include workload demands, intensity and/or fast pace, respect (or lack of), sexual harassment, etc.

some hazards can cause immediate damage, such as the safety hazards or chemicals that can cause skin eruptions, but sometimes the symptoms of an illness can appear months or years after.

Using the color category table provided, and color dot stickers, ask participants to stick color dots that correspond to the type of hazard that each represent. And ask them to explain why they chose the categories of hazards they did.

Type of Hazard	Color
Safety Hazards	
Physical Hazards	
Chemical Hazards	
Biological Hazards	
Ergonomic Hazards	
Work Organization Hazards	

Here are the hazards to be categorized:

- Working at heights.
- Using ladders, platforms and scaffolds.
- Working in confined spaces.
- Risk of eye injury.
- Slips, trips and falls.
- Risk of injury from falling objects.
- Exposure to mold, fungi and bacteria.
- Exposure to bird and rodent droppings.
- Exposure to paint products, solvents, lead and other toxic substances.
- Proximity to flammable or combustible materials.
- Working in awkward positions, or performing repetitive physical tasks.
- Standing for long periods of time.
- Lifting heavy or awkward objects.
- Exposure to heat and ultraviolet radiation.
- Noise.
- Stress.
- Breathing toxic materials.
- Electrical hazards from working close to live electrical power lines or equipment.
- Shift work or extended work days.
- Working at a fast pace.

Note: Have the hazards written on butcher paper prior to the training so that you do not have to write them on the spot. More hazards can be added.

Activity 3: Let's Understand Chemicals

Explain to the participants: Nowadays, the use of chemicals has spread to almost all branches of work activities; therefore, there are risks in many work places and in particular in the trade of painting. There are thousands of chemical substances that are used in large and small quantities, and there are many new ones introduced each year. Unfortunately, most people do not know how to read labels on chemical products or handle them with the necessary precautions. However, it is your right to know and it is important to be well informed of the correct and safe use of chemicals at the workplace.

The first and most essential step leading to the safe use of chemicals is to know what they are used for and to understand the hazards they pose to your health and the environment, in order to be able to control them. Workers must have the information of the chemicals they are going to use, as well as the hazards they pose and safety measures.

Does anyone know what chemicals are used in paint and what are they used for? Paint contains several kinds of material: pigments, binders, extenders, solvents and additives. The additives themselves can include a vast array of materials, such

as dispersants, silicones, thixotropic agents, driers, anti-setting agents, bactericides, and fungicides and algaecides.

All the pigments in paint are used to set the color and opacity. The binder, or resin, holds the pigment in place. With the extender, large pigment particles are added to improve adhesion, strengthen the film and save on binder. There is also the solvent or thinner, which can either be organic or water, that is used to reduce the thickness of the paint to make its application better and easier. Along with those base ingredients, the additives within paint consists of several substances. For example, there are also silicones, which are used to improve the paint's weather resistance and driers are placed in paint to accelerate the drying time. Anti-settling agents are used in paint to prevent pigment settling. The final additives in paint are the fungicides and algaecides, which are used to protect exterior paint from molds, algae and lichen.

After reviewing the materials in paint, explain to participants that:

Chemicals are organic and inorganic substances, they may be natural or synthetic, toxic or not and they can harm people or the environment.

Hazardous chemical products are those that can harm people or the environment.

Every day we are exposed to countless chemical products that have become essential in our life but unfortunately we are not informed about their effects and consequences. Even nowadays, the possible effect that many products can produce on people's health and on the environment is not exactly known.

Physical Form of Chemicals: The physical form of a chemical can influence the way in which it enters the organism, and to some extent, the harm it causes. The main physical forms of chemicals are solids, dusts, liquids, vapors and gases.

Solids

- Solids are the least likely of the chemical forms to cause chemical poisoning. However, certain chemical solids can cause poisoning if they get onto your skin or food and you then ingest them.
- Personal hygiene is important to prevent the ingestion of chemical solids.
- The greatest danger with solids is that some work processes can change them into a more dangerous form.

Liquids

- Many hazardous substances, for example acids and solvents are liquid in room temperature.
- Many liquid chemicals detach vapors that can be inhaled.

- The skin can absorb liquid chemicals. Some liquid chemicals can damage the skin immediately. Other liquids go on directly through the skin to the bloodstream, from which they can transfer to different parts of the organism and have harmful effects.
- It is necessary to apply control measures for liquid chemicals to eliminate or to diminish the possibility of inhalation, exposure to the skin and damage to the eyes.

Vapors




- The steams are droplets of liquid suspended in the air.
- A lot of chemical liquid substances evaporate at room temperature, which means that they form a vapor and remain in the air.
- Vapors from some chemicals can irritate the eyes and the skin.
- The inhalation of certain chemical toxic vapors can have different serious health consequences.
- Vapors can be flammable or explosive. To avoid fires or explosions, it is important to keep the chemical substances that evaporate far from heat sources.
- There should be control measures to avoid exposure of workers to the vapors that emit from liquids, solids or any other state of chemicals.

Gases

- Some chemicals are in the form of gas at room temperature. Other chemicals, in liquid or solid form, turn into gases when they warm up.
- It is easy to detect some gases for based on their color or smell, but there are other gases that cannot be seen nor smelled, and they can only be detected through the use of special equipment.
- Gases can be inhaled.
- Some gases produce irritating effects immediately. The effects that other gases have in the health of people can only be identified once the health of the individual has been seriously compromised.
- Gases can be flammable or explosive. It is necessary to be cautious when working in a place where there are explosive and flammable gases. For example, when working with a gas paint spray gun, it is important to keep any ignitions sources away from your work area. Or when welding, it is important to not work near the welding cylinder storage.
- Workers should be protected at the workplace from the possible hazardous effects of chemical gases through efficient control measures.

Note: Working in confined spaces like boilers and tanks is especially dangerous because they have low oxygen and/or high amounts of toxic chemicals.

Routes of entry to the organism of chemical pollutants

<p>RESPIRATORY ROUTE through the nose and the mouth, the lungs, etc.</p>		<p>This is one of the most important routes of entry or penetration because it is through the air that many toxic substances such as dust, smokes, aerosols and gases can enter our bodies.</p>
<p>DIGESTIVE ROUTE through the mouth, stomach, intestines, etc.</p>		<p>Route of entry through the mouth, the esophagus, the stomach and the intestines. Pollutant ingestions dissolved in mucus in the respiratory system should also be considered.</p>
<p>PARENTERAL ROUTE through open wounds, sores, etc.</p>		<p>Route of entry of the pollutant to the body through open wounds, sores, etc.</p>

<p>DERMAL ROUTE through the skin</p>		<p>Route of entry of many substances that are able to go through the skin without causing erosion or noticeable alterations and that can enter the blood to later be spread to the whole body.</p>
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Activity 4: Controlling Chemical Hazards

Chemical Labeling – How to read them!

Tell participants: Health and safety information on chemical substances is public, so you have the right to ask for the facts!

OSHA's Hazard Communication standard requires chemical manufacturers or importers to classify the hazards of chemicals, which they produce or import. Also, it requires all employers to provide information to their employees about the hazardous chemicals to which they are exposed, by means of a hazard communication program, labels and other forms of warning, safety data sheets, and information and training.

Explain to the participants that OSHA defines a hazardous chemical as anything that is a physical or health hazard.

Physical hazards are pretty straightforward. They include flammable and combustible liquids, compressed gasses, explosives, etc.

Health hazards are a little harder to determine, however OSHA indicates they include pollutants that can cause the following: cancer; birth defects, sensitivity, irritation, damage to the nervous system, damage to different organs (such as the liver, kidneys, lungs, skin), damage to the eyes and mucus membrane, agents of the system that produce blood in our bodies.

We have stated before that most of us are exposed to chemicals in one way or another, but how many of us can read a label and understand it? Have any of you read the labels of the chemicals we use?

Using labels from different chemical products, ask participants to name the information they notice. Write them on a sheet of butcher paper.

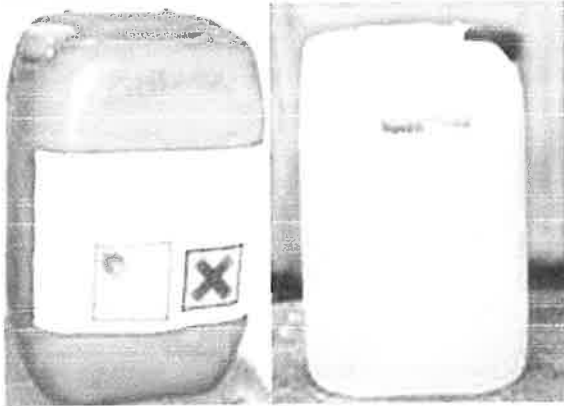
After, go over the different elements of information that a label on a hazardous chemical should have according to OSHA's Hazard Communication Standard (HCS):

1. The **Name, Address and Telephone Number** of the chemical manufacturer, importer or other responsible party.
2. The **Product Identifier** is how the hazardous chemical is identified. This can be (but is not limited to) the chemical name, code number or batch number. The manufacturer, importer or distributor can decide the appropriate product identifier. The same product identifier must be both on the label and in section 1 of the SDS.
3. **Signal Words** are used to indicate the relative level of severity of the hazard and alert the reader to a potential hazard on the label. There are only two words used as signal words, "Danger" and "Warning." Within a specific hazard class, "Danger" is used for the more severe hazards and "Warning" is used for the less severe hazards. There will only be one signal word on the label no matter how many hazards a chemical may have. If one of the hazards warrants a "Danger" signal word and another warrants the signal word "Warning," then only "Danger" should appear on the label.
4. **Hazard Statements** describe the nature of the hazard(s) of a chemical, including, where appropriate, the degree of hazard. For example: "Causes damage to kidneys through prolonged or repeated exposure when absorbed through the skin." All of the applicable hazard statements must appear on the label. Hazard statements may be combined where appropriate to reduce redundancies and improve readability. The hazard statements are specific to the hazard classification categories, and chemical users should always see the same statement for the same hazards no matter what the chemical is or who produces it.
5. **Precautionary Statements** describe recommended measures that should be taken to minimize or prevent adverse effects resulting from exposure to the hazardous chemical or improper storage or handling. There are four types of precautionary statements: prevention (to minimize exposure); response (in case of accidental spillage or exposure emergency response, and first-aid); storage; and disposal. For example, a chemical presenting a specific target organ toxicity (repeated exposure) hazard would include the following on the label: "Do not breathe dust/fume/gas/mist/vapors/spray. Get medical advice/attention if you feel unwell. Dispose of contents/container in accordance with local/regional/national and international regulations."
6. **Pictograms** are graphic symbols used to communicate specific information about the hazards of a chemical. On hazardous chemicals being shipped or transported from a manufacturer, importer or distributor, the required pictograms consist of a red square frame set at a point with a black hazard symbol on a white background, sufficiently wide to be clearly visible. A square red frame set at a point without a hazard symbol is not a pictogram and is not permitted on the label.

Note: It is important to read the label each time you use a newly purchased chemical. It is possible the manufacturer may have added new hazard information

or reformulated the product since your last purchase, and thus altered the potential hazards you face while working with the product.

SAMPLES OF LABELS



CORRECT










INCORRECT



Activity 5: Recognizing the Pictograms

In this activity, participants will watch a video depicting a cartoon character 'Napo' involved in some work activities that put him in danger when using chemicals. The video can be found at

After watching the video, participants will be asked to pick one card from a pile. Each card corresponds to a pictogram, the name of the pictogram and the hazards. They will then have to look for the other participants that have the components that correspond to each other. For example the person with the card that says "health hazard" will have to look for the person that has the pictogram of the health hazard and also for the person that has the actual hazards. Once the participants with the matching cards have found each other, they will have to talk to each other about the symbol they have and what is its potential for danger. They will have to come up with an example of a chemical product they have seen this symbol on or if they have experienced an accident produced by that particular hazard. This activity will help review what they saw on the video, as well as a discussion.

	<p>Health Hazard</p>	<ul style="list-style-type: none"> • Carcinogen • Mutagenicity • Reproductive toxicity • Respiratory sensitizer • Target organ toxicity • Aspiration toxicity
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	Flame	<ul style="list-style-type: none"> • Flammables • Pyrophorics • Self-Heating • Emits Flammable Gas • Self-Reactives • Organic Peroxides
	Exclamation Mark	<ul style="list-style-type: none"> • Irritant (skin and eye) • Skin Sensitizer • Acute Toxicity (harmful) • Narcotic Effects • Respiratory Tract Irritant • Hazardous to Ozone Layer (Non-Mandatory)
	Gas Cylinder	<ul style="list-style-type: none"> • Gases Under Pressure
	Corrosion	<ul style="list-style-type: none"> • Skin Corrosion/ Burns • Eye Damage • Corrosive to Metals
	Exploding Bomb	<ul style="list-style-type: none"> • Explosives • Self-Reactives • Organic Peroxides
	Flame Over Circle	<ul style="list-style-type: none"> • Oxidizers

	Environment (Non-Mandatory)	<ul style="list-style-type: none"> • Aquatic Toxicity
	Skull and Crossbones	<ul style="list-style-type: none"> • Acute Toxicity (fatal or toxic)

Activity 6: Understanding Safety When handling Chemicals (2 hours)

In this activity we will teach participants how to read the NFPA Chemical Hazard Label. We will go over what each color and symbol represents. We will follow by giving them samples of labels found in products that are commonly used in different jobs day laborers perform; for example glass cleaner, thinner, crack sealant, paint, wood stain, etc. Participants will have to fill out a blank NFPA Chemical Hazard label with information about a chemical we will provide.

You may have noticed a diamond shaped label with 4 different colors and numbers in some chemical products. The label may look simple, but it actually carries a lot of information and it may help you identify the hazards associated with that product. This label is color-coded and each color represents a different type of hazard. Also, as mentioned before, it also uses a number system and each number represents the degree of a particular hazard.

NFPA Rating Explanation Guide					
RATING NUMBER	HEALTH HAZARD	FLAMMABILITY HAZARD	INSTABILITY HAZARD	RATING SYMBOL	SPECIAL HAZARD
4	Can be lethal	Will vaporize and readily burn at normal temperatures	May explode at normal temperatures and pressures	ALK	Alkaline
3	Can cause serious or permanent injury	Can be ignited under almost all ambient temperatures	May explode at high temperature or shock	ACID	Acidic
2	Can cause temporary incapacitation or residual injury	Must be heated or high ambient temperature to burn	Violent chemical change at high temperatures or pressures	COR	Corrosive
1	Can cause significant irritation	Must be preheated before ignition can occur	Normally stable High temperatures make unstable	OX	Oxidizing
0	No hazard	Will not burn	Stable	W	Reacts violently or explosively with water
				W OX	Reacts violently or explosively with water and oxidizing

Special Notice Key (White)- This table contains special indications for some products. For example, if it is an oxidizing product, corrosive, water reactive or radioactive.

Example:



Note: Regardless of the numbers on the label - even if they carry ones or zeros - be cautious. All chemicals should be treated with the utmost of care.

Safety Data Sheets – SDS

The Hazard Communication Standard (HCS) requires chemical manufacturers, distributors, or importers to provide Safety Data Sheets (SDSs) to communicate the hazards of hazardous chemical products. SDSs must be in a uniform format, and include the properties of each chemical; the physical, health, and environmental health hazards; protective measures; PPE; stability and reactivity; and safety precautions for handling, storing, and transporting the chemical.

Activity 7: Types of Paint and Chemicals Used in Painting

Let's explore the basic types of paint and chemical products used in painting and the dangers they pose:

Water Based Paint: Health risks are low, but could affect people who are very sensitive to smells or people allergic to vapors from paint. These products do not pose immediate fire risk. If you get paint on you, wash your hands and any part of your body exposed to the paint with water and soap (do not use detergent).

Oil Based Paint: Oil paint is a type of slow-drying paint that consists of particles of pigment suspended in a drying oil, commonly linseed oil. Oil-based paint contains potentially poisonous hydrocarbons, and high levels of volatile organic compounds,

or VOCs, which perform numerous functions in paint and evaporate as the paint dries. The most significant health effects of oil-based paint are due to polluted air from VOCs, inhalation and poisoning. These products can catch fire if they are exposed to excessive temperatures or high temperatures for a long time.

Paint Remover: is a product designed to remove paint and other finishes and also to clean the underlying surface. Two basic categories of chemical paint removers are caustic and solvent. The active ingredients in most common paint removers are organic solvents, which may damage the skin, eyes, respiratory tract, nervous system, and internal organs. Special precautions must be taken in their use. The fire-causing potential of solvents can be classified as "extremely flammable," "flammable," combustible," or "non-flammable."

Paint Thinner: paint thinner is a solvent used to thin oil-based paints or clean up after their use. It contains chemicals that are hazardous to human health. They can cause headaches, nausea, depression if inhaled, confusion, and respiratory distress. It can irritate the skin, eyes, nose and throat when inhaled and also has anesthetic qualities. Many of these elements are also highly flammable.

Activity 8: Other Hazards to Look Out for when Painting

Making reference to the answers participants gave during activity 2, review the following hazards with participants. After, divide participants in 5 groups and assign one hazard to each group. Participants have to come up with a basic preventative plan so that workers are not exposed to the particular hazard they were assigned in their group. Presentations will follow.

Exposure to silica: Silica is widely used in concrete and masonry products, such as the fillers and stuccos. When the product is sanded, grinded, or mixed, the dust containing silica may become airborne. When silica particles are inhaled, especially the crystalline silica, it can become trapped in the lung tissue. The lung tissue then reacts by developing fibrous tissue around the trapped silica particles. This condition, which is known as silicosis, is a chronic condition that takes many years to develop.

Prevention:

Exposure to lead: Lead exposure occurs when lead laden dust and fumes are inhaled while painting with lead-based paint, grinding/sanding old lead-based paint, or hot work on metals containing lead. Lead can also enter the body when it is accidentally ingested from contaminated hands, food, water, cigarettes and clothing. Lead is released into the blood and distributed throughout the body. Most of it accumulates in the bones where it can be stored and then released into the blood decades later, causing exposure to organs.

Falls: Falling from high places, such as ladders, scaffolds, elevated platforms are common accidents when painting. The causes for falls can be several, but among the

most common are slips, trips, cluttered working spaces and using unstable ladders and scaffolds.

Electrical Hazards: Electric shocks, depending on certain conditions, can be fatal, even at relatively low voltages. The amount of time that an electrical current lasts has a great influence in the severity of the injuries. If the electric current has a short duration, then it may just cause pain. If the electric shock is longer, then it can be fatal, even if the voltage is not very high. It is important to note that workers and all tools need to be at least 10 feet away from energized power lines.

Musculoskeletal Disorders: When we load, lift, push, drag, or hold something we are using too much strength and therefore putting a lot of strain on our muscle tissues and ligaments. Another common injury for painters is caused by the frequent and repeated manipulation of their tools (brushes, rollers, sprayers, etc.), even if you don't need to use much strength. The damage is caused by the excessive effort to which the parts and fibers of the muscle undergo during long periods of time.

~~After reviewing each of the hazards, have an open discussion with participants about how to avoid the dangers posed by the hazards and what would be some ways of accident and illness prevention.~~

Activity 9: How can I protect myself from hazardous chemicals?

Let participants know that it is very important for them to be well informed of the chemical products they have to use when working as painters and to know what to do in case they are overexposed to chemical hazards. Since day laborers often do not have the proper training, it is important for them to be aware of a few things they can do that can potentially protect them and their co-workers:

The Right to Know- everyone who works with toxic substances should know the names, toxicity, and other hazards of the substances they use. Employers are required by law to provide this information, along with training in how to use toxic substances safely.

Permissible Exposure Limits (PELs)- It is important to understand how long we can be exposed to a chemical. Health and safety authorities establish the exposure limits of hazardous substances. OSHA PELs are based on an 8-hour time weighted average (TWA) exposure. An employer can be cited and fined if employees are exposed over the PEL.

Exposure limits usually represent the maximum amount (concentration) of a chemical, which can be present in the air without presenting a health hazard. However, exposure limits may not always be completely protective, for the following reasons:

Answers:

1. Safety hazards, physical hazards, chemical hazards, biological hazards, ergonomic hazards, and work organization hazards.

2. Exposure to hazardous chemicals, working at heights, ergonomic hazards, electrical hazards.

3. The main physical forms of chemicals are solids, dusts, liquids, vapors and gases.

4. Respiratory route (through the nose and the mouth, the lungs, etc.), digestive route (through the mouth, stomach, intestines, etc.), parenteral route (through open wounds, sores, etc.), dermal (through the skin).

5. TRUE

6. The NFPA Chemical Hazard Label is color-coded and each color represents a different type of hazard: the red section denotes flammability, the blue signifies health considerations, the yellow designates reactivity, and the white gives other special precautions. Each section of the diamond contains a number from 0 (minimal hazard) to 4 (severe hazard) that indicates the relative degree of risk presented by the material.

7. Answers: Storing products in a cool environment, storing products away from ignition sources, not storing incompatible products side by side, marking storage locations with signs/warnings, having easy access to fire extinguishers, storing products in a way that does not block isles or exits, keeping product containers tightly closed when not in use, keeping product containers upright, preventing product containers from being damaged (i.e. piercing), making sure to label products properly and putting them in appropriate containers when transferring products to new containers, keeping product containers in a well-ventilated area, keeping product containers in a dry location.

8. By knowing their rights ("the right to know", PELs, etc.), being informed of the chemicals they are using, having ventilation, substituting hazardous chemicals with less hazardous ones, adapting safe work practices and behaviors, using PPE, storing chemicals products safely.

- Information for chronic health effects is not complete because it may take many years for an illness to appear.
- Workers can be affected by chemical exposure at different levels depending on their own physical state and how much strength is needed to perform their job.
- Chemical interactions are not taken into account. How many different chemical products are being used?
- Limiting the chemical concentration in air may not prevent excessive exposure through skin contact or ingestion.

Ventilation- Ventilation is one of the most effective methods for controlling solvent vapors and dusts generated by paint activities by either supplying or exhausting air. Always make sure there is circulation of fresh air sufficient to keep concentrations of toxic substances diluted below hazardous levels. There are two main types of ventilation methods: general ventilation (or dilution ventilation) and local exhaust ventilation.

General ventilation is used to describe a ventilation system that supplies and exhausts large volumes of air from work areas. This method is effective when you want to dilute low concentrations of vapor or dust from painting activities to acceptable levels. Examples of general ventilation systems are the use of natural drafts through open windows and doors, roof ventilators, or mechanical fans or blowers mounted in roofs, walls or windows.

Local exhaust ventilation refers to a ventilation method that contains or “captures” contaminants at their source of generation before they escape into the work environment and to the worker. A typical local exhaust ventilation system consists of a hood (captures the contaminant), ducts (transports the contaminant away from the work area), an air cleaner if required (cleans the contaminants from the air) and a fan (moves the air with the contaminant away from the work area to outside). Paint spray booths and dust collection systems are good examples of local exhaust ventilation.

Substitution- The use of a less hazardous substance. But before choosing a substitute, thoroughly consider its physical and health hazards. Also consider environmental aspects such as air pollution and waste disposal.

Work practices and behaviors- workers can control dust dispersion by spraying water (or dust suppressant products), closing containers of volatile chemicals when not in use, and labeling containers of hazardous substances.

Use of PPE- workers should wear Personal Protective Equipment when handling chemicals:

Respiratory protective equipment consists of devices that cover the mouth and nose to prevent substances in the air from being inhaled. A respirator is effective only when used as part of a comprehensive program established by the employer, which includes measurement of concentrations of hazardous substances, selection of the proper respirator, training the worker in its proper use, fitting of the respirator to the worker, maintenance, and replacement of parts when necessary. A health care professional must first determine whether the individual worker can wear a respirator safely.

Protective clothing includes gloves, aprons, goggles, boots, face shields, and any other materials worn as protection. It should be made of material designed to resist penetration by the particular chemical being used. Such material may be called impervious to that chemical. However, most materials do not remain impervious for very long. The manufacturer of the protective clothing usually can provide some information regarding the substances that are effectively blocked and how often replacement is necessary.

Prevention Table:

Review the table with the participants.

WAY OF ENTRY/RISK	PREVENTION METHOD
RESPIRATORY ROUTE: INHALATION OF THE PRODUCT Irritation of the airway and intoxication in the case of exposure to very strong products.	1. Handle products in well-ventilated areas. 2. Avoid for products to become pulverized. 3. Use PPE (the proper equipment according to the product manufacturer).
SPLASHING THAT CAN AFFECT THE EYES AND THE FACE The eyes and the face can be severely damaged, especially by corrosive products.	1. Handle the products with care, avoiding splashing (not shaking the container or any brushes, sticks or rags that may have been used). 2. Don't rub your eyes after handling the chemical product. 3. Use the proper PPE (goggles, face shields, etc.)
PRODUCT PENETRATION THROUGH THE SKIN Irritation, burns and allergies can develop from exposure to the chemical product.	1. Always wash your hands after using a chemical product. 2. If you have an open wound, cover that area thoroughly. 3. Use PPE that protects the skin (coveralls, gloves, etc.)
INGESTION The consumption of chemical products can be very serious for the health.	1. Keep the products locked or in a place where only authorized personnel has access. 2. Always keep the containers closed.

	3. Wash your hands and change your clothes before eating or before handling food.
--	---

Avoiding creating hazards when storing chemicals

Storing Flammable Products

Many of the substances used by painters are flammable; therefore, the following general precautions should be taken when storing these products:

- Store products in a cool environment
- Store products away from ignition sources
- Do not store incompatible products side by side
- Mark storage locations with signs/warnings
- Have easy access to fire extinguishers
- Fire extinguishers should be appropriate for the products being stored (see MSDS)
- Stored products should not block isles or exits

Thinners and solvents are flammable products with low flash points. Therefore, they should be stored in cool environments away from ignition sources. Dry chemical, carbon dioxide, foam and water fog are appropriate extinguishing media for most thinners and solvents.

Products that Release Vapor

The products used by painters may also release vapors into the air. Therefore, the following precautions should be taken to ensure that the release of these vapors are minimized and do not accumulate while the products are in storage:

- Keep product containers tightly closed when not in use.
- Keep product containers upright.
- Prevent product containers from being damaged (i.e. piercing).
- When transferring products to new containers, make sure the container material is compatible with the product and clearly labeled.
- Keep product containers in a well-ventilated area.
- Keep product containers in a dry location.

Thinners and solvents contained in paint have high volatility and easily release vapors into the air. Therefore, when these products are not in use, the containers should be tightly sealed, kept upright and free of punctures.

What if I have been exposed?

If you or your co-workers experience symptoms known to be caused by a chemical during or shortly after its use, you may have been overexposed. Symptoms might

include irritation and tearing of the eyes, a burning sensation of skin, nose, or throat, and cough, dizziness, or headache.

**Here are some things you can do in case of overexposure to chemical hazards:
Stop what you are doing and leave the space contaminated. Alert your
supervisor. Call 911 for emergencies or the Poison Control Center
1-800-222-1222.**

In case inhalation: clean air, rest in a semi recumbent position, artificial respiration if needed and medical care.

In case of a spill: take off contaminated clothing, wash area with plenty of water, seek medical care.

In case of splashing: Rinse with plenty of water for several minutes and seek medical care.

In case of consumption: rinse the mouth, DO NOT induce vomiting, drink plenty of water, and seek medical care.

Activity 10: Post Test

Repeat the icebreaker activity as the post-test.

Some content of this training was adapted from the publication "An Introduction to Chemical Hazards in the Workplace" by the State of California Department of Public Health and Department of Industrial Relations, IATSE Local 891 "Paint Department Health and Safety Guidelines". The video "Napo in... Danger: Chemicals!" can be found at [\[link\]](#). "The Napo films or individual scenes from the films may be used freely for education, training and awareness raising without seeking prior permission from the Napo Consortium."

PRE/POST QUESTIONS: CHEMICALS AND OTHER HAZARDS IN PAINTING

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Questions:

1. Name the types of hazards.
2. What are some hazards to which workers are exposed to when painting?
3. Chemicals come in different physical forms, such as liquids and vapors, what other physical forms of chemical are there?
4. How can chemicals enter your body?
5. True or False: OSHA requires labels on chemical products to have name, address and telephone Number of the chemical manufacturer; a product identifier; signal words; hazards and precautionary statements; and pictograms.
6. Explain what information is contained is a NFPA Chemical Hazard Label.
7. How should chemicals used in painting be stored safely?
8. How can workers protect themselves from hazardous chemicals when painting?

Level 1 Evaluation: Chemicals and Other Hazards in Painting

Facilitator: _____ **Location:** _____
Date: _____ **Time:** _____

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What did you like about the training?

What did you like the least about the training?

What are the top 3 things you learned during the training that will be useful for you?

-
-
-

Was there any information you felt was missing from the training?

Please provide some suggestions to improve this training:

How would you rate this training?

Excellent **Good** **Regular** **Bad** **Awful**

OSHA Paint Storage Regulations

Home » Hazmat News » OSHA Paint Storage Regulations

Oct

5

2021



OSHA Paint Storage Regulations

Like with any dangerous chemicals, OSHA has developed numerous enforceable regulations related to proper paint



liquids shall be stored in any one storage cabinet." Federal regulations also require that inside storage lockers should be constructed of fire-resistant rated materials for proper paint storage. U.S. Hazmat Rentals line of steel rated paint storage buildings can meet stringent

Why is Paint Storage Regulated?

While seemingly inert in application, all types of paint can be inherently dangerous if mishandled or improperly stored. Oil based paints, for example, contain a large number of *hydrocarbons*, which are prone to sudden combustion and can cause serious toxicity through human exposure and inhalation. Although latex paints are deemed less harmful than traditional oil-based counterparts, exposure to these chemicals can cause mild irritation to the skin and mouth. Most latex paints are made from a plastic polymer known as *acrylic resin*. This type of material can become particularly dangerous to human exposure as it may contain trace amounts of *ethyl acrylate*, which is a known carcinogen. Our paint storage buildings can be retrofitted with metal partitioned walls and unique compartmentalization options that can prevent indirect human exposure to these dangerous chemicals.

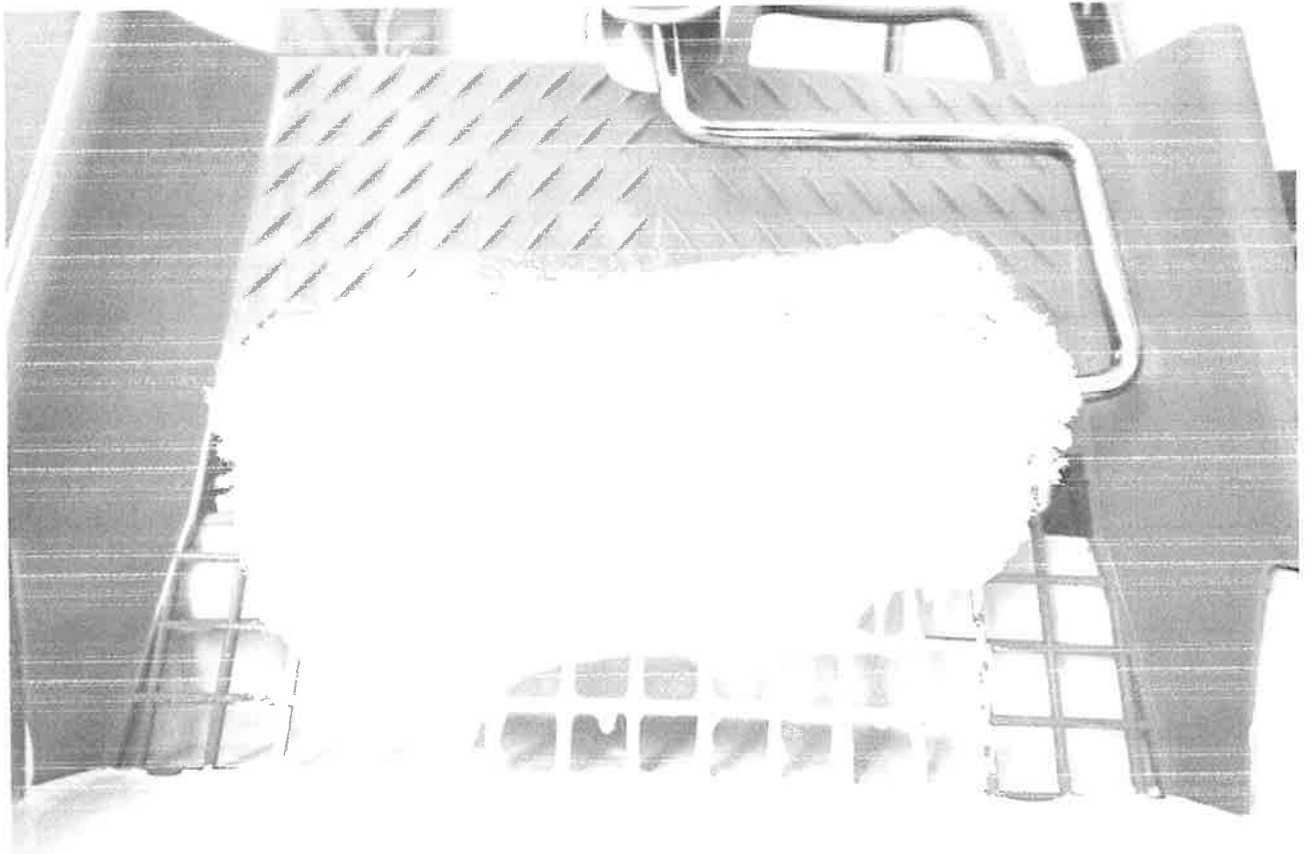


Environmental contamination and pollution can also occur if paints are not properly stored in a steel-welded storage locker that is outfitted with an innovative spill sump containment system. Regardless of use or composition, OSHA requires fire-rated protection for large quantities of oil-based and water-based paints that fall within a *flashpoint of 73 F to 140 degrees F*. Failure to abide by OSHA paint storage regulations can subject your company to



- **Paint** – a colored substance applied to a surface which leaves a thin protective coating.
 - **Varnishes** – Wood finishes such as lacquer.
 - **Solvents** – agents that evaporate chemically with oxygen.
 - **Thinners** – use to thin out or clean up oil-based paints.
 - **Acetone (C₃H₆O)** – solvent used to dissolve paint
 - **Alcohol** – solvent used to change paint texture and comp.
 - **Paint pigments** – controls actual paint coloring
-
- **Mineral Spirits** – used as paint thinner
 - **Oil-based paints** – solvent-based paint known for coverage
 - **Water-based paints** – AKA latex. Uses water as a binder
 - **Acrylics paints** – uses acrylic polymer
 - **Latex (PVA)** – water-based paint
 - **Acrylics polymers** – used as paints, sealants, and adhesives
 - **Alkyd polymers** – Resins used in paint and varnishes.
 - **Epoxy polymers** – Epoxy resin used in glue.
 - **Enamel paints** – Produce natural air-dry glossy finish.



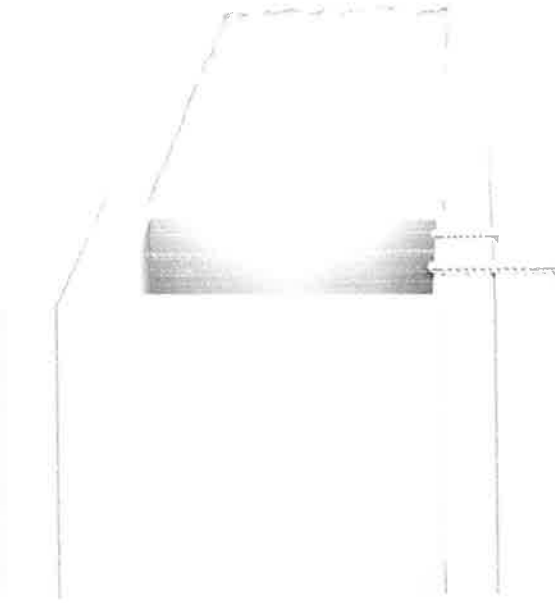


1000

Mineral Wool Insulation

Exterior: Double-layered drywall, with heavy Galvanneal exterior sheet

Interior: two layers of fire-rated drywall, Ultracode Type X, with joints taped



S-12 Self-Tapping Screws:

1¼" on inner layer, 2-ft. on-center;
2½" on outer layer, 1-ft. on-center

Steel **Tube Studs** positioned
1-ft. on-center - 2" x 3" x 1/8"

When storing hazardous materials or dangerous chemicals within 10 to 30 feet of sensitive or vulnerable property, you should consider a U.S. Hazmat Rentals 2-hour-fire rated locker.

These buildings are rigorously tested to hold their structural integrity for over two hours of intense internal blaze. They will contain a barrage of excessively hot gases, liquids, and solids. In accordance with **OSHA 1926.152 and 1910.106**, a dry chemical fire suppression system comes standard on fire-rated paint storage buildings. In the event of a fire, this system can quickly douse flames and prevent the fire from spreading. For chemical storage that is 30 feet or more from property lines, equipment, or personnel, consider





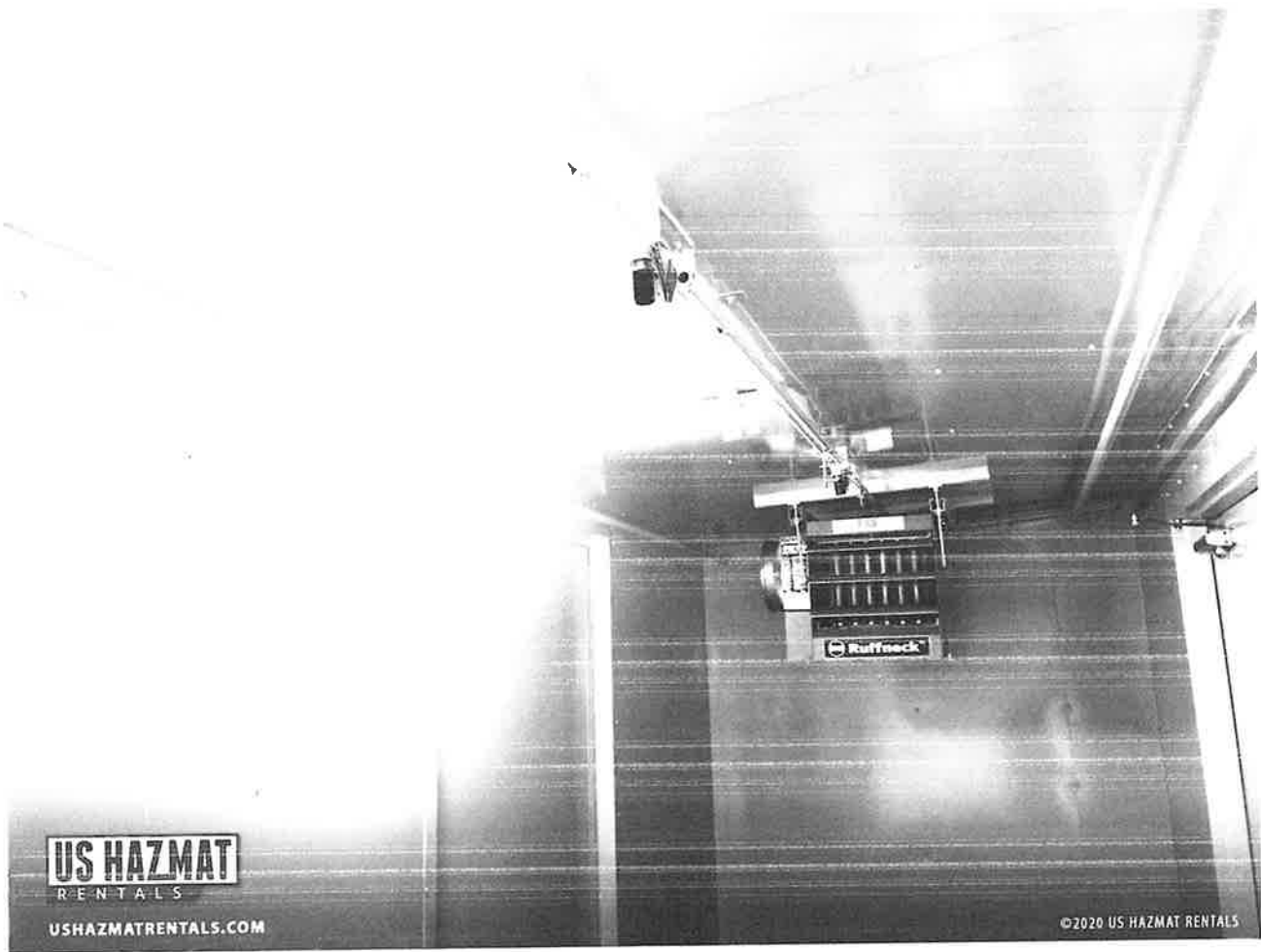
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What are Paints Stored In?

Regardless of composition or propensity for sudden combustion, all project managers and support staff should exercise extreme caution when handling and storing paint. Per OSHA regulations, "approved safety cans or Department of Transportation approved containers shall be used for the handling and use of flammable liquids in quantities of 5 gallons or less." Furthermore, OSHA regulations state "for quantities of one gallon or less, the original container may be used, for storage, use and handling of flammable liquids," including paints. All paints should be stored in a climate-controlled environment, away from incompatible materials. If you choose to store paint in the same building with other classifications of hazardous materials, make sure these chemicals will not react negatively with one another should both inadvertently come in contact in the spill sump containment system. OSHA also requires that flammable paints should be stored in cabinets that are labeled with, "Flammable-Keep Away from Open Flames" signage.

Just like the bare walls of your potential clients, U.S. Hazmat Rentals has you covered. Regardless of size or application, we have both fire-rated and non-fire-rated paint storage buildings for all dilemmas. Our lockers meet all OSHA paint storage regulations and NFPA guidelines.



- Retail 1/2 gallon containers
- Retail 1 gallon containers

Bulk Storage Containers

- Retail 5 gallon pail containers
- Palletized materials
- 55 gallon drums
- IBC liquid storage totes
Can store from 180 – 550 gallons

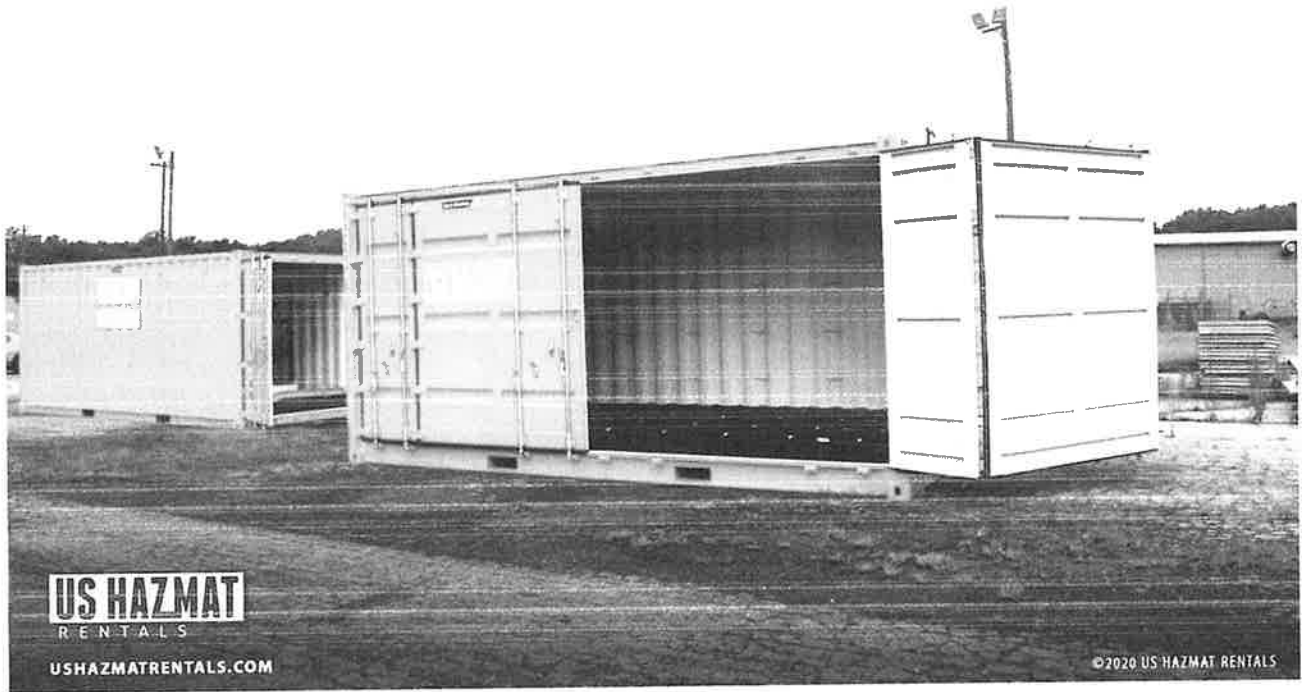


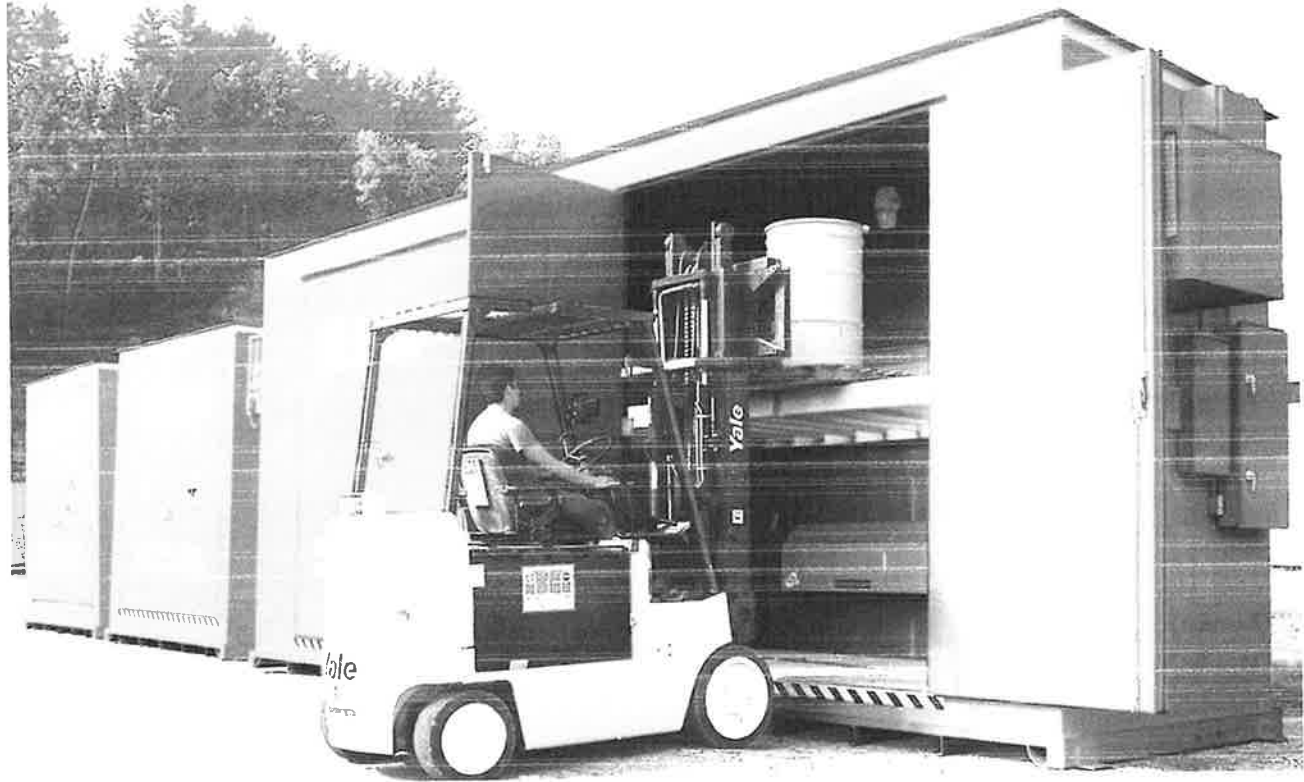
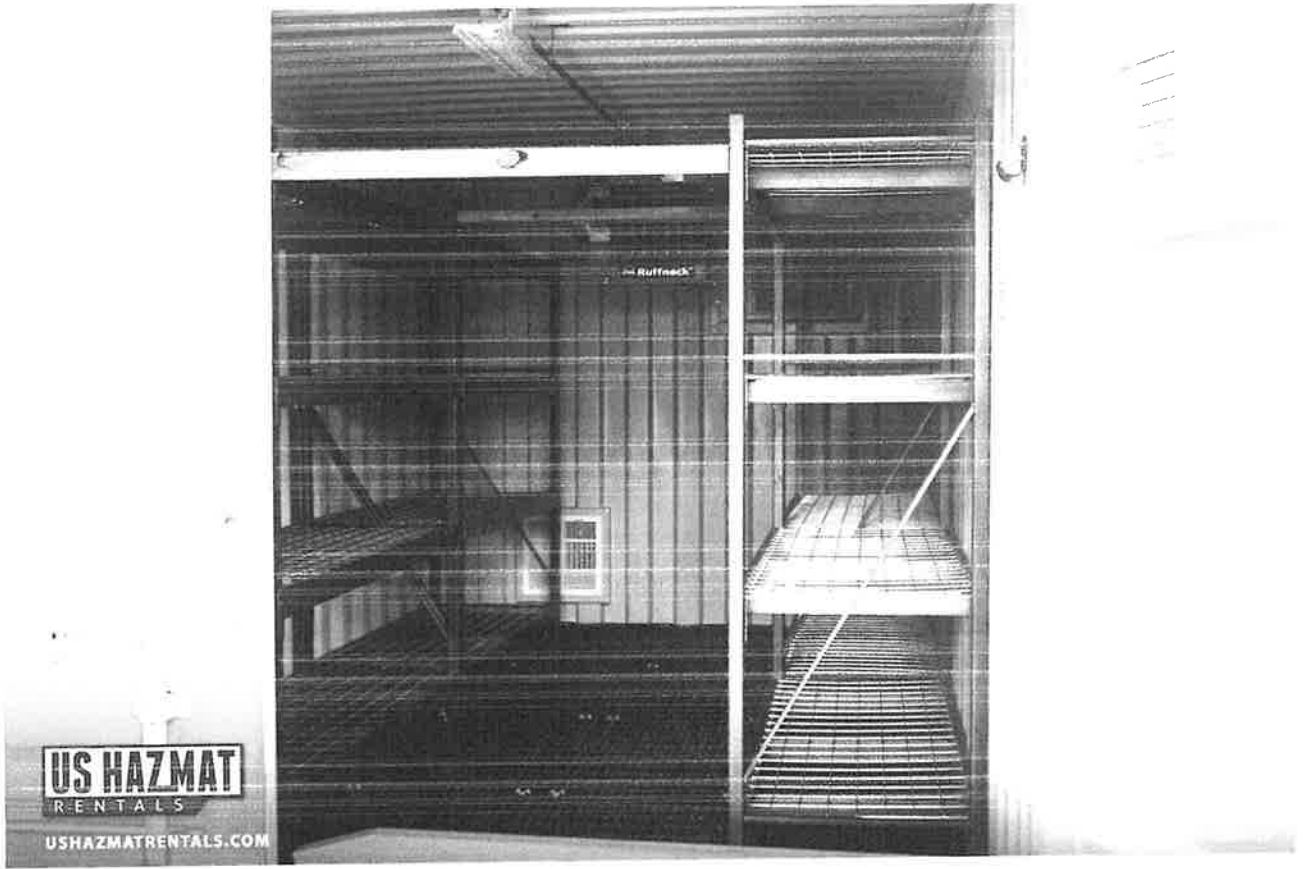
Where Should Paints Be Stored?

All paints should be stored in a cool and dry climate controlled environment. This will help prevent volatile chemical reactions, as well as to protect the viscosity and composition of paint. Mechanical ventilation can prevent the unwanted accumulation of toxic fumes and vapors. Flammable oil based paints that contain solvents or hydrocarbons should be stored in fire-rated structures that are equipped with fire suppression systems. Avoid stacking flammable liquids above eye-level and clear of egresses. Store all paints away from incompatible materials.



When storing hazardous materials or dangerous chemicals within 10 to 30 feet of sensitive or vulnerable property, you should consider a **BoxSAFE**. You should also consider our BoxSAFE Storage Containers that are also economical and EPA compliant. These lockers also designed for the







Author: Jesse Campbell



Portable Storage Container Pods For Rent

Stay Organized With Renovations & Remodeling Storage

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Pollution Impacted 16 States

Palletized Chemical Storage

Chemical Storage

Non Fire Rated

2 Hour Fire Rated

4 Hour Fire Rated

Chemical Drum Storage

Chemical Tote Storage

Explosive Storage

Type 2

Type 3

Type 4



Chemical Storage Buildings

2 Hour Fire Rated

4 Hour Fire Rated

Chemical Drum Storage

Container Storage

Non Fire Rated

Explosive Storage Rentals

Explosive Cabinets

Explosive Lockers

Explosive Storage Building

Uncategorized





Dated: June 6, 2022

RE: Information for the PTC exemption

Hi Shawn,

I've listed the answer to your questions below. Some of the coatings per day info was a little hard to establish so went back and looked at what we used from Jan – March and extrapolated the data from there. Let me know if you have any further questions.

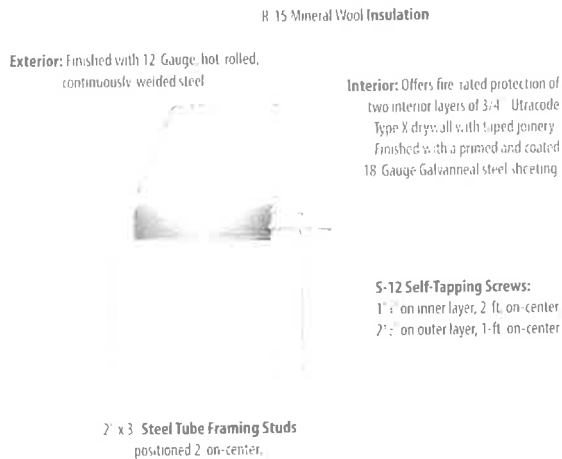
1. Maximum gallons of coatings used per 24 hr. period.
 - a. UltraGuard Conversion Varnishes = 10 gallons
 - b. Graintone Stains = 1 gallon
2. Annual maximum gallons of coatings used (based on Jan – March 2022)
 - a. UltraGuard Conversion Varnishes = 1,520 gallons
 - b. Graintone Stains = 120 gallons
3. I've attached the Data safety sheets for the Axalta UltraGuard CV and Graintone Stain.
4. All of our coating applications are done in UI, rated spray booths. These booths have 3 side and a roof and are exhausted thru a filter wall and an explosion proof fan. (I've attached pictures). We also have a Makor Q-1 flatline spray machine that is a self-contained unit. It has its own internal filtration system.
5. We use a Bio-mass furnace to provide hot water that we then use to heat the facility. The furnace is located outside the plant in a self-contained building and is rated for 1.5 MBTUs. We also have a Reznor, propane fired make-up air unit that is also located outside of the building. This unit is only used intermittently if we have very cold weather and need additional heat. (I've attached a picture of the Reznor tag.)
6. We do have a dust collector that captures all of the finish dust from sanding. It is located outside the building and is powered by a 25 Hp motor. (See attached pictures)
7. Hand spraying is done using Wagner equipment. I don't have the model numbers but will get those to you later. The automatic spraying is done using the Makor Q-1 flatline.
8. The finish shop does not use any adhesives.
9. We do not have a generator.
10. Working hours are 6 – 2:30

- **Resins** – Binder that holds pigments together.
- **Xylene (C8H10)** – Binding agent used in paints.
- **Retarder** – used to slow the drying time of acrylic paints.
- **Extender** – increases paint drying times.
- **Pigments** – adds color to paint.
- **Additives** – help with mildew resistance, flow, and leveling.

Is storing paint a fire hazard?

As we've said before, oil-based paints contain a large amount of hydrocarbons, which are extremely flammable. Paints should be stored in a climate-controlled environment to mitigate potential fire hazards and to protect the chemical consistency and viscosity of each product. Additionally, OSHA mandates that flammable liquids should be stored in a building that is resistant to fire for a certain period of time. When storing flammable paints within 10 feet of sensitive or vulnerable property, you should consider a U.S. Hazmat Rentals 4-hour-fire rated locker.

Our rentals ensure your company will meet all NFPA and OSHA requirements for your chemical storage needs.



Navigation icons: back, forward, search, etc.



From: Paul Jesse pjesse@fumexinc.com

Date: Mon, Jun 24, 2024, 9:24 AM

Subject: RE: Filtration System.

To: Timothy Love tklove9465@gmail.com

*Panhandle does not
use these!*

Hey Tim,

Thank you for your patience in allowing me an opportunity to review your SDS sheet regarding the application discussed on the phone. After reviewing, seems like nasty stuff.

Here at Fumex, we offer two different unit sides; F Series and G Series. Our "F Series" units capture things like dusts, smoke and particulate capture using our 3-step filtration process consisting of a pre-filter, HEPA filter and activated carbon filter, where our "G Series" units are primarily designed for customers needing robust amounts of activated carbon media for applications involving obnoxious VOC's, chemicals, solvents, and glues etc. I've put together some product comparison guides to help narrow things down.

[F Series Units Product Comparison](#)

[G Series Units Product Comparison](#)

For the SDS sheet which I received, I would absolutely suggest a G series unit as the VOC mitigation from the application process would be top priority. A couple of things noted. First, our GS3 series as this is the largest G series unit we offer. It would have 90 lbs of activated carbon media. A few things of concern to point out. The SDS calls out needing explosion proof rated systems. One thing I wanted to point out after reviewing the provided information, since the solvents are extremely flammable, is that our units are not explosion proof rated. Unfortunately, we do not offer explosion proof rated systems as we find they are much more expensive and often larger centralized systems.

Please let me know if you have any questions at all. Happy to help.

Thanks so much,

PJ Jesse

Senior Account Manager

1150 Cobb International Place, Suite D, Kennesaw, GA 30152

Email: pjesse@fumexinc.com Website: www.fumexinc.com

Direct: 770-514-7907 ext.107 | Toll: 800-432-7550

To: [chaseinvestigations@aol.com <chaseinvestigations@aol.com>]

From: chaseinvestigations@aol.com <chaseinvestigations@aol.com>

Date: Sun, Jul 14, 2024 at 13:44

Dangers Of Lacquers

chris berry • May 16, 2023

Why I Do Not Use Lacquers!

Lacquers are a type of paint that is often used for finishing furniture, interior trim, and cabinets. They are available in a variety of colors and finishes, and they can be sprayed with an HVLP or airless sprayer to create a smooth, even coating.

However, lacquers can also be dangerous if they are not used properly and the dangers is why I no longer use lacquers but have transitioned to using water based 2K poly coatings.

Here are some of the dangers of lacquers:

Inhalation of fumes: The fumes from lacquers can cause a variety of health problems, including headaches, dizziness, and respiratory problems. In severe cases, the fumes can cause death.

Skin irritation: The skin can be irritated by contact with lacquers. This can cause redness, itching, and blisters. In severe cases, the skin can be burned.

Fire hazard and explosion: This is the primary reason why I no longer use lacquers. Lacquers are highly flammable and with enough concentration can explode. if they come into contact with a heat source, static, and even electric current.

Environmental damage: lacquers can pollute the air and water, and they can also harm wildlife. This can have a negative impact on the environment.

If you are using lacquers, it is important to take precautions to protect yourself from the dangers.

My short story. A student came to my Paint Life Cabinet Academy. Later on his employees were coating an interior log cabin with lacquer sanding sealer in the winter. A lack of proper ventilation and the flipping of a light switch ignited an explosion with major consequences including an employee suffering burns to

40% of his body and the cabin burning to the ground.

Lacquers are dangerous and should be avoid if possible.

Section 4. First aid measures

Ingestion : Wash out mouth with water. Remove dentures if any. If material has been swallowed and the exposed person is conscious, give small quantities of water to drink. Stop if the exposed person feels sick as vomiting may be dangerous. Do not induce vomiting unless directed to do so by medical personnel. If vomiting occurs, the head should be kept low so that vomit does not enter the lungs. Get medical attention. If necessary, call a poison center or physician. Never give anything by mouth to an unconscious person. If unconscious, place in recovery position and get medical attention immediately. Maintain an open airway. Loosen tight clothing such as a collar, tie, belt or waistband.

Most important symptoms/effects, acute and delayed

Potential acute health effects

Eye contact : No known significant effects or critical hazards.
Inhalation : Can cause central nervous system (CNS) depression. May cause drowsiness or dizziness. May cause respiratory irritation.
Skin contact : No known significant effects or critical hazards.
Ingestion : Can cause central nervous system (CNS) depression.

Over-exposure signs/symptoms

Eye contact : No specific data.
Inhalation : Adverse symptoms may include the following:
respiratory tract irritation
coughing
nausea or vomiting
headache
drowsiness/fatigue
dizziness/vertigo
unconsciousness
Skin contact : No specific data.
Ingestion : No specific data.

Indication of immediate medical attention and special treatment needed, if necessary

Notes to physician : Treat symptomatically. Contact poison treatment specialist immediately if large quantities have been ingested or inhaled.
Specific treatments : No specific treatment.
Protection of first-aiders : No action shall be taken involving any personal risk or without suitable training. If it is suspected that fumes are still present, the rescuer should wear an appropriate mask or self-contained breathing apparatus. It may be dangerous to the person providing aid to give mouth-to-mouth resuscitation.

See toxicological information (Section 11)

Section 5. Fire-fighting measures

Extinguishing media

Suitable extinguishing media : Use dry chemical, CO₂, water spray (fog) or foam.
Unsuitable extinguishing media : Do not use water jet.

Section 5. Fire-fighting measures

- Specific hazards arising from the chemical** : Flammable liquid and vapor. Runoff to sewer may create fire or explosion hazard. In a fire or if heated, a pressure increase will occur and the container may burst, with the risk of a subsequent explosion.
- Hazardous thermal decomposition products** : No specific data.
- Special protective actions for fire-fighters** : Promptly isolate the scene by removing all persons from the vicinity of the incident if there is a fire. No action shall be taken involving any personal risk or without suitable training. Move containers from fire area if this can be done without risk. Use water spray to keep fire-exposed containers cool.
- Special protective equipment for fire-fighters** : Fire-fighters should wear appropriate protective equipment and self-contained breathing apparatus (SCBA) with a full face-piece operated in positive pressure mode.

Section 6. Accidental release measures

Personal precautions, protective equipment and emergency procedures

- For non-emergency personnel** : No action shall be taken involving any personal risk or without suitable training. Evacuate surrounding areas. Keep unnecessary and unprotected personnel from entering. Do not touch or walk through spilled material. Shut off all ignition sources. No flares, smoking or flames in hazard area. Avoid breathing vapor or mist. Provide adequate ventilation. Wear appropriate respirator when ventilation is inadequate. Put on appropriate personal protective equipment.
- For emergency responders** : If specialized clothing is required to deal with the spillage, take note of any information in Section 8 on suitable and unsuitable materials. See also the information in "For non-emergency personnel".
- Environmental precautions** : Avoid dispersal of spilled material and runoff and contact with soil, waterways, drains and sewers. Inform the relevant authorities if the product has caused environmental pollution (sewers, waterways, soil or air).

Methods and materials for containment and cleaning up

- Small spill** : Stop leak if without risk. Move containers from spill area. Use spark-proof tools and explosion-proof equipment. Dilute with water and mop up if water-soluble. Alternatively, or if water-insoluble, absorb with an inert dry material and place in an appropriate waste disposal container. Dispose of via a licensed waste disposal contractor.
- Large spill** : Stop leak if without risk. Move containers from spill area. Use spark-proof tools and explosion-proof equipment. Approach release from upwind. Prevent entry into sewers, water courses, basements or confined areas. Wash spillages into an effluent treatment plant or proceed as follows. Contain and collect spillage with non-combustible, absorbent material e.g. sand, earth, vermiculite or diatomaceous earth and place in container for disposal according to local regulations (see Section 13). Dispose of via a licensed waste disposal contractor. Contaminated absorbent material may pose the same hazard as the spilled product. Note: see Section 1 for emergency contact information and Section 13 for waste disposal.

Section 7. Handling and storage

Precautions for safe handling

Section 7. Handling and storage

- Protective measures** : Put on appropriate personal protective equipment (see Section 8). Avoid exposure - obtain special instructions before use. Do not handle until all safety precautions have been read and understood. Do not get in eyes or on skin or clothing. Do not breathe vapor or mist. Do not ingest. Use only with adequate ventilation. Wear appropriate respirator when ventilation is inadequate. Do not enter storage areas and confined spaces unless adequately ventilated. Keep in the original container or an approved alternative made from a compatible material, kept tightly closed when not in use. Store and use away from heat, sparks, open flame or any other ignition source. Use explosion-proof electrical (ventilating, lighting and material handling) equipment. Use only non-sparking tools. Take precautionary measures against electrostatic discharges. Empty containers retain product residue and can be hazardous. Do not reuse container.
- Advice on general occupational hygiene** : Eating, drinking and smoking should be prohibited in areas where this material is handled, stored and processed. Workers should wash hands and face before eating, drinking and smoking. Remove contaminated clothing and protective equipment before entering eating areas. See also Section 8 for additional information on hygiene measures.
- Conditions for safe storage, including any incompatibilities** : Store in accordance with local regulations. Store in a segregated and approved area. Store in original container protected from direct sunlight in a dry, cool and well-ventilated area, away from incompatible materials (see Section 10) and food and drink. Store locked up. Eliminate all ignition sources. Separate from oxidizing materials. Keep container tightly closed and sealed until ready for use. Containers that have been opened must be carefully resealed and kept upright to prevent leakage. Do not store in unlabeled containers. Use appropriate containment to avoid environmental contamination. See Section 10 for incompatible materials before handling or use.
- Storage code** : II

Section 8. Exposure controls/personal protection

Control parameters

Occupational exposure limits

Ingredient name	Exposure limits
Naphtha (petroleum), hydrotreated heavy	None.
Solvent naphtha (petroleum), medium aliph.	OSHA PEL 1989 (United States, 3/1989). TWA: 100 ppm 8 hours. TWA: 400 mg/m ³ 8 hours.
Asphalt	OSHA PEL (United States, 5/2018). TWA: 100 ppm 8 hours. TWA: 400 mg/m ³ 8 hours.
Ligroine	NIOSH REL (United States, 10/2020). CEIL: 5 mg/m ³ 15 minutes. Form: Fume ACGIH TLV (United States, 1/2021). TWA: 0.5 mg/m ³ , (as benzene soluble aerosol) 8 hours. Form: Inhalable fraction
	OSHA PEL 1989 (United States, 3/1989). TWA: 300 ppm 8 hours. TWA: 1350 mg/m ³ 8 hours. STEL: 400 ppm 15 minutes. STEL: 1800 mg/m ³ 15 minutes. NIOSH REL (United States, 10/2020).

Section 8. Exposure controls/personal protection

<p>Castor oil, sulfated, sodium salt</p> <p>ethylbenzene</p>	<p>TWA: 350 mg/m³ 10 hours. CEIL: 1800 mg/m³ 15 minutes.</p> <p>None.</p> <p>ACGIH TLV (United States, 1/2021). TWA: 20 ppm 8 hours.</p> <p>OSHA PEL 1989 (United States, 3/1989). TWA: 100 ppm 8 hours. TWA: 435 mg/m³ 8 hours. STEL: 125 ppm 15 minutes. STEL: 545 mg/m³ 15 minutes.</p> <p>NIOSH REL (United States, 10/2020). TWA: 100 ppm 10 hours. TWA: 435 mg/m³ 10 hours. STEL: 125 ppm 15 minutes. STEL: 545 mg/m³ 15 minutes.</p> <p>OSHA PEL (United States, 5/2018). TWA: 100 ppm 8 hours. TWA: 435 mg/m³ 8 hours.</p>
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- Appropriate engineering controls** : Use only with adequate ventilation. Use process enclosures, local exhaust ventilation or other engineering controls to keep worker exposure to airborne contaminants below any recommended or statutory limits. The engineering controls also need to keep gas, vapor or dust concentrations below any lower explosive limits. Use explosion-proof ventilation equipment.
- Environmental exposure controls** : Emissions from ventilation or work process equipment should be checked to ensure they comply with the requirements of environmental protection legislation. In some cases, fume scrubbers, filters or engineering modifications to the process equipment will be necessary to reduce emissions to acceptable levels.

Individual protection measures

- Hygiene measures** : Wash hands, forearms and face thoroughly after handling chemical products, before eating, smoking and using the lavatory and at the end of the working period. Appropriate techniques should be used to remove potentially contaminated clothing. Wash contaminated clothing before reusing. Ensure that eyewash stations and safety showers are close to the workstation location.
- Eye/face protection** : Safety eyewear complying with an approved standard should be used when a risk assessment indicates this is necessary to avoid exposure to liquid splashes, mists, gases or dusts. If contact is possible, the following protection should be worn, unless the assessment indicates a higher degree of protection: safety glasses with side-shields.
- Skin protection**
- Hand protection** : Chemical-resistant, impervious gloves complying with an approved standard should be worn at all times when handling chemical products if a risk assessment indicates this is necessary. Considering the parameters specified by the glove manufacturer, check during use that the gloves are still retaining their protective properties. It should be noted that the time to breakthrough for any glove material may be different for different glove manufacturers. In the case of mixtures, consisting of several substances, the protection time of the gloves cannot be accurately estimated.

Section 8. Exposure controls/personal protection

- Body protection** : Personal protective equipment for the body should be selected based on the task being performed and the risks involved and should be approved by a specialist before handling this product. When there is a risk of ignition from static electricity, wear anti-static protective clothing. For the greatest protection from static discharges, clothing should include anti-static overalls, boots and gloves.
- Other skin protection** : Appropriate footwear and any additional skin protection measures should be selected based on the task being performed and the risks involved and should be approved by a specialist before handling this product.
- Respiratory protection** : Based on the hazard and potential for exposure, select a respirator that meets the appropriate standard or certification. Respirators must be used according to a respiratory protection program to ensure proper fitting, training, and other important aspects of use.

Section 9. Physical and chemical properties

Appearance

- Physical state** : Liquid.
- Color** : Not available.
- Odor** : Not available.
- Odor threshold** : Not available.
- pH** : Not applicable.
- Melting point** : Not applicable.
- Boiling point** : 136 to 300°C (276.8 to 572°F)
- Flash point** : Closed cup: 37.8°C (100°F)
- Evaporation rate** : Not available.
- Flammability (solid, gas)** : Not available.
- Lower and upper explosive (flammable) limits** : Lower: 0.5%
Upper: 6%
- Vapor pressure** : 0.11 kPa (0.8 mm Hg)
- Vapor density** : Not available.
- Density** : 0.862 g/cm³
- Solubility** : Very slightly soluble in the following materials: cold water.
- Partition coefficient: n-octanol/water** : Not applicable.
- Auto-ignition temperature** : 220°C (428°F)
- Decomposition temperature** : Not applicable.
- Viscosity** : Not available.
- Flow time (ISO 2431)** : Not available.

Section 10. Stability and reactivity

- Reactivity** : No specific test data related to reactivity available for this product or its ingredients.
- Chemical stability** : The product is stable.
- Possibility of hazardous reactions** : Under normal conditions of storage and use, hazardous reactions will not occur.
- Conditions to avoid** : Avoid all possible sources of ignition (spark or flame). Do not pressurize, cut, weld, braze, solder, drill, grind or expose containers to heat or sources of ignition.

Section 10. Stability and reactivity

Incompatible materials : Reactive or incompatible with the following materials:
oxidizing materials

Hazardous decomposition products : Under normal conditions of storage and use, hazardous decomposition products should not be produced.

Section 11. Toxicological information

Information on toxicological effects

Acute toxicity

Product/ingredient name	Result	Species	Dose	Exposure
Naphtha (petroleum), hydrotreated heavy	LD50 Oral	Rat	>6 g/kg	-
Asphalt	LD50 Oral	Rat	>5000 mg/kg	-
Ligroine	LC50 Inhalation Gas.	Rat	3400 ppm	4 hours
ethylbenzene	LD50 Dermal	Rabbit	>5000 mg/kg	-
	LD50 Oral	Rat	3500 mg/kg	-

Irritation/Corrosion

Product/ingredient name	Result	Species	Score	Exposure	Observation
ethylbenzene	Skin - Mild irritant	Rabbit	-	24 hours 15 mg	-

Sensitization

Not available.

Mutagenicity

Not available.

Carcinogenicity

Not available.

Classification

Product/ingredient name	OSHA	IARC	NTP
Asphalt	-	2B	-
ethylbenzene	-	2B	-

Reproductive toxicity

Not available.

Teratogenicity

Not available.

Specific target organ toxicity (single exposure)

Name	Category	Route of exposure	Target organs
Naphtha (petroleum), hydrotreated heavy	Category 3	-	Respiratory tract irritation
	Category 3	-	Narcotic effects

Specific target organ toxicity (repeated exposure)

Section 11. Toxicological information

Name	Category	Route of exposure	Target organs
Solvent naphtha (petroleum), medium aliph. ethylbenzene	Category 1 Category 2	- -	- -

Aspiration hazard

Name	Result
Naphtha (petroleum), hydrotreated heavy	ASPIRATION HAZARD - Category 1
Solvent naphtha (petroleum), medium aliph.	ASPIRATION HAZARD - Category 1
Ligroine	ASPIRATION HAZARD - Category 1
ethylbenzene	ASPIRATION HAZARD - Category 1

Information on the likely routes of exposure : Not available.

Potential acute health effects

Eye contact : No known significant effects or critical hazards.

Inhalation : Can cause central nervous system (CNS) depression. May cause drowsiness or dizziness. May cause respiratory irritation.

Skin contact : No known significant effects or critical hazards.

Ingestion : Can cause central nervous system (CNS) depression.

Symptoms related to the physical, chemical and toxicological characteristics

Eye contact : No specific data.

Inhalation : Adverse symptoms may include the following:
respiratory tract irritation
coughing
nausea or vomiting
headache
drowsiness/fatigue
dizziness/vertigo
unconsciousness

Skin contact : No specific data.

Ingestion : No specific data.

Delayed and immediate effects and also chronic effects from short and long term exposure

Short term exposure

Potential immediate effects : Not available.

Potential delayed effects : Not available.

Long term exposure

Potential immediate effects : Not available.

Potential delayed effects : Not available.

Potential chronic health effects

Not available.

General : Causes damage to organs through prolonged or repeated exposure.

Carcinogenicity : Suspected of causing cancer. Risk of cancer depends on duration and level of exposure.

Section 11. Toxicological information

Mutagenicity	: No known significant effects or critical hazards.
Teratogenicity	: No known significant effects or critical hazards.
Developmental effects	: No known significant effects or critical hazards.
Fertility effects	: No known significant effects or critical hazards.

Numerical measures of toxicity

Acute toxicity estimates

Route	ATE value
Inhalation (gases)	118344.98 ppm

Section 12. Ecological information

There are no data available on the product itself. The product should not be allowed to enter drains or watercourses waterways.

Section 13. Disposal considerations

Disposal methods : The generation of waste should be avoided or minimized wherever possible. Disposal of this product, solutions and any by-products should at all times comply with the requirements of environmental protection and waste disposal legislation and any regional local authority requirements. Dispose of surplus and non-recyclable products via a licensed waste disposal contractor. Waste should not be disposed of untreated to the sewer unless fully compliant with the requirements of all authorities with jurisdiction. Waste packaging should be recycled. Incineration or landfill should only be considered when recycling is not feasible. This material and its container must be disposed of in a safe way. Care should be taken when handling emptied containers that have not been cleaned or rinsed out. Empty containers or liners may retain some product residues. Vapor from product residues may create a highly flammable or explosive atmosphere inside the container. Do not cut, weld or grind used containers unless they have been cleaned thoroughly internally. Avoid dispersal of spilled material and runoff and contact with soil, waterways, drains and sewers.

Section 14. Transport information

	DOT Classification	TDG Classification	Mexico Classification	IMDG	IATA
UN number	UN1263	UN1263	UN1263	UN1263	UN1263
UN proper shipping name	PAINT	PAINT	PAINT	PAINT	PAINT
Transport hazard class(es)	3 	3 	3 	3  	3 
Packing group	III	III	III	III	III

or risks. Although HMIS® ratings and the associated label are not required on SDSs or products leaving a facility under 29 CFR 1910.1200, the preparer may choose to provide them. HMIS® ratings are to be used with a fully implemented HMIS® program. HMIS® is a registered trademark and service mark of the American Coatings Association, Inc.

The customer is responsible for determining the PPE code for this material. For more information on HMIS® Personal Protective Equipment (PPE) codes, consult the HMIS® Implementation Manual.

National Fire Protection Association (U.S.A.)



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Copyright ©2001, National Fire Protection Association, Quincy, MA 02269. This warning system is intended to be interpreted and applied only by properly trained individuals to identify fire, health and reactivity hazards of chemicals. The user is referred to certain limited number of chemicals with recommended classifications in NFPA 49 and NFPA 325, which would be used as a guideline only. Whether the chemicals are classified by NFPA or not, anyone using the 704 systems to classify chemicals does so at their own risk.

History

Date of issue : 9/12/2021
Version : 8
Product stewardship and regulatory compliance.

Key to abbreviations

: ATE = Acute Toxicity Estimate
GHS = Globally Harmonized System of Classification and Labelling of Chemicals
IATA = International Air Transport Association
IBC = Intermediate Bulk Container
IMDG = International Maritime Dangerous Goods
LogPow = logarithm of the octanol/water partition coefficient
MARPOL = International Convention for the Prevention of Pollution From Ships, 1973 as modified by the Protocol of 1978. ("Marpol" = marine pollution)
UN = United Nations

 Indicates information that has changed from previously issued version.

Notice to reader

This product is intended for industrial use only.

Safety Data Sheet (SDS) content is believed to be accurate as of its issue date, but is subject to change as new information is received by Axalta Coatings Systems, LLC or any of its subsidiaries or affiliates (Axalta). This SDS may incorporate information that has been provided to Axalta by its suppliers. Users should ensure that they are referring to the most current version of the SDS. Users are responsible for following the precautions identified in this SDS. It is the users' responsibility to comply with all laws and regulations applicable to the safe handling, use, and disposal of the product.

Section 15. Regulatory information

Canada : All components are listed or exempted.

United States : All components are listed or exempted.

Section 16. Other information

Hazardous Material Information System (U.S.A.)

Health	* 3
Flammability	2
Physical hazards	0

Caution: HMIS® ratings are based on a 0-4 rating scale, with 0 representing minimal hazards or risks, and 4 representing significant hazards.

Section 16. Other information

users of Axalta products should read all relevant product information prior to use, and make their own determination as to the suitability of the products for their intended use. Except as otherwise required by applicable law, AXALTA MAKES NO WARRANTIES, EXPRESSED OR IMPLIED, INCLUDING BUT NOT LIMITED TO, ANY IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE. The information on this SDS relates only to the specific product identified in Section 1, Identification, and does not relate to its possible use in combination with any other material or in any specific process. If this product is to be used in combination with other products, Axalta encourages you to read and understand the SDS for all products prior to use.

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Lee Girardi

Oversees highway safety and permitting for the Idaho Department of Transportation

He stated that upon looking at the approach for both Pot Hole Rd. and Maverick Ln. that it is most likely that both approaches are permitted for residential use only. They are not wide enough to be used for commercial use, especially where large trucks would be entering and exiting highway 95. He feels that having large trucks and employee vehicles entering and exiting creates a concern for public safety.

Additionally, there would have to be a turn lane dedicated to either Pot Hole Rd. and/or Maverick Ln.

Not having an engineered turn lane creates a public safety concern.

Once the permits are verified that they are only for residential use, then IDT will inform Nelson Mast/Pan Handle Doors that they are restricted from using either approach until a traffic impact statement has been completed by a traffic engineer prior to the submission of a request for a permit.

The request for Information on what type of permit issued has been submitted. I will be conducting a follow-up phone call with Lee on Monday to expedite the information request.

MUNICIPAL SOLID WASTE LANDFILL
APPROVAL PROCESS
(Revised March 24, 2004)

The Idaho Solid Waste Facilities Act establishes a system of prior approvals and conditions. Facilities can be subject to four phases of approvals. The first is site certification by DEQ. All sites must go through this certification process. Although, depending on whether it is a new site, existing site, or lateral expansion, different criteria are used. The next phase is approval by DEQ of the design, which includes design of the landfill unit and the ground water monitoring system. The third phase, which can occur simultaneously with review and approval of design by DEQ, is approval of the operations plan by the Districts. The final phase, which can also occur simultaneously with review and approval of design by DEQ and operations plan by the Districts, is the approval of closure/post-closure plan also approved the Districts. Details of each of these phases are listed below under the agency responsible for that phase.

DEQ

➤ Site Certification

This first stage in establishing a new landfill, continuing to operate an existing landfill or laterally expanding a landfill is site certification. The site certification procedure assures that a facility has complied with the location restrictions in §39-7407, Idaho Code. The applicant must submit all documents used to make the determinations in the site certification application.

- Step 1 Prior to submittal of the application, the applicant may conduct a site tour for DEQ, the District and other public agencies with jurisdiction to familiarize the agencies with the site.
- Step 2 The applicant submits two applications to the Regional Administrator of the appropriate DEQ regional office, a copy to the Solid Waste Coordinator in the DEQ central office, and a copy to the appropriate District office.
- Step 3 Concurrent with submitting the application to DEQ, the applicant publishes legal notice of the submittal and makes the application available for public review. This starts a 28-day comment period during which written comments may be submitted to DEQ.
- Step 4 Within 21 days of the end of the comment period, DEQ responds to the site certification application. DEQ may request additional information from the applicant during which time the "clock" stops. The DEQ Regional Administrator signs the site certification and sends a copy to the central office and the District. DEQ must certify that the site meets location standards before the applicant can move on to the next procedure.
- Step 5 The applicant must publish notice that certification has been received from DEQ within 10 days of certification.

Note – Commercial solid waste facilities (private, for-profit municipal solid waste landfills must obtain a siting license as outlined in §39-7408A-D, Idaho Code prior to obtaining site certification.

➤ Design Review and Approval (includes design of landfill unit and design of ground water monitoring system)

An applicant must first receive site certification from DEQ before they can submit a design plan. The design plan must meet the standards in § 39-7409 and § 39-7410, Idaho Code.

Step 1 The applicant may notify the DEQ Regional Administrator of its intent to initiate a landfill design and meet to discuss standards, schedule, and specific design concerns. The applicant conducts the appropriate investigations to satisfy the standards.

Step 2 The applicant submits a preliminary design plan to the DEQ Regional Administrator, the central office Coordinator, and the appropriate District office.

Step 3 Concurrent with submitting the preliminary design, the applicant publishes notice that the preliminary design has been submitted and is available for public review. The public has 28 days to submit written comments to DEQ.

Step 4 DEQ has 35 days from the date the notice was published or 7 days after the end of the public comment period, whichever is longer, to compile the public comments and transmit those comments along with DEQ comments to the applicant.

Step 5 The applicant may submit the final design report that addresses DEQ and the public's comments relating to the standards and requirements specified in 39-7411(5).

Step 6 Concurrent with submittal to DEQ, the applicant must place the application in every public library within the county where the proposed landfill will be located. The applicant also publishes notice that the final design report has been submitted and that the public has 28 days to provide comments to DEQ.

Step 9 Within 28 days following the conclusion of the public comment period, the DEQ Regional Administrator will make a decision to approve or disapprove the application. The approval letter may contain provisions that the applicant must comply with in order for the approval to remain valid. A copy of the approval or disapproval letter is sent to the central office and to the District.

Step 10 The applicant publishes notice that the application has been approved.

If DEQ disapproves the design plan, the procedure for resolution set forth in § 39-7411 (8) through (13), Idaho Code automatically begins.

Health District

The Districts are required by § 39-414(13), Idaho Code:

"... to administer and certify solid waste disposal site operations, closure, and post closure procedures established by statute or regulations in accordance with provisions of chapter 74, title 39, Idaho Code, in a manner equivalent to the site certification process set forth in section 39-7408, Idaho Code."

➤ Operations, Closure, and Post-Closure Review and Approval

Step 1 Prior to submittal of the application, the applicant may conduct a site tour for the District and DEQ and other public agencies with jurisdiction to familiarize the agencies with the site.

Step 2 After obtaining site certification from DEQ, the applicant submits two sets of plans to the Director of Environmental Health of the appropriate Health District Office that demonstrate compliance with the requirements in 39-7412. One copy is for the District Solid Waste Coordinator and one copy is for the appropriate DEQ office.

NOTE: This process may occur concurrently with review of the design plans by DEQ. Applicable public notices may be published jointly.

Step 3 Simultaneous with submitting the application to the District, the applicant publishes legal notice of the submittal and makes the application available for public review. This starts the 28-day comment period during which written comments may be submitted to the District.

Step 4 Within 21 days of the end of the comment period, the District responds to the application. The District may request additional information from the applicant during which time the "clock" stops. The District Director signs the certification and sends a copy to appropriate DEQ regional office.

Step 5 The applicant must publish notice that the application has been certified within 10 days of certification by the District.

In the event that an alternative operation, closure or post-closure method is proposed by the applicant, the District will review the data and make a recommendation to the Director of the Department of Health and Welfare via the DEQ regional office to approve or disapprove the alternative. The DEQ Regional Administrator will respond back to the District within 21 days either accepting or denying the recommendation from the District.

➤ Alternative Option Review Process

This process is occurring during the regular application process and timing will be very crucial. It is anticipated that the process can be facilitated by the development of guidance on alternatives that will allow the applicant, the district, and DEQ to quickly review the "standard" alternative request.

Step 1 The applicant will identify to the District, at some point prior to the actual

application, alternatives which they anticipate will be contained in their application that require approval of the Director. This will allow the District and DEQ to process the request in a timely manner.

Step 2 The actual request for the alternative is to be submitted along with the application for operation, closure, or post-closure to the appropriate District.

Step 3 The District will review the request along with appropriate public comments and make a recommendation to DEQ for approval or denial of the request for an alternative. Documentation supporting the recommendation will be submitted to DEQ.

Step 4 DEQ will respond to the District recommendation with final approval or denial within 21 days of receipt of the recommendation. Timing will be critical because this process is to be occurring during the regular review process.

Step 5 The District can then attach the DEQ approval to the certification that the District will issue to the applicant for the operation, closure, or post-closure and the plans will be adjusted accordingly.

➤ Closure

The following additional steps will be used for all closures irrespective of when cessation of receipt of waste occurred:

Step 1 The applicant will review the proposed closure plan with the appropriate District and DEQ offices.

Step 2 The plan shall comply with the requirements specified in 39-7415 and 40 CFR 258.60 for closure and 39-7416 and 40 CFR 258.61 for post-closure care.

IDAHO CODE

WOOD AND MILL YARD DEBRIS ACT

Idaho Code §39-171. Legislative Findings And Purpose. The Legislature of the state of Idaho finds that:

- (1) Wood and mill yard debris is a byproduct of wood processing and manufacturing; and
- (2) If properly managed, wood and mill yard debris can be put to uses that have economic and environmental benefits; and
- (3) There is a need for guidance about how to manage, store, use or dispose of wood and mill yard debris so that nuisance and adverse environmental impacts are minimized; and
- (4) This guidance will enable the department and local units of government to more effectively regulate the use or disposal of wood and mill yard debris.

The purpose of this act is to provide guidance for the sound use, storage, management and disposal of wood and mill yard debris by requiring the director of the Department of Health and Welfare to appoint a committee to study the issues and to gather and disseminate information to persons and entities that deal with wood and mill yard debris.

Idaho Code §39-172. Definitions. For the purposes of this act:

- (1) "Committee" means the wood and mill yard debris committee.
- (2) "Director" means the director of the Idaho department of health and welfare.
- (3) "Wood or mill yard debris" means solid wood, bark, or wood fiber generated from the process of manufacturing wood products that may include components of soil, rock, or moisture and for which the use, management, storage, or final disposition is approved pursuant to this act.

Idaho Code §39-173. Committee--Members--Terms. The director shall, in cooperation with the appropriate public health districts created pursuant to Chapter 4, Title 39, Idaho Code, appoint a committee to develop guidance on the use, storage, management, and disposal of mill yard or wood debris. This committee shall consist of seven (7) individuals and shall include:

- (1) One (1) representative of the division of environmental quality, who will provide administrative and other support to the committee.
- (2) Two (2) representatives of the public health districts which have mill yard or wood debris within their districts.

- (3) Two (2) representatives from industries generating wood or mill yard debris.
- (4) Two (2) members with demonstrated technical knowledge important to the work of the committee.

Committee members shall be appointed to serve three (3) year terms. No member may serve more than two (2) full terms. Members serve at the pleasure of the director.

Members of the committee shall serve without compensation pursuant to section §59-509(a), Idaho Code.

Idaho Code §39-174. COMMITTEE DUTIES -- MEETINGS. The committee's duties shall include:

- (1) Developing a manual providing guidance for the use, storage, management and disposal of wood or mill yard debris to prevent public nuisances and minimize or prevent harmful environmental impacts. Guidance provided by the manual may be incorporated or adopted by reference in the rules of the department or other appropriate state agencies.
- (2) Considering and developing specific solutions to unforeseen wood or mill yard debris use, storage, management or disposal as needed.
- (3) Developing and sharing knowledge related to the use, storage, management and disposal of wood or mill yard debris including ways to constructively use or reclaim the debris.
- (4) Making recommendations for any necessary permits, rules or legislation related to the use, storage, management or disposal of wood or mill yard debris.

The committee shall meet at least two (2) times a year at a time and place most convenient to the majority of the members.

Solid Waste: Garbage, refuse, radionuclides, and other discarded solid waste materials including solid waste materials resulting from industrial, commercial, and agricultural operations, and from community activities, but does not include solid or dissolved materials in domestic sewage or other significant pollutants in water resources, such as silt, dissolved or suspended solids in industrial wastewater effluents, dissolved materials in irrigation return flows or other common water pollutants. Idaho Code §39-103(11).

Sorting yard: A specialized logyard or portion of logyard where logs are separated into different classifications (such as, length, diameter, quality, and wood species) prior to processing and/or shipping.

Spontaneous combustion: Combustion of material initiated by chemical or biological action produced within the materials.

Storage: The accumulation of a material or product with the intent for use, sale, or disposal of the material at a later date.

Storm water: Precipitation.

Tannins: Water soluble, colored, polyphenolic chemicals originating from wood, bark, and other plant-derived materials; any of various substances of plant origin used in tanning and dyeing, in inks, and as astringents.

Wetlands: The Corps of Engineers (FR 1982) and the EPA (FR 1980) jointly define wetlands as: Those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.

Wood byproducts (wood residuals): Wood products, such as chips, sawdust, and hogged fuel, which are incidentally produced by a primary wood product facility.

Wood mulch: Sized woody material suitable as a soil additive.

Wood waste: Solid waste consisting of wood pieces or particles generated as a by-product or waste from the manufacturing of wood products, handling and storage of raw materials and tree stumps. This ... does not include wood pieces or particles containing chemical preservatives, such as, creosote, pentachlorophenol, or copperchrome-arsenate. Idaho Code §39-7403(57).

Wood yard: See log yard.

Wood and mill yard debris: Solid wood, bark, or wood fiber generated from the process of manufacturing wood products that may include components of soil, rock, or moisture and for which the use, management, storage, or final disposition is approved pursuant to this act. Idaho Code §39-172(3).

APPENDIX A

CONTACT LIST - DEQ AND DISTRICT HEALTH DEPARTMENTS

<p>Coeur d'Alene Regional Office-DEQ 2110 Ironwood Parkway Coeur d'Alene, ID 83814 208-769-1422</p>	<p>Panhandle District Health Department 2195 Ironwood Court Coeur d'Alene, ID 83814 208-667-9513</p>
<p>Lewiston Regional Office-DEQ 1118 F Street Lewiston, ID 83501 208-799-4370</p>	<p>North Central District Health Department 215 10th Street Lewiston, ID 83501 208-799-0353</p>
<p>Boise Regional Office-DEQ 1445 N. Hilton Boise, ID 83706 208-373-0550</p>	<p>Southwest District Health Department 920 Main Street Caldwell, ID 83605 208-455-5400</p>
	<p>Central District Health Department 707 N. Armstrong Place Boise, ID 83704 208-327-7499</p>
<p>Twin Falls Regional Office-DEQ 601 Pole Line Road Suite 2 Twin Falls, ID 83301 208-736-2190</p>	<p>South Central District Health Department 1020 Washington Twin Falls, ID 83303 208-734-5900</p>
<p>Pocatello Regional Office-DEQ -444 Hospital Way, #300 Pocatello, ID 832041 208-236-6160</p>	<p>Southeastern District Health Department 1901 Alvin Ricken Drive Pocatello, ID 83201 208-233-9080</p>
<p>Idaho Falls Regional Office-DEQ 900 Skyline Suite B Idaho Falls, ID 83402 208-528-2650</p>	<p>District 7 Health Department 254 E Street Idaho Falls, ID 83402 208-523-5382</p>
<p>State Office-DEQ 1410 N. Hilton Place Boise, ID 83706 209-373-0416</p>	

EPA Records Source
No Records!

Detailed Facility Report

Facility Summary
PANHANDLE DOOR INC
168 POT HOLE RD, NAPLES, ID 83847
 FRS (Facility Registry Service) ID: 110071498290
 EPA Region: 10
 Latitude: 48.568317
 Longitude: -116.377929
 Locational Data Source: Zip Code Centroid
 Industries: Furniture and Related Product Manufacturing
 Indian Country: N

Enforcement and Compliance Summary

Statute	CAA
Compliance Monitoring Activities (5 years)	..
Date of Last Compliance Monitoring Activity	..
Compliance Status	No Violation Identified
Qtrs in Noncompliance (of 12)	0
Qtrs with Significant Violation	0
Informal Enforcement Actions (5 years)	..
Formal Enforcement Actions (5 years)	..
Penalties from Formal Enforcement Actions (5 years)	..
EPA Cases (5 years)	..
Penalties from EPA Cases (5 years)	..

Regulatory Information

Clean Air Act (CAA): Operating Minor (ID0000001602100030)
Clean Water Act (CWA): No Information
Resource Conservation and Recovery Act (RCRA): No Information
Safe Drinking Water Act (SDWA): No Information

Other Regulatory Reports

Air Emissions Inventory (EIS): No Information
Greenhouse Gas Emissions (eGGRT): No Information
Toxic Releases (TRI): No Information
Compliance and Emissions Data Reporting Interface (CEDRI): No Information

Go To Enforcement/Compliance Details
 Known Data Problems <<https://epa.gov/resources/echo-data/known-data-problems>>

Facility/System Characteristics

Facility/System Characteristics

System	Statute	Identifier	Universe	Status	Areas	Permit Expiration Date	Indian Country	Latitude	Longitude
FRS		110071498290					..		
ICIS-Air	CAA	ID0000001602100030	Minor Emissions	Operating	CAASIP		..		

Facility Address

System	Statute	Identifier	Facility Name	Facility Address	Facility County
FRS		110071498290	PANHANDLE DOOR INC	168 POT HOLE RD, NAPLES, ID 83847	

```
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in"{0%{filter:alpha(opacity=0);opacity:0}to{filter:alpha(opacity=100);opacity:1}}@-o-keyframes
fade-in{0%{filter:alpha(opacity=0);opacity:0}to{filter:alpha(opacity=100);opacity:1}}@keyframes
"fade-in"{0%{filter:alpha(opacity=0);opacity:0}to{filter:alpha(opacity=100);opacity:1}}@-webkit-
keyframes "av-loading-dash"{0%{stroke-dasharray:1,210;stroke-dashoffset:0}50%{stroke-
dasharray:130,220;stroke-dashoffset:-50}to{stroke-dasharray:170,220;stroke-dashoffset:-210}}@-
moz-keyframes "av-loading-dash"{0%{stroke-dasharray:1,210;stroke-dashoffset:0}50%{stroke-
dasharray:130,220;stroke-dashoffset:-50}to{stroke-dasharray:170,220;stroke-dashoffset:-210}}@-o-
keyframes av-loading-dash{0%{stroke-dasharray:1,210;stroke-dashoffset:0}50%{stroke-
dasharray:130,220;stroke-dashoffset:-50}to{stroke-dasharray:170,220;stroke-
dashoffset:-210}}@keyframes "av-loading-dash"{0%{stroke-dasharray:1,210;stroke-
dashoffset:0}50%{stroke-dasharray:130,220;stroke-dashoffset:-50}to{stroke-
dasharray:170,220;stroke-dashoffset:-210}}@-webkit-keyframes "av-loading-rotate"{0%{stroke:#fff;-
webkit-transform:rotate(0deg);transform:rotate(0deg)}to{stroke:currentColor;-webkit-
transform:rotate(1turn);transform:rotate(1turn)}}@-moz-keyframes "av-loading-rotate"{0%
{stroke:#fff;-webkit-transform:rotate(0deg);transform:rotate(0deg)}to{stroke:currentColor;-webkit-
transform:rotate(1turn);transform:rotate(1turn)}}@-o-keyframes av-loading-rotate{0%{stroke:#fff;-
webkit-transform:rotate(0deg);transform:rotate(0deg)}to{stroke:currentColor;-webkit-
transform:rotate(1turn);transform:rotate(1turn)}}@keyframes "av-loading-rotate"{0%{stroke:#fff;-
webkit-transform:rotate(0deg);transform:rotate(0deg)}to{stroke:currentColor;-webkit-
transform:rotate(1turn);transform:rotate(1turn)}} #aniBox { margin:40px auto; }
```

Air Quality Nonattainment Areas

Pollutant	Within Nonattainment Status Area?	Nonattainment Status Applicable Standard(s)	Within Maintenance Status Area?	Maintenance Status Applicable Standard(s)
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No data records returned

Pollutants

Toxics Release Inventory History of Reported Chemicals Released or Transferred in Pounds per Year at Site

TRI Facility ID	Year	Air Emissions	Surface Water Discharges	Off-Site Transfers to POTWs (Publicly Owned Treatment Works)	Underground Injections	Disposal to Land	Total On-Site Releases	Total Off-Site Transfers
-----------------	------	---------------	--------------------------	--	------------------------	------------------	------------------------	--------------------------

No data records returned

Toxics Release Inventory Total Releases and Transfers in Pounds by Chemical and Year

Chemical Name

No data records returned

Community

Environmental Justice

This section shows indexes from EJScreen, EPA's screening tool for environmental justice (EJ) concerns. EPA uses these indexes to identify geographic areas that may warrant further consideration or analysis for potential EJ concerns. Use of these indexes does not designate an area as an "EJ community" or "EJ facility." EJScreen provides screening level indicators, not a determination of the existence or absence of EJ concerns. For more information, see the EJScreen home page.

No valid spatial coordinate is available for this facility.

Demographic Profile of Surrounding Area (1-Mile Radius)

This section provides demographic information regarding the community surrounding the facility. ECHO compliance data alone are not sufficient to determine whether violations at a particular facility had negative impacts on public health or the environment. Statistics are based upon the 2010 U.S. Census and 2017 - 2021 American Community Survey (ACS) 5-year Summary and are accurate to the extent that the facility latitude and longitude listed below are correct. Census boundaries and demographic data for U.S. Territories are based on the "2020 Island Areas Demographic Profiles" from the U.S. Census Bureau. EPA's spatial processing methodology considers the overlap between the selected radii and the census blocks (for U.S. Census demographics) and census block groups (for ACS demographics) in determining the demographics surrounding the facility. For more detail about this methodology, see the DFR Data Dictionary <<https://epa.gov/help/reports/dfp-data-dictionary=demographic>>.

No demographic profile information available for this facility.

System	Statute	Identifier	Facility Name	Facility Address	Facility County
ICIS-Air	CAA	ID000001602100030	PANHANDLE DOOR INC	168 POT HOLE RD, NAPLES, ID 33847	Boundary County

Facility SIC (Standard Industrial Classification) Codes

System	Identifier	SIC Code	SIC Description
No data records returned			

Facility NAICS (North American Industry Classification System) Codes

System	Identifier	NAICS Code	NAICS Description
ICIS-Air	ID000001602100030	337110	Wood Kitchen Cabinet and Countertop Manufacturing

Facility Tribe Information

Reservation Name	Tribe Name	EPA Tribal ID	Distance to Tribe (miles)
No data records returned			

Enforcement and Compliance

Compliance Monitoring History Last 5 Years

Statute	Source ID	System	Activity Type	Compliance Monitoring Type	Lead Agency	Date	Finding (if applicable)
No data records returned							

Entries in italics are not included in ECHO's Compliance Monitoring Activity counts because they are not compliance monitoring strategy <<https://www.epa.gov/compliance/compliance-monitoring-programs>> activities or because they are not counted as inspections within EPA's Annual Results <<https://www.epa.gov/enforcement/enforcement-data-and-results>>.

Compliance Summary Data

Statute	Source ID	Current SNC (Significant Noncompliance)/HPV (High Priority Violation)	Current As Of	Qtrs with NC (Noncompliance) (of 12)	Data Last Refreshed
CAA	ID000001602100030	No	07/13 2024	0	07.12/2024

Three-Year Compliance History by Quarter

Statute	Program/Pollutant/Violation Type	QTR 1	QTR 2	QTR 3	QTR 4	QTR 5	QTR 6	QTR 7	QTR 8	QTR 9	QTR 10	
CAA (Source ID: ID000001602100030)		07/01-09/30/21	10/01-12/31/21	01/01-03/31/22	04/01-06/30/22	07/01-09/30/22	10/01-12/31/22	01/01-03/31/23	04/01-06/30/23	07/01-09/30/23	10/01-12/31/23	01/0
Facility-Level Status		No Violation Identified	No Violation Identified	No Violation Identified	No Violation Identified	No Violation Identified	No Violation Identified	No Violation Identified	No Violation Identified	No Violation Identified	No Violation Identified	NC Identified
HPV History												
Violation Type	Agency	Programs	Pollutants									

Informal Enforcement Actions Last 5 Years

Statute	System	Source ID	Type of Action	Lead Agency	Date
No data records returned					

Entries in italics are not counted as "informal enforcement actions" in EPA policies pertaining to enforcement response tools.

Formal Enforcement Actions Last 5 Years

Statute	System	Law/Section	Source ID	Type of Action	Case No.	Lead Agency	Case Name	Issued/Filed Date	Settlements/Actions	Settlement/Action Date	Federal Penalty Assessed	State/Local Penalty Assessed	Penalty Amount Collected	SEP Value	Comp Action Cost
No data records returned															

Environmental Conditions

Watersheds

12-Digit WBD (Watershed Boundary Dataset) HUC (RAD (Reach Address Database))	WBD (Watershed Boundary Dataset) Subwatershed Name (RAD (Reach Address Database))	State Water Body Name (ICIS (Integrated Compliance Information System))	Beach Closures Within Last Year	Beach Closures Within Last Two Years	Pollutants Potentially Related to Impairment	Watershed with ESA (Endangered Species Act)-listed Aquatic Species?
No data records returned						

Assessed Waters From Latest State Submission (ATTAINS)

State	Report Cycle	Assessment Unit ID	Assessment Unit Name	Water Condition	Cause Groups Impaired	Drinking Water Use	Ecological Use	Fish Consumption Use	Recreation Use	Other Use
No data records returned										

Air Quality

PERMIT TO CONSTRUCT

Permittee Panhandle Door, Inc.
Permit Number P-2023.0011
Project ID 63069
Facility ID 021-00030
Facility Location 168 Pothole Road
Naples, ID 83847

Permit Authority

This permit (a) is issued according to the “Rules for the Control of Air Pollution in Idaho” (Rules), IDAPA 58.01.01.200–228; (b) pertains only to emissions of air contaminants regulated by the State of Idaho and to the sources specifically allowed to be constructed or modified by this permit; (c) has been granted on the basis of design information presented with the application; (d) does not affect the title of the premises upon which the equipment is to be located; (e) does not release the permittee from any liability for any loss due to damage to person or property caused by, resulting from, or arising out of the design, installation, maintenance, or operation of the proposed equipment; (f) does not release the permittee from compliance with other applicable federal, state, tribal, or local laws, regulations, or ordinances; and (g) in no manner implies or suggests that the Idaho Department of Environmental Quality (DEQ) or its officers, agents, or employees assume any liability, directly or indirectly, for any loss due to damage to person or property caused by, resulting from, or arising out of design, installation, maintenance, or operation of the proposed equipment. Changes in design, equipment, or operations may be considered a modification subject to DEQ review in accordance with IDAPA 58.01.01.200–228.

Date Issued September 11, 2023



Aaron Hoberg, Permit Writer



Mike Simon, Stationary Source Bureau Chief

Contents

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2	Paint Spray Booth.....	4
3	Water Heater.....	10
4	Woodworking.....	11
5	General Provisions.....	13

1 Permit Scope

Purpose

1.1 This is an initial permit to construct (PTC) for a cabinet door manufacturer and paint coating operation.

Regulated Sources

Table 1.1 lists all sources of regulated emissions in this permit.

Table 1.1 Regulated Sources

Permit Section	Source	Control Equipment
2	<p><u>Paint Spray Booth:</u> Manufacturer: Global Finishing Solutions Model: U63057-A Manufacture Date: 2016</p>	<p><u>Dry Filter Control:</u> Manufacturer: Viskon-Aire Model: XHD Type: Side Draft PM₁₀ control efficiency: 98%</p> <p><u>Spray Gun Control (Gun No. 1-4):</u> Manufacturer: Wagner Model: GM4700AC Type: Air Atomization Transfer efficiency: ≥65%</p> <p><u>Spray Gun Control (Gun No. 5):</u> Manufacturer: Kremlin Model: AVX Type: Air Atomization Transfer efficiency: ≥65%</p>
3	<p><u>Water Heater:</u> Manufacturer: Swebo Model: Airmax Rating: 0.9 MMBtu/hr Fuel: Dry Hardwood Chips or Bark</p>	<p><u>None</u></p>
4	<p><u>Woodworking:</u> Saws, Sanders, Drills, Planer, etc.</p>	<p><u>Baghouse Control:</u> Manufacturer: Superior PM₁₀ control efficiency: 98%</p>

2 Paint Spray Booth

2.1 Process Description

Cabinet doors and drawer boxes are painted in a paint spray booth. The booth is equipped with side draft, dry filter controls. Application of the coating materials utilizes air atomization spray guns with transfer efficiencies as documented by the spray gun manufacturer.

2.2 Control Device Descriptions

Table 2.1 Paint Spray Booth Description

Emissions Units / Processes	Control Devices	Emission Points
<p><u>Paint Spray Booth:</u> Manufacturer: Global Finishing Solutions Model: U63057-A Manufacture Date: 2016</p>	<p><u>Dry Filter Control:</u> Manufacturer: Viskon-Aire Model: XHD Type: Side Draft PM₁₀ control efficiency: 98%</p> <p><u>Spray Gun Control (Gun No. 1-4):</u> Manufacturer: Wagner Model: GM4700AC Type: Air Atomization Transfer efficiency: ≥65%</p> <p><u>Spray Gun Control (Gun No. 5):</u> Manufacturer: Kremlin Model: AVX Type: Air Atomization Transfer efficiency: ≥65%</p>	<p>Paint booth stack exhaust</p>

Emission Limits

2.3 Coating Emission Limits

The emissions from the Paint Spray Booth stack must not exceed any corresponding emissions rate limits listed in Table 2.2.

Table 2.2 Paint Spray Booth Emission Limits^(a)

Source Description	PM _{2.5} /PM ₁₀ ^(b)	VOC	Single HAP	Total HAPs
	T/yr ^(d)	T/yr ^(d)	T/yr ^(d)	T/yr ^(d)
Paint Spray Booth	0.126	21.13	5.38	15.44

- a) In absence of any other credible evidence, compliance is ensured by complying with permit operating, monitoring, and record keeping requirements.
- b) Particulate matter with an aerodynamic diameter less than or equal to a nominal two point five (2.5) and ten (10) micrometers, including condensable particulate as defined in IDAPA 58.01.01.006.
- c) Pounds per hour, as determined by a test method prescribed by IDAPA 58.01.01.157, EPA reference test method, continuous emission monitoring system (CEMS) data, or DEQ-approved alternative.
- d) Tons per any consecutive 12-calendar month period.

2.4 Opacity Limit

Emissions from the Paint Spray Booth stack, or any other stack, vent, or functionally equivalent opening associated with the Paint Spray Booth, must not exceed 20% opacity for a period or periods aggregating more than three minutes in any 60-minute period as required by IDAPA 58.01.01.625. Opacity must be determined by the procedures contained in IDAPA 58.01.01.625.

Operating Requirements

2.5 Approved Coating Usage Limits

Unless the permittee is complying with an Alternate Daily Coating Usage Scenario which demonstrates compliance with Coating Emission Limits and Screening Emission Rates and Modeled Concentration Limits, the permittee shall comply with the coating usage limits in Table 2.3.

Table 2.3 Approved Coating Usage Scenario

Coating Material	Daily Coating Usage Limit (gal/day) ^(a)	Yearly Coating Usage Limit (gal/yr) ^(b)
Axalta AUF580X Ultraguard LF Conversion Varnish - 550VOC	23.0 gal/day Combined	5,750 gal/yr Combined
Titebond Original Wood Glue		
Axalta Acid Catalyst CXC4010		
Butyl Acetate		
Axalta Premium Laquer Thinner YYT1009		
Axalta Ultraguard White Conversion Varnish A UW710X		
Graintone Plus™ Wiping Stain VWS0909		
AUW1260 White C/V Undercoat		

a) Gallons per calendar day

b) Gallons per any consecutive 12-month period.

2.6 Spray Gun and Spray Booth(s) Filter System

- All painting at this facility, including application of primer, must be conducted inside the booth(s) or preparation station(s) with filter system in place, exhaust fan(s) operating, and door(s) or curtain(s) closed. The booth must be fully enclosed with a full roof, and four complete walls or complete side curtains, and must be ventilated at negative pressure so that air is drawn into any openings in the booth walls or side curtains.
- All painting must be conducted with a HVLP (high-volume low-pressure) spray gun, Air Atomization spray gun, or equivalent technology, with a minimum 65% transfer efficiency as documented by the spray gun manufacturer.
- The permittee must install, maintain, and operate according to the manufacturer's specifications and recommendations, a spray booth filter system or a preparation station filter system with a minimum control efficiency of 98% for PM₁₀ emissions as documented by the filter manufacturer.

Alternate Daily Coating Usage Scenarios (If Applicable)

Unless using an Approved Daily Coating Usage Scenario for which compliance has previously been determined in Table 2.3, when new or reformulated coating materials are introduced, each day before a new coating material is used the permittee shall follow the procedures of this section. The permittee shall not use any new Daily Coating Usage Scenario until Coating TAP compliance and Coating Emission Limit compliance have been demonstrated for that Scenario according to the following permit conditions.

2.7 Propose a Daily Coating Usage Scenario

Prior to using or implementing a new Daily Coating Usage Scenario:

- The permittee shall propose and record maximum daily coating usage limits for each coating material that will be used in the Scenario, in gallons per day (gal/day). The permittee shall not use or implement any Scenario that does not have recorded maximum daily coating usage limits.
- The permittee shall estimate emissions of PM₁₀/PM_{2.5}, VOC, individual HAP, total HAP, and all TAP contained in the new daily coating usage scenario (lb/day for each pollutant), using the procedures described below for estimating emissions. TAPs are contained in IDAPA 58.01.01.585 and 586.
- The permittee shall demonstrate coating TAP compliance for the Scenario, using the procedures described below for demonstrating coating TAP compliance. The permittee shall not use or implement any Scenario that does not demonstrate coating TAP compliance.
- The permittee shall demonstrate Coating Emission Limit compliance for the Scenario, using the procedures described below for demonstrating Coating Emission Limit compliance. The permittee shall not use or implement any Scenario that does not demonstrate Coating Emission Limit compliance.
- The daily coating usage limits and emission estimates used in determining coating TAP compliance and Coating Emission Limit compliance shall be based on estimated emissions from all coatings to be used from all coating operations at the facility (i.e., facility-wide).

2.8 Estimate Coating TAP Emissions

TAP emissions shall be estimated for all TAP contained in IDAPA 58.01.01.585 and 586:

- Emissions shall be estimated by multiplying each maximum daily coating usage rate (gal/day) by the TAP content (lb/gal) of that coating, summing the total emissions from all coating materials (lb/day), dividing by 24 hours per day, to get emissions in pounds per hour (lb/hr). TAP emissions which are designated as a particulate may also be multiplied by one minus the spray gun transfer efficiency listed in Table 2.1 and by one minus the filtration system control efficiency listed in Table 2.1 when control equipment will be applied to such emissions.
- TAP content (lb/gal) of a coating is specified on the Safety Data Sheet (SDS) for that coating or shall be calculated by multiplying the weight percentage of TAP (%) by the density (lb/gal) of the coating from the SDS.
- For TAP content, if a range is presented on the SDS for a coating, the highest value of the range shall be used when estimating emissions.
- When the TAP content is listed as below detection on SDS or other documentation, the TAP content shall be assumed equal to the detection limit when estimating emissions.

2.9 Demonstrate Coating TAP Compliance

For each Daily Coating Usage Scenario, the permittee shall estimate TAP emissions from all coating operations and compare against the TAP Screening Emission Levels (EL – lb/hr) or perform an air dispersion modeling analysis and compare against the TAP Acceptable Ambient Concentrations (mg/m³):

- The permittee shall compare estimated TAP emissions for all coatings against the Screening Emission Rates in IDAPA 58.01.01.585 and 586. For emissions equal or less than the Screening Emission Rate, modeling analyses is not required. For emissions in excess of the Screening Emission Rate, modeling analyses is required to determine the maximum modeled concentration.
- Modeled emissions from all coating operations for a Daily Coating Usage Scenario shall not exceed the Modeled Concentration Limits in IDAPA 58.01.01.585 and 586. The permittee shall not use or implement any Scenario that exceeds a Modeled Concentration Limit.
- All modeling analyses shall use EPA-approved models and follow relevant guidance in the most recent version of the “State of Idaho Guideline for Performing Air Quality Impact Analyses,” available for download at DEQ’s website.

2.10 Demonstrate Coating Emission Limit Compliance

For each Daily Coating Usage Scenario, the permittee shall estimate emissions from all coating operations and compare against the Coating Emission Limits in Table 2.2:

- Daily PM₁₀/PM_{2.5} emissions shall be estimated by multiplying each coating maximum daily coating usage rate (gal/day) by the solids content (lb/gal) of that coating and summing the total emissions from all coatings (lb/day). Emissions may also be multiplied by one minus the transfer efficiency and by one minus the filter control efficiency when control equipment will be applied to such emissions.
- Daily VOC emissions shall be estimated by multiplying each coating maximum daily coating usage rate (gal/day) by the VOC content (lb/gal) for that coating material and summing the total emissions from all coating materials (lb/day).
- Daily HAP emissions shall be estimated by multiplying each coating maximum daily coating usage rate (gal/day) by the HAP content (lb/gal) for each coating material and summing the total emissions from all coating materials (lb/day).
- Annual PM₁₀/PM_{2.5}, VOC, and HAP emissions shall be determined by summing daily emissions (lb/day) over the previous consecutive 365-day period and dividing by 2000 pounds per ton (lb/T).
- For solids content, VOC content, and HAP content, if a range is presented on the SDS for a coating, the highest value of the range shall be used when estimating emissions.
- When the solids content, VOC content, or HAP content is listed as below detection on SDS or other documentation, the content shall be assumed equal to the detection limit when estimating emissions.
- The permittee shall compare estimated emissions for all coating materials against the Coating Emission Limits in Table 2.2. The permittee shall not use or implement any Scenario that exceeds a Coating Emission Limit.

Monitoring and Recordkeeping Requirements

2.11 Coating Material Monitoring and Recordkeeping

Each calendar day when using approved coatings, the permittee shall monitor and record the total coatings used in gallons per day. Monthly coating usage shall be determined by summing daily usage over the previous calendar month. The annual usage shall be determined by summing the monthly coating usages over the previous consecutive 12-month period to demonstrate compliance with the Approved Coating Usage Limits permit condition.

- Exceedances of Approved Coating Usage Limits must be treated as excess emission event(s), and the permittee shall report these in accordance with the excess emission procedures and requirements provided in the General Provisions of this permit.

2.12 Alternate Daily Coating Usage Scenario Monitoring and Recordkeeping

Each calendar day on which an Alternate Daily Coating Usage Scenario will be used, the permittee must use the procedure for Alternate Daily Coating Usage Scenarios to determine compliance with PM10/PM25, VOC and TAP emissions. The permittee must monitor and record the alternate daily coating scenario, the emissions estimations, and the compliance determinations for each new alternate daily coating scenario.

- Only one Alternate Daily Coating Usage Scenario may be used each calendar day.
- The permittee shall not exceed any coating emission limit for the Scenario chosen that calendar day.
- The permittee shall maintain documentation such as coating material SDS, manufacturer's specification sheets that support filter control efficiencies, transfer efficiencies, capture efficiencies, and other engineering assumptions relied upon in emission calculations.

2.13 Coating Material Purchase and Safety Data Sheet Recordkeeping

For each coating material used at the facility, including but not limited to primers, stains, basecoats, glazes, sealers, lacquers, thinners, solvents, reducers, caulking, and adhesives, the permittee shall record and maintain the following records:

- Material purchase records
- Safety Data Sheets (SDS)

2.14 Coating Usage Scenario Reporting

Each year, for Coating Usage Scenarios that have not already been submitted, the permittee shall submit a report by May 1st on all unapproved Daily Coating Usage Scenarios used each calendar day during the previous 365-day period. The report shall include documentation supporting the TAP compliance demonstrations and the Coating Emission Limit compliance demonstrations relied upon for each Daily Coating Usage Scenario, and any modeling analyses conducted in each coating TAP compliance demonstration. Documentation should be in sufficient detail, including documentation of all calculations and electronic copies of modeling files, such that DEQ can verify the analysis. The report shall be titled "Permit-Required TAP Compliance Report" and shall be sent to:

Air Quality Permit Compliance
Department of Environmental Quality
Coeur d'Alene Regional Office
2110 Ironwood Parkway
Coeur d'Alene, ID 83814
Phone: (208) 769-1422
Fax: (208) 769-1404

3 Water Heater

3.1 Process Description

A 0.9 MMBtu per hour water heater is used at the facility that combusts dry hardwood chips as fuel. The hardwood chips have a moisture content of less than 8%

3.2 Control Device Descriptions

Table 3.1 Water Heater Description

Emissions Units / Processes	Control Devices	Emission Points
<u>Water Heater:</u> Manufacturer: Swebo Model: Airmax Rating: 0.9 MMBtu/hr Fuel: Dry Hardwood Chips	None	<u>Exhaust Stack:</u> Diameter: 12 inches Height: 6 feet Temperature: 500 °F Orientation: Vertical

Emission Limits

3.3 Emission Limits

The emissions from the Water Heater stack must not exceed any corresponding emissions rate limits listed in Table 3.2.

Table 3.2 Water Heater Emission Limits^(a)

Source Description	PM _{2.5} /PM ₁₀ ^(b)		SO ₂		NO _x		CO		VOC	
	lb/hr ^(c)	T/yr ^(d)	lb/hr ^(c)	T/yr ^(d)	lb/hr ^(c)	T/yr ^(d)	lb/hr ^(c)	T/yr ^(d)	lb/hr ^(c)	T/yr ^(d)
Water Heater	0.32	1.42	0.023	0.099	0.44	1.93	0.54	2.37	0.015	0.067

- a) In absence of any other credible evidence, compliance is ensured by complying with permit operating, monitoring, and record keeping requirements.
- b) Particulate matter with an aerodynamic diameter less than or equal to a nominal two point five (2.5) and ten (10) micrometers, including condensable particulate as defined in IDAPA 58.01.01.006.
- c) Pounds per hour, as determined by a test method prescribed by IDAPA 58.01.01.157, EPA reference test method, continuous emission monitoring system (CEMS) data, or DEQ-approved alternative.
- d) Tons per any consecutive 12-calendar month period.

3.4 Opacity Limit

Emissions from the Water Heater stack, or any other stack, vent, or functionally equivalent opening associated with the Water Heater, must not exceed 20% opacity for a period or periods aggregating more than three minutes in any 60-minute period as required by IDAPA 58.01.01.625. Opacity must be determined by the procedures contained in IDAPA 58.01.01.625.

Operating Requirements

3.5 Water Heater Fuel Requirements

To demonstrate compliance with the Emission Limits permit condition, the water heater must only combust dry hardwood chips.

4 Woodworking

4.1 Process Description

The facility uses various woodworking tools to build cabinet doors and drawer boxes. The woodworking equipment is controlled by a dust collector with particulate filtration. Woodworking equipment includes, but is not limited to, saws, sanders, planers, jointers, drills, etc.

4.2 Control Device Descriptions

Table 4.1 Woodworking Description

Emissions Units / Processes	Control Devices	Emission Points
<u>Woodworking:</u> Saws, Sanders, Drills, Planer, etc.	<u>Baghouse Control:</u> Manufacturer: Superior PM ₁₀ control efficiency: 98%	Baghouse exhaust stack

Emission Limits

4.3 Emission Limits

The emissions from the woodworking stack must not exceed any corresponding emissions rate limits listed in Table 4.2.

Table 4.2 Woodworking Emission Limits^(a)

Source Description	PM _{2.5} /PM ₁₀ ^(b)	
	lb/hr ^(c)	T/yr ^(d)
Woodworking	0.06	0.26

- In absence of any other credible evidence, compliance is ensured by complying with permit operating, monitoring, and record keeping requirements.
- Particulate matter with an aerodynamic diameter less than or equal to a nominal two point five (2.5) and ten (10) micrometers, including condensable particulate as defined in IDAPA 58.01.01.006.
- Pounds per hour, as determined by a test method prescribed by IDAPA 58.01.01.157, EPA reference test method, continuous emission monitoring system (CEMS) data, or DEQ-approved alternative.
- Tons per any consecutive 12-calendar month period.

4.4 Opacity Limit

Emissions from the woodworking stack, or any other stack, vent, or functionally equivalent opening associated with the woodworking, must not exceed 20% opacity for a period or periods aggregating more than three minutes in any 60-minute period as required by IDAPA 58.01.01.625. Opacity must be determined by the procedures contained in IDAPA 58.01.01.625.

Operating Requirements

4.5 Baghouse Operating Requirement

The permittee must install and operate a baghouse to control particulate emissions from the woodworking processes at the facility. The baghouse must be operating at all times there is active woodworking being conducted.

4.6 Baghouse Filter System Procedures

Within 60 days of initial start-up, the permittee must develop a Baghouse Filter System Procedures document for the inspection and operation of the baghouse filter system which controls particulate matter emissions from the woodworking process. The Baghouse Filter System Procedures document will be a permittee-developed document independent of the manufacturer supplied operating manual but may include summaries of procedures included in the manufacturer supplied operating manual.

The Baghouse Filter System Procedures document must describe the procedures that will be followed to comply with the General Compliance General Provisions and must contain requirements for monthly see/no-see visible emissions inspections of the baghouse. The inspection must occur during daylight hours and under normal operating conditions.

The Baghouse Filter System Procedures document must include a schedule and procedures for corrective action that will be taken if visible emissions are present from the baghouse. At a minimum the document must include:

- Procedures to determine if bags or cartridges are ruptured; and
- Procedures to determine if bags or cartridges are not appropriately secured in place.

The permittee must maintain records of the results of each baghouse filter system inspection. The records must include, but not be limited to, the following:

- Date and time of inspection;
- Equipment inspected (e.g. exterior housing of baghouse, fan motor, auger, inlet air ducting);
- Description of whether visible emissions were present, and if visible emissions were present a description of the corrective action that was taken; and
- Date corrective action was taken.

The Baghouse Filter System Procedures document must be submitted to DEQ within 60 days of initial start-up and must contain a certification by a responsible official. Any changes to the Baghouse Filter System Procedures document must be submitted within 15 days of the change.

The Baghouse Filter System Procedures document must remain on-site at all times and must be made available to DEQ representatives upon request.

The operating, monitoring, and recordkeeping requirements specified in the Baghouse Filter System Procedures document are incorporated by reference into this permit and are enforceable permit conditions.

Monitoring and Recordkeeping Requirements

4.7 Baghouse Monitoring Requirement

The permittee must maintain records of baghouse inspections and maintenance performed on the baghouse in accordance with the baghouse filter system procedures permit condition.

5 General Provisions

General Compliance

- 5.1 The permittee has a continuing duty to comply with all terms and conditions of this permit. All emissions authorized herein must be consistent with the terms and conditions of this permit and the “Rules for the Control of Air Pollution in Idaho.” The emissions of any pollutant in excess of the limitations specified herein, or noncompliance with any other condition or limitation contained in this permit, must constitute a violation of this permit, the “Rules for the Control of Air Pollution in Idaho,” and the Environmental Protection and Health Act (Idaho Code §39-101, et seq).
- [Idaho Code §39-101, et seq.]
- 5.2 The permittee must at all times (except as provided in the “Rules for the Control of Air Pollution in Idaho”) maintain in good working order and operate as efficiently as practicable all treatment or control facilities or systems installed or used to achieve compliance with the terms and conditions of this permit and other applicable Idaho laws for the control of air pollution.
- [IDAPA 58.01.01.211]
- 5.3 Receiving a permit to construct, a Tier I operating permit, a Tier II operating permit, a Permit by Rule, or a Certificate of Registration for portable equipment does not relieve any owner or operator of the responsibility to comply with all applicable local, state and federal statutes, rules and regulations.
- [IDAPA 58.01.01.108]

Inspection and Entry

- 5.4 Upon presentation of credentials, the permittee must allow DEQ or an authorized representative of DEQ to do the following:
- Enter upon the permittee’s premises where an emissions source is located, emissions-related activity is conducted, or where records are kept under conditions of this permit;
 - Have access to and copy, at reasonable times, any records that are kept under the conditions of this permit;
 - Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit; and
 - As authorized by the Idaho Environmental Protection and Health Act, sample or monitor, at reasonable times, substances or parameters for the purpose of determining or ensuring compliance with this permit or applicable requirements.
- [Idaho Code §39-108]

Construction and Operation Notification

- 5.5 The Department may cancel a permit to construct if the construction is not begun within two (2) years from the date of issuance, or if during the construction, work is suspended for one (1) year.
- [IDAPA 58.01.01.211.02]
- 5.6 The permittee must furnish DEQ written notifications as follows:
- A notification of the date of initiation of construction, within five working days after occurrence; except in the case where pre-permit construction approval has been granted then notification must be made within five working days after occurrence or within five working days after permit issuance whichever is later;

- A notification of the date of any suspension of construction, if such suspension lasts for one year or more; and
- A notification of the initial date of achieving the maximum production rate, within five working days after occurrence - production rate and date.

[IDAPA 58.01.01.211.01]

- A notification of the anticipated date of initial start-up of the stationary source or facility not more than sixty days or less than thirty days prior to such date; and
- A notification of the actual date of initial start-up of the stationary source or facility within fifteen (15) days after such date.

[IDAPA 58.01.01.211.03]

Performance Testing

5.7 If performance testing (air emissions source test) is required by this permit, the permittee must provide notice of intent to test to DEQ at least 15 days prior to the scheduled test date or shorter time period as approved by DEQ. DEQ may, at its option, have an observer present at any emissions tests conducted on a source. DEQ requests that such testing not be performed on weekends or state holidays.

5.8 All performance testing must all be conducted in accordance with the procedures in IDAPA 58.01.01.157. Without prior DEQ approval, any alternative testing is conducted solely at the permittee's risk. If the permittee fails to obtain prior written approval by DEQ for any testing deviations, DEQ may determine that the testing does not satisfy the testing requirements. Therefore, at least 30 days prior to conducting any performance test, the permittee is encouraged to submit a performance test protocol to DEQ for approval. The written protocol must include a description of the test method(s) to be used, an explanation of any or unusual circumstances regarding the proposed test, and the proposed test schedule for conducting and reporting the test.

5.9 Within 60 days following the date in which a performance test required by this permit is concluded, the permittee must submit to DEQ a performance test report. The report must include a description of the process, identification of the test method(s) used, equipment used, all process operating data collected during the test period, and test results, as well as raw test data and associated documentation, including any approved test protocol.

[IDAPA 58.01.01.157]

Monitoring and Recordkeeping

5.10 The permittee must maintain sufficient records to ensure compliance with all of the terms and conditions of this permit. Monitoring records must include, but not be limited to, the following: (a) the date, place, and times of sampling or measurements; (b) the date analyses were performed; (c) the company or entity that performed the analyses; (d) the analytical techniques or methods used; (e) the results of such analyses; and (f) the operating conditions existing at the time of sampling or measurement. All monitoring records and support information must be retained for a period of at least five years from the date of the monitoring sample, measurement, report, or application. Supporting information includes, but is not limited to, all calibration and maintenance records, all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by this permit. All records required to be maintained by this permit must be made available in either hard copy or electronic format to DEQ representatives upon request.

[IDAPA 58.01.01.211]

Excess Emissions

- 5.11** The permittee must comply with the procedures and requirements of IDAPA 58.01.01.130-136 for excess emissions. The provisions of IDAPA 58.01.01.130-136 must govern in the event of conflicts between the excess emissions general provisions and the regulations of IDAPA 58.01.01.130-136.

During an excess emissions event, the permittee must, with all practicable speed, initiate and complete appropriate and reasonable action to correct the conditions causing the excess emissions event; to reduce the frequency of occurrence of such events; to minimize the amount by which the emission standard is exceeded; and must, as provided below or upon request of DEQ, submit a full report of such occurrence, including a statement of all known causes, and of the scheduling and nature of the actions to be taken.

[IDAPA 58.01.01.132]

- 5.12** In all cases where startup, shutdown, or scheduled maintenance of any equipment or emission unit is expected to result or results in an excess emissions event, the permittee must demonstrate compliance with IDAPA 58.01.01.133.01(a) through (d), including, but not limited to, the following:

- Ensure that no scheduled startup, shutdown, or maintenance resulting in excess emissions occurs during any period in which an Air Quality Advisory has been declared by DEQ.
- Notifying DEQ of the excess emissions event as soon as reasonably possible, but no later than two hours prior to, the start of the event, unless the permittee demonstrates to DEQ's satisfaction that a shorter advance notice was necessary.
- Reporting and recording the information required pursuant to the excess emissions reporting and recordkeeping requirements and IDAPA 58.01.01.135 and 136 for each excess emissions event due to startup, shutdown, or scheduled maintenance.

[IDAPA 58.01.01.133]

- 5.13** In all cases where upset or breakdown of equipment or an emissions unit, or the initiation of safety measures, results or may result in an excess emissions event, the permittee must demonstrate compliance with IDAPA 58.01.01.134.01(a) and (b) and the following:

- Immediately undertake all appropriate measures to reduce and, to the extent possible, eliminate excess emissions resulting from the event and to minimize the impact of such excess emissions on the ambient air quality and public health.
- Notify DEQ of any upset, breakdown, or safety event that results in excess emissions. Such notification must identify the time, specific location, equipment or emissions unit involved, and (to the extent known) the cause(s) of the occurrence. The notification must be given as soon as reasonably possible, but no later than 24 hours after the event, unless the permittee demonstrates to DEQ's satisfaction that the longer reporting period was necessary.
- Report and record the information required pursuant to the excess emissions reporting and recordkeeping facility wide conditions and IDAPA 58.01.01.135 and 136 for each excess emissions event caused by an upset, breakdown, or safety measure.

- During any period of excess emissions caused by upset, breakdown, or operation under facility safety measures, DEQ may require the permittee to immediately reduce or cease operation of the equipment or emissions unit causing the period until such time as the condition causing the excess has been corrected or brought under control. Such action by DEQ must be taken upon consideration of the factors listed in IDAPA 58.01.01.134.03 and after consultation with the permittee.

[IDAPA 58.01.01.134]

- 5.14** The permittee must submit a written report to DEQ for each excess emissions event, no later than 15 days after the beginning of such an event. Each report must contain the information specified in IDAPA 58.01.01.135.02.

[IDAPA 58.01.01.135]

- 5.15** The permittee must maintain excess emissions records at the facility for the most recent five calendar-year period. The excess emissions records must all be made available to DEQ upon request and must include the information requested by IDAPA 58.01.01.136.03(a) and (b) as summarized in the following:

- An excess emissions log book for each emissions unit or piece of equipment containing copies of all reports that have been submitted to DEQ pursuant to IDAPA 58.01.01.135 for the particular emissions unit or equipment; and
- Copies of all startup, shutdown, and scheduled maintenance procedures and upset, breakdown, or safety preventative maintenance plans that have been developed by the permittee in accordance with IDAPA 58.01.01.133 and 134, and facility records as necessary to demonstrate compliance with such procedures and plans.

[IDAPA 58.01.01.136]

Certification

- 5.16** All documents submitted to DEQ including, but not limited to, records, monitoring data, supporting information, requests for confidential treatment, testing reports, or compliance certification must contain a certification by a responsible official. The certification must state that, based on information and belief formed after reasonable inquiry, the statements and information in the document(s) are true, accurate, and complete.

[IDAPA 58.01.01.123]

False Statements

- 5.17** No person must knowingly make any false statement, representation, or certification in any form, notice, or report required under this permit or any applicable rule or order in force pursuant thereto.

[IDAPA 58.01.01.125]

Tampering

- 5.18** Persons are prohibited from knowingly interfering with any monitoring device or method required under this permit or any applicable rule or order in force pursuant thereto.

[IDAPA 58.01.01.126]

Transferability

- 5.19** This permit is transferable in accordance with procedures listed in IDAPA 58.01.01.209.05.

[IDAPA 58.01.01.209.05]

Severability

5.20 The provisions of this permit are severable, and if any provision of this permit to any circumstance is held invalid, the application of such provision to other circumstances, and the remainder of this permit, must not be affected thereby.

[IDAPA 58.01.01.211]

Air Quality Permit
based on this paper!
No Date, No Signatures!

Info for Panhandle Door Inspection Report

1) BOWTIE POLY EXHAUST FILTERS

Specifications:

- 99.3% Average Removal Efficiency
- Initial Pressure Drop Clean: 0.05" W.C.
- Final Pressure Drop Loaded: 0.06" W.C.
- Paint Holding Capacity (Grams): 3129.8
- Paint Run-Off (Grams): 453.6
- (8) Filters Per Box

2) 22-Gram Fiberglass Arrestor Roll Media for Makor Q-One (Stage 2 Exhaust)

PA Series 22-Gram Paint/Spray Booth Exhaust Filters

Extra Density (22 Gram) fiberglass paint arrestors incorporate progressive density from front to back, increasing paint holding capacity. The Result ... Superior Paint Holding Capacity!

The best fiberglass paint arrestor available, providing unmatched service life, paint holding capacity, and efficiency resulting in low in-use cost.

Incorporates progressive density construction from front to back to decrease face loading and increase holding capacity, lengthening the interval between changes.

Bright yellow, highly visible color provides added spray booth illumination while maintaining optimal airflow.

99.4% efficiency rating and available in pads or rolls!

Technical Specs:

36"x300'

99.03% efficient

Average holding capacity of 2.22 pounds in a 20"x20" pad

Compliant with EPA 6H law

3rd party hired by
Nelson Mast per DEQ
No Company name!

Below is the information I am requesting to determine Panhandle Door Inc's applicability to DEQ's exemption/permitting rules. Please let me know if you have questions.

1. 24 hr maximum coatings use broken out by each coating
2. Annual maximum coatings use broken out by each coating
3. Copy of Safety Data Sheet (aka SDS or MSDS) for all coatings listed in 1 & 2. (Electronic copies if available)
4. Does the facility have a spray booth? If yes, then does it have 3 sides and a roof? (Pictures of ratings tag/label if possible)
 - a. Booth filter Make and Model (Pictures of ratings tag/label if possible)
 - i. Filter - Rated control efficiency (Pictures)
5. List of all combustion equipment (heating devices)
 - a. Fuel used by each piece of equipment listed in 5
 - b. Rated capacity of each piece of equipment listed in 5 (usually listed in BTUs, MBTUs or MMBTUs) (Pictures of ratings tag/label if possible)
6. Does the facility have dust collection system(s)?
 - a. If 6 is yes, rated capacity of system(s) (Pictures of ratings tag/label if possible)
 - b. If 6 is yes, rated control efficiency of equipment(s)
7. How does facility apply coatings?
 - a. If facility uses spray guns, please submit make and model (Picture of each)
 - b. Is the equipment listed in 7, HVLP rated?
 - c. Automated spraying system?
8. List Adhesives used (make and model)
 - a. Copy of SDS for all adhesives listed in 8
 - b. Maximum daily/yearly usage for all adhesives listed in 8
9. Does facility have a generator(s)?
 - a. Make and model of each generator listed in 9 (Pictures of ratings tag/label if possible)
 - b. Fuel type used for equipment listed in 9.
10. Hours of operation
 - a. Business in general
 - b. Coatings operations specifically

uploaded from DEQ 09/04/24

From: [Shawn Sweetapple](#)
To: [Kevin Aardahl](#); [Dean Kinney](#)
Cc: [Dan McCracken](#)
Subject: FW: Picture location
Date: Wednesday, July 24, 2024 1:17:09 PM

FYI

Shawn Sweetapple, Idaho DEQ
Coeur d'Alene Regional Office
(208) 666-4602

From: chaseinvestigations@aol.com <chaseinvestigations@aol.com>
Sent: Wednesday, July 24, 2024 12:39 PM
To: Shawn Sweetapple <Shawn.Sweetapple@deq.idaho.gov>; david dewberry@runbox.com; jlstein66@gmail.com
Subject: Re: Picture location

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Hi Shawn,

All pictures and video are the backside of Panhandle Door from neighboring properties.

You can not see any of the wood mountain unless your on the neighboring property due to dirt covering the top on Panhandle side.

As of yesterday and today a total of 22 Semi trucks with side dumpers have been hauling in dirt and cement chunks to cover up something.

The count is ongoing and recorded.

Thank you,

Kelli M. Martin

208-651-1172

.The content of this email is confidential and intended for the recipient specified in message only. It is strictly forbidden to share any part of this message with any third party, without a

written consent of the sender. If you received this message by mistake, please reply to this message and follow with its deletion, so that we can ensure such a mistake does not occur in the future.

On Wed, Jul 24, 2024 at 10:32, Shawn Sweetapple
<Shawn.Sweetapple@deq.idaho.gov> wrote:

Could someone pinpoint where this photo was taken? I can't tell from the metadata with the file.

Shawn Sweetapple | Regional Air Quality Manager

Idaho Department of Environmental Quality

2110 Ironwood Pkwy, Coeur d'Alene, ID 83814

Office: (208) 666-4602

www.deq.idaho.gov

Our mission: To protect human health and Idaho's air, land, and water.

From: [Shawn Sweetapple](#)
To: [Kevin Acosta](#); [Dean Kinger](#)
Cc: [Dan McCracken](#)
Subject: FW: Burning evidence!
Date: Wednesday, July 10, 2024 3:10:29 PM

Pictures from Kelli Martin related to Panhandle Door.

Shawn Sweetapple, Idaho DEQ
Coeur d'Alene Regional Office
(208) 666-4602

From: chaseinvestigations@aol.com <chaseinvestigations@aol.com>
Sent: Wednesday, July 10, 2024 11:02 AM
To: Shawn Sweetapple <Shawn.Sweetapple@deq.idaho.gov>
Subject: Burning evidence!

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Good morning Shawn,

They have been burying evidence behind part of their property and powerwashing the toxic film on the building. Yesterday and today the company is in full swing hiding things under tons of dirt that has been brought in. Pictures attached.

I'm going to notify the Federal agencies because Mr. Mast is given too much time to hide evidence.
The building has humans inside and neighbors that are at risk.
This matter is effecting our land, air, water, wuldife and human life.











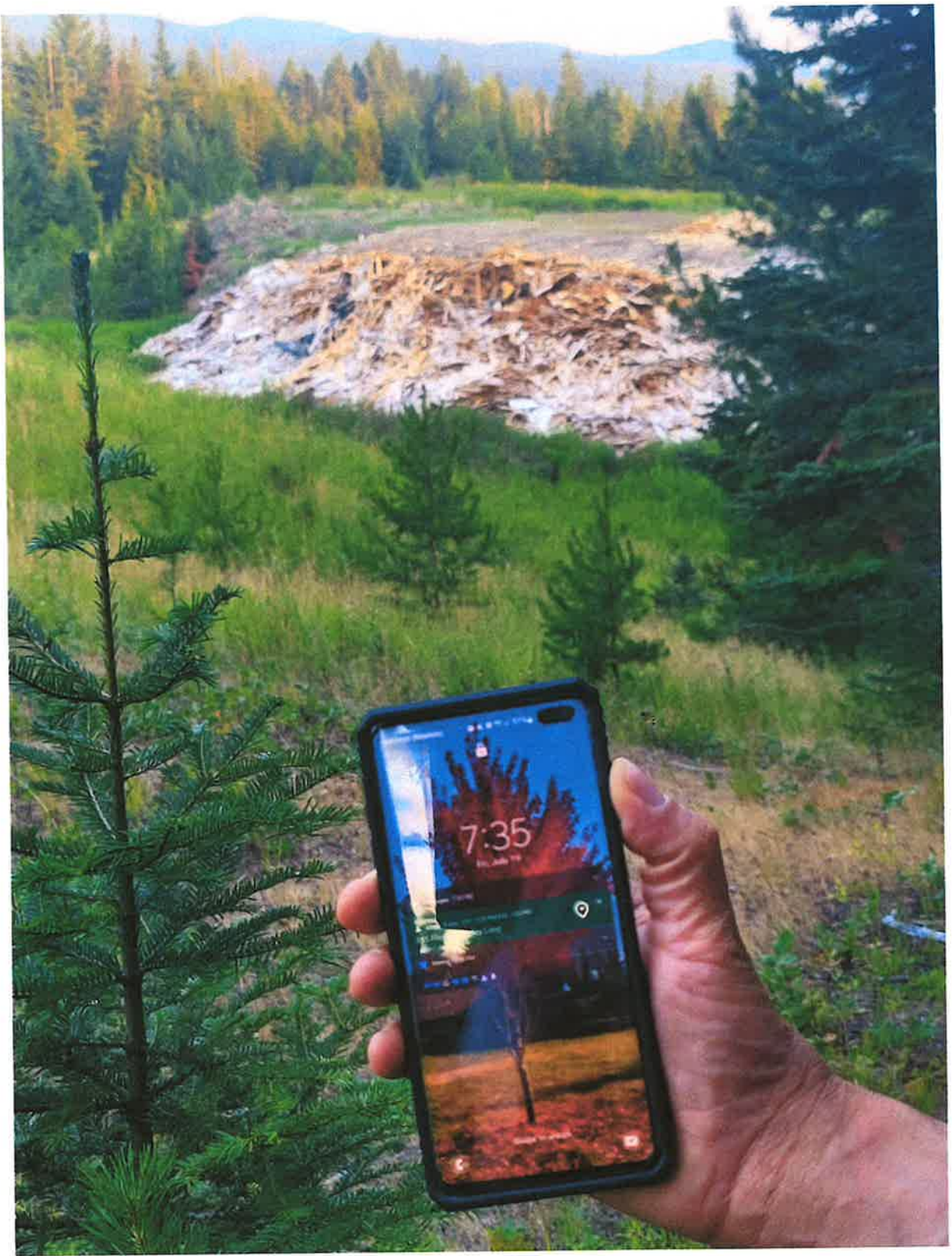






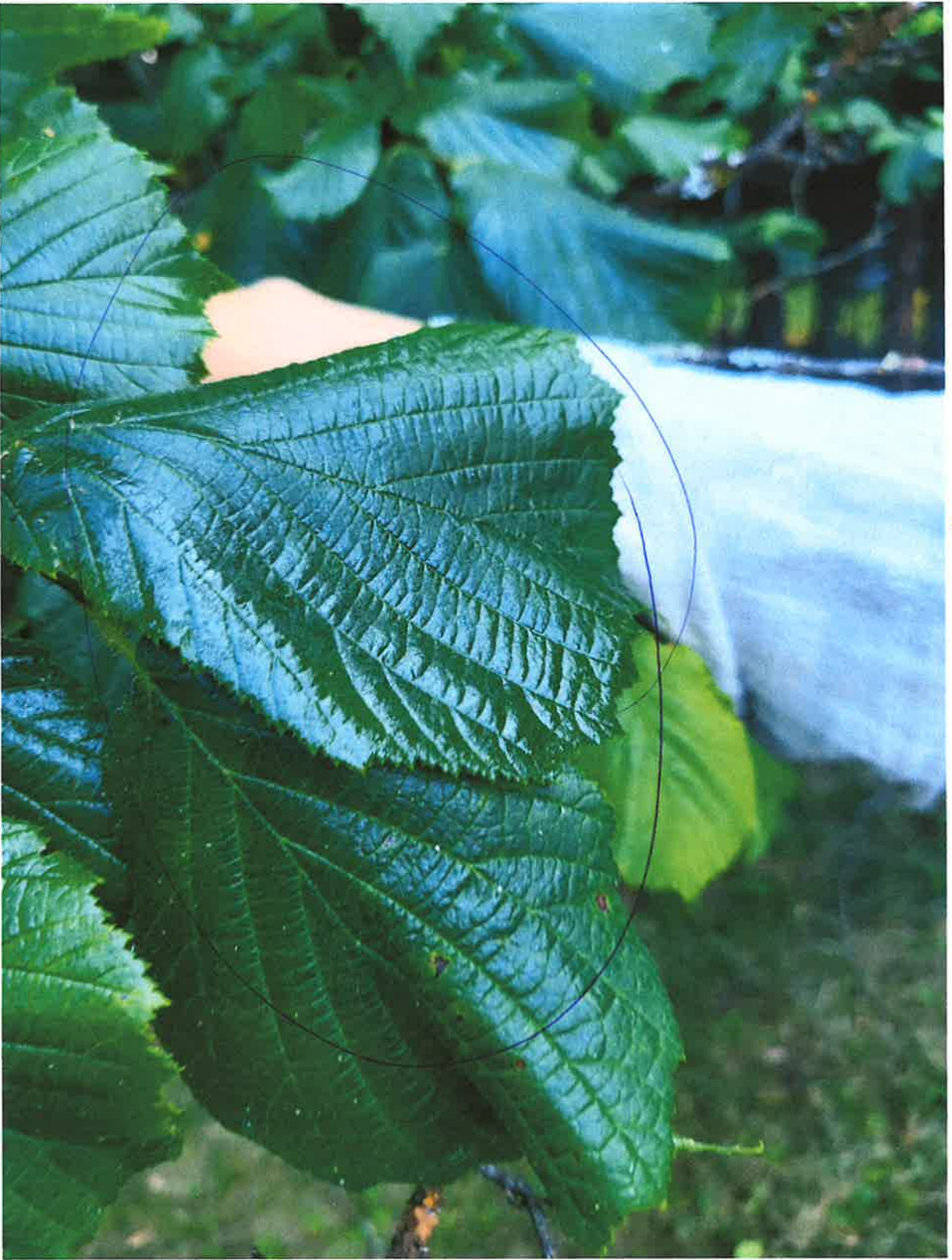
Kelli M. Martin

The content of this email is confidential and intended for the recipient specified in message only. It is strictly forbidden to share any part of this message with any third party, without a written consent of the sender. If you received this message by mistake, please reply to this message and follow with its deletion, so that we can ensure such a mistake does not occur in the future.









potential lacquer residue

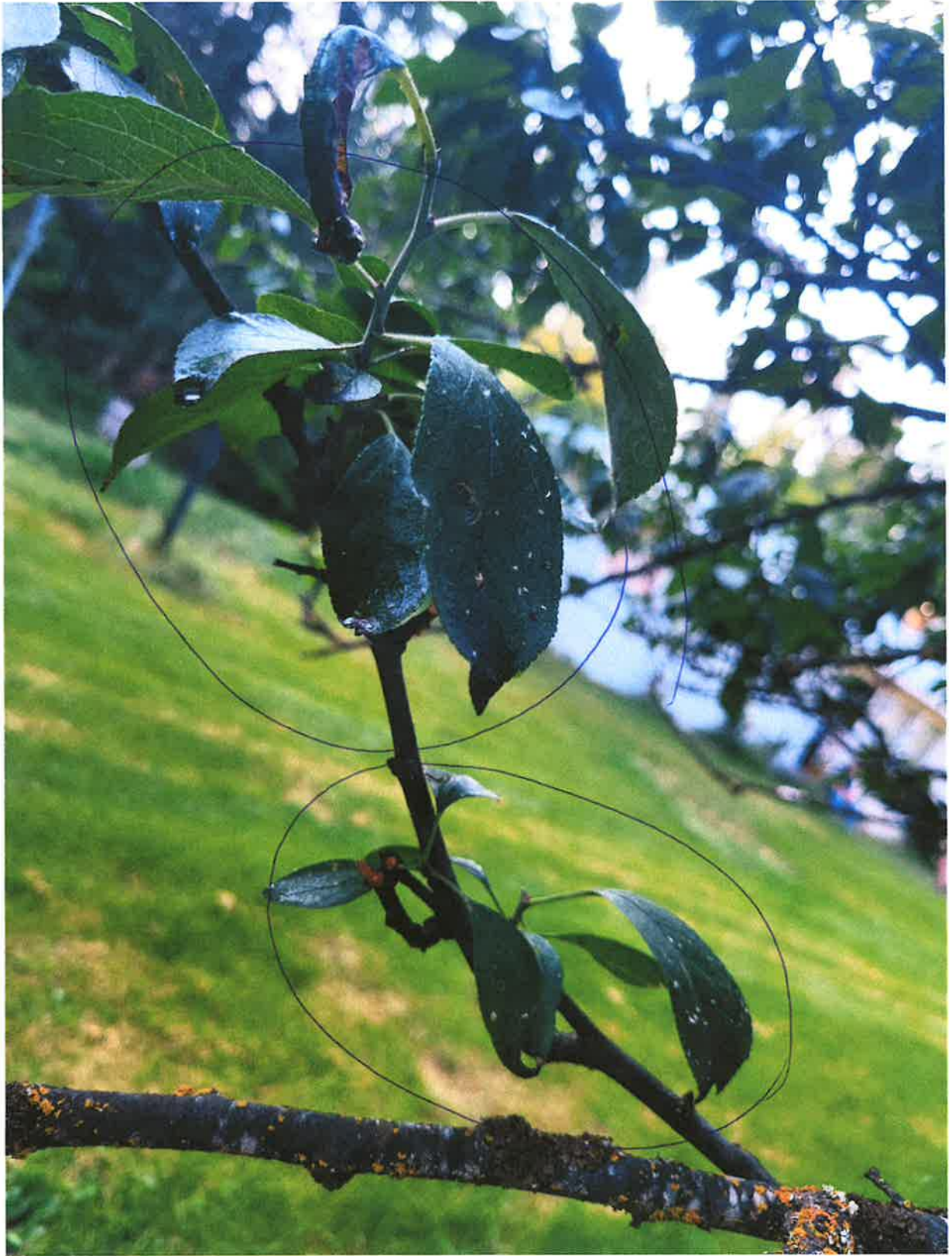








Photo
10/10/2008
2008-11-10

Photo taken from the top of the embankment looking down the slope. The white car is at the top of the embankment. The foreground shows a dark, rocky slope with some sparse vegetation and shadows cast by trees on the left.



Please see instructions on page 3 before filling out the form.

IDENTIFICATION

1. Company Name Panhandle Door Inc	2. Facility Name: Panhandle Door Inc.
3. Brief Project Description: We build cabinet doors and drawer boxes	

BOILER/PROCESS HEATER UNIT SPECIFICATIONS

4. Type of unit: Boiler Water Heater Process Heater, process material(s) _____

5. Emissions unit history: New unit Unpermitted existing unit Modification to an existing permitted unit? Permit number: _____

6. Manufacturer: Swebo 7. Model: Airmax 8. Manufacture Date: _____

9. Date of installation: _____ 10. Serial Number: _____ 11. ID Number: _____

12. Control Device (if any) _____ (Baghouse, ESP, or Scrubber) **Note:** Attach applicable control equipment FORM BCE, ESP, or SCE

13. Fuel Meter Used: Gaseous Liquid None

14. Heater Exhaust Stack Parameters:
 Diameter: 12" inches Height: 72" feet Temperature: 500 °F Flow rate: _____ acfm
 Exhaust Orientation: Vertical (unobstructed upward) Vertical (obstructed upward) Horizontal Other _____

15. Primary Burner: Manufacturer: Swebo Model: Airmax Max Heat Input Rating: 1.5 MMBtu/hr

16. Secondary Burner (if applicable): Manufacturer: _____ Model: _____ Max Heat Input Rating: _____ MMBtu/hr

17. Are any of the burners of low NO_x design? Yes No

18. For Process Heaters, will there be emissions from process materials No Yes, included separately Yes, included in the emission factors below (#23)

FUEL SPECIFICATION AND UNIT EMISSION FACTORS

19. Primary Fuel Type: Natural Gas Diesel Fuel (#) LPG/Propane Other Fuel: Dry Hardwood Chips < 8% moisture

20. Secondary Fuel Type (if applicable): Natural Gas Diesel Fuel (#) LPG/Propane Other Fuel:

Fuel Type	Primary Fuel			Secondary Fuel		
21. Fuel Heat Value (Btu/unit, LHV)	8,000 Btu/lbs					
22. Sulfur Content (ppmv, wt%)						
23. Are Rated or Source Test Emission Factors available for this unit? (list below)	Operational Mode			Operational Mode		
	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Steady State (lbs/MMBtu)	Start Up (lb/hr)	Shut Down (lb/hr)	Steady State (lbs/MMBtu)	Start Up (lb/hr)
Note: Include supporting documentation. Source testing or manufacturer's data is preferred; when available.	PM ₁₀					
	PM _{2.5}					
	NO _x					
	CO					
	SO ₂					
VOC						
24. Other Pollutant(s):						
25. Duration Operational Mode:	N/A	_____ hr/day	_____ hr/day	N/A	_____ hr/day	_____ hr/day
		_____ hr/yr	_____ hr/yr		_____ hr/yr	_____ hr/yr

OPERATING LIMITS & SCHEDULE

26. Proposed Unit Operating Limits and Process Material Limits: (hr/day, hr/yr, gal/yr, MMscf/yr, etc) **Note:** These limits will be placed in the permit: 7 month per year / 24 hrs a day

FEDERAL RULES APPLICABILITY

27. NSPS or MACT Applicability: Yes No If "yes", which subpart applies?: _____ **Note:** Form FRA must be completed.

Instructions for Form EU5

Please refer to IDAPA 58.01.01.220 for a list of the general exemption criteria for Permit to Construct exemptions.

- 1 – 3. Provide the same company name, facility name (if different), and brief project description as on Form GI. This is useful if the application pages are separated.

USE ATTACHMENT IF ADDITIONAL SPACE IS REQUIRED.

Unit Specifications:

4. Indicate whether the unit is a boiler, water heater, or process heater. Boilers combust fuel to produce steam; water heaters combust fuel solely to heat water; and process heaters heat raw or intermediate process materials (including heat transfer materials). A dryer may be a process heater, such as a milk dryer or potato dryer. For Process Heaters, the material(s) heated should be noted and emissions estimates provided resulting from the heating of and/or reaction of the materials. In each of these types of units, the combustion gases do not directly come into contact with the process materials.
5. Indicate whether a new unit, unpermitted existing unit, or a modified permitted unit.
- 6-8. Provide the unit manufacturer, model, and date the unit was manufactured.
9. Provide the date of installation of the unit if the unit is already existing.
10. Provide the serial number of the unit.
11. Provide the identification (ID) number of the unit (if a specific number is used for identification in emissions inventory or modeling analysis).
12. List any add-on emissions control equipment used with the unit. Idaho DEQ Form BCE and SCE are to be completed in addition to provide additional information if a baghouse or scrubber is used.
13. Indicate if a fuel meter for the unit is used, and if so, what type.
14. Provide the unit exhaust stack parameters. The temperature and flow rate should be per the unit manufacturer. If the stack height is very tall, provide a justification for the exhaust gas temperature.
15. Provide the manufacturer, model and heat input rating for the primary burner of the unit. Heat input rating should be per manufacturer.
16. If the unit has a secondary burner unit, provide the manufacturer, model and heat input rating for the secondary burner. Heat input rating should be per manufacturer.
17. Are any of the primary or secondary burners of low NO_x design? Low NO_x burners typically have reduced oxides of nitrogen (NO_x) emissions and also have increased carbon monoxide (CO) emissions when compared to other designs.
18. For Process Heaters, are any emissions expected from the heating, combination, or reaction of process materials? Any potential emissions of criteria pollutants (including particulate matter and volatile organic compounds), toxic air pollutants (TAP), and hazardous air pollutants (HAP) should be considered (e.g., #23 and #24).

Fuel Specifications and Emission Factors:

19. Indicate which type of primary fuel is combusted by the unit.
20. If a secondary, back-up, or emergency fuel is combusted by the unit, indicate which type.
21. Provide the Fuel Heating Value for fuels combusted by unit (if different from industry standard, include supporting documentation).
22. Provide the sulfur content by percent weight for fuels combusted by the unit.
23. This section is to provide emission factor information that is unit specific and different from generic EPA unit combustion data (i.e. AP-42). Emission estimates should be based on the most representative data available. When available, source test or other unit-specific emissions data should be listed. If representative source-specific data cannot be obtained, emissions information from the manufacturer or equipment vendors, particularly emission performance guarantees or actual test data from similar equipment is preferred. Include supporting documentation; source testing may be required for validation. **Note:** Start up and shut down emission factor information may not be available.

24. List any additional pollutant(s) and associated emission factors not listed under question 20 if unit-specific info is to be used. Include supporting documentation as necessary. **Note:** Start up and shut down emission factor information may not be available.
25. List the anticipated time of start up and shut down associated with the unit. If start up and shut down emission factors are not available please list "NA". **Note:** These anticipated start up and shut down times may be placed in the permit.

Operating Limits & Schedule:

26. Propose a maximum daily and maximum annual unit hourly limit for all applicable fuels. For Process Heaters, also propose a maximum daily and maximum annual material input, throughput, or output rate. **Note:** Unless it is 24 hours per day and 8,760 hours per year of operation, proposed daily limits will be placed in the permit.

Federal Rules Applicability:

27. Indicate if an NSPS or MACT (40 CFR 60 and 40 CFR 63, respectively) subpart is applicable to the unit. If yes, Idaho DEQ Form FRA must be complete to determine the specific applicability of appropriate NSPS or MACT subpart.

From: [Kathryn Kolberg](#)
To: [David Dewberry](#); [Planning](#); [Dan McCracken](#)
Cc: [Jason Peppin](#); eketner@phd1.idaho.gov; [commissioners](#); prosecutor@boundarycountvid.org; chaseinvestigation@aol.com; [Jeff Steinborn](#); [jjones185021](#); [Kevinkleinworth](#); [Kevin Aardahl](#); [pr](#); [idleginfo](#); [Isoweb](#); [SHerndon](#); [MSauter](#); sdixon@house.idaho.gov
Subject: FW: Urgent Complaint of Immediate Danger to Idaho District 3 Citizens related to Hazardous conditions related to Zoning Violations at 167 Pot Hole Road, Naples, ID 83847
Date: Wednesday, June 26, 2024 11:29:04 AM

Good Morning, Mr. Dewberry -

Panhandle Health District received your complain below, and I am forwarding it on to the Boundary County Planning Dept as they have jurisdiction over County Codes, and Idaho DEQ (Dan McCracken) as they have jurisdiction over air quality.

Regarding the sewage disposal system to serve this commercial operation, PHD is actively working with the landowner to bring that into compliance. I will reach out to the landowner again today to remind them that this is something they need to address promptly.

Regards,

Kathryn Kolberg

Kathryn Kolberg | Environmental Health Program Manager
2101 W. Pine St., Sandpoint, ID 83864
Office: 208-265-6384
Email: kkolberg@phd1.idaho.gov
Web: Panhandlehealthdistrict.org

IMPORTANT: The information contained in this email may be privileged, confidential or otherwise protected from disclosure. All persons are advised that they may face penalties under state and federal law for sharing this information with unauthorized individuals. If you received this email in error, please reply to the sender that you received this information in error. Also, please delete this email after replying to the sender.

-----Original Message-----

From: Erik Ketner <EKetner@phd1.idaho.gov>
Sent: Wednesday, June 26, 2024 10:37 AM
To: Jason Peppin <JPeppin@phd1.idaho.gov>; Kathryn Kolberg <KKolberg@phd1.idaho.gov>
Subject: FW: Urgent Complaint of Immediate Danger to Idaho District 3 Citizens related to Hazardous conditions related to Zoning Violations at 167 Pot Hole Road, Naples, ID 83847

FYI- Doesn't look like you guys were included on this latest email...

Erik Ketner
District Director
Panhandle Health District
8500 N. Atlas Road
Hayden, ID 83835
208.415.5224

-----Original Message-----

From: David Dewberry <daviddewberry@runbox.com>
Sent: Wednesday, June 26, 2024 10:30 AM
To: Erik Ketner <EKetner@phd1.idaho.gov>; commissioners <commissioners@boundarycountyid.org>; prosecutor <prosecutor@boundarycountyid.org>
Cc: Chaseinvestigation <chaseinvestigation@aol.com>; Jeff Steinborn <jeff.steinborn@proton.me>; jjones185021 <jjones185021@gmail.com>; Kevinkleinworth <Kevinkleinworth@gmail.com>; Kevin.Aardahl <kevin.aardahl@deq.idaho.gov>; prr <prr@lso.idaho.gov>; idleginfo <idleginfo@lso.idaho.gov>; lsoweb <lsoweb@lso.idaho.gov>; SHerndon <SHerndon@senate.idaho.gov>; MSauter <MSauter@house.idaho.gov>; SDixon <SDixon@house.idaho.gov>
Subject: Urgent Complaint of Immediate Danger to Idaho District 3 Citizens related to Hazardous conditions related to Zoning Violations at 167 Pot Hole Road, Naples, ID 83847

CAUTION: This message originated outside of Panhandle Health District. Do not click links or open attachments unless you recognize the sender, are expecting something from them, and know the content is safe. Please forward spam & phishing emails to IT Support.

Panhandle Health District, Boundary County Commissioners, Boundary County Prosecuting Attorney and Whom It May Concern,

I am a citizen of Boundary County, Idaho.

This is a complaint.

The longstanding and continued actions of the business located at 167 Pot Hole Road, Naples, ID, 83847 and otherwise know as Panhandle Door, Inc. (PDI) poses a serious and immediate threat to the health and welfare of my neighbors adjacent to and on all sides of the said business, including that of my family, and this is being done flagrantly and obviously to anyone observing.

Their actions are poisoning the air, ground and water while creating an egregious, chronic and ever present fire hazard that threatens our neighborhood.

None of these actions are lawfully permitted or within zoning laws.

Three people previously living in closest proximity to PDI have died in the past year and the most recent one was less than a month ago. All three who died had symptoms associated with the listed effects for the chemicals being exhausted into the air by PDI.

I fear for the safety of my neighbors and my family.

This is not the first complaint I have issued.

In accordance with your legal directives shown below, and for the safety of all those concerned, I humbly and urgently ask that you issue a cease and desist order as soon as possible, and then follow up with a review and investigate the violations.

This business is not lawful and does not belong in our neighborhood.

From your website: "REPORTING VIOLATIONS OF THE BOUNDARY COUNTY ZONING AND SUBDIVISION ORDINANCE

As an ordinance of Boundary County, the Boundary County Zoning and Subdivision Ordinance has the force of law and penalties for violations and the process for enforcing violations are outlined in Sections 4. Violations of the ordinance are considered a misdemeanor punishable by fines not to exceed \$1000 and/or imprisonment in the county jail not to exceed six months. In addition, the property owner may be required by the court to correct the violation at their own expense, which could mean removing any structure which violates the provisions of the zoning and

subdivision ordinance.

Boundary County does not employ a building inspector or an officer or agent to seek out and prosecute violations of the ordinance, but relies instead on complaints from citizens. If you have reason to believe that a violation of this ordinance exists or is about to take place, you should notify the zoning administrator, providing the name of the owner of the property on which the violation may be occurring, the location of the property and the nature of the alleged violation. This notification may be in writing, by telephone, fax or email. You may, if you choose, remain anonymous.

Upon receipt of complaint, the zoning administrator will determine if the complaint is valid and, if it appears that a violation exists, will send the property owner against whom the complaint was made a certified Notice of Violation setting forth the alleged violation(s), the provisions of the zoning and subdivision ordinance which apply and what actions, if any, can be taken to correct the violation. The property owner is then afforded a set amount of time to respond to the notice, either to refute the allegations or to establish a course of action to correct the violation. It is the intent of Boundary County to resolve violations without intervention by the courts whenever possible.

If the nature of the violation is deemed by the Board of County Commissioners to pose a threat to the health or welfare of the citizens of Boundary County, a cease and desist order will be issued by the Prosecuting Attorney pending review and investigation of the violation.

If the property owner fails to respond to the notice of violation in the established time frame, a copy of the complaint is forwarded to the Board of County Commissioners with a recommendation that the complaint be forwarded to the Prosecuting Attorney for further enforcement action."

Sincerely, With All Rights Reserved, Without Prejudice,

Jim "David" Dewberry
331 Pot Hole Road, Naples, ID 83847
daviddewberry@runbox.com
208-908-3170



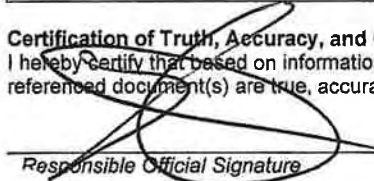
Please see instructions on second page before filling out the form.

FACILITY AND PERMIT INFORMATION

1. Facility Name: Panhandle Door Inc.		2. Facility ID Number:	
3. Brief Project Description: We build cabinet doors and drawer boxes using kiln dried hardwood lumber			
4. Facility Contact Name: Nelson Mast		5. Facility Contact Title: President	
6. Facility Contact Telephone Number: 208-267-1973		7. Facility Contact Email: nelson@panhandledoor.com	
8. Mailing address where permit will be sent (street/city/state/zip code): 168 Pothole Rd. Naples, Idaho, 83847		9. Physical address of facility (if different than mailing address) (street/city/state/zip code):	
10. County Facility is located Boundary			
11. Is the equipment portable? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes			
12. NAICS codes Primary NAICS: 321999		Secondary NAICS (if applicable):	
13. Brief business description and principal product produced: Use hardwood lumber to build cabinet doors and drawer boxes			
14. Describe any contiguous or adjacent facility this company owns or operates: None			
15. Permit Application Type. Provide Permit Number for existing permit. For a PTC, an application fee is required.		<input checked="" type="checkbox"/> Initial Permit to Construct (PTC) <input type="checkbox"/> PTC Modification PTC No. _____ Issued Date _____ <input type="checkbox"/> Initial Tier II <input type="checkbox"/> Tier II Modification <input type="checkbox"/> Tier II Renewal Tier II No. _____ Issued Date _____ <input type="checkbox"/> Initial Tier I <input type="checkbox"/> Tier I Administrative Amendment Tier I No. _____ Issued Date _____ <input type="checkbox"/> Tier I Minor Modification <input type="checkbox"/> Tier I Significant Modification <input type="checkbox"/> Tier I Renewal	
16. For Tier I permitted facilities only: If you are applying for a PTC then you must specify how the PTC will be incorporated into the Tier I permit.		<input type="checkbox"/> Incorporate PTC at the time of Tier I renewal (IDAPA 58.01.01.209.05.a) <input type="checkbox"/> Co-process PTC with Tier I Modification (IDAPA 58.01.01.209.05.b) <input type="checkbox"/> Administrative amend the Tier I to incorporate PTC upon applicant's request (IDAPA 58.01.01.209.05.c)	
17. <input checked="" type="checkbox"/> Check here to request facility draft permit before final issuance.			
18. <input type="checkbox"/> Check here to request a permit hand-off meeting.			

Certification of Truth, Accuracy, and Completeness (by Responsible Official)

I hereby certify that based on information and belief formed after reasonable inquiry, the statements and information contained in this and any attached and/or referenced document(s) are true, accurate, and complete in accordance with IDAPA 58.01.01.123 124.


 Responsible Official Signature
 Nelson Mast
 Print or Type Responsible Official Name

president
 Responsible Official Title
 9-8-2022
 Date

3rd party hired by Mast gave DEQ the report. DEQ Did NOT come to location on this date



October 31, 2023

Transmitted by email: nelson@panhandledoor.com

Nelson Mast, President
Panhandle Door Inc.
168 Pothole Rd
Bonners Ferry, Idaho 83805

Subject: September 20, 2023 Hazardous Waste Compliance Inspection Warning Letter, Panhandle Door Inc., EPA ID No. IDR000208751

Nelson Mast,

This Warning Letter is to inform you of apparent violations of the Idaho Rules and Standards for Hazardous Waste, IDAPA 58.01.05.000 et seq., observed during a Hazardous Waste Management Act (HMWA) compliance inspection conducted by the Idaho Department of Environmental Quality (DEQ) at Panhandle Door Inc. (Panhandle Door) located at 168 Pothole Rd in Bonners Ferry, Idaho on September 20, 2023.

The apparent violations were as follows:

Violation No. 1: Failure to count monthly hazardous waste generation to determine generator category

Legal Provisions Violated: IDAPA 58.01.05.006, Rules and Standards for Hazardous Waste [40 CFR 262.13(a)(1-3)]

IDAPA 58.01.05.006 incorporates by reference 40 CFR 262.139(a)(1-3), which states in relevant part:

“A generator must determine its generator category. A generator’s category is based on the amount of hazardous waste generated each month and may change from month to month. This section sets forth procedures to determine whether a generator is a very small quantity generator, a small quantity generator, or a large quantity generator for a particular month, as defined in §260.10 of this chapter.

(a) Generators of either acute hazardous waste or non-acute hazardous waste. A generator who either generates acute hazardous waste or non-acute hazardous waste in a calendar month shall determine its generator category for that month by doing the following:

- (1) Counting the total amount of hazardous waste generated in the calendar month;
- (2) Subtracting from the total any amounts of waste exempt from counting as described in

paragraphs (c) and (d) of this section; and
 (3) Determining the resulting generator category for the hazardous waste generated using Table 1 of this section.

Table 1 to §262.13—Generator Categories Based on Quantity of Waste Generated in a Calendar Month

Quantity of acute hazardous waste generated in a calendar month	Quantity of non-acute hazardous waste generated in a calendar month	Quantity of residues from a cleanup of acute hazardous waste generated in a calendar month	Generator category
> 1 kg	Any amount	Any amount	Large quantity generator
Any amount	≥ 1,000 kg	Any amount	Large quantity generator
Any amount	Any amount	> 100 kg	Large quantity generator
≤ 1 kg	> 100 kg and < 1,000 kg	≤ 100 kg	Small quantity generator
≤ 1 kg	≤ 100 kg	≤ 100 kg	Very small quantity generator

At the time of the inspection, Panhandle Door, a generator of hazardous waste, failed to correctly count monthly hazardous waste generation to determine generator category. Panhandle Door was averaging monthly hazardous waste generation using the amount of hazardous waste shipped off site on manifests. Hazardous waste generator category is based on hazardous waste generated during each calendar month.

Violation No. 2: Failure to comply with satellite accumulation area labeling requirements

Legal Provisions Violated: IDAPA 58.01.05.006, Rules and Standards for Hazardous Waste [40 CFR 262.15(a)(5)(i-ii)]

IDAPA 58.01.05.006 incorporates by reference 40 CFR 262.15(a)(5)(i-ii), which states in relevant part:

“A generator must mark or label its container with the following:
 (i) The words “Hazardous Waste” and
 (ii) An indication of the hazards of the contents (examples include, but are not limited to, the applicable hazardous waste characteristic(s) (i.e., ignitable, corrosive, reactive, toxic); hazard communication consistent with the Department of Transportation requirements at 49 CFR part 172 subpart E (labeling) or subpart F (placarding); a hazard statement or pictogram consistent with the Occupational Safety and Health Administration Hazard Communication Standard at 29 CFR 1910.1200; or a chemical hazard label consistent with the National Fire Protection Association code 704).”

At the time of the inspection, Panhandle Door, a Small Quantity Generator (SQG) of hazardous waste, failed to comply with satellite accumulation area labeling requirements. One 5-gallon container of hazardous waste paint (EPA waste codes F003, F005, D001, D007, D035) in the Box Finish Area was not labeled with the words “Hazardous Waste” or an indication of the hazards of the contents. A label with the words “Hazardous Waste” and an indication of the hazards of the contents was placed on the container during the inspection.

Violation No. 3: Failure to comply with excess satellite accumulation area container labeling requirements

Legal Provisions Violated: IDAPA 58.01.05.006, Rules and Standards for Hazardous Waste [40 CFR 262.15(a)(6)]

IDAPA 58.01.05.006 incorporates by reference 40 CFR 262.15(a)(6), which states in relevant part:

- “(6) A generator who accumulates either acute hazardous waste listed in §261.31 or §261.33(e) of this chapter or non-acute hazardous waste in excess of the amounts listed in paragraph (a) of this section at or near any point of generation must do the following:
- (i) Comply within three consecutive calendar days with the applicable central accumulation area regulations in §262.16(b) or §262.17(a), or §262.15(a)(6)(i)
 - (ii) Remove the excess from the satellite accumulation area within three consecutive calendar days to either:
 - (A) A central accumulation area operated in accordance with the applicable regulations in §262.16(b) or §262.17(a);
 - (B) An on-site interim status or permitted treatment, storage, or disposal facility, or
 - (C) An off-site designated facility; and
 - (iii) During the three-consecutive-calendar-day period the generator must continue to comply with paragraphs (a)(1) through (5) of this section. The generator must mark or label the container(s) holding the excess accumulation of hazardous waste with the date the excess amount began accumulating.”

At the time of the inspection, Panhandle Door, a SQG of hazardous waste, failed to comply with excess satellite accumulation area container labeling requirements. One full 55-gallon drum containing hazardous waste paint (EPA waste codes F003, F005, D001, D007, D035) was located at the Door Finish Area that was not marked/labeled with the date that it became full. Panhandle Door marked the date of September 19, 2023 on the drum during the inspection, which was less than three days previous.

Violation No. 4: Failure to comply with emergency procedures posting requirements

Legal Provisions Violated: IDAPA 58.01.05.006, Rules and Standards for Hazardous Waste [40 CFR 262.16(b)(9)(ii)(A-C)]

IDAPA 58.01.05.006 incorporates by reference 40 CFR 262.16(b)(9)(ii)(A-C), which states in relevant part:

- “The small quantity generator must post the following information next to telephones or in areas directly involved in the generation and accumulation of hazardous waste:
- (A) The name and emergency telephone number of the emergency coordinator;
 - (B) Location of fire extinguishers and spill control material, and, if present, fire alarm; and
 - (C) The telephone number of the fire department, unless the facility has a direct alarm.”

At the time of the inspection, Panhandle Door, a SQG of hazardous waste, failed to comply with emergency procedures posting requirements. A posting with the emergency coordinators name and phone number was located in the Paint Store. However, a posting was not located next to telephones or in areas directly involved in the generation and accumulation of hazardous waste that included the location of fire extinguishers or the telephone number of the fire department.

Violation No. 5: Failure to comply with preparedness and prevention arrangements with local authorities

Legal Provisions Violated: IDAPA 58.01.05.006, Rules and Standards for Hazardous Waste [40 CFR 262.16(b)(8)(vi)(A-C)]

IDAPA 58.01.05.006 incorporates by reference 40 CFR 262.16(b)(8)(vi)(A-C), which states in relevant part:

“(vi) Arrangements with local authorities. (A) The small quantity generator must attempt to make arrangements with the local police department, fire department, other emergency response teams, emergency response contractors, equipment suppliers and local hospitals, taking into account the types and quantities of hazardous wastes handled at the facility. Arrangements may be made with the Local Emergency Planning Committee, if it is determined to be the appropriate organization with which to make arrangements.

(1) A small quantity generator attempting to make arrangements with its local fire department must determine the potential need for the services of the local police department, other emergency response teams, emergency response contractors, equipment suppliers and local hospitals.

(2) As part of this coordination, the small quantity generator shall attempt to make arrangements, as necessary, to familiarize the above organizations with the layout of the facility, the properties of hazardous waste handled at the facility and associated hazards, places where facility personnel would normally be working, entrances to roads inside the facility, and possible evacuation routes as well as the types of injuries or illnesses that could result from fires, explosions, or releases at the facility.

(3) Where more than one police or fire department might respond to an emergency, the small quantity generator shall attempt to make arrangements designating primary emergency authority to a specific fire or police department, and arrangements with any others to provide support to the primary emergency authority.

(B) A small quantity generator shall maintain records documenting the arrangements with the local fire department as well as any other organization necessary to respond to an emergency. This documentation must include documentation in the operating record that either confirms such arrangements actively exist or, in cases where no arrangements exist, confirms that attempts to make such arrangements were made.

(C) A facility possessing 24-hour response capabilities may seek a waiver from the authority having jurisdiction (AHJ) over the fire code within the facility’s state or locality as far as needing to make arrangements with the local fire department as well as any other organization necessary to respond to an emergency, provided that the waiver is documented in the operating record.”

At the time of the inspection, Panhandle Door, a SQG of hazardous waste, failed to comply with preparedness and prevention arrangements with local authorities. Panhandle Door did not provide documentation that arrangements with local authorities or attempts to make arrangements were made.

Violation No. 6: Failure to comply with preparedness and prevention equipment requirements

Legal Provisions Violated: IDAPA 58.01.05.006, Rules and Standards for Hazardous Waste

IDAPA 58.01.05.006 incorporates by reference 40 CFR 262.16(b)(8)(ii)(A-D), which states in relevant part:

“All areas where hazardous waste is either generated or accumulated must be equipped with the items in paragraphs (b)(8)(ii)(A) through (D) of this section (unless none of the hazards posed by waste handled at the facility could require a particular kind of equipment specified below or the actual waste generation or accumulation area does not lend itself for safety reasons to have a particular kind of equipment specified below). A small quantity generator may determine the most appropriate locations to locate equipment necessary to prepare for and respond to emergencies.

- (A) An internal communications or alarm system capable of providing immediate emergency instruction (voice or signal) to facility personnel;
- (B) A device, such as a telephone (immediately available at the scene of operations) or a hand held two-way radio, capable of summoning emergency assistance from local police departments, fire departments, or State or local emergency response teams;
- (C) Portable fire extinguishers, fire control equipment (including special extinguishing equipment, such as that using foam, inert gas, or dry chemicals), spill control equipment, and decontamination equipment; and
- (D) Water at adequate volume and pressure to supply water hose streams, or foam producing equipment, or automatic sprinklers, or water spray systems.”

At the time of the inspection, Panhandle Door, a SQG of hazardous waste, failed to comply with preparedness and prevention equipment requirements. Panhandle Door did not have an internal communications or alarm system capable of providing immediate emergency instruction (voice or signal) to facility personnel.

Violation No. 7: Failure to manage solvent-contaminated wipes as hazardous waste or comply with disposal exclusion requirements

Legal Provisions Violated: IDAPA 58.01.05.005, Rules and Standards for Hazardous Waste [40 CFR 261.4(b)(18)(i-vi)]

IDAPA 58.01.05.005 incorporates by reference 40 CFR 261.4(b)(18)(i-vi), which states in relevant part:

“Solvent-contaminated wipes, except for wipes that are hazardous waste due to the presence of trichloroethylene, that are sent for disposal are not hazardous wastes from the point of generation provided that

- (i) The solvent-contaminated wipes, when accumulated, stored, and transported, are contained in nonleaking, closed containers that are labeled “Excluded Solvent-Contaminated Wipes.” The containers must be able to contain free liquids, should free liquids occur. During accumulation, a container is considered closed when there is complete contact between the fitted lid and the rim, except when it is necessary to add or remove solvent-contaminated wipes. When the container is full, or when the solvent-contaminated wipes are no longer being accumulated, or when the container is being transported, the container must be sealed with all lids properly and securely affixed to the container and all openings tightly bound or closed sufficiently to prevent leaks and emissions;
- (ii) The solvent-contaminated wipes may be accumulated by the generator for up to 180 days

- from the start date of accumulation for each container prior to being sent for disposal;
- (iii) At the point of being transported for disposal, the solvent-contaminated wipes must contain no free liquids as defined in §260.10 of this chapter.
 - (iv) Free liquids removed from the solvent-contaminated wipes or from the container holding the wipes must be managed according to the applicable regulations found in 40 CFR parts 260 through 273;
 - (v) Generators must maintain at their site the following documentation:
 - (A) Name and address of the landfill or combustor that is receiving the solvent-contaminated wipes;
 - (B) Documentation that the 180 day accumulation time limit in 40 CFR 261.4(b)(18)(ii) is being met;
 - (C) Description of the process the generator is using to ensure solvent-contaminated wipes contain no free liquids at the point of being transported for disposal;
 - (vi) The solvent-contaminated wipes are sent for disposal
 - (A) To a municipal solid waste landfill regulated under 40 CFR part 258, including 40 CFR 258.40, or to a hazardous waste landfill regulated under 40 CFR parts 264 or 265; or
 - (B) To a municipal waste combustor or other combustion facility regulated under section 129 of the Clean Air Act or to a hazardous waste combustor, boiler, or industrial furnace regulated under 40 CFR parts 264, 265, or 266 subpart H."

At the time of the inspection, Panhandle Door, a SQG of hazardous waste, stated that they were disposing of solvent-contaminated wipes in the garbage that is sent to a solid waste landfill. Solvent contaminated wipes must be managed as hazardous waste or under the solvent-contaminated wipes exclusion requirements.

Requested Action

To fully resolve Violations No. 1 and Violations No. 4 through No. 7, DEQ requests a written response within fifteen (15) days of receipt of this letter. The response should address the violations listed above and the actions which have been taken, or will be taken, to return to compliance and to ensure future compliance with the requirements of the Idaho Rules and Standards for Hazardous Waste.

Failure to submit the information required within fifteen (15) days may result in additional enforcement action including the issuance of a Notice of Violation or the filing of a court complaint against Panhandle Door.

Inquires or correspondence concerning this Warning Letter should be directed to Jeremiah Thomas at (208) 373-0154, Jeremiah.Thomas@deq.idaho.gov, or

Idaho Department of Environmental Quality
Attn: Jeremiah Thomas
1410 N Hilton St
Boise, ID 83706

Sincerely,

A handwritten signature in black ink that reads "Natalie Walker". The signature is written in a cursive, flowing style.

Natalie Walker
Hazardous Waste Bureau Chief
Waste Management and Remediation Division

ec: Caroline Moores, DEQ-SO
Jeremiah Thomas, DEQ-SO
Kevin Aardahl, DEQ-CRO
Dean Kinney, DEQ-CRO
EDMS # 2023BCV314



February 28, 2024

Transmitted by email: nelson@panhandledoor.com

Nelson Mast, President
Panhandle Door Inc.
168 Pothole Rd
Bonners Ferry, ID 83805

Subject: Hazardous Waste Return to Compliance Letter, Panhandle Door Inc., EPA ID No.
IDR000208751

Nelson Mast,

This letter is in response to submittals received from Panhandle Door Inc. (Panhandle Door) regarding actions which have been taken, or will be taken, to ensure future compliance with the requirements described in the October 31, 2023 Warning Letter.

The responses from Panhandle Door to the October 31, 2023 Warning Letter appear to be adequate and appropriate and are sufficient to resolve the apparent violations of the HWMA and the Idaho Rules and Standards for Hazardous Waste (IDAPA 58.01.05). No further action on the part of Panhandle Door is necessary regarding the Warning Letter.

This letter does not relieve Panhandle Door from compliance with the HWMA and the Idaho Rules and Standards for Hazardous Waste in the future. Failure to comply with the HWMA or the Idaho Rules and Standards for Hazardous Waste in the future may result in additional enforcement action and the potential for monetary penalties for noncompliance.

Thank you for your cooperation in this matter. Please contact Jeremiah Thomas at (208) 373-0267 or Jeremiah.Thomas@deq.idaho.gov if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Natalie Walker".

Natalie Walker
Hazardous Waste Bureau Chief
Waste Management and Remediation Division

ec: Caroline Moores, DEQ-SO
Jeremiah Thomas, DEQ-SO
Dean Kinney, DEQ-CRO
Kevin Aardahl, DEQ-CRO
EDMS # 2024BCV140

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Hello Everyone:

The Maverick conditional use permit application is ready for your review and comments at file #24-0076. The application and transmittal are attached. Thank you.

Tess Vogot, Planner
Planning
Rae-Yeager & Associates, Inc.
219 Pine Street | Sandpoint, Idaho 83864
Office: 208.265.4629
planning@raeyea.com • raeyea.com
Engineers | Planners | Surveyor



Franklin International
MATERIAL SAFETY DATA SHEET

PPE Not
WORN!

MSDS Name: Titebond Original Wood Glue
MSDS Number: 5063
Revision Date: 6/14/04

SECTION 1 - CHEMICAL PRODUCT AND COMPANY IDENTIFICATION

Product Name: Titebond Original Wood Glue
CAS Number: none
HMIS Hazard Rating: Health: 1 Fire: 1 Reactivity: 0

Company Identification: Franklin International
2020 Bruck Street
Columbus OH 43207

Contact: Franklin Technical Services
Telephone/Fax: (800) 877-4583 (614) 445-1493
Emergency Phone (24 Hour): Franklin Security
(614) 445-1300
Chemtrec (24 Hour): (800) 424-9300
Chemtrec International: (703) 527-3887

Product Class: Aliphatic resin emulsion
Product Use: wood glue
Product Code: 2213

Division: Construction Adhesives & Sealants

SECTION 2 - COMPOSITION AND INFORMATION ON INGREDIENTS

Hazardous Ingredients	CAS Number	Percent
Product contains no hazardous ingredients or they are below reportable levels.		

OSHA PELs & ACGIH TLVs are listed in Section 8 where applicable.

SECTION 3 - HAZARD IDENTIFICATION

EMERGENCY OVERVIEW:

Yellow colored water-based adhesive. Slippery in the wet state.

ROUTES OF ENTRY:

Ingestion: Yes
Inhalation: Yes
Skin: Yes
Eye: Yes

INHALATION:

Vapors and/or aerosols which may be formed at elevated temperature may be irritating to eyes and respiratory tract.

No reported incidents of adverse health affects resulting from

inhalation of vapors at room temperature.

INGESTION:

No hazard expected in normal industrial use. Ingestion is not a likely route of exposure.

SKIN:

Prolonged or repeated skin contact can cause irritation.

EYE:

Substance may cause moderate eye irritation.

MEDICAL CONDITIONS AGGRAVATED BY EXPOSURE:

None identified.

CARCINOGENICITY:

IARC: No

NTP: No

OSHA: No

REPRODUCTIVE TOXICITY:

This product has not been evaluated for reproductive toxicity.

SECTION 4 - FIRST AID MEASURES

INHALATION:

Remove patient to fresh air, if discomfort persists seek medical attention.

INGESTION:

Call poison control center immediately. Follow their specific instructions. Do not induce vomiting.

SKIN:

Wash with soap and water. Contact a physician if irritation develops or persists.

EYE:

Hold eyelids apart and flush with plenty of water for at least 15 minutes. Seek medical attention.

SECTION 5 - FIRE-FIGHTING MEASURES

Flammability Class (OSHA) IIIB

Flash Point: Not Applicable

Explosive Range: Not Applicable

EXTINGUISHING MEDIA:

Use alcohol foam, carbon dioxide, water spray, or ABC dry chemical when fighting fires involving this product.

HAZARDOUS COMBUSTION PRODUCTS:

Oxides of carbon.

FIRE FIGHTING PROCEDURES:

Wear a NIOSH approved self-contained breathing apparatus.

SECTION 6 - ACCIDENTAL RELEASE MEASURES

CONTAINMENT TECHNIQUES:

Use inert absorbent to dike the spill. Keep away from drains.

CLEAN-UP:

If possible pump liquid into an approved container or spread absorbent over spill and shovel product/absorbent mixture into an approved container. If product has dried scrape up and place in an approved container.

SECTION 7 - HANDLING AND STORAGE

HANDLING:

Empty drums should be completely drained, properly bunged and promptly returned to a reconditioner, or properly disposed of.

Use only in well ventilated area.

STORAGE:

Keep from freezing.

Store at temperatures between 50 F and 90 F.

PRECAUTIONARY STATEMENT:

Keep out of the reach of children.

SECTION 8 - EXPOSURE CONTROLS AND PERSONAL PROTECTION

Occupational Exposure Limits

ACGIH TLV ACGIH TLV-C ACGIH STEL OSHA STEL OSHA PEL

ENGINEERING CONTROLS:

Use local exhaust as needed to maintain occupational exposure limits.

OTHER:

Facilities storing or utilizing any chemical should be equipped with an eyewash facility and a safety shower.

RESPIRATORY PROTECTION:

Where exposure limits may be exceeded select a NIOSH approved respirator with appropriate Protection Factor and cartridge for the specific contaminants. Follow requirements for respiratory protection in OSHA 1910.134.

EYE PROTECTION:

Chemical splash goggles (ANSI Z87.1 or approved equivalent).

SKIN PROTECTION:

Where skin contact can occur, wear impervious gloves.

SECTION 9 - PHYSICAL AND CHEMICAL PROPERTIES

Form: Liquid
Appearance/Color: Yellow
Odor: Mild
Solubility (in water): Dispersible in water
pH Value: 4.8
Boiling Range/Point: 210.0F
Evaporation Rate: Slower than n-Butyl Acetate

% Volatile: 54.1%

Specific Gravity: 1.10

VOC: 10.7 g/l

SECTION 10 - STABILITY AND REACTIVITY

Stability: This product is stable
Hazardous Polymerization: Hazardous polymerization will not occur

CONDITIONS TO AVOID:

None.

INCOMPATIBILITY:

Strong acids and bases.

HAZARDOUS DECOMPOSITION PRODUCTS:

Oxides of carbon may be released during combustion.

SECTION 11 - TOXICOLOGICAL INFORMATION

Acute and chronic health effects are not expected as long as good industrial hygiene and safety precautions are followed.

SECTION 12 - ECOLOGICAL INFORMATION

This formulation has not been tested for environmental effects.

SECTION 13 - DISPOSAL CONSIDERATIONS

WASTE DISPOSAL:

Disposal of this product must comply with all applicable federal, state and local regulations.

CONTAINER DISPOSAL:

Disposal of this container should comply with all applicable federal, state and local regulations.

SECTION 14 - TRANSPORT INFORMATION

UN Number	none
UN Pack Group	N/A
UN Class	Nonhaz
ICAO/IATA Class	Nonhazardous
IMDG Class	Nonhazardous
Shipping Name	Nonhazardous

Packaging may not be approved for shipping by air. Please contact Franklin International for further information.

SECTION 15 - REGULATORY INFORMATION

TSCA (Toxic Substances Control Act Inventory):

All components of this product are listed on the TSCA inventory except as exempted.

PENNSYLVANIA:

Non-hazardous components required to be listed at 3% or more:
polyvinyl acetate emulsion 9003-20-7; polyvinyl alcohol 25213-24-5

NEW JERSEY:

polyvinyl acetate emulsion 9003-20-7; water 7732-18-5; polyvinyl alcohol 25213-24-5; petroleum hydrocarbon 64741-89-5; trade secret 80100233-5015p

SECTION 16 - OTHER INFORMATION

DISCLAIMER:

While the information and recommendations set forth herein are believed to be accurate as of the data hereof, Franklin International makes no warranty, express or implied, with respect thereto and disclaims all liability from reliance thereon.



Please see instructions on the following pages before filling out the form. All information is required unless otherwise noted.

FACILITY INFORMATION

1. Facility Name:	2. Facility ID Number:	3. Operating status:
Panhandle Door Inc.		<input checked="" type="checkbox"/> Operating <input type="checkbox"/> Planned <input type="checkbox"/> Under construction

PROJECT INFORMATION

4. Are you constructing a new facility at a new location (this is known as a greenfield facility)?		<input checked="" type="checkbox"/> Yes, go to question 8. <input type="checkbox"/> No, go to question 5.	
5. Are you modifying, revising or renewing an existing permit?		<input type="checkbox"/> Yes, go to question 6. <input type="checkbox"/> No, go to question 8.	
6. Existing permit number:		7. Permit issue date:	
8. NAICS Number: (see www.census.gov/eos/www/naics/)		321999	
9. Physical location of facility:	County	Street Address	City
	Boundary	168 Pot Hole Rd.	Naples
10. Specify permit application type:		<input checked="" type="checkbox"/> Permit to Construct <input type="checkbox"/> Tier II permit <input type="checkbox"/> Permit by Rule (PBR) <input type="checkbox"/> 15-Day Pre-Construction Approval <input type="checkbox"/> Tier I <input type="checkbox"/> Exemption	
11. Facility process description: (enter facility description below, or attach separate document to form)			
Build cabinet doors and boxes using kiln dried hardwoods. (Cut, shape, assemble, and sand hardwood lumber) 20% of doors receive finish			
12. Project description: (enter project description below, or attach separate document to form)			
Cabinet builder looking to get new permit for facility			

MEETING INFORMATION

13. Is the preapplication meeting required in response to a DEQ compliance or enforcement action? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
14. Propose (2) meeting dates and times:	First Preference:
	9/13/2016 10:00 AM
Second Preference:	
9/20/2016 10:00 AM	
15. List meeting attendees on Applicant's behalf: (list the attendees and the company they represent)	
Name(s) of attendee(s):	Representing (company's name):
Nelson Mast Al Casile	Panhandle Door Inc. DEQ – Air Quality Compliance
16. List consultant's name and company (if applicable):	
17. Will the meeting occur in person at DEQ's Boise office or will the meeting be a teleconference or will the meeting be both? (Check box below)	
<input type="checkbox"/> Meeting will be in person at the State Office in Boise <input checked="" type="checkbox"/> Meeting will be a teleconference <input type="checkbox"/> Meeting will be both a teleconference and in person	
18. Do you have questions for DEQ to consider before the meeting? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes If yes, attach a brief Word or PDF document with your questions.	

Note: The applicant is expected to review the following material prior to the preapplication meeting:
 - Emissions inventories
 - Regulatory review
 - Modeling, if required

Instructions for Pre-application Form

This form is designed to aid the applicant in preparing the information required to schedule a preapplication meeting. This form must be submitted before the preapplication meeting. In addition to completing the information described below, review the other information in this packet to adequately prepare for the preapplication meeting.

Facility information

1. Provide the facility name. If the facility is *doing business as* (dba) a facility different in name than the primary facility, provide the dba name.
2. Provide the facility identification number. Enter "New" if this pre-application meeting is for a new facility at a new location.
3. Choose the operating status of the facility

Project information

4. If you are constructing a new facility, check "yes".
5. If you already have a permit, and you are modifying, revising or renewing that permit, check "yes".
6. Provide the permit number of the permit you are modifying, revising, or renewing.
7. List the issue date of the permit.
8. Look up the North American Industry Classification System (NAICS) number for the facility using the link provided and enter the number to the right.
9. Provide the physical address of the facility beginning with the county where the facility is located, followed by the street address, city, and zip code.
10. Specify permit application type. Please visit the Idaho DEQ website for more information on permit types.
11. To have a successful preapplication meeting, a detailed facility **process description** must be provided to DEQ. The process description must be from raw material into the final product. For DEQ to appropriately determine which state and federal rules are required in an air permit, a source's process must be thoroughly understood. Attention to detail in developing the process description may eliminate certain unnecessary permit limitations that may be imposed on the source in the absence of an adequate process description. An adequate process description must be sent to DEQ before a preapplication meeting can be scheduled.

An example process description is included below for a lime railcar-loading facility:

Lime (calcium oxide) and hydrated lime (calcium hydroxide) is loaded into trucks from railcars. Lime may also be unloaded from trucks into railcars. ABC Lime uses a system of conveyors, bucket elevators, and pneumatic transfer system to accomplish loading and unloading of lime and hydrated lime.

Or, if the space present on the form is not adequate, you may send an attachment with the submittal in Word or PDF format. Block diagrams, flowcharts and diagrams may be included in the attachment as needed. Type the attachment name on the application in the space provided to the right hand side of facility process description.

12. An adequate **project description** must be sent to DEQ before a preapplication meeting can be scheduled. For example, the line railcar loading facility example above may request a change to an existing permit:

ABC Lime proposes to modify the current operations to allow pneumatic railcar unloading of lime and hydrated lime to trucks, and to control the emissions from

pneumatic transfer by a new ventilation system that will be connected to an existing baghouse (BH-002). Material will be pneumatically conveyed by a truck-mounted positive displacement blower. ABC Lime also wants to clarify that they did not install a screw conveyor (SC-4); was previously permitted to install. The physical changes at the facility consist solely of adding a new ventilation system to an existing baghouse (BH-002).

In the space provided to the right, enter the name of the Word or PDF document that describes the process to permit.

Meeting Information

13. Identify if this meeting is in response to a DEQ compliance or enforcement action.
14. Propose two meeting dates and times for the meeting to occur. Using the calendar dropdowns, choose the dates and then manually update the times. Allow at least 3-5 business days for meeting setup logistics.
15. List the names of all expected people attending the meeting. Include consultants, attorneys, and/or any other participants other than the primary facility permitting contact. For each attendee, in the column next to the attendee's name, specify what company that attendee is representing.
16. Name the consultant and the consulting firm company name (if applicable).
17. Check the appropriate box regarding meeting format. This is required as it is important for reserving DEQ resources for the meeting.

Submission Information

18. If you already have unique questions for which you have not found any information on the DEQ website, include an attachment with brief points for discussion during the meeting.

Reminder: Email all attachments named in the form along with the submission of this form.

From: [David Dewberry](mailto:David.Dewberry@phd1.idaho.gov)
To: eketner@phd1.idaho.gov; [commissioners](#); [prosecutor](#)
Cc: [Chaseinvestigation](#); [Jeff Steinborn](#); [ijones185021](#); [Kevinkleinworth](#); [Kevin Aardahl](#); [pr: idleginfo](#); [lsoweb](#); [SHerdon](#); [MSauter](#); sdixon@house.idaho.gov
Subject: Urgent Complaint of Immediate Danger to Idaho District 3 Citizens related to Hazardous conditions related to Zoning Violations at 167 Pot Hole Road, Naples, ID 83847
Date: Wednesday, June 26, 2024 10:30:05 AM

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Panhandle Health District, Boundary County Commissioners, Boundary County Prosecuting Attorney and Whom It May Concern,

I am a citizen of Boundary County, Idaho.

This is a complaint.

The longstanding and continued actions of the business located at 167 Pot Hole Road, Naples, ID, 83847 and otherwise know as Panhandle Door, Inc. (PDI) poses a serious and immediate threat to the health and welfare of my neighbors adjacent to and on all sides of the said business, including that of my family, and this is being done flagrantly and obviously to anyone observing.

Their actions are poisoning the air, ground and water while creating an egregious, chronic and ever present fire hazard that threatens our neighborhood.

None of these actions are lawfully permitted or within zoning laws.

Three people previously living in closest proximity to PDI have died in the past year and the most recent one was less than a month ago. All three who died had symptoms associated with the listed effects for the chemicals being exhausted into the air by PDI.

I fear for the safety of my neighbors and my family.

This is not the first complaint I have issued.

In accordance with your legal directives shown below, and for the safety of all those concerned, I humbly and urgently ask that you issue a cease and desist order as soon as possible, and then follow up with a review and investigate the violations.

This business is not lawful and does not belong in our neighborhood.

From your website: "REPORTING VIOLATIONS OF THE BOUNDARY COUNTY ZONING AND SUBDIVISION ORDINANCE

As an ordinance of Boundary County, the Boundary County Zoning and Subdivision Ordinance has the force of law and penalties for violations and the process for enforcing violations are outlined in Sections 4. Violations of this ordinance are considered a misdemeanor punishable by fines not to exceed \$1000 and/or imprisonment in the county jail not to exceed six months. In addition, the property owner may be required by the court to correct the violation at their own expense, which could mean removing any structure which violates the provisions of the zoning and subdivision ordinance.

Boundary County does not employ a building inspector or an officer or agent to seek out and prosecute violations of the ordinance, but relies instead on complaints from citizens. If you have reason to believe that a violation of this ordinance exists or is about to take place, you should notify the zoning administrator, providing the name of the owner of the property on which the violation may be occurring, the location of the property and the nature of the

alleged violation. This notification may be in writing, by telephone, fax or email. You may, if you choose, remain anonymous.

Upon receipt of complaint, the zoning administrator will determine if the complaint is valid and, if it appears that a violation exists, will send the property owner against whom the complaint was made a certified Notice of Violation setting forth the alleged violation(s), the provisions of the zoning and subdivision ordinance which apply and what actions, if any, can be taken to correct the violation. The property owner is then afforded a set amount of time to respond to the notice, either to refute the allegations or to establish a course of action to correct the violation. It is the intent of Boundary County to resolve violations without intervention by the courts whenever possible.

If the nature of the violation is deemed by the Board of County Commissioners to pose a threat to the health or welfare of the citizens of Boundary County, a cease and desist order will be issued by the Prosecuting Attorney pending review and investigation of the violation.

If the property owner fails to respond to the notice of violation in the established time frame, a copy of the complaint is forwarded to the Board of County Commissioners with a recommendation that the complaint be forwarded to the Prosecuting Attorney for further enforcement action."

Sincerely, With All Rights Reserved, Without Prejudice,

Jim "David" Dewberry
331 Pot Hole Road, Naples, ID 83847
daviddewberry@runbox.com
208-908-3170

From: [David Dewberry](#)
To: [Planning; eketner@phd1.idaho.gov; commissioners; prosecutor; dduffy; "Bill Wilson"; Clare Marley](#)
Cc: [Jeff Steinborn; jjones185021; Kevinkleinworth; Kevin Aardahl; prr; idleginfo; lsoweb; SHerndon; MSauter; sdixon@house.idaho.gov; Chaseinvestigations](#)
Subject: Re: Zoning and health complaint
Date: Monday, July 1, 2024 12:17:36 PM

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Thank you for the update Tess.

As a follow up at this time, I believe it is appropriate to point out a few more observations and also ask a few more questions:

Observations:

An existing employee shared with me that prior to the P&Z Dept. hearing this past Thursday, PDI conducted a company meeting with their employees where they stated that the neighbors were trying to shut down their business and, and thereby threatening their jobs. This is very concerning for a few reasons.

- First that would be a mischaracterization of my desired outcome. I would like to see them stop their polluting and clean up their pollution in our neighborhood and to then move to an appropriate location, where they can continue business without damaging neighbors, employees, nor the environment.
- Considering that while I was at the hearing, I was being harassed by some current employees, who are known to have previously been on the wrong side of criminal laws, I find this messaging in their company meeting very concerning and potentially further damaging to my neighbors and my family as it is potentially fomenting a physical threat to us, which others and myself are feeling.
- I also find it as inappropriate and scaremongering, for the owner Nelson Mast to have indicated he would have to leave the county if he had to move. He is implying that the only way to keep the current people employed and to keep PDI's contribution to the local economy intact, is to stay where they are currently located. This does not appear to be an accurate characterization of the circumstances and appears to be a tactic of discouraging the board from holding them accountable by alarming the employees and the P&Z Board with an underhanded ultimatum.

Considering how far down the path of approval PDI is getting with the absurd location they are in, it would seem that there is suitable land elsewhere in the county, where close neighbors would not be a factor, and where it would be very easy to get correctly permitted.

Furthermore, a pattern seems to be emerging and it is beginning to appear that there is credible reason to suspect bias in the presentation of facts, the conducting of the hearing and the resulting decision of the last hearing. This bias seems to be clearly for the interests of the owners of PDI, and against the interests of the residents around PDI and against the health and safety of PDI's employees, and against the interests of the community at large. Refer to my previous email attached for some of the reasons to suspect this.

From: David Dewberry
To: David Dewberry: eketner@phd1.idaho.gov; commissioners; prosecutor
Cc: Chaseinvestigation; Jeff Steinborn: jiones185021; Kevinkleinworth; Kevin Aardahl; prr; idleginfo; Isoweb; SHerdon; MSauter; sdixon@house.idaho.gov; chaseinvestigations
Subject: Attention; Correction to my email sent recently "Re: Urgent Complaint of Immediate Danger to Idaho District 3 Citizens related to Hazardous conditions related to Zoning Violations at 167 Pot Hole Road, Naples, ID 83847"
Date: Thursday, June 27, 2024 12:24:23 AM

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

To all concerned, and to those receiving my mistakenly sent email attached below, with misworded subject line that read "Urgent Complaint of Immediate Danger to Idaho District 3 Citizens related to Hazardous conditions related to Zoning Violations at 167 Pot Hole Road, Naples, ID 83847"

It was a mistakenly sent draft of an email, and therefore should be disregarded in its entirety, including the subject line and all content of the message.

Please forgive me,

Sincerely, With All Rights Reserved, Without Prejudice,

Jim "David" Dewberry

daviddewberry@runbox.com

On 2024-06-26 10:29 -07:00 PDT, "David Dewberry" wrote: > Panhandle Health District, Boundary County Commissioners, Boundary County Prosecuting Attorney and Whom It May Concern, >> I am a citizen of Boundary County, Idaho. >> This is a complaint. >> The longstanding and continued actions of the business located at 167 Pot Hole Road, Naples, ID, 83847 and otherwise know as Panhandle Door, Inc. (PDI) poses a serious and immediate threat to the health and welfare of my neighbors adjacent to and on all sides of the said business, including that of my family, and this is being done flagrantly and obviously to anyone observing. >> Their actions are poisoning the air, ground and water while creating an egregious, chronic and ever present fire hazard that threatens our neighborhood. >> None of these actions are lawfully permitted or within zoning laws. >> Three people previously living in closest proximity to PDI have died in the past year and the most recent one was less than a month ago. All three who died had symptoms associated with the listed effects for the chemicals being exhausted into the air by PDI. >> I fear for the safety of my neighbors and my family. >> This is not the first complaint I have issued. >> In accordance with your legal directives shown below, and for the safety of all those concerned, I humbly and urgently ask that you issue a cease and desist order as soon as possible, and then follow up with a review and investigate the violations. >> This business is not lawful and does not belong in our neighborhood. >> From your website: "REPORTING VIOLATIONS OF THE BOUNDARY

COUNTY ZONING AND SUBDIVISION ORDINANCE >> As an ordinance of Boundary County, the Boundary County Zoning and Subdivision Ordinance has the force of law and penalties for violations and the process for enforcing violations are outlined in Sections 4. Violations of the ordinance are considered a misdemeanor punishable by fines not to exceed \$1000 and/or imprisonment in the county jail not to exceed six months. In addition, the property owner may be required by the court to correct the violation at their own expense, which could mean removing any structure which violates the provisions of the zoning and subdivision ordinance. >> Boundary County does not employ a building inspector or an officer or agent to seek out and prosecute violations of the ordinance, but relies instead on complaints from citizens. If you have reason to believe that a violation of this ordinance exists or is about to take place, you should notify the zoning administrator, providing the name of the owner of the property on which the violation may be occurring, the location of the property and the nature of the alleged violation. This notification may be in writing, by telephone, fax or email. You may, if you choose, remain anonymous. >> Upon receipt of complaint, the zoning administrator will determine if the complaint is valid and, if it appears that a violation exists, will send the property owner against whom the complaint was made a certified Notice of Violation setting forth the alleged violation(s), the provisions of the zoning and subdivision ordinance which apply and what actions, if any, can be taken to correct the violation. The property owner is then afforded a set amount of time to respond to the notice, either to refute the allegations or to establish a course of action to correct the violation. It is the intent of Boundary County to resolve violations without intervention by the courts whenever possible. >> If the nature of the violation is deemed by the Board of County Commissioners to pose a threat to the health or welfare of the citizens of Boundary County, a cease and desist order will be issued by the Prosecuting Attorney pending review and investigation of the violation. >> If the property owner fails to respond to the notice of violation in the established time frame, a copy of the complaint is forwarded to the Board of County Commissioners with a recommendation that the complaint be forwarded to the Prosecuting Attorney for further enforcement action." >> Sincerely, With All Rights Reserved, Without Prejudice, >> Jim "David" Dewberry > 331 Pot Hole Road, Naples, ID 83847 > daviddewberry@runbox.com > 208-908-3170

From: [David Dewberry](#)
To: [Kevin Aardahl](#)
Cc: [Marc Kalbaugh; Chaseinvestigations](#)
Subject: Fwd:
Date: Thursday, June 20, 2024 7:08:47 AM

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Kevin,

This is communication I sent to Nelson, the owner of Panhandle Door Inc., before I was fully aware of the toxic paint fumes and potential hazardous condition of the thousands of tons of dirt from the highway that has been dumped on their property.

With yours and other's help, I hope that reason, safety and peace can be restored to my neighborhood.

The most critical concern right now is first to deal with the toxic varnish and paint product fumes that are being exhausted directly into my neighbor's back yard. I have seen and smelled the fumes coming directly from their exhausted system at ground level. It is absolutely dangerous, negligent, careless and offensive. My neighbors have had three recent deaths in the family at that home and there is physical evidence of the toxins being expelled on to their property. This should stop immediately.

Please let me know how I can help you to help us restore safety and to help Panhandle Door Inc. to stop hurting their neighbors and the environment.

I will forward you a public records request response I received, with attachments, along with other information I may be able to retrieve.

Kindly,

David Dewberry

208-908-3170

daviddewberry@runbox.com

----- Forwarded message -----

From: "David Dewberry" <daviddewberry@runbox.com>

Time: 2024-03-31 20:43 -07:00 PDT

Subject: undefined

To: "nelson" <nelson@panhandledoor.com>

CC: "kevinkleinworth" <kevinkleinworth@gmail.com>"jjones185021"
<jjones185021@gmail.com>"planning" <planning@ruenyeager.com>"dduffy"
<dduffy@phd1.idaho.gov>"eketner" <eketner@phd1.idaho.gov>"info"
<info@panhandlehealthdistrict.org>"commissioners"
<commissioners@boundarycountyid.org>"bill.wilson" <bill.wilson@bonnerco.id.gov>

Hello Nelson,

I need to apologize to you. After we spoke in person a couple Saturdays ago about the noise, sewage and trash, I left feeling concerned about your response, and it felt like time was of the essence. Consequently, in a heightened state of concern and with with a better sense of your intentions, I emailed complaints to government, without copying you. In retrospect, I regret not also voicing my complaint to you first about the pollution of the environment and water your business' dumping is doing on your back property. Please forgive me for not asking you directly for a solution to the dumping first.

However, I hope you can understand that seeing as we have complained about the noise since you started the swing shift nearly three years ago, and considering we have made multiple requests in person, via text and with audio recordings from my home to implore you to restore the peace in our neighborhood in the evenings, our confidence in your resolve to fix our mounting problems waned as time dragged on, with countless disrupted evenings, not to mention the incessant noise of trucks dumping dirt and clanging their tail gates every few minutes for months on end during the day. Our last meeting confirmed that you had not taken me seriously.

This is also why I have copied some of the concerned parties.

These patterns have caused us to seek more understanding of the circumstances around our neighborhood and your business.

I don't know how much of this you are aware of, but this is what I have discovered about the parcels your business is operating on.

Zoning:

The parcels are zoned Agricultural/Forestry, not Industrial. This makes sense, considering that:

- They include and are surrounded on three sides by year round ponds & flowing water, from which, your homesteaded neighbors pull water.
 - My family's sole water source is a shallow well in that water system.
 - Our neighbors downstream have a shallow well also that is part of that water system.
 - Yet another neighbor is counting on his pond as an emergency water source.
 - This entire water system is a throughfare for big game and wildlife as well.
 - It is prime agricultural and forestry land, with great hunting opportunities.
- The parcels you are operating on are effectively on a peninsula in this water system and all the non-organic, petroleum based and other chemical run-off, from your parking, dumping, painting and cleaning operations, potentially ends up there to likely flow beyond.

Special Use Permit Violations:

- A permit was issued in 2005 in that the application material and testimony met the criteria of the Boundary County Comprehensive Plan in that:
 - "The use proposed provides the applicant the use of their property in their own best interests **with little to no demonstrated adverse affects on the health and safety of neighboring property owners and without denying neighbors the same inherent rights.**"
 - This criteria is not being met on multiple counts.
 - Noise
 - Environmental pollution
 - Excessive Dust
 - Excessive Trash
 - Excessive daily traffic, including several semi trucks and dump trucks on a single lane road
 - Inherent rights of neighbors have been denied for many years.
 - **"That this enterprise is directly related to forestry..."**
 - One can argue that a large painting operation does not directly relate to forestry, nor does receiving cut lumber from distributors, as raw materials to feed a manufacturing operation.
 - **"imposing little to no adverse impact on... the flow of traffic in the area or on increased demand to the Boundary County Landfill."**
 - I frequently struggle to enter and exit my property safely, due to the heavy vehicle and semi truck traffic on a single late dirt road with a sloped, sharp 90 degree turn immediately adjacent the highway.
 - Our only ingress and egress has been blocked many times from semi trucks and vehicles, from your business, getting stuck or breaking down on Pot Hole Road.
- Records indicate that a permit was issued... **"To operate a shop to build cabinet doors, dovetail drawer boxes, and moldings situated in a 40'x130' metal shop building on five acres separated from their twenty (20) acre parcel identified as RP61N01E290900. Hours of operation are 6:00 a.m.-2:30 p.m., with an average of six to eight vehicles per day. The product is delivered with Panhandle Kitchen & Door's private vehicle and trailer."**
- The permit further reads...**"This Special Use Permit shall not be changed or amended except by application for a new Special Use Permit. This permit does not waive additional permit requirements established by the Boundary County Zoning and Subdivision Ordinances nor from any applicable state or federal law."**
 - A new application has only recently been made following a series of complaints and after years of non-compliance and damage to neighbors as a direct result of the business operations. This is not what was intended or approved by the permit issued nearly 20 years ago.

Sewage:

- The parcel's sewage system is permitted under the premise of it being for an individual single family residence with 2 bedrooms with 4 people and no garbage disposal, with the drain field being no more than four feet below the ground surface and following the contour of the existing land.
 - However:

The system is currently draining sewage from:

- A business of about 90 full time employees
- A large indoor painting operation using a utility sink to clean tools and equipment containing hazardous chemicals.
- Daily cleaning, with hazardous chemicals, of large bathrooms, break areas and kitchen areas.
- A steady and ever present stream of sub-contractors.
- A steady stream of customers.
- A steady stream of visitors.
- The original drain field location, that was on a slope, has been covered with several feet of fill dirt.
- Without a permit, and proper due diligence (you did not ask neighbors about potential impact):
 - A new system has been installed uphill and near our surface ground water, which I explained earlier, we depend on for all our water needs, and which also flows to all of your surrounding neighbors' properties, on three sides.

Disturbing the Peace:

- The disturbance of the peace of the surrounding area is incessant, nearly continuous and far reaching:
 - We have endured incessant noise from your business that disturbs the peace nearly around the clock 5 to 6 days a week.
 - I have received testimony that the business operations are heard from at least as far as 937 Pleasant Valley Loop to 1957 Pleasant Valley Loop..
 - Your neighbors endure a steady cocophony nearly around the clock from semi trucks, vehicles, dump trucks, tractors, dust collectors and chippers.
 - These disturbances were not approved in the Special Use Permit.
 - For nearly three years, I have asked for at least a reprieve from the noise in the evenings, to no avail.

Traffic:

- Pot Hole Road is definitely not suitable for your current operations.
- There is no safe and suitable ingress and egress point to the highway for your business operations here, involving heavy in and out flows of vehicles, semi trucks and dump trucks.
- Your traffic has frequently completely blocked ingress and egress for all your Pot Hole Road neighbors as well as your numerous employees. At the wrong time, that could be catastrophic for someone in need of medical attention.

Summary:

- We have only begun to seek the truth around these circumstances. There is more research that can and will be done, if necessary, in order to fully understand the circumstances around the damages your operation has and continues to cause in terms of, but not limited to safety, property values, environment, health, lost opportunities and distress.
- As facts and circumstances surface, it would appear that your culture of operations is one of disregarding the well being of your neighbors, if it would curtail growth

aspirations or increase short term costs. I hope this is not a consequence of operating under the protection of Maverick LLC, or something of that nature, as it is not very neighborly.

- We can not speak for our neighbors, but we are not interested in pursuing compensation for damages at this time.
- We are, however, resolved to use all available information and resources to lawfully and legally halt the continuation of damages being inflicted.
- We are weary of this, and there me be some assumptions I have mistakenly made, but taken as a whole, we have a strong case for legitimate complaint, and I suspect with further research, that case will only become stronger. I only point this out in hopes that you will choose to not engage us in a costly legal battle. It would not be the first time I have successfully defended my families property rights. I hope you would choose to look a the facts, and listen to reason and do what is right.

In conclusion, we sincerely hope your business continues to thrive and to benefit all concerned, but also ask that you change direction, in order to cease operations in your current location. We respectfully ask that you find a suitable industrial property to relocate to or seek a permit elsewhere, where there will not be adverse impacts. We also ask that you remove the unpermitted septic drain field, clean up the dumping ground behind your property and warn your neighbor south of you about possible contamination of their well. One of our neighbors has expressed that they may pursue action from multiple environmental protection agencies. Also, please do not subject us to another round of incessant dump truck traffic bringing in large industrial scale quantities of dirt.

Please forgive me for my directness and decision to include others in this unpleasant action, but it seems necessary. I do not mean to offend. I sincerely hope we can navigate these challenges and find a better footing to move forward in the community.

Respectfully,

With All Rights Reserved, Without Prejudice,

Jim "David" Dewberry

331 Pot Hole Road

Naples, ID 83847

208-908-3170

daviddewberry@runbox.com

From: [David Dewberry](#)
To: [Kevin Aardahl](#)
Cc: [Chaseinvestigations](#)
Subject: Fwd: Boundary County Planning: PRR for RP61N01E290900A, 168 Pot Hole Road
Date: Thursday, June 20, 2024 7:26:44 AM
Attachments: [image001.png](#)
[05-07 CUP.pdf](#)
[23-0026 PLA.pdf](#)
[PRR for RP61N01E290900A.pdf](#)

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Kevin and Whom it May Concern,

Please see attachments.

This proves that Panhandle Door Inc. is not zoned nor permitted to be doing any of the activities they are currently doing. I believe that my complaints are the only reason they are now seeking a permit for expanding their buildings. I believe this, because recently, they have build major additions to their buildings with no permit, installed a septic drain field with no permit, burned industrial waste with no permit, dumped industrial trash in a watershed are with no permit, and have dumped thousands of tons of potentially toxic highway roadside dirt on the land and covered their only active septic system in the process.

This business is grossly negligent, and the consequences of their actions have and will continue to threaten peoples safety and the health of the environment that is a water source for large groups of game.

Will you please consider helping us to stop the permitting of their expansion?

A public planning & zoning meeting is scheduled in Bonners Ferry this month on Thursday June 27th, and we are very concerned that the permit will be wrongly issued.

Kindly,

Jim "David" Dewberry

208-908-3170

daviddewberry@runbox.com

----- Forwarded message -----

From: "David Dewberry" <daviddewberry@runbox.com>
Time: 2024-05-16 22:08 -07:00 PDT

Subject: Fwd: Boundary County Planning: PRR for RP61N01E290900A, 168 Pot Hole Road
To: "chaseinvestigations" <chaseinvestigations@aol.com>

----- Forwarded message -----

From: "Planning" <planning@ruenyeager.com>

Time: 2024-03-28 09:09 -07:00 PDT

Subject: Boundary County Planning: PRR for RP61N01E290900A, 168 Pot Hole Road

To: "" <daviddewberry@runbox.com>

CC: "Ben Jones" <bjones@boundarycountyid.org>

Hello:

Please see the records for your public records request for 1638 Pot Hole Road, parcel RP61N01E290900A. This completes your public records request. Thank you.

Tess Vogel, Planner

Planning

Ruen-Yeager & Associates, Inc.

219 Pine Street | Sandpoint, Idaho 83864

Office: 208.265.4629

planning@ruenyeager.com • ruenyeager.com

Engineers | Planners | Surveyor



From: [David Dewberry](#)
To: [Kevin Aardahl](#)
Cc: [marc.kallbaugh; Chaseinvestigations](#)
Subject: Fwd: FW: Zoning and Environment Violation Complaint
Date: Thursday, June 20, 2024 7:12:40 AM
Attachments: [image001.png](#)

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----- Forwarded message -----

From: "David Dewberry" <daviddewberry@runbox.com>
Time: 2024-05-16 21:57 -07:00 PDT
Subject: Fwd: FW: Zoning and Environment Violation Complaint
To: "chaseinvestigations" <chaseinvestigations@aol.com>

----- Forwarded message -----

From: "David Dewberry" <tmhllc@runbox.com>
Time: 2024-04-09 07:20 -07:00 PDT
Subject: Fwd: FW: Zoning and Environment Violation Complaint
To: "kevinkleinworth" <kevinkleinworth@gmail.com>"jjones185021" <jjones185021@gmail.com>

FYI...

----- Forwarded message -----

From: "Kathryn Kolberg" <KKolberg@phd1.idaho.gov>
Time: 2024-04-05 11:39 -07:00 PDT
Subject: FW: Zoning and Environment Violation Complaint
To: "David Dewberry" <tmhllc@runbox.com>
CC: "Jeremiah Johnson" <jjohnson@phd1.idaho.gov>"commissioners" <commissioners@boundarycountyid.org>"Planning" <planning@ruenyeager.com>"Erik Ketner" <EKetner@phd1.idaho.gov>"Don Duffy" <DDuffy@phd1.idaho.gov>"Jason Peppin" <JPeppin@phd1.idaho.gov>"Kristie May" <kristie.may@deq.idaho.gov>

Good Morning, Mr. Dewberry –


Panhandle Health District (PHD) received the complaint (below) that was submitted to our office regarding the property at 167 Pot Hole Road in Naples, ID. PHD has been in communication with the Planning Dept, Idaho DEQ and the landowners, and we are working on a resolution to this matter. The landowners submitted a septic permit application to our office, and we conducted a septic site evaluation yesterday.

PHD observed a recent septic system that was installed without a septic permit and determined that it does not meet current standards, so it cannot be approved for use. Prior to issuance of a new septic permit for the domestic strength wastewater generated by the commercial operation, they will need to complete the septic permitting process with PHD so we can verify the proposal is compliant with Idaho subsurface sewage disposal rules (IDAPA 58.01.03) & installed correctly. The applicants will need to submit a Non-Domestic Wastewater Checklist & Letter of Intended Use describing the details of their operation and the type(s) of wastewater generated. They may need to work with DEQ, depending on what operations they conduct & the type of wastewater streams they generate.

Some of the concerns expressed below are outside of PHD's jurisdiction, but the ones that we can address, we are actively working on.

Thank you & have a nice weekend,

Kathryn

	<p>Kathryn Kolberg Environmental Health Program Manager</p> <p>2101 W. Pine St., Sandpoint, ID 83864</p> <p>Office: 208-265-6384</p> <p>Email: kkolberg@phd1.idaho.gov</p> <p>Web: Panhandlehealthdistrict.org</p>
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From: Planning <planning@ruenyeager.com>

Sent: Monday, March 25, 2024 8:43 AM

To: Jeremiah Johnson <jjohnson@phd1.idaho.gov>; Kathryn Kolberg <KKolberg@phd1.idaho.gov>; kristie.may@deq.idaho.gov

Subject: FW: Zoning and Environment Violation Complaint

CAUTION: This message originated outside of Panhandle Health District. Do not click links or open attachments unless you recognize the sender, are expecting something from them, and know the content is safe. Please forward spam & phishing emails to IT Support.

Hello Everyone:

A complaint regarding a business expansion in Boundary County was submitted and noted concerns for the septic system(s) installed and possible contamination issues. The complainant requested this be sent to your agencies. Thank you.

Tess Vogel, Planner

Planning

Ruen-Yeager & Associates, Inc.

219 Pine Street | Sandpoint, Idaho 83864

Office: 208.265.4629

planning@ruenyeager.com • ruenyeager.com

Engineers | Planners | Surveyor



From: David Dewberry <tmhlc@runbox.com>

Sent: Sunday, March 24, 2024 10:00 PM

To: Planning <planning@ruenyeager.com>; dduffy <dduffy@phd1.idaho.gov>; eketner <eketner@phd1.idaho.gov>; info <info@panhandlehealthdistrict.org>; commissioners <commissioners@boundarycountyid.org>

Cc: jjones185021 <jjones185021@gmail.com>; kevinkleinworth <kevinkleinworth@gmail.com>

Subject: Zoning and Environment Violation Complaint

3-24-2024

To Whom It May Concern in Government, including but not limited to Boundary County Planning and Zoning, Panhandle Health District and Boundary County Commissioners,

Please forward this email to all appropriate government offices.

We are submitting a complaint for zoning and environmental violations by a neighboring business at 167 Pot Hole Road, Naples, Idaho.

We have been patient with these, our neighbors, and tried to be understanding, but their actions and responses indicate that they do not intend to reciprocate with respect for our rights, nor have we seen meaningful actions which would indicate their intent to cease their careless, unlawful and damaging actions moving forward.

Their property is, for the area it seems, appropriately zoned AgForest, yet they are unlawfully operating a large industrial manufacturing business that 3 years ago operated from 6am to 2:30pm Monday through Friday, but now operates nearly around the clock 5am-3am, Monday through Saturday morning, and often leaves noisy equipment running 24 hours a day. As I explained to both owners, they would surely not tolerate this if they were on the receiving end of their actions. This needs to cease. Their dust collection system runs the entire time and is disturbing the peace for several neighbors and us, and if not corrected, we will increase our complaint through government, until the nuisance is ceased and accountability is given where appropriate.

Stretching back for nearly three years, I have tried to address this disturbance of the peace problem directly with the owners. I initially asked the owners to find a less disturbing way to operate in the evenings and weekends, to no avail.

However, having recently been driven to investigate the circumstances further, it appears that the owners of the business are violating many laws, and seem to think the answer is to now legitimize their actions after the fact, changing zoning and getting retroactive approvals from government. We sincerely hope that this strategy is not condoned by anyone in government. That would be alarming.

More recently, the business has installed a septic drain field, with out a permit, that is situated adjacent our property on a hill, in a place where, if used, will contaminate the standing surface water and shallow water table of theirs, our neighbors and most directly our land. Since I have challenged it, they have now expressed that they aim to have it permitted after the fact. This is unacceptable and in my opinion very careless, as they are generating the wastewater from roughly 90 full time employees, plus a steady stream of sub-contractors and operating a large painting operation that utilizes a utility sink to wash their tools and hardware containing hazardous chemicals. If this waste is handled in this way, it will cause irreversible and extreme damage to the surrounding lands and waters that includes several large ponds and streams that run a long distance and supply many properties. If this is not reversed, and does in fact get permitted after the violation, it would be unacceptable.

In connection with the scope of their illegitimate growth in their current location, there is an ongoing wave of trash blowing onto our property. They have, however, expressed that they plan to install a fence to stop the trash. Accounting for my experience with them over the past three years, I am not optimistic that I will not be left to continue to pick up their trash for some time, but we shall see.

In summary, my understanding at this phase of research, is that the business was permitted under previous owners 24 years ago when it was a small business with 10 employees. The business has since grown by roughly a magnitude of 10, without consideration of neighbors, laws and the environment. They are dumping plywood and other chemical containing wood products on their adjacent property behind them, from which the chemicals will surely run off into the same ponds and streams that are downstream from our water systems, and stands to contaminate water that much wildlife and many people rely upon. They are operating incessant and non-stop noisy equipment nearly around the clock, 5 days a week, and they have most recently violated Panhandle Health District Requirements, by installing, without a permit a septic drain field in a terrible location and which is meant to handle sewage for nearly 100 full time workers and sub-contractors, along with hazardous materials waste.

This all needs to cease. It is out of control. Furthermore, the generally non-compliant use of this property needs to cease. It is damaging to neighbors and to the rule of law. If needs be, we will represent ourselves and pull in all available resources at all levels, in order to seek remedy and accountability where appropriate. Furthermore, if attempts to retroactively legitimize any of these unlawful and damaging actions are approved by government, we will pull in all available resources to bring accountability and recompense for any such actions.

In conclusion, neighbors and the surrounding environment should be protected from this business' actions. The business should be required to relocate immediately, to a suitable and existing industrial zone, and be watched carefully. Since profit seems to be their sole motivator, I believe they may discover that it would cost less to move, than to continue the way they are.

Thank you for your attention to these matters, and I will sincerely appreciate your response and direction as we continue to seek solutions for all concerned.

In the absence of a favorable response, an official petition and further public awareness is to follow.

With All Rights Reserved, Without Prejudice,

Jim "David" Dewberry

331 Pot Hole Road

Naples, ID 83847

208-908-3170

daviddewberry@runbox.com

From: [David Dewberry](#)
To: [commissioners; prosecutor](#)
Cc: [Jeff Steinborn; jiones185021; Kevinkleinworth; Kevin Aardahl; prr; idleginfo; lsoweb; SHerndon; MSauter; sdixon@house.idaho.gov; Chaseinvestigations; planning; eketner; dduffy; bill.wilson; cmarley](#)
Subject: Immediate Health Hazards may exist - Re: Zoning and health complaint
Date: Friday, July 5, 2024 1:33:16 PM

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Dear Boundary County Commissioners and Prosecuting Attorney,

Time is of the essence.

As a citizen, I am counting on you having the desire and will to fairly represent and serve all citizens of this county, including us.

I am asking, have you thoroughly read the entirety of my complaint below? I have not received a response, to acknowledge receipt of the email.

If you have not read it yet, will you please?

I also respectfully request you to respond to me in a meaningful way to help me understand your findings. Again, time is of the essence.

Has a Cease and Desist order been issued to PDI, regarding their exhausting of toxic chemicals? If not, may I ask why? Surrounding residents and myself believe this condition to be an immediate and serious health hazard to us., and we deserve to understand your evaluation of the circumstances and seeming lack of action.

Kindly, With All Rights Reserved, Without Prejudice,

Jim "David" Dewberry

208-908-3170

daviddewberry@runbox.com

On 2024-07-01 12:28 -07:00 PDT, "Planning" wrote:

> David:

>

> The minutes will not be available until the P&Z Commission approves them at their next meeting, July 25, 2024, and those are then posted to the website. For a copy of the audio recoding, please complete the attached public records request form so we may process the request.

>

> Tess Vogel, Planner

> Planning

> Ruen-Yeager & Associates, Inc.
> 219 Pine Street | Sandpoint, Idaho 83864
> Office: 208.265.4629
> planning@ruenyeager.com • ruenyeager.com
> Engineers | Planners | Surveyors
> [cid:image001.png@01DACBB1.FAC0A4F0]
>
> From: David Dewberry
> Sent: Monday, July 1, 2024 12:17 PM
> To: Planning ; Erik Ketner ; commissioners ; prosecutor ; dduffy ; 'Bill Wilson' ; Clare Marley
> Cc: Jeff Steinborn ; jjones185021 ; Kevinkleinworth ; Kevin.Aardahl ; prr ; idleginfo ; lsoweb ; SHERndon ; MSauter ; SDixon ; Chaseinvestigations
> Subject: Re: Zoning and health complaint
>
>
> Thank you for the update Tess.
>
> As a follow up at this time, I believe it is appropriate to point out a few more observations and also ask a few more questions:
>
> Observations:
>
> An existing employee shared with me that prior to the P&Z Dept. hearing this past Thursday, PDI conducted a company meeting with their employees where they stated that the neighbors were trying to shut down their business and, and thereby threatening their jobs. This is very concerning for a few reasons.
>
> * Fist that would be a mischaracterization of my desired outcome. I would like to see them stop their polluting and clean up their pollution in our neighborhood and to then move to an appropriate location, where they can continue business without damaging neighbors, employees, nor the environment.
> * Considering that while I was at the hearing, I was being harassed by some current employees, who are know to have previously been on the wrong side of criminal laws, I find this messaging in their company meeting very concerning and potentially further damaging to my neighbors and my family as it is potentially fomenting a physical threat to us, which others and myself are feeling.
> * I also find it as inappropriate and scaremongering, for the owner Nelson Mast to have indicated he would have to leave the county if he had to move. He is implying that the only way to keep the current people employed and to keep PDI's contribution to the local economy in tact, is to stay where they are currently located. This does not appear to be an accurate characterization of the circumstances and appears to be a tactic of discouraging the board from holding them accountable by alarming the employees and the P&Z Board with an underhanded ultimatum.
>
> Considering how far down the path of approval PDI is getting with the absurd location they are in, it would seem that there is suitable land elsewhere in the county, where close neighbors would not be a factor, and where it would be very easy to get correctly permitted.
>
> Furthermore, a pattern seems to be emerging and it is beginning to appear that there is

credible reason to suspect bias in the presentation of facts, the conducting of the hearing and the resulting decision of the last hearing. This bias seems to be clearly for the interests of the owners of PDI, and against the interests of the residents around PDI and against the health and safety of PDI's employees, and against the interests of the community at large. Refer to my previous email attached for some of the reasons to suspect this.

>

> I am, however, hopeful that this suspicion is proven to be unfounded, or that at least any existing bias in the people and processes with the P&Z Dept. is rooted out and corrected ASAP.

>

> I am told that air quality monitors are currently picking up formaldehyde in the air around PDI, this being even after the evidenced frenzy of cover up activities that PDI has engaged in recently, such as pressure washing the side of the building where they have been exhausting wet paint near ground level along with other activities.

>

> Again, I ask that you and others concerned please be careful to see to it that your Department lands on the right, just and safe side of these circumstances.

>

> Finally, a couple questions. Time is of the essence:

>

> * What is being done, by your offices, in response to our complaints?

> * How can I get copies of any video and/or audio recordings, along with the minutes of the hearing from last Thursday?

>

>

>

> Sincerely, With All Rights Reserved, Without Prejudice,

>

> Jim "David" Dewberry

>

> 208-908-3170

>

> daviddewberry@runbox.com

>

>

>

>

>

>

> On 2024-07-01 07:49 -07:00 PDT, "Planning" wrote:

>> Your comments have been received, thank you.

>>

>> Tess Vogel, Planner

>> Planning

>> Ruen-Yeager & Associates, Inc.

>> 219 Pine Street | Sandpoint, Idaho 83864

>> Office: 208.265.4629

>> planning@ruenyeager.com * ruenyeager.com

>> Engineers | Planners | Surveyors

>> [cid:image001.png@01DACB8B.774EDA40]

>>

>> From: David Dewberry
>> Sent: Saturday, June 29, 2024 2:04 PM
>> To: Erik Ketner ; commissioners ; prosecutor ; Planning ; dduffy
>> Cc: Chaseinvestigation ; Jeff Steinborn ; jjones185021 ; Kevinkleinworth ; Kevin.Aardahl ;
pr ; idleginfo ; lsoweb ; SHerndon ; MSauter ; SDixon
>> Subject: Re: Zoning and health complaint

>>
>>

>> To Boundary County Planning and Zoning and All Concerned,

>>

>> This past Thursday, we just attended the Boundary County Planning & Zoning public hearing for the permit request from Maverick LLC/Panhandle Door Inc. Please forgive me for saying, but it must be said, from many of our perspectives, who are on the receiving end of the egregious negligence by Panhandle Door Inc., the board and those advising them did not exercise the appropriate level of due diligence & jurisdiction, considering the very plausible adverse health effects, adverse economic impacts, adverse effects on economic viability, adverse impact to the environments and adverse effects to life, liberty and pursuit of happiness of employees and neighbors of the business known as PDI.

>>

>> Having briefly reviewed the US. Constitution, The State of Idaho Constitution and the jurisdiction of the Boundary County Planning and Zoning board, I believe this past hearing was a negligent and egregious miscarriage of the responsibilities of the Planning & Zoning Board, resulting in an extension and continuation of damaging behaviors that employees and neighbors of PDI have been hurt by. The decision that the P&Z Board made, was a miscarriage of their responsibility. Many misleading and false statements were made by the people in favor of the granting of the permit. Here they are as I understand the facts, for which I believe I have much evidence to support and access to many witnesses who can attest to the truthfulness of these opinions to follow, base on the most recent Planning & Zoning hearing and testimonies:

>>

>> * False assertion: PDI is just a cabinet shop. Truth: They operate a separate paint mixing and retail/resale operation on site, independent of the cabinet shop. They operate a trucking business outside of their permitted activities.

>> * False assertion: The owner believed they did not need an updated permit for the scale of what they are doing. Truth: As compared to their current permit, they have 10 times the number of employees, 6 times the truck and trailers including semis, 6 times the square foot footprint, and added paint mixing retail/resale business. PDI's electrical, plumbing and septic systems as they exist, are not permitted. Any multiple business owner would be reasonably expected to be aware of these facts. Nelson owns multiple business, as does many of his close family and associates. His claimed naivety is disingenuous.

>> * False assertion: 75 employees. Truth: A former employee who stopped working there just a week ago, said that there are about 85 people working there.

>> * False assertion: There are no customers that come to the site. Truth: As a former employee, I personally dealt with customers on site almost daily and often multiple customers per day.

>> * False assertion: The business has DEQ approval to operate they way they do. Truth: No agency overseeing safe practices would approve the venting of wet clear coat paints products directly out the back sides of paint booths near ground level, near neighbors and wildlife. Neither would they approve dumping of plywood, treated wood products, paint buckets and barrels and trash into a watershed valley that drains into a pond and stream system only about

100 feet away. We have irrefutable evidence of this and the P&Z Board did not inquire on these points nor did they state that their decisions to grant a permit were contingent on the very clearly expressed perception of immediate hazardous conditions present at the business. I point you to the written directives for the P&Z board, concerning immediate health hazards.

>> * False assertion: There are about 80 vehicular trips per day. Truth: With lunch break, customers, contractors, deliveries, shipments and other visitors, there are closer to 250 trips per day in or out of the business.

>> * False assertion: The business is not using Maverick lane for employees and others, besides dump trucks. Truth: The neighbors of Maverick Lane witness employees carelessly and swiftly speeding in and out of Maverick Lane.

>> * False assertion: All properties concerned and within the direct impact zone of PDI are zoned Ag/Forrest. Truth: Most of the impacted neighbors are zoned Rural Residential.

>> * False assertion: The employees are safe. Truth: There is an immediate and very plausible ongoing hazard to life, property and environment both inside for the employees and outside for neighbors. It was clearly stated by the fire chief that there is no sprinkler system. And it is required for their size. There is highly flammable wood dust in most of the building, highly flammable and toxic chemicals in large quantities, un permitted and inspected electrical systems. Employees are not required to wear personal protective equipment on par with the manufacturers guidelines for the exposure levels to their products.

>> * False assertion: The paint products are safe because they are the products on most people's kitchen cabinets inside their homes. Truth: The paint products in their wet or uncured form are highly toxic to life.

>> * False assertion: There is a sixty foot easement along Pot Hole Road, that belongs to PDI. Truth: 60 feet?! Really? That is wider than highway 95 with the shoulders. I do not believe it.

>> * False assertion: PDI is operating 6am to 10pm. Truth: I have evidence and witness would prove that they have been operating until 3:30am or longer.

>> * False assertion: PDI just wants to be a good neighbor. Truth: In addition to all the chronic, imminent and unchecked health hazards, I had complained about the noise pollution for three years and about the trash blown onto my property for several months. Neither has been resolved. My neighbors are also suffering from the noise presently. Are property values can be conclusively proven to have suffered adverse affects by the unchecked activities and growth of PDI.

>> * False assertion: The noise levels the business generates are within the decibel level maximum requirements. Truth: Standing next to the dust collection system in operation for years, even being far below the main area that broadcast noise, one can hardly hear a person talk. If the decibels were checked at the loudest source point, it would be much louder than a lawn mower. Also, if one was to measure the back of a dump truck swinging their tail gates to slam against the dump bed to dislodge dirt, one would find that the decibels are at the level to be extremely painful and would cause ones ears to constantly ring from exposure. We have suffered consecutive days for months at a time of at least 40 trips per day of these dump trucks. The same high decibels comes from the heavy equipment being used to move the dirt around.

>>

>> This list is not exhaustive, but I am currently exhausted. There is more to come.

>>

>> Once, again, based on other's and my own testimony at the hearing and in letters that could have been easily verified by a cursory visit to the site and surface level research, I ask that you immediately issue a Notice of Violation and stop the Hazardous Conditions presented, along with the adverse economic effects, by PDI's operations, and see to it that these activities stop, and that reconciliation be initiated.

>>

>> Please exercise due diligence to avoid unknowingly becoming party to PDI's unsafe and unlawful actions.

>>

>> The reason I will not be appeased at this point, while PDI remains in operation at their current location, is because that damage has already been done, and is ongoing. The only alternative to appeasement with PDI in their current location is that if they return operation with all the parameters outlined in the only granted permit from 2006. (ie. 40' x 130' building, 6-8 employees, 10 cars, one truck and trailer, cabinet shop)

>>

>> As I stated at the hearing, I will take any and all lawful and just actions available, in order to protect all concerned from PDI's actions, and to seek remedy where appropriate.

>>

>> Sincerely, With All Rights Reserved, Without Prejudice,

>>

>> Jim "David" Dewberry

>>

>> 331 Pot Hole Road, Naples, ID, 83847

>>

>> daviddewberry@runbox.com

>>

>> 208-908-3170

>>

>>

>> On 2024-06-27 15:34 -07:00 PDT, "David Dewberry" > wrote:

>>

>> Panhandle Health District, Boundary County Commissioners, Boundary County Prosecuting Attorney, government leaders and Whom It May Concern in government,

>>

>> I am a citizen of District 3 in Boundary County, Idaho.

>>

>> This is a complaint.

>>

>> I have had serious and ongoing concerns about the business next door to me, located at 167 Pot Hole Road, Naples, ID, 83847 and otherwise know as Panhandle Door, Inc. (PDI). On many of these I expressed concerns, I do not know all the facts, but from what I have experienced, observed and learned from others, I believe they may have been operating outside some of the zoning and health requirements and/or guidelines designed to protect those in the community.

>>

>> A bit of background...

>>

>> When my family and I came to visit this north Idaho community in the summer of 2018, we had embarked on a road trip to explore where we would like to move. I was an owner operator truck driver, and my family of four had loaded into the big rig to work and explore. You see, we needed to move from where we were in Utah, because the poor air quality was making my wife nearly bedridden. Different people respond to particulates in the air differently, and we had discovered a clear connection to her degrading health in relation to the ever increasing pollution in the Salt Lake and Utah Valleys.

>>

>> North Idaho, where we had friends from our church, who had already move here from Utah, was our first stop. We quickly knew we wanted to move here. We visited the local parish of the Christian church we are members of and found it was perfect for our young family. Our son was 12 and our daughter had just turned 11. We found that the people in the community were kind, the air and water was clean, and the mountain forests were beautiful, the political climate seemed to be one of personal liberty and respect for constitutional rights and the protection of life, liberty and the pursuit of happiness. My wife, just as she had experienced when we had recently taken a trip to Scotland, began to feel her energy and well being increase within days of being here. In short it seemed to be an ideal place to continue raising our family in peace and safety.

>>

>> We went home, put our house up for sale, found a rental, and moved here in late October of 2018. We first rented a house in town near the Kootenai river. Being that there was no suitable place to park my big rig, our friends who lived in the first house off Pot Hole Road at the top of Peterson Hill, offered to let me park the rig there in a perfect spot right off the highway. This worked nicely, and I quickly began to become acquainted with the folks off Pot Hole Road. You see, as I would be tinkering with my truck, people would stop and say hi to the new person in town. All were kind and respectful and one in particular, Terry Bodenhammer, may God rest his soul, would stop every time he saw me. He was a Christian, a former Marine and a retired logger, and he was just as one would expect with those credentials...tough, fearless, straight talking, hard working, possessing a heart for service. It seemed you didn't have to guess where he stood with things, but he did surprise me because I always had this sense that he was sizing me up.

>>

>> One day, while taking a break from working on my truck, and talking to my friend James in his driveway on Pot Hole Rd., Terry pulled up to us in his car and greeted James through the rolled down window, "You know, at first I didn't know what to think of this long haired hippie, but I have decided I like him." He was referring to me. I was a little surprised by the comment and the way it was delivered as if I wasn't standing there, while I held back the urge to correct him about the hippie reference, but I was also warmed by his expression of what felt to be an expression of affection, considering the source. It stuck with me, because it was so unexpected, and yet made me feel chosen, if you will. It was the first of many affirmations I received that God had brought us to the right place.

>>

>> A few months into this routine and coming into spring as I recall, Terry pulled up to me beside my rig, in the usual spot off the entrance of Pot Hole Road, stepped out of the car and said "You need to buy my house!". You see, he owned the house at the end of Pot Hole road on the right split, and through the wooden gates. The road also split left at the end and before the gates into PDI's parking lot.

>>

>> We finalized the purchase agreement and began moving in late summer of 2019.

>>

>> PDI, the business next door, operated from 6am to 2:30pm Monday through Friday, and I couldn't hear any noise to speak of from equipment such as dust collection fans etc., other than the occasional horn, or back up beeper from delivery trucks. Though not ideal, I assumed their operations were approved, and we decided we could live with the dust being kicked up on the road all summer, from employees along with the sparse occasional noises from their parking lot during the day. This is why we were ok with living here.

>>

>> We did however notice, massive burns that would occasionally happen at the PDI property.

They were burning their waste. After one particular accidental burn when the volunteer fire department had to come out, I heard that they complained about having to breath noxious gases coming from trash and treated woods. After starting to work there, I noticed that there seemed to be a continual antagonism from the fire department because they would come out and see accumulating trash in the wood pile that was to be burned, which I imagine they would be asked again to fight if there was an accidental ignition. Eventually the fire department told PDI that they could not burn their trash. This is when it seemed that even more trash was accumulating in the massive pile down the hill on the south side of the plant. This was what they eventually buried along with their septic system, when they began brining in the fill dirt from the highway and road projects. This is when I noticed trailers of waste plywood and mdf being tractored back to the landfill area they had due west of the plant on the adjacent property they owned, and dumped. My former neighbor, Kevin Kelinworth had told me he got pictures of the landfill area. He said he saw a lot barrel drums along with everything else.

>>

>> Backing up on the timeline, not long after moving here, we decided to sell the trucking business so I could be home more consistently. I started sub contracting in construction, then went to Alaska for the summer of 2020 fishing season, then came home and took a temporary position with the Idaho Dept. of Transportation mainly driving their plow trucks over the winter of 2020-2021. Then I returned to construction, and not long after that, my wife suggested that I apply for work at PDI. After PDI making me a third offer, I accepted a position as their Shipping Dept, leader and started around the first of August 2021.

>>

>> When I was hired, there were a few initiatives already in the works:

>>

>> One was the decision to begin a swing shift from roughly 2:30pm to 11pm Monday through Friday, thereby expanding their scheduled hours to 6am to 11pm five days a week, in addition to the many hours outside that schedule used to work on facilities, maintenance and production overtime.

>>

>> A second initiative was to install a single external dust collection system to replace the the internal dust collection systems.

>>

>> Yet another change, was to expand their building foot print by about seven thousand square feet which would put them at roughly 22,000 square feet in my estimation.

>>

>> Living next door, my home life immediately took a dive. I went from sporadic highway traffic noise that died down every day after business hours, to a steady loud drone of their dust collection system that would create a buzzing in our house that became very pronounced as the evenings progressed. So much for quite peaceful evenings. My wife said it was driving her crazy, and I was right behind her. I explained to the owners and showed them how a swing shift with 3 people was not necessary and introduced them to a dust collection engineer that showed them how they could cut out the noise from their system, but they did not want to do either. They said they would work on it.

>>

>> Fast forward 3 years later, after complaining to government, they just within the last two months or so, tried to remedy the problem by changing some parts of their system but primarily by placing the noise generating aspects down low below the roof line on the opposite side of their buildings from me. I have notice some improvement, which has been a relief, but now our neighbor on that side of the business continues to get a constant drone, just

like I was. The sound seems like it is reflecting off of PDI's metal building toward them now.

>>

>> Back to when I was hired, within a year, I was made the Production Manager, while still leading the Shipping and Trucking operations. I was leading everyone, save the two owners, the Operations Manager, Human Resources, the Sales team, Administrative team and the Maintenance team, which comprised about 10 people. I was leading the remaining roughly 75 people. You see, I had many years of experience as a Factory Manager and Maintenance Manager for large plants in Utah. During my tenure at USSynthetic in Orem Utah, I was part of a leadership team that helped transform the company over the course of 6 years to be one of only two companies in the US, that year, to win the Shingo Prize. Look it up and you will see that a core principle is to connect the culture to delivering value to everyone, including the employees and the community in order to create a sustainable and long term culture of excellence. Part of that is taking care of employees' and neighbors' safety as well as the environment. I could see the artifacts everywhere at PDI that revealed that these concerns seemed virtually absent. Retrospectively, despite my optimism to help folks see the value of a balanced perspective on the health of the business, I can see that it was not attainable because the owners actually did not seem to share that same perspective and desire. They seemed to only see how I could help increase profits and growth, which I did handily, because those solutions were adopted quickly and with vigor. However, nearly everything I had learned in overseeing the safety of several teams historically was being overlooked at PDI. Against my advise, they were quick to spend 100's of thousands of dollars on equipment in attempts to increase their throughput, or to expand the square footage, I could see there was plenty of work to do in terms of delivering better value to all the stakeholders and I felt up to the task of trying to help the owners achieve their business goals, as long as it involved taking proper care of all stakeholders.

>>

>> I learned that I was further and further hamstrung by entrenched leaders and lack of resolve of the owners. For two years they would not budge (except a \$1000 investment for noise dampening devices in the shipping department to lower the decibels) when it came to smaller investments for safety and the environment and neighbors such as myself. The owners appeared to be making a handsome profit, and I was being taken care of in terms of a competitive wage, however with no benefits, but it quickly became apparent to me that the long term health of the employees, community and the environment were not apparently part of any meaningful strategic discussions or actions. I know this, because I was in most of their planning meetings. I tried for the whole time I was there to get a dust collection table for this poor young man Aaron who would spend all day sanding dried clear coat from drawer boxes. His eyes would be completely red every day. God knows what his lungs must look like along with the condition of his hearing, with no respirator and no ear protection. I could not get his entrenched leaders to enforce the use of proper PPE. Although I was technically the 3rd tier leader for Aaron for a time, I was hamstrung to change requirements and systems to make things safer, due to the unwillingness for ownership to spend the money, and the unwillingness of the tenured and antagonistic leader of the Finish Department to make needed changes. His people were very unsafe in my opinion.

>>

>> Also during my employment, I noticed a utility sink in the middle of the finish area. The space would make me light headed every time I walked in there. This sink is where they would clean and rinse their brushes and paint buckets and equipment. At the time it didn't occur to me to wonder where that water was going. They had two large paint booths which I believe were being exhausted directly into the neighbors back yard from only about a hundred feet from their home which was downwind from the venting fumes. I have what I

believe are those vents on video while there were recently in action. When I recorded, I could smell the fumes.

>>

>> I also remember when it apparently became a big problem that PDI may not have been disposing of their 55 gallon paint barrels correctly and they eventually started having SafetyClean carry them off.

>>

>> On other occasions, while walking on the property just west of them, I noticed they had been dumping off the edge of a ravine and there was a large pile of landfill type items such as old equipment, plywood, mdf, paint barrels and the like. At the time it did not occur to me just how damaging that could be, especially since it was in a water shed area that ran directly into a pond system than continue down stream to a shallow well at the neighbors'. Fortunately, I recently discovered that the neighbors are not using it because it dries up seasonally, as I recall. However, there has historically been big game and a lot of wildlife that waters at those ponds and streams.

>>

>> Eventually I was relieved from production management responsibilities, and continued to lead the shipping and trucking, but then a little over a year ago, was relieved from employment all together with the explanation that I was on the wrong bus. I trusted that God had a plan for me, and as soon as it was known that I was available, by the grace of God, I was called and ultimately offered a position, resulting in not missing any days of work and having a much better job currently.

>>

>> However, I have a string of texts to Nelson Mast and Vern Helmuth, the owners of PDI, pleading with them to fix the noise problem, as it continued to disturb the peace and caused me countless nights of little and poor sleep. What made it more stressful was that I knew they could solve the problem if they had the resolve. At this point, I also began to ask that they solve the ongoing problem of their loose trash from the dumpsters and the parked cars, blowing onto my property continually. As of yesterday, they still had not put up a barrier as they said they would a few months ago.

>>

>> As I mentioned, starting a couple years ago, they started the process of bringing in seemingly thousands of tons of dirt from the side of the highway at McArthur lake as well as from a road project or projects in Bonners Ferry. I came to understand that it is plausible that the dirt may be contaminated with toxins including the remains of potentially old wooden sewage lines from town and the run off residue from years of highway service. I can't verify this, but I wonder were these soils tested for toxins, and if so, how accurately were they tested and what were the results?

>>

>> One day I noticed a whole lot of earthworks on our adjoining fence line and upon asking Vern Helmuth what it was, he stated it was a septic system. After looking at it closer and losing sleep about the potential consequences, I asked someone I know their opinion on the situation. He is not a septic expert but he does work with water professionally. He said he would expect that, based on the proximity of the system to my standing water as well as the system's position on top of a hill that was largely just recently created with heavy equipment, I would likely smell sewage there continually and that my wetlands would likely be contaminated with whatever is being drained. Then, I recalled seeing the PDI finish department utility sink in use, and the cleaning lady that came in a few times a week and used all kinds of cleaning supplies in the break room and bathrooms and all the people working and visiting the site using the bathrooms. I lost more sleep and then texted both Nelson and Vern

on Feb. 7th, 2024 asking when we could meet with their septic contractor? There was no answer. I texted again on Feb. 13th. Still no answer. So I asked someone else who might know who the contractor was and was told more than likely KG&T. However, I was really developing a sour taste in my mouth, and not being interested in having someone try and talk me into agreeing to something I could never feel good about, I chose to visit the local Panhandle Health District and asked for permit info. They informed me that the only septic system approved was from 2000 when a system for 4 people and a 3 bedroom home was approved. I wonder if this is the system Vern told me they recently buried under tons of dirt? Upon discovery of this, I paid a visit to Vern and asked why they hadn't fixed the dust collector noise problem and why had they installed that septic system in such a seemingly terrible spot? He said something like he had been avoiding the dust collection fix, because it was work he dreaded and that with all the fill dirt being brought in and covering the existing septic system, he feared that if they had problems with it, they would not have a back up. He expressed that this is why they had put the new one in. I asked why they hadn't gotten it permitted because I would be surprised if it would pass. His response was on the lines that he didn't want to have to deal with the requirements such as pressure testing etc. He conveyed that they hadn't hooked the new one up yet. I asked that it never be hooked up and that it be moved and he expressed that I would have to talk to Nelson about that as he made all of those kinds of decisions. I then asked when the noise problem with the dust collector would be solved, and he said he really could not say and furthermore was not even sure the changes would fix the problem.

>>

>> At this point I contacted Nelson Mast and asked to meet. After a couple weeks, I was able to meet with him in his truck on March 23rd, as he was leaving the PDI property I asked him to move the septic system away from such a terrible spot near me and he said he wanted to first see if they could get it permitted by PHD. I was appalled and expressed to him that even if it was permitted, I would challenge it, based on the seemingly obvious problems. I then asked for a commitment to stop the dust collection noise, especially during swing shift, and he conveyed that they were still working on it but that he believed the community really needed an industrial zone on the south side of town, with the me getting the inferred implication that he would spearhead that effort with PDI. In my view, reflecting on the patterns that were emerging, this was in the works for some time, and it would seem with little to no consideration of the neighbors and the environment they use, nor the rules and requirements designed to protect them.

>>

>> The experiences of my family dealing with the choices of the owners of PDI, up to now, which have been riddled with exhaustion and attempts to protect the inheritance and home I am working to leave for my children, as I deal with business owners who seemingly treat this whole area as if it is theirs for the taking, has left me no choice but to seek redress through the government agencies that I hope are still geared toward helping citizens, such as all concerned in these circumstances on and around Pot Hole Road.

>>

>> In this process, I have learned that other neighbors have been experiencing similar problems, and one family in particular, is getting it worse than all of us combined, I believe. I believe I have plausible reasons for concern that there may be potential poisoning of the air, the ground and the potential of an unusual and ever present fire hazard that may be an imminent and highly unusual threat to the people in our neighborhood.

>>

>> I wonder if many of the observed actions are lawfully permitted or within zoning laws.

>>

>> I am told by neighbors that three people previously living in closest proximity to PDI have died in the past year and the most recent one was less than a month ago. I am told all three who died, had symptoms associated with some listed effects for chemicals that may be being exhausted into the air by PDI's finishing operations.

>>

>> I fear for the safety of my neighbors and my family.

>>

>> This is not the first complaint I have issued regarding this business, and I wonder if these complaints have been taken seriously and what can be done to alleviate my concerns.

>>

>> Will you please investigate?

>>

>> I have video of what seemed to be paint, varnish, lacquer or solvent fumes, based on the smell, being exhausted at near ground level very close to my neighbors residence. The smells made me feel nausea.

>>

>> I have months of text messages along with witnesses to corroborate the legitimacy of my claims and basic timeline.

>>

>> Can you get answers about the fill dirt dumping? I ask because the wind is regularly stirring up the dust from that dirt and sending it across many of my neighbors homes and property. Just past Sunday, I was visiting with neighbors and the dust was making it hard to breath and keep our eyes open. This was never a problem before the dirt was brought in. Also, I am concerned that the runoff from that dirt will pollute the ground water. My exclusive water source is a shallow well.

>>

>> I received copies of public records concerning the zoning of the property where PDI is and there was no evidence, that I recall seeing, that their operations were in compliance with the laws.

>>

>> I personally witnessed piles of plywood and mdf sheets that had been dumped near PDI into what I would call a small watershed ravine that looks to drain into a pond and seasonal stream system that runs to the neighbors property. Another neighbor told me he also saw barrels in the dump pile.

>>

>> Their truck and employee traffic is daily kicking up dust on our only ingress and egress road, and they have multiple times had theirs trucks and cars or those of their suppliers vehicles get stuck and block the road entirely, so as to prevent any vehicles from entering or exiting.

>>

>> In conclusion, this business is seemingly operating without many needed permissions, and at best is a nuisance on many levels and at worst seems to be also expelling potentially dangerous and harmful toxins.

>>

>> Will you please investigate all the points of my complaint and help us resolve this to everyone's benefit? In my opinion, PDI would do well to relocate their operation away from residences and to be sure they are in compliance with laws regulating their business. I wonder even if the very large "For Hire" sign they placed at the entrance of Pot Hole Road is approved. If so, why would it be? It looks as if all of us neighbors are living in PDI's private industrial park, when in fact it is zoned rural residential or ag/forrest.

>>

>> I have met parishioners who would not consider buying here, which is close to our church, because of the proximity to PDI. Surely, I would imagine that PDI's seemingly unchecked growth and ways of doing business there has had a diminishing effect on the sales value of our properties, all other things being held equal.

>>

>> I saw this on one of your websites: "REPORTING VIOLATIONS OF THE BOUNDARY COUNTY ZONING AND SUBDIVISION ORDINANCE

>>

>> As an ordinance of Boundary County, the Boundary County Zoning and Subdivision Ordinance has the force of law and penalties for violations and the process for enforcing violations are outlined in Sections 4. Violations of the ordinance are considered a misdemeanor punishable by fines not to exceed \$1000 and/or imprisonment in the county jail not to exceed six months. In addition, the property owner may be required by the court to correct the violation at their own expense, which could mean removing any structure which violates the provisions of the zoning and subdivision ordinance.

>>

>> Boundary County does not employ a building inspector or an officer or agent to seek out and prosecute violations of the ordinance, but relies instead on complaints from citizens. If you have reason to believe that a violation of this ordinance exists or is about to take place, you should notify the zoning administrator, providing the name of the owner of the property on which the violation may be occurring, the location of the property and the nature of the alleged violation. This notification may be in writing, by telephone, fax or email. You may, if you choose, remain anonymous.

>>

>> Upon receipt of complaint, the zoning administrator will determine if the complaint is valid and, if it appears that a violation exists, will send the property owner against whom the complaint was made a certified Notice of Violation setting forth the alleged violation(s), the provisions of the zoning and subdivision ordinance which apply and what actions, if any, can be taken to correct the violation. The property owner is then afforded a set amount of time to respond to the notice, either to refute the allegations or to establish a course of action to correct the violation. It is the intent of Boundary County to resolve violations without intervention by the courts whenever possible.

>>

>> If the nature of the violation is deemed by the Board of County Commissioners to pose a threat to the health or welfare of the citizens of Boundary County, a cease and desist order will be issued by the Prosecuting Attorney pending review and investigation of the violation.

>>

>> If the property owner fails to respond to the notice of violation in the established time frame, a copy of the complaint is forwarded to the Board of County Commissioners with a recommendation that the complaint be forwarded to the Prosecuting Attorney for further enforcement action."

>>

>> I wonder, has the above process been enacted?

>>

>> Thank you for your kind attention to our concerns and thank you in retrospect and in advance for anything you have or will do to help rectify these circumstances.

>>

>> Sincerely, With All Rights Reserved, Without Prejudice,

>>

>> Jim "David" Dewberry 331 Pot Hole Road, Naples, ID 83847
daviddewberry@runbox.com 208-908-3170

>>

>

From: [Jeremiah Thomas](#)
To: [Shawn Sweetapple](#); [Dean Ehlert](#); [Kevin Aardahl](#); [Dean Kinney](#)
Cc: [Marc Kalbaugh](#); [Katy Baker-Casile](#); [Almer Casile](#)
Subject: RE: Hazmat Draft H-2024-00101 Boundary County Regulatory
Date: Thursday, May 30, 2024 9:08:00 AM
Attachments: [image001.png](#)

Dean Kinney and I did a hazardous waste inspection at Panhandle Door last September that identified seven RCRA violations. They have since corrected the apparent violations. Dean is familiar with the site but let me know if I can assist in anyway.

Thanks,
Jeremiah

Jeremiah Thomas, P.G. | Senior Hazardous Waste Compliance Officer

Idaho Department of Environmental Quality
1410 N. Hilton St, Boise, ID 83706
Office: (208) 373-0267
Cell: (208) 805-0373
www.deq.idaho.gov

Our mission: To protect human health and the quality of Idaho's air, land, and water.

From: Shawn Sweetapple <Shawn.Sweetapple@deq.idaho.gov>
Sent: Wednesday, May 29, 2024 12:22 PM
To: Dean Ehlert <Dean.Ehlert@deq.idaho.gov>; Kevin Aardahl <Kevin.Aardahl@deq.idaho.gov>; Dean Kinney <Dean.Kinney@deq.idaho.gov>; Jeremiah Thomas <Jeremiah.Thomas@deq.idaho.gov>
Cc: Marc Kalbaugh <Marc.Kalbaugh@deq.idaho.gov>; Katy Baker-Casile <Katy.Baker-Casile@deq.idaho.gov>; Almer Casile <Almer.Casile@deq.idaho.gov>
Subject: RE: Hazmat Draft H-2024-00101 Boundary County Regulatory

I spoke with the complainant for about half an hour yesterday and below are my compiled notes on our conversation. We probably need to meet to discuss what has happened regulatorily with Panhandle Door to date and what approach to take moving forward. I shared a file on DEQ's Cloud where I'm having the complainant upload pictures and videos. They are supposed to be sending me descriptions of the pictures because the topic of some of them is unclear.

Panhandle Door complaint 05/28/2024- Shawn Sweetapple responded to voicemail at approximately 10:00am

Kelli Martin – main complainant, husband Tim also commented.

Complainant address: 122 Pot Hole Rd, Naples, 83847

Contact info: 208.651.1172 and chaseinvestigations@aol.com

General Background: Business was taken over by current owners in 2018 and expansion started immediately. Neighbors have tried to work with the owners to address issues over the years but feel they have been generally ignored. A number of neighbors have moved away and/or sold their properties. Within the last three years the complainant says that the owners have been "trying to cover their tracks on all of the violations" and asking for permits after the fact. Now they want to add an 8,000 square foot addition to expand further. A ? permit/zoning? hearing is taking place on June 27th at 5:30pm at the Armory in Bonners Ferry.

Complaints:

- 1) There are 6 dust vents around the building that "spew dust" periodically throughout the day. The dust travels to neighbor's property
- 2) One neighbor is a previous employee who states that they regularly pour chemicals down the drain. Complainant worried about what is in the leach field.
- 3) Their family suffers from coughing and chest pains regularly. Three relatives that live in the vicinity all died of cancer in the last three years.
- 4) Used dirt from road construction project to cover up the large wood pile they had in the low area behind the building. Covered with approximately 80 tons of material. There are several witnesses to the burial of the wood pile.
- 5) Have "put together a system of pipes" that flow onto the ground downhill of the facility. That neighbor is concerned their well is being impacted.
- 6) There are several vents that emit "toxic fumes" that get into the neighbors' homes and are causing health issues.
- 7) The facility's new wood pile includes plywood and coated wood. The complainant is worried that when this pile breaks down it will release chemicals into the groundwater.

Shawn Sweetapple, Idaho DEQ
Coeur d'Alene Regional Office
(208) 666-4602

From: Dean Ehlert <Dean.Ehlert@deq.idaho.gov>

Sent: Wednesday, May 29, 2024 9:17 AM

To: Shawn Sweetapple <Shawn.Sweetapple@deq.idaho.gov>; Kevin Aardahl <Kevin.Aardahl@deq.idaho.gov>; Dean Kinney <Dean.Kinney@deq.idaho.gov>; Jeremiah Thomas <Jeremiah.Thomas@deq.idaho.gov>

Cc: Marc Kalbaugh <Marc.Kalbaugh@deq.idaho.gov>; Katy Baker-Casile <Katy.Baker-Casile@deq.idaho.gov>

Subject: RE: Hazmat Draft H-2024-00101 Boundary County Regulatory

Thanks Shawn & Kevin. Based on the complaint, maybe a multimedia inspection is warranted.

Thanks,
Dean

Dean Ehlert | Assessment & Compliance Bureau Chief
Idaho Department of Environmental Quality
1410 N. Hilton Street, Boise, ID 83706
Office: (208) 373-0416
www.deq.idaho.gov

Our mission: To protect human health and the quality of Idaho's air, land, and water.

From: Shawn Sweetapple <Shawn.Sweetapple@deq.idaho.gov>
Sent: Wednesday, May 29, 2024 9:58 AM
To: Kevin Aardahl <Kevin.Aardahl@deq.idaho.gov>; Dean Kinney <Dean.Kinney@deq.idaho.gov>;
Jeremiah Thomas <Jeremiah.Thomas@deq.idaho.gov>
Cc: Marc Kalbaugh <Marc.Kalbaugh@deq.idaho.gov>; Dean Ehlert <Dean.Ehlert@deq.idaho.gov>;
Katy Baker-Casile <Katy.Baker-Casile@deq.idaho.gov>
Subject: RE: Hazmat Draft H-2024-00101 Boundary County Regulatory

Hi All,

I received a wide ranging complaint from a neighbor against Panhandle Door yesterday. I am still trying to process the information they gave me, but it ranges from air to haz mat to waste water to surface water. I'm in Teams meetings until 11. I want to get this sorted out today so I will be contacting you again later today.

Shawn Sweetapple, Idaho DEQ
Coeur d'Alene Regional Office
(208) 666-4602

From: Kevin Aardahl <Kevin.Aardahl@deq.idaho.gov>
Sent: Wednesday, May 29, 2024 8:49 AM
To: Dean Kinney <Dean.Kinney@deq.idaho.gov>; Jeremiah Thomas <Jeremiah.Thomas@deq.idaho.gov>
Cc: Marc Kalbaugh <Marc.Kalbaugh@deq.idaho.gov>; Dean Ehlert <Dean.Ehlert@deq.idaho.gov>;
Shawn Sweetapple <Shawn.Sweetapple@deq.idaho.gov>
Subject: FW: Hazmat Draft H-2024-00101 Boundary County Regulatory

Dean/Jeremiah,

FYI.

Kevin B. Aardahl | Regional Remediation Manager
Idaho Department of Environmental Quality
2110 Ironwood Parkway | Coeur d'Alene, ID 83814
Regional Office: (208) 769-1422 | Cell: (208) 501-6004



<http://www.deq.idaho.gov/>

Our mission: To protect human health and the quality of Idaho's air, land, and water.

From: Marc Kalbaugh <Marc.Kalbaugh@deq.idaho.gov>

Sent: Wednesday, May 29, 2024 8:27 AM

To: Kevin Aardahl <Kevin.Aardahl@deq.idaho.gov>; Dean Ehlert <Dean.Ehlert@deq.idaho.gov>;
Shawn Sweetapple <Shawn.Sweetapple@deq.idaho.gov>

Subject: FW: Hazmat Draft H-2024-00101 Boundary County Regulatory

Please see attached. It appears to be a complaint regarding a business specifically about releasing toxic chemicals to air that burn your eye's and throat. Not sure this is in my wheel house.

Regards,

Marc Kalbaugh | UST, LUST, EMRS

Idaho Department of Environmental Quality

2110 Ironwood Parkway, Coeur d'Alene, Idaho 83814

Office: (208) 666-4617

Cell: (208)660-9285

www.deq.idaho.gov/

Our Mission: To protect human health and the quality of Idaho's air, land, and water

From: Rawlings, Kelley J. <Kelley.Rawlings@dhw.idaho.gov> **On Behalf Of** State Communications

Sent: Tuesday, May 28, 2024 9:55 PM

To: zz - Hazmat Classified Incidents <HazmatClassInc@dhw.idaho.gov>

Subject: Hazmat Draft H-2024-00101 Boundary County Regulatory

NOTICE: THIS ELECTRONIC MESSAGE TRANSMISSION CONTAINS INFORMATION WHICH MAY BE CONFIDENTIAL OR PRIVILEGED. THE INFORMATION IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL(S) OR ENTITY(IES) NAMED ABOVE. IF YOU ARE NOT THE INTENDED RECIPIENT, PLEASE BE AWARE THAT ANY DISCLOSURE, COPYING, DISTRIBUTION, OR USE OF THE CONTENTS OF THIS INFORMATION IS PROHIBITED. IF YOU HAVE RECEIVED THIS ELECTRONIC TRANSMISSION IN ERROR, PLEASE IMMEDIATELY NOTIFY THE SENDER AND DELETE THE COPY YOU RECEIVED.

From: [David Dewberry](#)
To: [Kevin Aardahl](#)
Cc: [marc.kallbaugh](#); [Chaseinvestigations](#)
Subject: Fwd: Zoning and Environment Violation Complaint
Date: Thursday, June 20, 2024 7:11:10 AM
Attachments: [image001.png](#)

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Forwarded message:

From: "David Dewberry"
Time: 2024-05-16 22:01 -07:00 PDT
Subject: Fwd: Zoning and Environment Violation Complaint
To: "chaseinvestigations"

----- Forwarded message -----

From: "Planning"
Time: 2024-03-25 08:41 -07:00 PDT
Subject: RE: Zoning and Environment Violation Complaint
To: "" "dduffy" "eketner"
"info"
"commissioners"

CC: "jjones185021" "kevinkleinworth"
"Bill Wilson"

Hello Jim, your complaint has been received and added to our active file on this matter. As Boundary County has no jurisdiction over wells or septic systems, I shall be forwarding on your complaint to the Idaho Department of Environmental Quality and Panhandle Health District. Thank you.

Tess Voge, Planner

Planning

Ruen-Yeager & Associates, Inc.

219 Pine Street | Sandpoint, Idaho 83864

Office: 208.265.4629

planning@ruenyeager.com • ruenyeager.com

Engineers | Planners | Surveyor

[IMAGE]

From: David Dewberry
Sent: Sunday, March 24, 2024 10:00 PM
To: Planning ; dduffy ;
eketner ; info
; commissioners

Cc: jjones185021 ; kevin kleinworth

Subject: Zoning and Environment Violation Complaint

3-24-2024

To Whom It May Concern in Government, including but not limited to Boundary County Planning and Zoning, Panhandle Health District and Boundary County Commissioners,

Please forward this email to all appropriate government offices.

We are submitting a complaint for zoning and environmental violations by a neighboring business at 167 Pot Hole Road, Naples, Idaho.

We have been patient with these, our neighbors, and tried to be understanding, but their actions and responses indicate that they do not intend to reciprocate with respect for our rights, nor have we seen meaningful actions which would indicate their intent to cease their careless, unlawful and damaging actions moving forward.

Their property is, for the area it seems, appropriately zoned AgForest, yet they are unlawfully operating a large industrial manufacturing business that 3 years ago operated from 6am to 2:30pm Monday through Friday, but now operates nearly around the clock 5am-3am, Monday through Saturday morning, and often leaves noisy equipment running 24 hours a day. As I explained to both owners, they would surely not tolerate this if they were on the receiving end of their actions. This needs to cease. Their dust collection system runs the entire time and is disturbing the peace for several neighbors and us, and if not corrected, we will increase our complaint through government, until the nuisance is ceased and accountability is given where appropriate.

Stretching back for nearly three years, I have tried to address this disturbance of the peace problem directly with the owners. I initially asked the owners to find a less disturbing way to operate in the evenings and weekends, to no avail.

However, having recently been driven to investigate the circumstances further, it appears that the owners of the business are violating many laws, and seem to think the answer is to now legitimize their actions after the fact, changing zoning and getting retroactive approvals from government. We sincerely hope that this strategy is not condoned by anyone in government. That would be alarming.

More recently, the business has installed a septic drain field, without a permit, that is situated adjacent our property on a hill, in a place where, if used, will contaminate the standing surface water and shallow water table of theirs, our neighbors and most directly our land. Since I have challenged it, they have now expressed that they aim to have it permitted after the fact. This is unacceptable and in my opinion very careless, as they are generating the wastewater from roughly 90 full time employees, plus a steady stream of sub-contractors and operating a large painting operation that utilizes a utility sink to wash their tools and hardware containing hazardous chemicals. If this waste is handled in this way, it will cause irreversible and extreme damage to the surrounding lands and waters that includes several large ponds and streams that run a long distance and supply many properties. If this is not reversed, and does in fact get permitted after the violation, it would be unacceptable.

In connection with the scope of their illegitimate growth in their current location, there is an ongoing wave of trash blowing onto our property. They have, however, expressed that they plan to install a fence to stop the trash. Accounting for my experience with them over the past three years, I am not optimistic that I will not be left to continue to pick up their trash for some time, but we shall see.

In summary, my understanding at this phase of research, is that the business was permitted under previous owners 24 years ago when it was a small business with 10 employees. The business has since grown by roughly a magnitude of 10, without consideration of neighbors, laws and the environment. They are dumping plywood and other chemical containing wood products on their adjacent property behind them, from which the chemicals will surely run off into the same ponds and streams that are downstream from our water systems, and stands to contaminate water that much wildlife and many people rely upon. They are operating incessant and non-stop noisy equipment nearly around the clock, 5 days a week, and they have most recently violated Panhandle Health District Requirements, by installing, without a permit a septic drain field in a terrible location and which is meant to handle sewage for nearly 100 full time workers and sub-contractors, along with hazardous materials waste.

This all needs to cease. It is out of control. Furthermore, the generally non-compliant use of this property needs to cease. It is damaging to neighbors and to the rule of law. If needs be, we will represent ourselves and pull in all available resources at all levels, in order to seek remedy and accountability where appropriate. Furthermore, if attempts to retroactively legitimize any of these unlawful and damaging

actions are approved by government, we will pull in all available resources to bring accountability and recompense for any such actions.

In conclusion, neighbors and the surrounding environment should be protected from this business' actions. The business should be required to relocate immediately, to a suitable and existing industrial zone, and be watched carefully. Since profit seems to be their sole motivator, I believe they may discover that it would cost less to move, than to continue the way they are.

Thank you for your attention to these matters, and I will sincerely appreciate your response and direction as we continue to seek solutions for all concerned.

In the absence of a favorable response, an official petition and further public awareness is to follow.

With All Rights Reserved, Without Prejudice,

Jim "David" Dewberry

331 Pot Hole Road

Naples, ID 83847

208-908-3170

daviddewberry@runbox.com

From: [David Dewberry](#)
To: [David Dewberry](#); [eketner@phd1.idaho.gov](#); [commissioners](#); [prosecutor](#)
Cc: [Chaseinvestigation](#); [Jeff Steinborn](#); [ijones185021](#); [Kevinkleinworth](#); [Kevin Aardahl](#); [pr: idleginfo](#); [lsoweb](#); [SHerndon](#); [MSauter](#); [sdixon@house.idaho.gov](#); [chaseinvestigations](#)
Subject: Re: Urgent Complaint of Immediate Danger to Idaho District 3 Citizens related to Hazardous conditions related to Zoning Violations at 167 Pot Hole Road, Naples, ID 83847
Date: Thursday, June 27, 2024 12:29:11 AM

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

To all concerned, and to those receiving my mistakenly sent email attached below, with misworded subject line that read "Urgent Complaint of Immediate Danger to Idaho District 3 Citizens related to Hazardous conditions related to Zoning Violations at 167 Pot Hole Road, Naples, ID 83847"

It was a mistakenly sent draft of an email, and therefore should be disregarded in it's entirety, including the subject line and all content of the message.

Please forgive me,

Sincerely, With All Rights Reserved, Without Prejudice,

Jim "David" Dewberry

daviddewberry@runbox.com

On 2024-06-26 10:29 -07:00 PDT, "David Dewberry" <daviddewberry@runbox.com> wrote:
> Panhandle Health District, Boundary County Commissioners, Boundary County Prosecuting Attorney and Whom It May Concern,
>
> I am a citizen of Boundary County, Idaho.
>
> This is a complaint.
>
> The longstanding and continued actions of the business located at 167 Pot Hole Road, Naples, ID, 83847 and otherwise know as Panhandle Door, Inc. (PDI) poses a serious and immediate threat to the health and welfare of my neighbors adjacent to and on all sides of the said business, including that of my family, and this is being done flagrantly and obviously to anyone observing.
>
> Their actions are poisoning the air, ground and water while creating an egregious, chronic and ever present fire hazard that threatens our neighborhood.
>
> None of these actions are lawfully permitted or within zoning laws.
>
> Three people previously living in closest proximity to PDI have died in the past year and the

most recent one was less than a month ago. All three who died had symptoms associated with the listed effects for the chemicals being exhausted into the air by PDI.

>

> I fear for the safety of my neighbors and my family.

>

> This is not the first complaint I have issued.

>

> In accordance with your legal directives shown below, and for the safety of all those concerned, I humbly and urgently ask that you issue a cease and desist order as soon as possible, and then follow up with a review and investigate the violations.

>

> This business is not lawful and does not belong in our neighborhood.

>

> From your website: "REPORTING VIOLATIONS OF THE BOUNDARY COUNTY ZONING AND SUBDIVISION ORDINANCE

>

> As an ordinance of Boundary County, the Boundary County Zoning and Subdivision Ordinance has the force of law and penalties for violations and the process for enforcing violations are outlined in Sections 4. Violations of the ordinance are considered a misdemeanor punishable by fines not to exceed \$1000 and/or imprisonment in the county jail not to exceed six months. In addition, the property owner may be required by the court to correct the violation at their own expense, which could mean removing any structure which violates the provisions of the zoning and subdivision ordinance.

>

> Boundary County does not employ a building inspector or an officer or agent to seek out and prosecute violations of the ordinance, but relies instead on complaints from citizens. If you have reason to believe that a violation of this ordinance exists or is about to take place, you should notify the zoning administrator, providing the name of the owner of the property on which the violation may be occurring, the location of the property and the nature of the alleged violation. This notification may be in writing, by telephone, fax or email. You may, if you choose, remain anonymous.

>

> Upon receipt of complaint, the zoning administrator will determine if the complaint is valid and, if it appears that a violation exists, will send the property owner against whom the complaint was made a certified Notice of Violation setting forth the alleged violation(s), the provisions of the zoning and subdivision ordinance which apply and what actions, if any, can be taken to correct the violation. The property owner is then afforded a set amount of time to respond to the notice, either to refute the allegations or to establish a course of action to correct the violation. It is the intent of Boundary County to resolve violations without intervention by the courts whenever possible.

>

> If the nature of the violation is deemed by the Board of County Commissioners to pose a threat to the health or welfare of the citizens of Boundary County, a cease and desist order will be issued by the Prosecuting Attorney pending review and investigation of the violation.

>

> If the property owner fails to respond to the notice of violation in the established time frame, a copy of the complaint is forwarded to the Board of County Commissioners with a recommendation that the complaint be forwarded to the Prosecuting Attorney for further enforcement action."

>

> Sincerely, With All Rights Reserved, Without Prejudice,
>
> Jim "David" Dewberry
> 331 Pot Hole Road, Naples, ID 83847
> daviddewberry@runbox.com
> 208-908-3170

From: [Kevin Aardahl](#)
To: [Robert Steed](#); [Dean Kinney](#); [Shawn Sweetapple](#); [Dan McCracken](#)
Cc: [Chantilly Higbee](#); [Marc Kalbaugh](#)
Subject: RE: State Communications/NRC Complaint H-2024-00117
Date: Monday, June 17, 2024 2:22:00 PM
Attachments: [image001.png](#)

FYI. I had a call this morning from David Dewberry, who resides at 331 Pothole Road, and he brought up the same issues as in the previous complaints by Kelli Martin in our Complaint Tracker and in the State Comm call from Friday afternoon. I told him that we are in the process of reviewing records and will be visiting the facility to evaluate conditions at the site. He thanks me for taking his call and we agreed to follow-up after we've had a chance to visit and review agency records. I believe he is the same person that complained earlier about the blower noise during the evening shift.

Dean is going to visit the facility tomorrow on his way back from a meeting with Boundary County regarding their landfill.



Kevin B. Aardahl | Regional Remediation Manager

Idaho Department of Environmental Quality
2110 Ironwood Parkway | Coeur d'Alene, ID 83814
Regional Office: (208) 769-1422 | Cell: (208) 501-6004
<http://www.deq.idaho.gov/>

Our mission: To protect human health and the quality of Idaho's air, land, and water.

From: Robert Steed <Robert.Steed@deq.idaho.gov>
Sent: Monday, June 17, 2024 8:37 AM
To: Dean Kinney <Dean.Kinney@deq.idaho.gov>; Shawn Sweetapple <Shawn.Sweetapple@deq.idaho.gov>
Cc: Chantilly Higbee <Chantilly.Higbee@deq.idaho.gov>; Marc Kalbaugh <Marc.Kalbaugh@deq.idaho.gov>; Kevin Aardahl <Kevin.Aardahl@deq.idaho.gov>
Subject: FW: State Communications/NRC Complaint H-2024-00117

Dean and Shawn, Panhandle Door/Maveric in Naples seems to be a chronic dispute between neighbors although there may be merit to the claims. Past complaints 203495 and 172164 include air so I have included Shawn on the distribution list. I think I remember more bad acting on the part of Panhandle Door/Maveric than I was able to find in complaint tracker. Please let Chantilly or me know if there is any connection to surface water. Thanks, Bob-

Robert Steed | Surface Water Manager

Idaho Department of Environmental Quality
2110 Ironwood Parkway, Coeur d'Alene, ID 83814
Office: (208) 769-1422
www.deq.idaho.gov

Our mission: To protect human health and the quality of Idaho's air, land, and water.

From: Dana Harper <Dana.Harper@deq.idaho.gov>

Sent: Friday, June 14, 2024 4:49 PM

To: Robert Steed <Robert.Steed@deq.idaho.gov>; Marc Kalbaugh <Marc.Kalbaugh@deq.idaho.gov>;
Chantilly Higbee <Chantilly.Higbee@deq.idaho.gov>; Dean Kinney <Dean.Kinney@deq.idaho.gov>

Subject: State Communications/NRC Complaint H-2024-00117

Just sending a heads up on this reported complaint!

Have a Great Weekend,

Dana Harper | Waste & Remediation Manager

Idaho Department of Environmental Quality

1118 "F" Street, Lewiston, Idaho 83501

Office: (208) 799-4370

www.deq.idaho.gov

Our mission: To protect human health and the quality of Idaho's air, land, and water.

From: [David Dewberry](#)
To: [David Dewberry](#); [commissioners](#); [prosecutor](#)
CC: [Jeff Steinborn](#); [ijones185021](#); [Kevinkleinworth](#); [Kevin Aardahl](#); [pr](#); [idleginfo](#); [Isoweb](#); [SHerndon](#); [MSauter](#); [sdixon@house.idaho.gov](#); [Chaseinvestigations](#); [planning](#); [eketner](#); [dduffy](#); [bill.wilson](#); [cmarley](#)
Subject: Re: Immediate Helth Hazards may exist - Re: Zoning and health complaint
Date: Friday, July 5, 2024 2:59:50 PM

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Boundary County Planning & Zoning, County Commissioners and Prosecuting Attorney,

In continuation of my standing and legitimate complaint, please acknowledge that in addition to Panhandle Door Inc. being in apparent violation of many codes and ordinances and being legitimately protested by residents adjacent to PDI, the comprehensive zoning plan, updated by the county on January 18, 2022, does not call for any type of industrial use around Pot Hole Road. Please help to correct this circumstance that continues to adversely effect the people who live in our neighborhood despite continued and legitimate protests.

PDI, should be required to:

A. Cease and Desist any harmful activities, abate and compensate for any adverse effects on people, property and the environment, and to return to the level of business permitted in 2006, or

B. Cease and Desist any harmful activities, abate and compensate for any adverse effects on people, property and the environment, and relocate the business to a suitable location that is suitable and not legitimately protested, while being watched carefully by government, for continued violations.

With PDI, there is a seemingly apparent pattern of disregard for the laws and ordinances designed in spirit to protect peoples right to life, liberty and the pursuit of happiness.

We will eagerly await your response.

Time is of the essence.

Sincerely, With All Rights Reserved, Without Prejudice,

Jim "David" Dewberry

208-908-3170

daviddewberry@runbox.com

On 2024-07-05 13:32 -07:00 PDT, "David Dewberry" <daviddewberry@runbox.com> wrote:

Dear Boundary County Commissioners and Prosecuting Attorney,

Time is of the essence.

As a citizen, I am counting on you having the desire and will to fairly represent and serve all citizens of this county, including us.

I am asking, have you thoroughly read the entirety of my complaint below? I have not received a response, to acknowledge receipt of the email.

If you have not read it yet, will you please?

I also respectfully request you to respond to me in a meaningful way to help me understand your findings. Again, time is of the essence.

Has a Cease and Desist order been issued to PDI, regarding their exhausting of toxic chemicals? If not, may I ask why? Surrounding residents and myself believe this condition to be an immediate and serious health hazard to us., and we deserve to understand your evaluation of the circumstances and seeming lack of action.

Kindly, With All Rights Reserved, Without Prejudice,

Jim "David" Dewberry

208-908-3170

daviddewberry@runbox.com

On 2024-07-01 12:28 -07:00 PDT, "Planning" wrote:

> David:

>

> The minutes will not be available until the P&Z Commission approves them at their next meeting, July 25, 2024, and those are then posted to the website. For a copy of the audio recoding, please complete the attached public records request form so we may process the request.

>

> Tess Vogel, Planner

> Planning

> Ruen-Yeager & Associates, Inc.

> 219 Pine Street | Sandpoint, Idaho 83864

> Office: 208.265.4629

> planning@ruenyeager.com • ruenyeager.com

> Engineers | Planners | Surveyors

> [cid:image001.png@01DACBB1.FAC0A4F0]

>

> From: David Dewberry

> Sent: Monday, July 1, 2024 12:17 PM

> To: Planning ; Erik Ketner ; commissioners ; prosecutor ; dduffy ; 'Bill Wilson' ; Clare Marley

> Cc: Jeff Steinborn ; jjones185021 ; Kevinkleinworth ; Kevin.Aardahl ; prr ; idleginfo ; Isoweb ; SHerndon ; MSauter ; SDixon ; Chaseinvestigations

> Subject: Re: Zoning and health complaint

>

>

> Thank you for the update Tess.

>

> As a follow up at this time, I believe it is appropriate to point out a few more observations and also ask a few more questions:

>

> Observations:

>

> An existing employee shared with me that prior to the P&Z Dept. hearing this past Thursday, PDI conducted a company meeting with their employees where they stated that the neighbors were trying to shut down their business and, and thereby threatening their jobs. This is very concerning for a few reasons.

>

> * First that would be a mischaracterization of my desired outcome. I would like to see them stop their polluting and clean up their pollution in our neighborhood and to then move to an appropriate location, where they can continue business without damaging neighbors, employees, nor the environment.

> * Considering that while I was at the hearing, I was being harassed by some current employees, who are know to have previously been on the wrong side of criminal laws, I find this messaging in their company meeting very concerning and potentially further damaging to my neighbors and my family as it is potentially fomenting a physical threat to us, which others and myself are feeling.

> * I also find it as inappropriate and scaremongering, for the owner Nelson Mast to have indicated he would have to leave the county if he had to move. He is implying that the only way to keep the current people employed and to keep PDI's contribution to the local economy in tact, is to stay where they are currently located. This does not appear to be an accurate characterization of the circumstances and appears to be a tactic of discouraging the board from holding them accountable by alarming the employees and the P&Z Board with an underhanded ultimatum.

>

> Considering how far down the path of approval PDI is getting with the absurd location they are in, it would seem that there is suitable land elsewhere in the county, where close neighbors would not be a factor, and where it would be very easy to get correctly permitted.

>

> Furthermore, a pattern seems to be emerging and it is beginning to appear that there is credible reason to suspect bias in the presentation of facts, the conducting of the hearing and the resulting decision of the last hearing. This bias seems to be clearly for the interests of the owners of PDI, and against the interests of the residents around PDI and against the health and safety of PDI's employees, and against the interests of the community at large. Refer to my previous email attached for some of the reasons to suspect this.

>

> I am, however, hopeful that this suspicion is proven to be unfounded, or that at least any existing bias in the people and processes with the P&Z Dept. is rooted out and corrected ASAP.

>

> I am told that air quality monitors are currently picking up formaldehyde in the air around PDI, this being even after the evidenced frenzy of cover up activities that PDI has engaged in recently, such as pressure washing the side of the building where they have been exhausting wet paint near ground level along with other activities.

>
> Again, I ask that you and others concerned please be careful to see to it that your Department lands on the right, just and safe side of these circumstances.
>
> Finally, a couple questions. Time is of the essence:
>
> * What is being done, by your offices, in response to our complaints?
> * How can I get copies of any video and/or audio recordings, along with the minutes of the hearing from last Thursday?
>
>
>
> Sincerely, With All Rights Reserved, Without Prejudice,
>
> Jim "David" Dewberry
>
> 208-908-3170
>
> daviddewberry@runbox.com
>
>
>
>
>
>
> On 2024-07-01 07:49 -07:00 PDT, "Planning" wrote:
>> Your comments have been received, thank you.
>>
>> Tess Vogel, Planner
>> Planning
>> Ruen-Yeager & Associates, Inc.
>> 219 Pine Street | Sandpoint, Idaho 83864
>> Office: 208.265.4629
>> planning@ruenyeager.com • ruenyeager.com
>> Engineers | Planners | Surveyors
>> [cid:image001.png@01DACB8B.774EDA40]
>>
>> From: David Dewberry
>> Sent: Saturday, June 29, 2024 2:04 PM
>> To: Erik Ketner ; commissioners ; prosecutor ; Planning ; dduffy
>> Cc: Chaseinvestigation ; Jeff Steinborn ; jjones185021 ; Kevinkleinworth ; Kevin.Aardahl ; prr ; idleginfo ; lsoweb ; SHerndon ; MSauter ; SDixon
>> Subject: Re: Zoning and health complaint
>>
>>
>> To Boundary County Planning and Zoning and All Concerned,
>>
>> This past Thursday, we just attended the Boundary County Planning & Zoning public hearing for the permit request from Maverick LLC/Panhandle Door Inc. Please forgive me for saying, but it must be said, from many of our perspectives, who are on the receiving end of the egregious negligence by Panhandle Door Inc., the board and those advising them did

not exercise the appropriate level of due diligence & jurisdiction, considering the very plausible adverse health effects, adverse economic impacts, adverse effects on economic viability, adverse impact to the environments and adverse effects to life, liberty and pursuit of happiness of employees and neighbors of the business known as PDI.

>>

>> Having briefly reviewed the US. Constitution, The State of Idaho Constitution and the jurisdiction of the Boundary County Planning and Zoning board, I believe this past hearing was a negligent and egregious miscarriage of the responsibilities of the Planning & Zoning Board, resulting in an extension and continuation of damaging behaviors that employees and neighbors of PDI have been hurt by. The decision that the P&Z Board made, was a miscarriage of their responsibility. Many misleading and false statements were made by the people in favor of the granting of the permit. Here they are as I understand the facts, for which I believe I have much evidence to support and access to many witnesses who can attest to the truthfulness of these opinions to follow, base on the most recent Planning & Zoning hearing and testimonies:

>>

>> * False assertion: PDI is just a cabinet shop. Truth: They operate a separate paint mixing and retail/resale operation on site, independent of the cabinet shop. They operate a trucking business outside of their permitted activities.

>> * False assertion: The owner believed they did not need an updated permit for the scale of what they are doing. Truth: As compared to their current permit, they have 10 times the number of employees, 6 times the truck and trailers including semis, 6 times the square foot footprint, and added paint mixing retail/resale business. PDI's electrical, plumbing and septic systems as they exist, are not permitted. Any multiple business owner would be reasonably expected to be aware of these facts. Nelson owns multiple business, as does many of his close family and associates. His claimed naivety is disingenuous.

>> * False assertion: 75 employees. Truth: A former employee who stopped working there just a week ago, said that there are about 85 people working there.

>> * False assertion: There are no customers that come to the site. Truth: As a former employee, I personally dealt with customers on site almost daily and often multiple customers per day.

>> * False assertion: The business has DEQ approval to operate they way they do. Truth: No agency overseeing safe practices would approve the venting of wet clear coat paints products directly out the back sides of paint booths near ground level, near neighbors and wildlife. Neither would they approve dumping of plywood, treated wood products, paint buckets and barrels and trash into a watershed valley that drains into a pond and stream system only about 100 feet away. We have irrefutable evidence of this and the P&Z Board did not inquire on these points nor did they state that their decisions to grant a permit were contingent on the very clearly expressed perception of immediate hazardous conditions present at the business. I point you to the written directives for the P&Z board, concerning immediate health hazards.

>> * False assertion: There are about 80 vehicular trips per day. Truth: With lunch break, customers, contractors, deliveries, shipments and other visitors, there are closer to 250 trips per day in or out of the business.

>> * False assertion: The business is not using Maverick lane for employees and others, besides dump trucks. Truth: The neighbors of Maverick Lane witness employees carelessly and swiftly speeding in and out of Maverick Lane.

>> * False assertion: All properties concerned and within the direct impact zone of PDI are zoned Ag/Forrest. Truth: Most of the impacted neighbors are zoned Rural Residential.

>> * False assertion: The employees are safe. Truth: There is an immediate and very

plausible ongoing hazard to life, property and environment both inside for the employees and outside for neighbors. It was clearly stated by the fire chief that there is no sprinkler system. And it is required for their size. There is highly flammable wood dust in most of the building, highly flammable and toxic chemicals in large quantities, unpermitted and inspected electrical systems. Employees are not required to wear personal protective equipment on par with the manufacturers guidelines for the exposure levels to their products.

>> * False assertion: The paint products are safe because they are the products on most people's kitchen cabinets inside their homes. Truth: The paint products in their wet or uncured form are highly toxic to life.

>> * False assertion: There is a sixty foot easement along Pot Hole Road, that belongs to PDI. Truth: 60 feet?! Really? That is wider than highway 95 with the shoulders. I do not believe it.

>> * False assertion: PDI is operating 6am to 10pm. Truth: I have evidence and witness would prove that they have been operating until 3:30am or longer.

>> * False assertion: PDI just wants to be a good neighbor. Truth: In addition to all the chronic, imminent and unchecked health hazards, I had complained about the noise pollution for three years and about the trash blown onto my property for several months. Neither has been resolved. My neighbors are also suffering from the noise presently. Are property values can be conclusively proven to have suffered adverse affects by the unchecked activities and growth of PDI.

>> * False assertion: The noise levels the business generates are within the decibel level maximum requirements. Truth: Standing next to the dust collection system in operation for years, even being far below the main area that broadcast noise, one can hardly hear a person talk. If the decibels were checked at the loudest source point, it would be much louder than a lawn mower. Also, if one was to measure the back of a dump truck swinging their tail gates to slam against the dump bed to dislodge dirt, one would find that the decibels are at the level to be extremely painful and would cause ones ears to constantly ring from exposure. We have suffered consecutive days for months at a time of at least 40 trips per day of these dump trucks. The same high decibels comes from the heavy equipment being used to move the dirt around.

>>

>> This list is not exhaustive, but I am currently exhausted. There is more to come.

>>

>> Once, again, based on other's and my own testimony at the hearing and in letters that could have been easily verified by a cursory visit to the site and surface level research, I ask that you immediately issue a Notice of Violation and stop the Hazardous Conditions presented, along with the adverse economic effects, by PDI's operations, and see to it that these activities stop, and that reconciliation be initiated.

>>

>> Please exercise due diligence to avoid unknowingly becoming party to PDI's unsafe and unlawful actions.

>>

>> The reason I will not be appeased at this point, while PDI remains in operation at their current location, is because that damage has already been done, and is ongoing. The only alternative to appeasement with PDI in their current location is that if they return operation with all the parameters outlined in the only granted permit from 2006. (ie. 40' x 130' building, 6-8 employees, 10 cars, one truck and trailer, cabinet shop)

>>

>> As I stated at the hearing, I will take any and all lawful and just actions available, in order to protect all concerned from PDI's actions, and to seek remedy where appropriate.

>>
>> Sincerely, With All Rights Reserved, Without Prejudice,
>>
>> Jim "David" Dewberry
>>
>> 331 Pot Hole Road, Naples, ID, 83847
>>
>> daviddewberry@runbox.com
>>
>> 208-908-3170
>>
>>

>> On 2024-06-27 15:34 -07:00 PDT, "David Dewberry" > wrote:

>> Panhandle Health District, Boundary County Commissioners, Boundary County
Prosecuting Attorney, government leaders and Whom It May Concern in government,

>> I am a citizen of District 3 in Boundary County, Idaho.

>> This is a complaint.

>> I have had serious and ongoing concerns about the business next door to me, located at
167 Pot Hole Road, Naples, ID, 83847 and otherwise know as Panhandle Door, Inc. (PDI).
On many of these I expressed concerns, I do not know all the facts, but from what I have
experienced, observed and learned from others, I believe they may have been operating
outside some of the zoning and health requirements and/or guidelines designed to protect
those in the community.

>> A bit of background...

>> When my family and I came to visit this north Idaho community in the summer of 2018,
we had embarked on a road trip to explore where we would like to move. I was an owner
operator truck driver, and my family of four had loaded into the big rig to work and explore.
You see, we needed to move from where we were in Utah, because the poor air quality was
making my wife nearly bedridden. Different people respond to particulates in the air
differently, and we had discovered a clear connection to her degrading health in relation to
the ever increasing pollution in the Salt Lake and Utah Valleys.

>> North Idaho, where we had friends from our church, who had already move here from
Utah, was our first stop. We quickly knew we wanted to move here. We visited the local
parish of the Christian church we are members of and found it was perfect for our young
family. Our son was 12 and our daughter had just turned 11. We found that the people in the
community were kind, the air and water was clean, and the mountain forests were beautiful,
the political climate seemed to be one of personal liberty and respect for constitutional rights
and the protection of life, liberty and the pursuit of happiness. My wife, just as she had
experienced when we had recently taken a trip to Scotland, began to feel her energy and well
being increase within days of being here. In short it seemed to be an ideal place to continue
raising our family in peace and safety.

>> We went home, put our house up for sale, found a rental, and moved here in late October

of 2018. We first rented a house in town near the Kootenai river. Being that there was no suitable place to park my big rig, our friends who lived in the first house off Pot Hole Road at the top of Peterson Hill, offered to let me park the rig there in a perfect spot right off the highway. This worked nicely, and I quickly began to become acquainted with the folks off Pot Hole Road. You see, as I would be tinkering with my truck, people would stop and say hi to the new person in town. All were kind and respectful and one in particular, Terry Bodenhammer, may God rest his soul, would stop every time he saw me. He was a Christian, a former Marine and a retired logger, and he was just as one would expect with those credentials...tough, fearless, straight talking, hard working, possessing a heart for service. It seemed you didn't have to guess where he stood with things, but he did surprise me because I always had this sense that he was sizing me up.

>>

>> One day, while taking a break from working on my truck, and talking to my friend James in his driveway on Pot Hole Rd., Terry pulled up to us in his car and greeted James through the rolled down window, "You know, at first I didn't know what to think of this long haired hippie, but I have decided I like him." He was referring to me. I was a little surprised by the comment and the way it was delivered as if I wasn't standing there, while I held back the urge to correct him about the hippie reference, but I was also warmed by his expression of what felt to be an expression of affection, considering the source. It stuck with me, because it was so unexpected, and yet made me feel chosen, if you will. It was the first of many affirmations I received that God had brought us to the right place.

>>

>> A few months into this routine and coming into spring as I recall, Terry pulled up to me beside my rig, in the usual spot off the entrance of Pot Hole Road, stepped out of the car and said "You need to buy my house!". You see, he owned the house at the end of Pot Hole road on the right split, and through the wooden gates. The road also split left at the end and before the gates into PDI's parking lot.

>>

>> We finalized the purchase agreement and began moving in late summer of 2019.

>>

>> PDI, the business next door, operated from 6am to 2:30pm Monday through Friday, and I couldn't hear any noise to speak of from equipment such as dust collection fans etc., other than the occasional horn, or back up beeper from delivery trucks. Though not ideal, I assumed their operations were approved, and we decided we could live with the dust being kicked up on the road all summer, from employees along with the sparse occasional noises from their parking lot during the day. This is why we were ok with living here.

>>

>> We did however notice, massive burns that would occasionally happen at the PDI property. They were burning their waste. After one particular accidental burn when the volunteer fire department had to come out, I heard that they complained about having to breath noxious gases coming from trash and treated woods. After starting to work there, I noticed that there seemed to be a continual antagonism from the fire department because they would come out and see accumulating trash in the wood pile that was to be burned, which I imagine they would be asked again to fight if there was an accidental ignition. Eventually the fire department told PDI that they could not burn their trash. This is when it seemed that even more trash was accumulating in the massive pile down the hill on the south side of the plant. This was what they eventually buried along with their septic system, when they began brining in the fill dirt from the highway and road projects. This is when I noticed trailers of waste plywood and mdf being tracted back to the landfill area they had due west of the plant on the adjacent property they owned, and dumped. My former neighbor, Kevin

Kelinworth had told me he got pictures of the landfill area. He said he saw a lot barrel drums along with everything else.

>>

>> Backing up on the timeline, not long after moving here, we decided to sell the trucking business so I could be home more consistently. I started sub contracting in construction, then went to Alaska for the summer of 2020 fishing season, then came home and took a temporary position with the Idaho Dept. of Transportation mainly driving their plow trucks over the winter of 2020-2021. Then I returned to construction, and not long after that, my wife suggested that I apply for work at PDI. After PDI making me a third offer, I accepted a position as their Shipping Dept, leader and started around the first of August 2021.

>>

>> When I was hired, there were a few initiatives already in the works:

>>

>> One was the decision to begin a swing shift from roughly 2:30pm to 11pm Monday through Friday, thereby expanding their scheduled hours to 6am to 11pm five days a week, in addition to the many hours outside that schedule used to work on facilities, maintenance and production overtime.

>>

>> A second initiative was to install a single external dust collection system to replace the the internal dust collection systems.

>>

>> Yet another change, was to expand their building foot print by about seven thousand square feet which would put them at roughly 22,000 square feet in my estimation.

>>

>> Living next door, my home life immediately took a dive. I went from sporadic highway traffic noise that died down every day after business hours, to a steady loud drone of their dust collection system that would create a buzzing in our house that became very pronounced as the evenings progressed. So much for quite peaceful evenings. My wife said it was driving her crazy, and I was right behind her. I explained to the owners and showed them how a swing shift with 3 people was not necessary and introduced them to a dust collection engineer that showed them how they could cut out the noise from their system, but they did not want to do either. They said they would work on it.

>>

>> Fast forward 3 years later, after complaining to government, they just within the last two months or so, tried to remedy the problem by changing some parts of their system but primarily by placing the noise generating aspects down low below the roof line on the opposite side of their buildings from me. I have notice some improvement, which has been a relief, but now our neighbor on that side of the business continues to get a constant drone, just like I was. The sound seems like it is reflecting off of PDI's metal building toward them now.

>>

>> Back to when I was hired, within a year, I was made the Production Manager, while still leading the Shipping and Trucking operations. I was leading everyone, save the two owners, the Operations Manager, Human Resources, the Sales team, Administrative team and the Maintenance team, which comprised about 10 people. I was leading the remaining roughly 75 people. You see, I had many years of experience as a Factory Manager and Maintenance Manager for large plants in Utah. During my tenure at USSynthetic in Orem Utah, I was part of a leadership team that helped transform the company over the course of 6 years to be one of only two companies in the US, that year, to win the Shingo Prize. Look it up and you will see that a core principle is to connect the culture to delivering value to everyone, including

the employees and the community in order to create a sustainable and long term culture of excellence. Part of that is taking care of employees' and neighbors' safety as well as the environment. I could see the artifacts everywhere at PDI that revealed that these concerns seemed virtually absent. Retrospectively, despite my optimism to help folks see the value of a balanced perspective on the health of the business, I can see that it was not attainable because the owners actually did not seem to share that same perspective and desire. They seemed to only see how I could help increase profits and growth, which I did handily, because those solutions were adopted quickly and with vigor. However, nearly everything I had learned in overseeing the safety of several teams historically was being overlooked at PDI. Against my advise, they were quick to spend 100's of thousands of dollars on equipment in attempts to increase their throughput, or to expand the square footage, I could see there was plenty of work to do in terms of delivering better value to all the stakeholders and I felt up to the task of trying to help the owners achieve their business goals, as long as it involved taking proper care of all stakeholders.

>>

>> I learned that I was further and further hamstrung by entrenched leaders and lack of resolve of the owners. For two years they would not budge (except a \$1000 investment for noise dampening devices in the shipping department to lower the decibels) when it came to smaller investments for safety and the environment and neighbors such as myself. The owners appeared to be making a handsome profit, and I was being taken care of in terms of a competitive wage, however with no benefits, but it quickly became apparent to me that the long term health of the employees, community and the environment were not apparently part of any meaningful strategic discussions or actions. I know this, because I was in most of their planning meetings. I tried for the whole time I was there to get a dust collection table for this poor young man Aaron who would spend all day sanding dried clear coat from drawer boxes. His eyes would be completely red every day. God knows what his lungs must look like along with the condition of his hearing, with no respirator and no ear protection. I could not get his entrenched leaders to enforce the use of proper PPE. Although I was technically the 3rd tier leader for Aaron for a time, I was hamstrung to change requirements and systems to make things safer, due to the unwillingness for ownership to spend the money, and the unwillingness of the tenured and antagonistic leader of the Finish Department to make needed changes. His people were very unsafe in my opinion.

>>

>> Also during my employment, I noticed a utility sink in the middle of the finish area. The space would make me light headed every time I walked in there. This sink is where they would clean and rinse their brushes and paint buckets and equipment. At the time it didn't occur to me to wonder where that water was going. They had two large paint booths which I believe were being exhausted directly into the neighbors back yard from only about a hundred feet from their home which was downwind from the venting fumes. I have what I believe are those vents on video while there were recently in action. When I recorded, I could smell the fumes.

>>

>> I also remember when it apparently became a big problem that PDI may not have been disposing of their 55 gallon paint barrels correctly and they eventually started having SafetyClean carry them off.

>>

>> On other occasions, while walking on the property just west of them, I noticed they had been dumping off the edge of a ravine and there was a large pile of landfill type items such as old equipment, plywood, mdf, paint barrels and the like. At the time it did not occur to me just how damaging that could be, especially since it was in a water shed area that ran directly

into a pond system than continue down stream to a shallow well at the neighbors'. Fortunately, I recently discovered that the neighbors are not using it because it dries up seasonally, as I recall. However, there has historically been big game and a lot of wildlife that waters at those ponds and streams.

>>

>> Eventually I was relieved from production management responsibilities, and continued to lead the shipping and trucking, but then a little over a year ago, was relieved from employment all together with the explanation that I was on the wrong bus. I trusted that God had a plan for me, and as soon as it was known that I was available, by the grace of God, I was called and ultimately offered a position, resulting in not missing any days of work and having a much better job currently.

>>

>> However, I have a string of texts to Nelson Mast and Vern Helmuth, the owners of PDI, pleading with them to fix the noise problem, as it continued to disturb the peace and caused me countless nights of little and poor sleep. What made it more stressful was that I knew they could solve the problem if they had the resolve. At this point, I also began to ask that they solve the ongoing problem of their loose trash from the dumpsters and the parked cars, blowing onto my property continually. As of yesterday, they still had not put up a barrier as they said they would a few months ago.

>>

>> As I mentioned, starting a couple years ago, they started the process of bringing in seemingly thousands of tons of dirt from the side of the highway at McArthur lake as well as from a road project or projects in Bonners Ferry. I came to understand that it is plausible that the dirt may be contaminated with toxins including the remains of potentially old wooden sewage lines from town and the run off residue from years of highway service. I can't verify this, but I wonder were these soils tested for toxins, and if so, how accurately were they tested and what were the results?

>>

>> One day I noticed a whole lot of earthworks on our adjoining fence line and upon asking Vern Helmuth what it was, he stated it was a septic system. After looking at it closer and losing sleep about the potential consequences, I asked someone I know their opinion on the situation. He is not a septic expert but he does work with water professionally. He said he would expect that, based on the proximity of the system to my standing water as well as the system's position on top of a hill that was largely just recently created with heavy equipment, I would likely smell sewage there continually and that my wetlands would likely be contaminated with whatever is being drained. Then, I recalled seeing the PDI finish department utility sink in use, and the cleaning lady that came in a few times a week and used all kinds of cleaning supplies in the break room and bathrooms and all the people working and visiting the site using the bathrooms. I lost more sleep and then texted both Nelson and Vern on Feb. 7th, 2024 asking when we could meet with their septic contractor? There was no answer. I texted again on Feb. 13th. Still no answer. So I asked someone else who might know who the contractor was and was told more than likely KG&T. However, I was really developing a sour taste in my mouth, and not being interested in having someone try and talk me into agreeing to something I could never feel good about, I chose to visit the local Panhandle Health District and asked for permit info. They informed me that the only septic system approved was from 2000 when a system for 4 people and a 3 bedroom home was approved. I wonder if this is the system Vern told me they recently buried under tons of dirt? Upon discovery of this, I paid a visit to Vern and asked why they hadn't fixed the dust collector noise problem and why had they installed that septic system in such a seemingly terrible spot? He said something like he had been avoiding the dust collection fix,

because it was work he dreaded and that with all the fill dirt being brought in and covering the existing septic system, he feared that if they had problems with it, they would not have a back up. He expressed that this is why they had put the new one in. I asked why they hadn't gotten it permitted because I would be surprised if it would pass. His response was on the lines that he didn't want to have to deal with the requirements such as pressure testing etc. He conveyed that they hadn't hooked the new one up yet. I asked that it never be hooked up and that it be moved and he expressed that I would have to talk to Nelson about that as he made all of those kinds of decisions. I then asked when the noise problem with the dust collector would be solved, and he said he really could not say and furthermore was not even sure the changes would fix the problem.

>>

>> At this point I contacted Nelson Mast and asked to meet. After a couple weeks, I was able to meet with him in his truck on March 23rd, as he was leaving the PDI property I asked him to move the septic system away from such a terrible spot near me and he said he wanted to first see if they could get it permitted by PHD. I was appalled and expressed to him that even if it was permitted, I would challenge it, based on the seemingly obvious problems. I then asked for a commitment to stop the dust collection noise, especially during swing shift, and he conveyed that they were still working on it but that he believed the community really needed an industrial zone on the south side of town, with the me getting the inferred implication that he would spearhead that effort with PDI. In my view, reflecting on the patterns that were emerging, this was in the works for some time, and it would seem with little to no consideration of the neighbors and the environment they use, nor the rules and requirements designed to protect them.

>>

>> The experiences of my family dealing with the choices of the owners of PDI, up to now, which have been riddled with exhaustion and attempts to protect the inheritance and home I am working to leave for my children, as I deal with business owners who seemingly treat this whole area as if it is theirs for the taking, has left me no choice but to seek redress through the government agencies that I hope are still geared toward helping citizens, such as all concerned in these circumstances on and around Pot Hole Road.

>>

>> In this process, I have learned that other neighbors have been experiencing similar problems, and one family in particular, is getting it worse than all of us combined, I believe. I believe I have plausible reasons for concern that there may be potential poisoning of the air, the ground and the potential of an unusual and ever present fire hazard that may be an imminent and highly unusual threat to the people in our neighborhood.

>>

>> I wonder if many of the observed actions are lawfully permitted or within zoning laws.

>>

>> I am told by neighbors that three people previously living in closest proximity to PDI have died in the past year and the most recent one was less than a month ago. I am told all three who died, had symptoms associated with some listed effects for chemicals that may be being exhausted into the air by PDI's finishing operations.

>>

>> I fear for the safety of my neighbors and my family.

>>

>> This is not the first complaint I have issued regarding this business, and I wonder if these complaints have been taken seriously and what can be done to alleviate my concerns.

>>

>> Will you please investigate?

>>

>> I have video of what seemed to be paint, varnish, lacquer or solvent fumes, based on the smell, being exhausted at near ground level very close to my neighbors residence. The smells made me feel nausea.

>>

>> I have months of text messages along with witnesses to corroborate the legitimacy of my claims and basic timeline.

>>

>> Can you get answers about the fill dirt dumping? I ask because the wind is regularly stirring up the dust from that dirt and sending it across many of my neighbors homes and property. Just past Sunday, I was visiting with neighbors and the dust was making it hard to breath and keep our eyes open. This was never a problem before the dirt was brought in. Also, I am concerned that the runoff from that dirt will pollute the ground water. My exclusive water source is a shallow well.

>>

>> I received copies of public records concerning the zoning of the property where PDI is and there was no evidence, that I recall seeing, that their operations were in compliance with the laws.

>>

>> I personally witnessed piles of plywood and mdf sheets that had been dumped near PDI into what I would call a small watershed ravine that looks to drain into a pond and seasonal stream system that runs to the neighbors property. Another neighbor told me he also saw barrels in the dump pile.

>>

>> Their truck and employee traffic is daily kicking up dust on our only ingress and egress road, and they have multiple times had their trucks and cars or those of their suppliers vehicles get stuck and block the road entirely, so as to prevent any vehicles from entering or exiting.

>>

>> In conclusion, this business is seemingly operating without many needed permissions, and at best is a nuisance on many levels and at worst seems to be also expelling potentially dangerous and harmful toxins.

>>

>> Will you please investigate all the points of my complaint and help us resolve this to everyone's benefit? In my opinion, PDI would do well to relocate their operation away from residences and to be sure they are in compliance with laws regulating their business. I wonder even if the very large "For Hire" sign they placed at the entrance of Pot Hole Road is approved. If so, why would it be? It looks as if all of us neighbors are living in PDI's private industrial park, when in fact it is zoned rural residential or ag/forrest.

>>

>> I have met parishioners who would not consider buying here, which is close to our church, because of the proximity to PDI. Surely, I would imagine that PDI's seemingly unchecked growth and ways of doing business there has had a diminishing effect on the sales value of our properties, all other things being held equal.

>>

>> I saw this on one of your websites: "REPORTING VIOLATIONS OF THE BOUNDARY COUNTY ZONING AND SUBDIVISION ORDINANCE

>>

>> As an ordinance of Boundary County, the Boundary County Zoning and Subdivision Ordinance has the force of law and penalties for violations and the process for enforcing

violations are outlined in Sections 4. Violations of the ordinance are considered a misdemeanor punishable by fines not to exceed \$1000 and/or imprisonment in the county jail not to exceed six months. In addition, the property owner may be required by the court to correct the violation at their own expense, which could mean removing any structure which violates the provisions of the zoning and subdivision ordinance.

>>

>> Boundary County does not employ a building inspector or an officer or agent to seek out and prosecute violations of the ordinance, but relies instead on complaints from citizens. If you have reason to believe that a violation of this ordinance exists or is about to take place, you should notify the zoning administrator, providing the name of the owner of the property on which the violation may be occurring, the location of the property and the nature of the alleged violation. This notification may be in writing, by telephone, fax or email. You may, if you choose, remain anonymous.

>>

>> Upon receipt of complaint, the zoning administrator will determine if the complaint is valid and, if it appears that a violation exists, will send the property owner against whom the complaint was made a certified Notice of Violation setting forth the alleged violation(s), the provisions of the zoning and subdivision ordinance which apply and what actions, if any, can be taken to correct the violation. The property owner is then afforded a set amount of time to respond to the notice, either to refute the allegations or to establish a course of action to correct the violation. It is the intent of Boundary County to resolve violations without intervention by the courts whenever possible.

>>

>> If the nature of the violation is deemed by the Board of County Commissioners to pose a threat to the health or welfare of the citizens of Boundary County, a cease and desist order will be issued by the Prosecuting Attorney pending review and investigation of the violation.

>>

>> If the property owner fails to respond to the notice of violation in the established time frame, a copy of the complaint is forwarded to the Board of County Commissioners with a recommendation that the complaint be forwarded to the Prosecuting Attorney for further enforcement action."

>>

>> I wonder, has the above process been enacted?

>>

>> Thank you for your kind attention to our concerns and thank you in retrospect and in advance for anything you have or will do to help rectify these circumstances.

>>

>> Sincerely, With All Rights Reserved, Without Prejudice,

>>

>> Jim "David" Dewberry 331 Pot Hole Road, Naples, ID 83847
daviddewberry@runbox.com 208-908-3170

>>

>

From: [Dean Kinney](#)
To: [Nelson Mast](#)
Cc: [Kevin Aardahl](#); [Matthew Beeter](#)
Subject: RE: Wood Waste
Date: Monday, August 26, 2024 4:52:56 PM
Attachments: [image001.png](#)

Nelson:

I did receive your emails regarding the August 8, 2024 letter regarding wood waste disposal. However, DEQ has not received the items requested in the letter:

- Access to the western parcel and
- Waste disposal records.

You indicated in a previous email that the wood waste in the photographs attached to the letter was from a year ago. However, the photograph in the letter was dated July 19, 2024. This clearly shows wood waste on the western parcel. This photograph was taken days after DEQ was onsite and requested access to that parcel.

As the above items have not been provided within the requested 15 days, DEQ is evaluating options including a formal enforcement action.

Dean

From: Nelson Mast <nelson@panhandledoor.com>
Sent: Monday, August 19, 2024 11:43 AM
To: Dean Kinney <Dean.Kinney@deq.idaho.gov>
Subject: Fwd: Wood Waste

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Good morning Dean,

I just wanted to confirm that you received my response to the request for a site visit to the adjoining property.

----- Forwarded message -----

From: Nelson Mast <nelson@panhandledoor.com>
Date: Tue, Aug 13, 2024 at 12:09 PM
Subject: Re: Wood Waste
To: Dean Kinney <Dean.Kinney@deq.idaho.gov>

Hi Dean,

I received your request to visit the adjoining property next to Panhandle Door. The wood waste that you see in the pictures is from a year or so back when we were working to get our chipper installed. We have a portable tub grinder scheduled for the week of August 26th to grind this pile and the smaller pile next to the wood chip pile below Panhandle that we discussed when you were here a couple weeks ago.

We are also working with Jack Buell Trucking to start hauling the chips that have accumulated to Lewiston.

On Fri, Aug 9, 2024 at 5:07 PM Dean Kinney <Dean.Kinney@deq.idaho.gov> wrote:

Nelson and Vern:

Please find attached a request for access to the western parcel of Maverick, LLC as well as a request for wood waste disposal records.

Dean



Dean Kinney | Waste & Remediation

Idaho Department of Environmental Quality

2110 Ironwood Pkwy

Coeur d'Alene, ID 83814

Office: (208) 666-4615

Email: dean.kinney@deq.idaho.gov

<http://www.deq.idaho.gov/>

--

Nelson Mast
Panhandle Door Inc.
208-267-1973
P.O. Box 1696
Bonners Ferry, ID. 83805

--

Nelson Mast
Panhandle Door Inc.
208-267-1973
P.O. Box 1696
Bonnors Ferry, ID. 83805

I am, however, hopeful that this suspicion is proven to be unfounded, or that at least any existing bias in the people and processes with the P&Z Dept. is rooted out and corrected ASAP.

I am told that air quality monitors are currently picking up formaldehyde in the air around PDI, this being even after the evidenced frenzy of cover up activities that PDI has engaged in recently, such as pressure washing the side of the building where they have been exhausting wet paint near ground level along with other activities.

Again, I ask that you and others concerned please be careful to see to it that your Department lands on the right, just and safe side of these circumstances.

Finally, a couple questions. Time is of the essence:

- What is being done, by your offices, in response to our complaints?
- How can I get copies of any video and/or audio recordings, along with the minutes of the hearing from last Thursday?

Sincerely, With All Rights Reserved, Without Prejudice,

Jim "David" Dewberry

208-908-3170

daviddewberry@runbox.com

On 2024-07-01 07:49 -07:00 PDT, "Planning" wrote:

> Your comments have been received, thank you.

>

> Tess Vogel, Planner

> Planning

> Ruen-Yeager & Associates, Inc.

> 219 Pine Street | Sandpoint, Idaho 83864

> Office: 208.265.4629

> planning@ruenyeager.com • ruenyeager.com

> Engineers | Planners | Surveyors

> [cid:image001.png@01DACB8B.774EDA40]

>

> From: David Dewberry

> Sent: Saturday, June 29, 2024 2:04 PM

> To: Erik Ketner ; commissioners ; prosecutor ; Planning ; dduffy

> Cc: Chaseinvestigation ; Jeff Steinborn ; jjones185021 ; Kevinkleinworth ; Kevin.Aardahl ; prr ; idleginfo ; lsoeweb ; SHerndon ; MSauter ; SDixon

> Subject: Re: Zoning and health complaint

>

>

> To Boundary County Planning and Zoning and All Concerned,

>

> This past Thursday, we just attended the Boundary County Planning & Zoning public hearing for the permit request from Maverick LLC/Panhandle Door Inc. Please forgive me for saying, but it must be said, from many of our perspectives, who are on the receiving end of the egregious negligence by Panhandle Door Inc., the board and those advising them did not exercise the appropriate level of due diligence & jurisdiction, considering the very plausible adverse health effects, adverse economic impacts, adverse effects on economic viability, adverse impact to the environments and adverse effects to life, liberty and pursuit of happiness of employees and neighbors of the business known as PDI.

>

> Having briefly reviewed the US. Constitution, The State of Idaho Constitution and the jurisdiction of the Boundary County Planning and Zoning board, I believe this past hearing was a negligent and egregious miscarriage of the responsibilities of the Planning & Zoning Board, resulting in an extension and continuation of damaging behaviors that employees and neighbors of PDI have been hurt by. The decision that the P&Z Board made, was a miscarriage of their responsibility. Many misleading and false statements were made by the people in favor of the granting of the permit. Here they are as I understand the facts, for which I believe I have much evidence to support and access to many witnesses who can attest to the truthfulness of these opinions to follow, base on the most recent Planning & Zoning hearing and testimonies:

>

> * False assertion: PDI is just a cabinet shop. Truth: They operate a separate paint mixing and retail/resale operation on site, independent of the cabinet shop. They operate a trucking business outside of their permitted activities.

> * False assertion: The owner believed they did not need an updated permit for the scale of what they are doing. Truth: As compared to their current permit, they have 10 times the number of employees, 6 times the truck and trailers including semis, 6 times the square foot footprint, and added paint mixing retail/resale business. PDI's electrical, plumbing and septic systems as they exist, are not permitted. Any multiple business owner would be reasonably expected to be aware of these facts. Nelson owns multiple business, as does many of his close family and associates. His claimed naivety is disingenuous.

> * False assertion: 75 employees. Truth: A former employee who stopped working there just a week ago, said that there are about 85 people working there.

> * False assertion: There are no customers that come to the site. Truth: As a former employee, I personally dealt with customers on site almost daily and often multiple customers per day.

> * False assertion: The business has DEQ approval to operate they way they do. Truth: No agency overseeing safe practices would approve the venting of wet clear coat paints products directly out the back sides of paint booths near ground level, near neighbors and wildlife. Neither would they approve dumping of plywood, treated wood products, paint buckets and barrels and trash into a watershed valley that drains into a pond and stream system only about 100 feet away. We have irrefutable evidence of this and the P&Z Board did not inquire on these points nor did they state that their decisions to grant a permit were contingent on the very clearly expressed perception of immediate hazardous conditions present at the business. I point you to the written directives for the P&Z board, concerning immediate health hazards.

> * False assertion: There are about 80 vehicular trips per day. Truth: With lunch break, customers, contractors, deliveries, shipments and other visitors, there are closer to 250 trips

per day in or out of the business.

> * False assertion: The business is not using Maverick lane for employees and others, besides dump trucks. Truth: The neighbors of Maverick Lane witness employees carelessly and swiftly speeding in and out of Maverick Lane.

> * False assertion: All properties concerned and within the direct impact zone of PDI are zoned Ag/Forrest. Truth: Most of the impacted neighbors are zoned Rural Residential.

> * False assertion: The employees are safe. Truth: There is an immediate and very plausible ongoing hazard to life, property and environment both inside for the employees and outside for neighbors. It was clearly stated by the fire chief that there is no sprinkler system. And it is required for their size. There is highly flammable wood dust in most of the building, highly flammable and toxic chemicals in large quantities, un permitted and inspected electrical systems. Employees are not required to wear personal protective equipment on par with the manufacturers guidelines for the exposure levels to their products.

> * False assertion: The paint products are safe because they are the products on most people's kitchen cabinets inside their homes. Truth: The paint products in their wet or uncured form are highly toxic to life.

> * False assertion: There is a sixty foot easement along Pot Hole Road, that belongs to PDI. Truth: 60 feet?! Really? That is wider than highway 95 with the shoulders. I do not believe it.

> * False assertion: PDI is operating 6am to 10pm. Truth: I have evidence and witness would prove that they have been operating until 3:30am or longer.

> * False assertion: PDI just wants to be a good neighbor. Truth: In addition to all the chronic, imminent and unchecked health hazards, I had complained about the noise pollution for three years and about the trash blown onto my property for several months. Neither has been resolved. My neighbors are also suffering from the noise presently. Are property values can be conclusively proven to have suffered adverse affects by the unchecked activities and growth of PDI.

> * False assertion: The noise levels the business generates are within the decibel level maximum requirements. Truth: Standing next to the dust collection system in operation for years, even being far below the main area that broadcast noise, one can hardly hear a person talk. If the decibels were checked at the loudest source point, it would be much louder than a lawn mower. Also, if one was to measure the back of a dump truck swinging their tail gates to slam against the dump bed to dislodge dirt, one would find that the decibels are at the level to be extremely painful and would cause ones ears to constantly ring from exposure. We have suffered consecutive days for months at a time of at least 40 trips per day of these dump trucks. The same high decibels comes from the heavy equipment being used to move the dirt around.

>

> This list is not exhaustive, but I am currently exhausted. There is more to come.

>

> Once, again, based on other's and my own testimony at the hearing and in letters that could have been easily verified by a cursory visit to the site and surface level research, I ask that you immediately issue a Notice of Violation and stop the Hazardous Conditions presented, along with the adverse economic effects, by PDI's operations, and see to it that these activities stop, and that reconciliation be initiated.

>

> Please exercise due diligence to avoid unknowingly becoming party to PDI's unsafe and unlawful actions.

>

> The reason I will not be appeased at this point, while PDI remains in operation at their current location, is because that damage has already been done, and is ongoing. The only

alternative to appeasement with PDI in their current location is that if they return operation with all the parameters outlined in the only granted permit from 2006. (ie. 40' x 130' building, 6-8 employees, 10 cars, one truck and trailer, cabinet shop)

>

> As I stated at the hearing, I will take any and all lawful and just actions available, in order to protect all concerned from PDI's actions, and to seek remedy where appropriate.

>

> Sincerely, With All Rights Reserved, Without Prejudice,

>

> Jim "David" Dewberry

>

> 331 Pot Hole Road, Naples, ID, 83847

>

> daviddewberry@runbox.com

>

> 208-908-3170

>

>

> On 2024-06-27 15:34 -07:00 PDT, "David Dewberry" > wrote:

>

> Panhandle Health District, Boundary County Commissioners, Boundary County Prosecuting Attorney, government leaders and Whom It May Concern in government,

>

> I am a citizen of District 3 in Boundary County, Idaho.

>

> This is a complaint.

>

> I have had serious and ongoing concerns about the business next door to me, located at 167 Pot Hole Road, Naples, ID, 83847 and otherwise know as Panhandle Door, Inc. (PDI). On many of these I expressed concerns, I do not know all the facts, but from what I have experienced, observed and learned from others, I believe they may have been operating outside some of the zoning and health requirements and/or guidelines designed to protect those in the community.

>

> A bit of background...

>

> When my family and I came to visit this north Idaho community in the summer of 2018, we had embarked on a road trip to explore where we would like to move. I was an owner operator truck driver, and my family of four had loaded into the big rig to work and explore. You see, we needed to move from where we were in Utah, because the poor air quality was making my wife nearly bedridden. Different people respond to particulates in the air differently, and we had discovered a clear connection to her degrading health in relation to the ever increasing pollution in the Salt Lake and Utah Valleys.

>

> North Idaho, where we had friends from our church, who had already move here from Utah, was our first stop. We quickly knew we wanted to move here. We visited the local parish of the Christian church we are members of and found it was perfect for our young family. Our son was 12 and our daughter had just turned 11. We found that the people in the community were kind, the air and water was clean, and the mountain forests were beautiful, the political climate seemed to be one of personal liberty and respect for constitutional rights and the

protection of life, liberty and the pursuit of happiness. My wife, just as she had experienced when we had recently taken a trip to Scotland, began to feel her energy and well being increase within days of being here. In short it seemed to be an ideal place to continue raising our family in peace and safety.

>

> We went home, put our house up for sale, found a rental, and moved here in late October of 2018. We first rented a house in town near the Kootenai river. Being that there was no suitable place to park my big rig, our friends who lived in the first house off Pot Hole Road at the top of Peterson Hill, offered to let me park the rig there in a perfect spot right off the highway. This worked nicely, and I quickly began to become acquainted with the folks off Pot Hole Road. You see, as I would be tinkering with my truck, people would stop and say hi to the new person in town. All were kind and respectful and one in particular, Terry Bodenhammer, may God rest his soul, would stop every time he saw me. He was a Christian, a former Marine and a retired logger, and he was just as one would expect with those credentials...tough, fearless, straight talking, hard working, possessing a heart for service. It seemed you didn't have to guess where he stood with things, but he did surprise me because I always had this sense that he was sizing me up.

>

> One day, while taking a break from working on my truck, and talking to my friend James in his driveway on Pot Hole Rd., Terry pulled up to us in his car and greeted James through the rolled down window, "You know, at first I didn't know what to think of this long haired hippie, but I have decided I like him." He was referring to me. I was a little surprised by the comment and the way it was delivered as if I wasn't standing there, while I held back the urge to correct him about the hippie reference, but I was also warmed by his expression of what felt to be an expression of affection, considering the source. It stuck with me, because it was so unexpected, and yet made me feel chosen, if you will. It was the first of many affirmations I received that God had brought us to the right place.

>

> A few months into this routine and coming into spring as I recall, Terry pulled up to me beside my rig, in the usual spot off the entrance of Pot Hole Road, stepped out of the car and said "You need to buy my house!". You see, he owned the house at the end of Pot Hole road on the right split, and through the wooden gates. The road also split left at the end and before the gates into PDI's parking lot.

>

> We finalized the purchase agreement and began moving in late summer of 2019.

>

> PDI, the business next door, operated from 6am to 2:30pm Monday through Friday, and I couldn't hear any noise to speak of from equipment such as dust collection fans etc., other than the occasional horn, or back up beeper from delivery trucks. Though not ideal, I assumed their operations were approved, and we decided we could live with the dust being kicked up on the road all summer, from employees along with the sparse occasional noises from their parking lot during the day. This is why we were ok with living here.

>

> We did however notice, massive burns that would occasionally happen at the PDI property. They were burning their waste. After one particular accidental burn when the volunteer fire department had to come out, I heard that they complained about having to breath noxious gases coming from trash and treated woods. After starting to work there, I noticed that there seemed to be a continual antagonism from the fire department because they would come out and see accumulating trash in the wood pile that was to be burned, which I imagine they would be asked again to fight if there was an accidental ignition. Eventually the fire

department told PDI that they could not burn their trash. This is when it seemed that even more trash was accumulating in the massive pile down the hill on the south side of the plant. This was what they eventually buried along with their septic system, when they began brining in the fill dirt from the highway and road projects. This is when I noticed trailers of waste plywood and mdf being tracted back to the landfill area they had due west of the plant on the adjacent property they owned, and dumped. My former neighbor, Kevin Kelinworth had told me he got pictures of the landfill area. He said he saw a lot barrel drums along with everything else.

>

> Backing up on the timeline, not long after moving here, we decided to sell the trucking business so I could be home more consistently. I started sub contracting in construction, then went to Alaska for the summer of 2020 fishing season, then came home and took a temporary position with the Idaho Dept. of Transportation mainly driving their plow trucks over the winter of 2020-2021. Then I returned to construction, and not long after that, my wife suggested that I apply for work at PDI. After PDI making me a third offer, I accepted a position as their Shipping Dept, leader and started around the first of August 2021.

>

> When I was hired, there were a few initiatives already in the works:

>

> One was the decision to begin a swing shift from roughly 2:30pm to 11pm Monday through Friday, thereby expanding their scheduled hours to 6am to 11pm five days a week, in addition to the many hours outside that schedule used to work on facilities, maintenance and production overtime.

>

> A second initiative was to install a single external dust collection system to replace the the internal dust collection systems.

>

> Yet another change, was to expand their building foot print by about seven thousand square feet which would put them at roughly 22,000 square feet in my estimation.

>

> Living next door, my home life immediately took a dive. I went from sporadic highway traffic noise that died down every day after business hours, to a steady loud drone of their dust collection system that would create a buzzing in our house that became very pronounced as the evenings progressed. So much for quite peaceful evenings. My wife said it was driving her crazy, and I was right behind her. I explained to the owners and showed them how a swing shift with 3 people was not necessary and introduced them to a dust collection engineer that showed them how they could cut out the noise from their system, but they did not want to do either. They said they would work on it.

>

> Fast forward 3 years later, after complaining to government, they just within the last two months or so, tried to remedy the problem by changing some parts of their system but primarily by placing the noise generating aspects down low below the roof line on the opposite side of their buildings from me. I have notice some improvement, which has been a relief, but now our neighbor on that side of the business continues to get a constant drone, just like I was. The sound seems like it is reflecting off of PDI's metal building toward them now.

>

> Back to when I was hired, within a year, I was made the Production Manager, while still leading the Shipping and Trucking operations. I was leading everyone, save the two owners, the Operations Manager, Human Resources, the Sales team, Administrative team and the Maintenance team, which comprised about 10 people. I was leading the remaining roughly 75

people. You see, I had many years of experience as a Factory Manager and Maintenance Manager for large plants in Utah. During my tenure at USSynthetic in Orem Utah, I was part of a leadership team that helped transform the company over the course of 6 years to be one of only two companies in the US, that year, to win the Shingo Prize. Look it up and you will see that a core principle is to connect the culture to delivering value to everyone, including the employees and the community in order to create a sustainable and long term culture of excellence. Part of that is taking care of employees' and neighbors' safety as well as the environment. I could see the artifacts everywhere at PDI that revealed that these concerns seemed virtually absent. Retrospectively, despite my optimism to help folks see the value of a balanced perspective on the health of the business, I can see that it was not attainable because the owners actually did not seem to share that same perspective and desire. They seemed to only see how I could help increase profits and growth, which I did handily, because those solutions were adopted quickly and with vigor. However, nearly everything I had learned in overseeing the safety of several teams historically was being overlooked at PDI. Against my advise, they were quick to spend 100's of thousands of dollars on equipment in attempts to increase their throughput, or to expand the square footage, I could see there was plenty of work to do in terms of delivering better value to all the stakeholders and I felt up to the task of trying to help the owners achieve their business goals, as long as it involved taking proper care of all stakeholders.

>

> I learned that I was further and further hamstrung by entrenched leaders and lack of resolve of the owners. For two years they would not budge (except a \$1000 investment for noise dampening devices in the shipping department to lower the decibels) when it came to smaller investments for safety and the environment and neighbors such as myself. The owners appeared to be making a handsome profit, and I was being taken care of in terms of a competitive wage, however with no benefits, but it quickly became apparent to me that the long term health of the employees, community and the environment were not apparently part of any meaningful strategic discussions or actions. I know this, because I was in most of their planning meetings. I tried for the whole time I was there to get a dust collection table for this poor young man Aaron who would spend all day sanding dried clear coat from drawer boxes. His eyes would be completely red every day. God knows what his lungs must look like along with the condition of his hearing, with no respirator and no ear protection. I could not get his entrenched leaders to enforce the use of proper PPE. Although I was technically the 3rd tier leader for Aaron for a time, I was hamstrung to change requirements and systems to make things safer, due to the unwillingness for ownership to spend the money, and the unwillingness of the tenured and antagonistic leader of the Finish Department to make needed changes. His people were very unsafe in my opinion.

>

> Also during my employment, I noticed a utility sink in the middle of the finish area. The space would make me light headed every time I walked in there. This sink is where they would clean and rinse their brushes and paint buckets and equipment. At the time it didn't occur to me to wonder where that water was going. They had two large paint booths which I believe were being exhausted directly into the neighbors back yard from only about a hundred feet from their home which was downwind from the venting fumes. I have what I believe are those vents on video while there were recently in action. When I recorded, I could smell the fumes.

>

> I also remember when it apparently became a big problem that PDI may not have been disposing of their 55 gallon paint barrels correctly and they eventually started having SafetyClean carry them off.

>

> On other occasions, while walking on the property just west of them, I noticed they had been dumping off the edge of a ravine and there was a large pile of landfill type items such as old equipment, plywood, mdf, paint barrels and the like. At the time it did not occur to me just how damaging that could be, especially since it was in a water shed area that ran directly into a pond system than continue down stream to a shallow well at the neighbors'. Fortunately, I recently discovered that the neighbors are not using it because it dries up seasonally, as I recall. However, there has historically been big game and a lot of wildlife that waters at those ponds and streams.

>

> Eventually I was relieved from production management responsibilities, and continued to lead the shipping and trucking, but then a little over a year ago, was relieved from employment all together with the explanation that I was on the wrong bus. I trusted that God had a plan for me, and as soon as it was known that I was available, by the grace of God, I was called and ultimately offered a position, resulting in not missing any days of work and having a much better job currently.

>

> However, I have a string of texts to Nelson Mast and Vern Helmuth, the owners of PDI, pleading with them to fix the noise problem, as it continued to disturb the peace and caused me countless nights of little and poor sleep. What made it more stressful was that I knew they could solve the problem if they had the resolve. At this point, I also began to ask that they solve the ongoing problem of their loose trash from the dumpsters and the parked cars, blowing onto my property continually. As of yesterday, they still had not put up a barrier as they said they would a few months ago.

>

> As I mentioned, starting a couple years ago, they started the process of bringing in seemingly thousands of tons of dirt from the side of the highway at McArthur lake as well as from a road project or projects in Bonners Ferry. I came to understand that it is plausible that the dirt may be contaminated with toxins including the remains of potentially old wooden sewage lines from town and the run off residue from years of highway service. I can't verify this, but I wonder were these soils tested for toxins, and if so, how accurately were they tested and what were the results?

>

> One day I noticed a whole lot of earthworks on our adjoining fence line and upon asking Vern Helmuth what it was, he stated it was a septic system. After looking at it closer and losing sleep about the potential consequences, I asked someone I know their opinion on the situation. He is not a septic expert but he does work with water professionally. He said he would expect that, based on the proximity of the system to my standing water as well as the system's position on top of a hill that was largely just recently created with heavy equipment, I would likely smell sewage there continually and that my wetlands would likely be contaminated with whatever is being drained. Then, I recalled seeing the PDI finish department utility sink in use, and the cleaning lady that came in a few times a week and used all kinds of cleaning supplies in the break room and bathrooms and all the people working and visiting the site using the bathrooms. I lost more sleep and then texted both Nelson and Vern on Feb. 7th, 2024 asking when we could meet with their septic contractor? There was no answer. I texted again on Feb. 13th. Still no answer. So I asked someone else who might know who the contractor was and was told more than likely KG&T. However, I was really developing a sour taste in my mouth, and not being interested in having someone try and talk me into agreeing to something I could never feel good about, I chose to visit the local Panhandle Health District and asked for permit info. They informed me that the only septic

system approved was from 2000 when a system for 4 people and a 3 bedroom home was approved. I wonder if this is the system Vern told me they recently buried under tons of dirt? Upon discovery of this, I paid a visit to Vern and asked why they hadn't fixed the dust collector noise problem and why had they installed that septic system in such a seemingly terrible spot? He said something like he had been avoiding the dust collection fix, because it was work he dreaded and that with all the fill dirt being brought in and covering the existing septic system, he feared that if they had problems with it, they would not have a back up. He expressed that this is why they had put the new one in. I asked why they hadn't gotten it permitted because I would be surprised if it would pass. His response was on the lines that he didn't want to have to deal with the requirements such as pressure testing etc. He conveyed that they hadn't hooked the new one up yet. I asked that it never be hooked up and that it be moved and he expressed that I would have to talk to Nelson about that as he made all of those kinds of decisions. I then asked when the noise problem with the dust collector would be solved, and he said he really could not say and furthermore was not even sure the changes would fix the problem.

>

> At this point I contacted Nelson Mast and asked to meet. After a couple weeks, I was able to meet with him in his truck on March 23rd, as he was leaving the PDI property I asked him to move the septic system away from such a terrible spot near me and he said he wanted to first see if they could get it permitted by PHD. I was appalled and expressed to him that even if it was permitted, I would challenge it, based on the seemingly obvious problems. I then asked for a commitment to stop the dust collection noise, especially during swing shift, and he conveyed that they were still working on it but that he believed the community really needed an industrial zone on the south side of town, with the me getting the inferred implication that he would spearhead that effort with PDI. In my view, reflecting on the patterns that were emerging, this was in the works for some time, and it would seem with little to no consideration of the neighbors and the environment they use, nor the rules and requirements designed to protect them.

>

> The experiences of my family dealing with the choices of the owners of PDI, up to now, which have been riddled with exhaustion and attempts to protect the inheritance and home I am working to leave for my children, as I deal with business owners who seemingly treat this whole area as if it is theirs for the taking, has left me no choice but to seek redress through the government agencies that I hope are still geared toward helping citizens, such as all concerned in these circumstances on and around Pot Hole Road.

>

> In this process, I have learned that other neighbors have been experiencing similar problems, and one family in particular, is getting it worse than all of us combined, I believe. I believe I have plausible reasons for concern that there may be potential poisoning of the air, the ground and the potential of an unusual and ever present fire hazard that may be an imminent and highly unusual threat to the people in our neighborhood.

>

> I wonder if many of the observed actions are lawfully permitted or within zoning laws.

>

> I am told by neighbors that three people previously living in closest proximity to PDI have died in the past year and the most recent one was less than a month ago. I am told all three who died, had symptoms associated with some listed effects for chemicals that may be being exhausted into the air by PDI's finishing operations.

>

> I fear for the safety of my neighbors and my family.

- >
- > This is not the first complaint I have issued regarding this business, and I wonder if these complaints have been taken seriously and what can be done to alleviate my concerns.
- >
- > Will you please investigate?
- >
- > I have video of what seemed to be paint, varnish, lacquer or solvent fumes, based on the smell, being exhausted at near ground level very close to my neighbors residence. The smells made me feel nausea.
- >
- > I have months of text messages along with witnesses to corroborate the legitimacy of my claims and basic timeline.
- >
- > Can you get answers about the fill dirt dumping? I ask because the wind is regularly stirring up the dust from that dirt and sending it across many of my neighbors homes and property. Just past Sunday, I was visiting with neighbors and the dust was making it hard to breath and keep our eyes open. This was never a problem before the dirt was brought in. Also, I am concerned that the runoff from that dirt will pollute the ground water. My exclusive water source is a shallow well.
- >
- > I received copies of public records concerning the zoning of the property where PDI is and there was no evidence, that I recall seeing, that their operations were in compliance with the laws.
- >
- > I personally witnessed piles of plywood and mdf sheets that had been dumped near PDI into what I would call a small watershed ravine that looks to drain into a pond and seasonal stream system that runs to the neighbors property. Another neighbor told me he also saw barrels in the dump pile.
- >
- > Their truck and employee traffic is daily kicking up dust on our only ingress and egress road, and they have multiple times had their trucks and cars or those of their suppliers vehicles get stuck and block the road entirely, so as to prevent any vehicles from entering or exiting.
- >
- > In conclusion, this business is seemingly operating without many needed permissions, and at best is a nuisance on many levels and at worst seems to be also expelling potentially dangerous and harmful toxins.
- >
- > Will you please investigate all the points of my complaint and help us resolve this to everyone's benefit? In my opinion, PDI would do well to relocate their operation away from residences and to be sure they are in compliance with laws regulating their business. I wonder even if the very large "For Hire" sign they placed at the entrance of Pot Hole Road is approved. If so, why would it be? It looks as if all of us neighbors are living in PDI's private industrial park, when in fact it is zoned rural residential or ag/forrest.
- >
- > I have met parishioners who would not consider buying here, which is close to our church, because of the proximity to PDI. Surely, I would imagine that PDI's seemingly unchecked growth and ways of doing business there has had a diminishing effect on the sales value of our properties, all other things being held equal.
- >

> I saw this on one of your websites: "REPORTING VIOLATIONS OF THE BOUNDARY COUNTY ZONING AND SUBDIVISION ORDINANCE

>

> As an ordinance of Boundary County, the Boundary County Zoning and Subdivision Ordinance has the force of law and penalties for violations and the process for enforcing violations are outlined in Sections 4. Violations of the ordinance are considered a misdemeanor punishable by fines not to exceed \$1000 and/or imprisonment in the county jail not to exceed six months. In addition, the property owner may be required by the court to correct the violation at their own expense, which could mean removing any structure which violates the provisions of the zoning and subdivision ordinance.

>

> Boundary County does not employ a building inspector or an officer or agent to seek out and prosecute violations of the ordinance, but relies instead on complaints from citizens. If you have reason to believe that a violation of this ordinance exists or is about to take place, you should notify the zoning administrator, providing the name of the owner of the property on which the violation may be occurring, the location of the property and the nature of the alleged violation. This notification may be in writing, by telephone, fax or email. You may, if you choose, remain anonymous.

>

> Upon receipt of complaint, the zoning administrator will determine if the complaint is valid and, if it appears that a violation exists, will send the property owner against whom the complaint was made a certified Notice of Violation setting forth the alleged violation(s), the provisions of the zoning and subdivision ordinance which apply and what actions, if any, can be taken to correct the violation. The property owner is then afforded a set amount of time to respond to the notice, either to refute the allegations or to establish a course of action to correct the violation. It is the intent of Boundary County to resolve violations without intervention by the courts whenever possible.

>

> If the nature of the violation is deemed by the Board of County Commissioners to pose a threat to the health or welfare of the citizens of Boundary County, a cease and desist order will be issued by the Prosecuting Attorney pending review and investigation of the violation.

>

> If the property owner fails to respond to the notice of violation in the established time frame, a copy of the complaint is forwarded to the Board of County Commissioners with a recommendation that the complaint be forwarded to the Prosecuting Attorney for further enforcement action."

>

> I wonder, has the above process been enacted?

>

> Thank you for your kind attention to our concerns and thank you in retrospect and in advance for anything you have or will do to help rectify these circumstances.

>

> Sincerely, With All Rights Reserved, Without Prejudice,

>

> Jim "David" Dewberry 331 Pot Hole Road, Naples, ID 83847 daviddewberry@runbox.com
208-908-3170

>

From: David Dewberry
To: eketner@phd1.idaho.gov; [commissioners](#); [prosecutor](#); [planning](#); [dduffy](#)
Cc: [Chaseinvestigation](#); [Jeff Steinborn](#); [jones185021](#); [Kevinkleinworth](#); [Kevin Aardahl](#); [pr: idleginfo](#); [lsoweb](#); [SHerndon](#); [MSauter](#); sdixon@house.idaho.gov
Subject: Re: Zoning and health complaint
Date: Saturday, June 29, 2024 2:04:49 PM

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

To Boundary County Planning and Zoning and All Concerned,

This past Thursday, we just attended the Boundary County Planning & Zoning public hearing for the permit request from Maverick LLC/Panhandle Door Inc. Please forgive me for saying, but it must be said, from many of our perspectives, who are on the receiving end of the egregious negligence by Panhandle Door Inc., the board and those advising them did not exercise the appropriate level of due diligence & jurisdiction, considering the very plausible adverse health effects, adverse economic impacts, adverse effects on economic viability, adverse impact to the environments and adverse effects to life, liberty and pursuit of happiness of employees and neighbors of the business known as PDI.

Having briefly reviewed the US. Constitution, The State of Idaho Constitution and the jurisdiction of the Boundary County Planning and Zoning board, I believe this past hearing was a negligent and egregious miscarriage of the responsibilities of the Planning & Zoning Board, resulting in an extension and continuation of damaging behaviors that employees and neighbors of PDI have been hurt by. The decision that the P&Z Board made, was a miscarriage of their responsibility. Many misleading and false statements were made by the people in favor of the granting of the permit. Here they are as I understand the facts, for which I believe I have much evidence to support and access to many witnesses who can attest to the truthfulness of these opinions to follow, base on the most recent Planning & Zoning hearing and testimonies:

- False assertion: PDI is just a cabinet shop. Truth: They operate a separate paint mixing and retail/resale operation on site, independent of the cabinet shop. They operate a trucking business outside of their permitted activities.
- False assertion: The owner believed they did not need an updated permit for the scale of what they are doing. Truth: As compared to their current permit, they have 10 times the number of employees, 6 times the truck and trailers including semis, 6 times the square foot footprint, and added paint mixing retail/resale business. PDI's electrical, plumbing and septic systems as they exist, are not permitted. Any multiple business owner would be reasonably expected to be aware of these facts. Nelson owns multiple business, as does many of his close family and associates. His claimed naivety is disingenuous.
- False assertion: 75 employees. Truth: A former employee who stopped working there just a week ago, said that there are about 85 people working there.
- False assertion: There are no customers that come to the site. Truth: As a former employee, I personally dealt with customers on site almost daily and often multiple customers per day.
- False assertion: The business has DEQ approval to operate they way they do. Truth:

No agency overseeing safe practices would approve the venting of wet clear coat paints products directly out the back sides of paint booths near ground level, near neighbors and wildlife. Neither would they approve dumping of plywood, treated wood products, paint buckets and barrels and trash into a watershed valley that drains into a pond and stream system only about 100 feet away. We have irrefutable evidence of this and the P&Z Board did not inquire on these points nor did they state that their decisions to grant a permit were contingent on the very clearly expressed perception of immediate hazardous conditions present at the business. I point you to the written directives for the P&Z board, concerning immediate health hazards.

- False assertion: There are about 80 vehicular trips per day. Truth: With lunch break, customers, contractors, deliveries, shipments and other visitors, there are closer to 250 trips per day in or out of the business.
- False assertion: The business is not using Maverick lane for employees and others, besides dump trucks. Truth: The neighbors of Maverick Lane witness employees carelessly and swiftly speeding in and out of Maverick Lane.
- False assertion: All properties concerned and within the direct impact zone of PDI are zoned Ag/Forrest. Truth: Most of the impacted neighbors are zoned Rural Residential.
- False assertion: The employees are safe. Truth: There is an immediate and very plausible ongoing hazard to life, property and environment both inside for the employees and outside for neighbors. It was clearly stated by the fire chief that there is no sprinkler system. And it is required for their size. There is highly flammable wood dust in most of the building, highly flammable and toxic chemicals in large quantities, unpermitted and inspected electrical systems. Employees are not required to wear personal protective equipment on par with the manufacturers guidelines for the exposure levels to their products.
- False assertion: The paint products are safe because they are the products on most people's kitchen cabinets inside their homes. Truth: The paint products in their wet or uncured form are highly toxic to life.
- False assertion: There is a sixty foot easement along Pot Hole Road, that belongs to PDI. Truth: 60 feet?! Really? That is wider than highway 95 with the shoulders. I do not believe it.
- False assertion: PDI is operating 6am to 10pm. Truth: I have evidence and witness would prove that they have been operating until 3:30am or longer.
- False assertion: PDI just wants to be a good neighbor. Truth: In addition to all the chronic, imminent and unchecked health hazards, I had complained about the noise pollution for three years and about the trash blown onto my property for several months. Neither has been resolved. My neighbors are also suffering from the noise presently. Are property values can be conclusively proven to have suffered adverse affects by the unchecked activities and growth of PDI.
- False assertion: The noise levels the business generates are within the decibel level maximum requirements. Truth: Standing next to the dust collection system in operation for years, even being far below the main area that broadcast noise, one can hardly hear a person talk. If the decibels were checked at the loudest source point, it would be much louder than a lawn mower. Also, if one was to measure the back of a dump truck swinging their tail gates to slam against the dump bed to dislodge dirt, one would find that the decibels are at the level to be extremely painful and would cause ones ears to constantly ring from exposure. We have suffered consecutive days for months at a time of at least 40 trips per day of these dump trucks. The same high decibels comes from the heavy equipment being used to move the dirt around.

This list is not exhaustive, but I am currently exhausted. There is more to come.

Once, again, based on other's and my own testimony at the hearing and in letters that could have been easily verified by a cursory visit to the site and surface level research, I ask that you immediately issue a Notice of Violation and stop the Hazardous Conditions presented, along with the adverse economic effects, by PDI's operations, and see to it that these activities stop, and that reconciliation be initiated.

Please exercise due diligence to avoid unknowingly becoming party to PDI's unsafe and unlawful actions.

The reason I will not be appeased at this point, while PDI remains in operation at their current location, is because that damage has already been done, and is ongoing. The only alternative to appeasement with PDI in their current location is that if they return operation with all the parameters outlined in the only granted permit from 2006. (ie. 40' x 130' building, 6-8 employees, 10 cars, one truck and trailer, cabinet shop)

As I stated at the hearing, I will take any and all lawful and just actions available, in order to protect all concerned from PDI's actions, and to seek remedy where appropriate.

Sincerely, With All Rights Reserved, Without Prejudice,

Jim "David" Dewberry

331 Pot Hole Road, Naples, ID, 83847

daviddewberry@runbox.com

208-908-3170

On 2024-06-27 15:34 -07:00 PDT, "David Dewberry" <daviddewberry@runbox.com> wrote:

**Panhandle Health District, Boundary County Commissioners,
Boundary County Prosecuting Attorney, government leaders and
Whom It May Concern in government,**

I am a citizen of District 3 in Boundary County, Idaho.

This is a complaint.

I have had serious and ongoing concerns about the business next door to me, located at 167 Pot Hole Road, Naples, ID, 83847 and otherwise know as Panhandle Door, Inc. (PDI). On many of these I expressed concerns, I do not know all the facts, but from what I have experienced, observed and learned from others, I believe they may have been operating outside some of the zoning and health requirements and/or guidelines designed to protect those in the

community.

A bit of background...

When my family and I came to visit this north Idaho community in the summer of 2018, we had embarked on a road trip to explore where we would like to move. I was an owner operator truck driver, and my family of four had loaded into the big rig to work and explore. You see, we needed to move from where we were in Utah, because the poor air quality was making my wife nearly bedridden. Different people respond to particulates in the air differently, and we had discovered a clear connection to her degrading health in relation to the ever increasing pollution in the Salt Lake and Utah Valleys.

North Idaho, where we had friends from our church, who had already move here from Utah, was our first stop. We quickly knew we wanted to move here. We visited the local parish of the Christian church we are members of and found it was perfect for our young family. Our son was 12 and our daughter had just turned 11. We found that the people in the community were kind, the air and water was clean, and the mountain forests were beautiful, the political climate seemed to be one of personal liberty and respect for constitutional rights and the protection of life, liberty and the pursuit of happiness. My wife, just as she had experienced when we had recently taken a trip to Scotland, began to feel her energy and well being increase within days of being here. In short it seemed to be an ideal place to continue raising our family in peace and safety.

We went home, put our house up for sale, found a rental, and moved here in late October of 2018. We first rented a house in town near the Kootenai river. Being that there was no suitable place to park my big rig, our friends who lived in the first house off Pot Hole Road at the top of Peterson Hill, offered to let me park the rig there in a perfect spot right off the highway. This worked nicely, and I quickly began to become acquainted with the folks off Pot Hole Road. You see, as I would be tinkering with my truck, people would stop and say hi to the new person in town. All were kind and respectful and one in particular, Terry Bodenhammer, may God rest his soul, would stop every time he saw me. He was a Christian, a former Marine and a retired logger, and

he was just as one would expect with those credentials...tough, fearless, straight talking, hard working, possessing a heart for service. It seemed you didn't have to guess where he stood with things, but he did surprise me because I always had this sense that he was sizing me up.

One day, while taking a break from working on my truck, and talking to my friend James in his driveway on Pot Hole Rd., Terry pulled up to us in his car and greeted James through the rolled down window, "You know, at first I didn't know what to think of this long haired hippie, but I have decided I like him." He was referring to me. I was a little surprised by the comment and the way it was delivered as if I wasn't standing there, while I held back the urge to correct him about the hippie reference, but I was also warmed by his expression of what felt to be an expression of affection, considering the source. It stuck with me, because it was so unexpected, and yet made me feel chosen, if you will. It was the first of many affirmations I received that God had brought us to the right place.

A few months into this routine and coming into spring as I recall, Terry pulled up to me beside my rig, in the usual spot off the entrance of Pot Hole Road, stepped out of the car and said "You need to buy my house!". You see, he owned the house at the end of Pot Hole road on the right split, and through the wooden gates. The road also split left at the end and before the gates into PDI's parking lot.

We finalized the purchase agreement and began moving in late summer of 2019.

PDI, the business next door, operated from 6am to 2:30pm Monday through Friday, and I couldn't hear any noise to speak of from equipment such as dust collection fans etc., other than the occasional horn, or back up beeper from delivery trucks. Though not ideal, I assumed their operations were approved, and we decided we could live with the dust being kicked up on the road all summer, from employees along with the sparse occasional noises from their parking lot during the day. This is why we were ok with living here.

We did however notice, massive burns that would occasionally happen at the PDI property. They were burning their waste. After one particular

accidental burn when the volunteer fire department had to come out, I heard that they complained about having to breath noxious gases coming from trash and treated woods. After starting to work there, I noticed that there seemed to be a continual antagonism from the fire department because they would come out and see accumulating trash in the wood pile that was to be burned, which I imagine they would be asked again to fight if there was an accidental ignition. Eventually the fire department told PDI that they could not burn their trash. This is when it seemed that even more trash was accumulating in the massive pile down the hill on the south side of the plant. This was what they eventually buried along with their septic system, when they began brining in the fill dirt from the highway and road projects. This is when I noticed trailers of waste plywood and mdf being tracted back to the landfill area they had due west of the plant on the adjacent property they owned, and dumped. My former neighbor, Kevin Kelinworth had told me he got pictures of the landfill area. He said he saw a lot barrel drums along with everything else.

Backing up on the timeline, not long after moving here, we decided to sell the trucking business so I could be home more consistently. I started sub contracting in construction, then went to Alaska for the summer of 2020 fishing season, then came home and took a temporary position with the Idaho Dept. of Transportation mainly driving their plow trucks over the winter of 2020-2021. Then I returned to construction, and not long after that, my wife suggested that I apply for work at PDI. After PDI making me a third offer, I accepted a position as their Shipping Dept, leader and started around the first of August 2021.

When I was hired, there were a few initiatives already in the works:

One was the decision to begin a swing shift from roughly 2:30pm to 11pm Monday through Friday, thereby expanding their scheduled hours to 6am to 11pm five days a week, in addition to the many hours outside that schedule used to work on facilities, maintenance and production overtime.

A second initiative was to install a single external dust collection system to replace the the internal dust collection systems.

Yet another change, was to expand their building foot print by about seven thousand square feet which would put them at roughly 22,000 square feet in my estimation.

Living next door, my home life immediately took a dive. I went from sporadic highway traffic noise that died down every day after business hours, to a steady loud drone of their dust collection system that would create a buzzing in our house that became very pronounced as the evenings progressed. So much for quite peaceful evenings. My wife said it was driving her crazy, and I was right behind her. I explained to the owners and showed them how a swing shift with 3 people was not necessary and introduced them to a dust collection engineer that showed them how they could cut out the noise from their system, but they did not want to do either. They said they would work on it.

Fast forward 3 years later, after complaining to government, they just within the last two months or so, tried to remedy the problem by changing some parts of their system but primarily by placing the noise generating aspects down low below the roof line on the opposite side of their buildings from me. I have notice some improvement, which has been a relief, but now our neighbor on that side of the business continues to get a constant drone, just like I was. The sound seems like it is reflecting off of PDI's metal building toward them now.

Back to when I was hired, within a year, I was made the Production Manager, while still leading the Shipping and Trucking operations. I was leading everyone, save the two owners, the Operations Manager, Human Resources, the Sales team, Administrative team and the Maintenance team, which comprised about 10 people. I was leading the remaining roughly 75 people. You see, I had many years of experience as a Factory Manager and Maintenance Manager for large plants in Utah. During my tenure at USSynthetic in Orem Utah, I was part of a leadership team that helped transform the company over the course of 6 years to be one of only two companies in the US, that year, to win the Shingo Prize. Look it up and you will see that a core principle is to connect the culture to delivering value to everyone, including the employees and the community in order to create a sustainable and long term culture of excellence. Part of that is taking care of employees' and neighbors' safety as well as the environment. I could see the artifacts everywhere at PDI that revealed that these

concerns seemed virtually absent. Retrospectively, despite my optimism to help folks see the value of a balanced perspective on the health of the business, I can see that it was not attainable because the owners actually did not seem to share that same perspective and desire. They seemed to only see how I could help increase profits and growth, which I did handily, because those solutions were adopted quickly and with vigor. However, nearly everything I had learned in overseeing the safety of several teams historically was being overlooked at PDI. Against my advise, they were quick to spend 100's of thousands of dollars on equipment in attempts to increase their throughput, or to expand the square footage, I could see there was plenty of work to do in terms of delivering better value to all the stakeholders and I felt up to the task of trying to help the owners achieve their business goals, as long as it involved taking proper care of all stakeholders.

I learned that I was further and further hamstrung by entrenched leaders and lack of resolve of the owners. For two years they would not budge (except a \$1000 investment for noise dampening devices in the shipping department to lower the decibels) when it came to smaller investments for safety and the environment and neighbors such as myself. The owners appeared to be making a handsome profit, and I was being taken care of in terms of a competitive wage, however with no benefits, but it quickly became apparent to me that the long term health of the employees, community and the environment were not apparently part of any meaningful strategic discussions or actions. I know this, because I was in most of their planning meetings. I tried for the whole time I was there to get a dust collection table for this poor young man Aaron who would spend all day sanding dried clear coat from drawer boxes. His eyes would be completely red every day. God knows what his lungs must look like along with the condition of his hearing, with no respirator and no ear protection. I could not get his entrenched leaders to enforce the use of proper PPE. Although I was technically the 3rd tier leader for Aaron for a time, I was hamstrung to change requirements and systems to make things safer, due to the unwillingness for ownership to spend the money, and the unwillingness of the tenured and antagonistic leader of the Finish Department to make needed changes. His people were very unsafe in my opinion.

Also during my employment, I noticed a utility sink in the middle of the finish area. The space would make me light headed every time I walked in there. This sink is where they would clean and rinse their brushes and paint buckets and equipment. At the time it didn't occur to me to wonder where that water was going. They had two large paint booths which I believe were being exhausted directly into the neighbors back yard from only about a hundred feet from their home which was downwind from the venting fumes. I have what I believe are those vents on video while there were recently in action. When I recorded, I could smell the fumes.

I also remember when it apparently became a big problem that PDI may not have been disposing of their 55 gallon paint barrels correctly and they eventually started having SafetyClean carry them off.

On other occasions, while walking on the property just west of them, I noticed they had been dumping off the edge of a ravine and there was a large pile of landfill type items such as old equipment, plywood, mdf, paint barrels and the like. At the time it did not occur to me just how damaging that could be, especially since it was in a water shed area that ran directly into a pond system than continue down stream to a shallow well at the neighbors'. Fortunately, I recently discovered that the neighbors are not using it because it dries up seasonally, as I recall. However, there has historically been big game and a lot of wildlife that waters at those ponds and streams.

Eventually I was relieved from production management responsibilities, and continued to lead the shipping and trucking, but then a little over a year ago, was relieved from employment all together with the explanation that I was on the wrong bus. I trusted that God had a plan for me, and as soon as it was known that I was available, by the grace of God, I was called and ultimately offered a position, resulting in not missing any days of work and having a much better job currently.

However, I have a string of texts to Nelson Mast and Vern Helmuth, the owners of PDI, pleading with them to fix the noise problem, as it continued to disturb the peace and caused me countless nights of little and poor sleep. What made it more stressful was that I knew they

could solve the problem if they had the resolve. At this point, I also began to ask that they solve the ongoing problem of their loose trash from the dumpsters and the parked cars, blowing onto my property continually. As of yesterday, they still had not put up a barrier as they said they would a few months ago.

As I mentioned, starting a couple years ago, they started the process of bringing in seemingly thousands of tons of dirt from the side of the highway at McArthur lake as well as from a road project or projects in Bonners Ferry. I came to understand that it is plausible that the dirt may be contaminated with toxins including the remains of potentially old wooden sewage lines from town and the run off residue from years of highway service. I can't verify this, but I wonder were these soils tested for toxins, and if so, how accurately were they tested and what were the results?

One day I noticed a whole lot of earthworks on our adjoining fence line and upon asking Vern Helmuth what it was, he stated it was a septic system. After looking at it closer and losing sleep about the potential consequences, I asked someone I know their opinion on the situation. He is not a septic expert but he does work with water professionally. He said he would expect that, based on the proximity of the system to my standing water as well as the system's position on top of a hill that was largely just recently created with heavy equipment, I would likely smell sewage there continually and that my wetlands would likely be contaminated with whatever is being drained. Then, I recalled seeing the PDI finish department utility sink in use, and the cleaning lady that came in a few times a week and used all kinds of cleaning supplies in the break room and bathrooms and all the people working and visiting the site using the bathrooms. I lost more sleep and then texted both Nelson and Vern on Feb. 7th, 2024 asking when we could meet with their septic contractor? There was no answer. I texted again on Feb. 13th. Still no answer. So I asked someone else who might know who the contractor was and was told more than likely KG&T. However, I was really developing a sour taste in my mouth, and not being interested in having someone try and talk me into agreeing to something I could never feel good about, I chose to visit the local Panhandle Health District and asked for permit info. They informed me that the only septic system approved was from 2000 when a system for 4 people and and a 3 bedroom home was

approved. I wonder if this is the system Vern told me they recently buried under tons of dirt? Upon discovery of this, I paid a visit to Vern and asked why they hadn't fixed the dust collector noise problem and why had they installed that septic system in such a seemingly terrible spot? He said something like he had been avoiding the dust collection fix, because it was work he dreaded and that with all the fill dirt being brought in and covering the existing septic system, he feared that if they had problems with it, they would not have a back up. He expressed that this is why they had put the new one in. I asked why they hadn't gotten it permitted because I would be surprised if it would pass. His response was on the lines that he didn't want to have to deal with the requirements such as pressure testing etc. He conveyed that they hadn't hooked the new one up yet. I asked that it never be hooked up and that it be moved and he expressed that I would have to talk to Nelson about that as he made all of those kinds of decisions. I then asked when the noise problem with the dust collector would be solved, and he said he really could not say and furthermore was not even sure the changes would fix the problem.

At this point I contacted Nelson Mast and asked to meet. After a couple weeks, I was able to meet with him in his truck on March 23rd, as he was leaving the PDI property I asked him to move the septic system away from such a terrible spot near me and he said he wanted to first see if they could get it permitted by PHD. I was appalled and expressed to him that even if it was permitted, I would challenge it, based on the seemingly obvious problems. I then asked for a commitment to stop the dust collection noise, especially during swing shift, and he conveyed that they were still working on it but that he believed the community really needed an industrial zone on the south side of town, with the me getting the inferred implication that he would spearhead that effort with PDI. In my view, reflecting on the patterns that were emerging, this was in the works for some time, and it would seem with little to no consideration of the neighbors and the environment they use, nor the rules and requirements designed to protect them.

The experiences of my family dealing with the choices of the owners of PDI, up to now, which have been riddled with exhaustion and attempts

to protect the inheritance and home I am working to leave for my children, as I deal with business owners who seemingly treat this whole area as if it is theirs for the taking, has left me no choice but to seek redress through the government agencies that I hope are still geared toward helping citizens, such as all concerned in these circumstances on and around Pot Hole Road.

In this process, I have learned that other neighbors have been experiencing similar problems, and one family in particular, is getting it worse than all of us combined, I believe. I believe I have plausible reasons for concern that there may be potential poisoning of the air, the ground and the potential of an unusual and ever present fire hazard that may be an imminent and highly unusual threat to the people in our neighborhood.

I wonder if many of the observed actions are lawfully permitted or within zoning laws.

I am told by neighbors that three people previously living in closest proximity to PDI have died in the past year and the most recent one was less than a month ago. I am told all three who died, had symptoms associated with some listed effects for chemicals that may be being exhausted into the air by PDI's finishing operations.

I fear for the safety of my neighbors and my family.

This is not the first complaint I have issued regarding this business, and I wonder if these complaints have been taken seriously and what can be done to alleviate my concerns.

Will you please investigate?

I have video of what seemed to be paint, varnish, lacquer or solvent fumes, based on the smell, being exhausted at near ground level very close to my neighbors residence. The smells made me feel nausea.

I have months of text messages along with witnesses to corroborate the legitimacy of my claims and basic timeline.

Can you get answers about the fill dirt dumping? I ask because the wind is regularly stirring up the dust from that dirt and sending it across

many of my neighbors homes and property. Just past Sunday, I was visiting with neighbors and the dust was making it hard to breath and keep our eyes open. This was never a problem before the dirt was brought in. Also, I am concerned that the runoff from that dirt will pollute the ground water. My exclusive water source is a shallow well.

I received copies of public records concerning the zoning of the property where PDI is and there was no evidence, that I recall seeing, that their operations were in compliance with the laws.

I personally witnessed piles of plywood and mdf sheets that had been dumped near PDI into what I would call a small watershed ravine that looks to drain into a pond and seasonal stream system that runs to the neighbors property. Another neighbor told me he also saw barrels in the dump pile.

Their truck and employee traffic is daily kicking up dust on our only ingress and egress road, and they have multiple times had theirs trucks and cars or those of their suppliers vehicles get stuck and block the road entirely, so as to prevent any vehicles from entering or exiting.

In conclusion, this business is seemingly operating without many needed permissions, and at best is a nuisance on many levels and at worst seems to be also expelling potentially dangerous and harmful toxins.

Will you please investigate all the points of my complaint and help us resolve this to everyone's benefit? In my opinion, PDI would do well to relocate their operation away from residences and to be sure they are in compliance with laws regulating their business. I wonder even if the very large "For Hire" sign they placed at the entrance of Pot Hole Road is approved. If so, why would it be? It looks as if all of us neighbors are living in PDI's private industrial park, when in fact it is zoned rural residential or ag/forrest.

I have met parishioners who would not consider buying here, which is close to our church, because of the proximity to PDI. Surely, I would imagine that PDI's seemingly unchecked growth and ways of doing business there has had a diminishing effect on the sales value of our properties, all other things being held equal.

I saw this on one of your websites: "REPORTING VIOLATIONS OF THE BOUNDARY COUNTY ZONING AND SUBDIVISION ORDINANCE

As an ordinance of Boundary County, the Boundary County Zoning and Subdivision Ordinance has the force of law and penalties for violations and the process for enforcing violations are outlined in Sections 4. Violations of the ordinance are considered a misdemeanor punishable by fines not to exceed \$1000 and/or imprisonment in the county jail not to exceed six months. In addition, the property owner may be required by the court to correct the violation at their own expense, which could mean removing any structure which violates the provisions of the zoning and subdivision ordinance.

Boundary County does not employ a building inspector or an officer or agent to seek out and prosecute violations of the ordinance, but relies instead on complaints from citizens. If you have reason to believe that a violation of this ordinance exists or is about to take place, you should notify the zoning administrator, providing the name of the owner of the property on which the violation may be occurring, the location of the property and the nature of the alleged violation. This notification may be in writing, by telephone, fax or email. You may, if you choose, remain anonymous.

Upon receipt of complaint, the zoning administrator will determine if the complaint is valid and, if it appears that a violation exists, will send the property owner against whom the complaint was made a certified Notice of Violation setting forth the alleged violation(s), the provisions of the zoning and subdivision ordinance which apply and what actions, if any, can be taken to correct the violation. The property owner is then afforded a set amount of time to respond to the notice, either to refute the allegations or to establish a course of action to correct the violation. It is the intent of Boundary County to resolve violations without intervention by the courts whenever possible.

If the nature of the violation is deemed by the Board of County Commissioners to pose a threat to the health or welfare of the citizens of Boundary County, a cease and desist order will be issued by the Prosecuting Attorney pending review and investigation of the violation.

If the property owner fails to respond to the notice of violation in the established time frame, a copy of the complaint is forwarded to the Board of County Commissioners with a recommendation that the complaint be forwarded to the Prosecuting Attorney for further enforcement action."

I wonder, has the above process been enacted?

Thank you for your kind attention to our concerns and thank you in retrospect and in advance for anything you have or will do to help rectify these circumstances.

Sincerely, With All Rights Reserved, Without Prejudice,

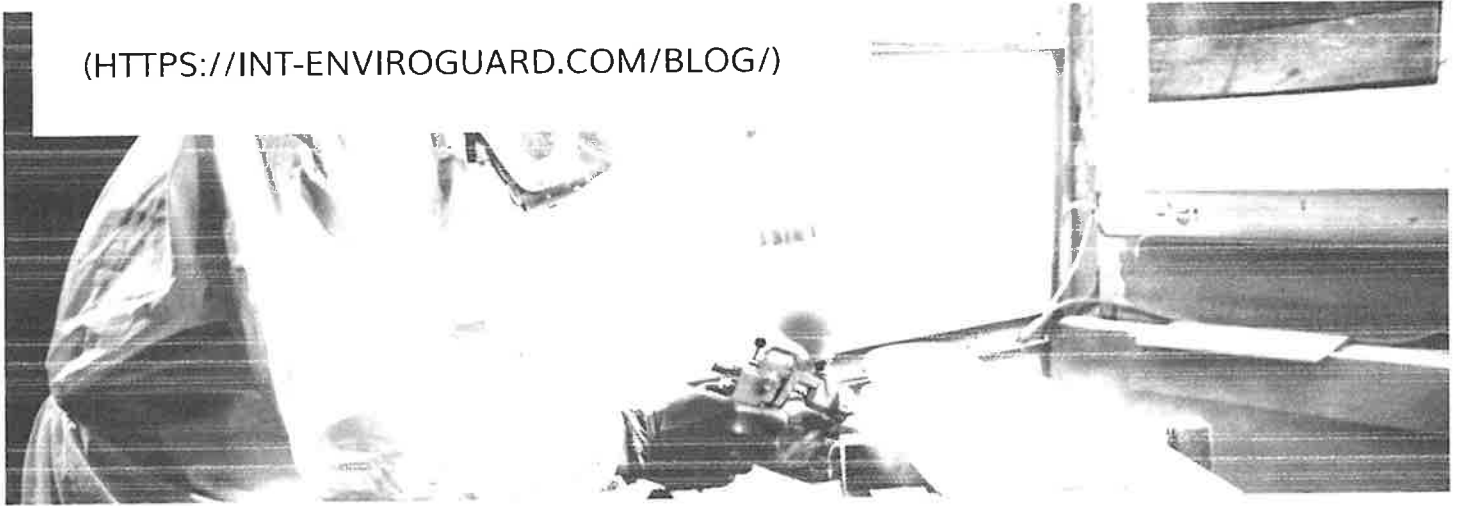
Jim "David" Dewberry 331 Pot Hole Road, Naples, ID 83847
daviddewberry@runbox.com 208-908-3170

HEALTH DANGERS THAT PAINTS AND COATINGS CREATE



FAQ (HTTPS://INT-ENVIROGUARD.COM/FAQ/)

(HTTPS://INT-ENVIROGUARD.COM/BLOG/)



International Enviroguard (https://int-enviroguard.com/blog/author/aric_asplund/) Dec 8, 2021

The fact that paints, stains, and surface coatings are all around us often makes people believe they are perfectly safe. Since the majority of lead-based products have been eliminated, some of the health risks have been mitigated. It may come as something of a surprise to workers entering positions that involve spraying, rolling, and brushing paint, but paints still contain dangerous elements.

That's why OSHA regulations for indoor painting have become increasingly stringent regarding the need for ventilation, personal protective equipment, and disposable clothing for all settings. By understanding the health and safety risks of working with paints and coatings, employers and can better protect their employees from long and short-term health issues.

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Workplace

How significant growth year-over-year will be subjected to exposure since the pandemic saw market share experts anticipate steady annual growth of \$207 billion by 2028. The U.S. has 155,000 people work in painting and coating, which hovers around 7 percent in the

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materials used in residential and commercial buildings results in companies employing the largest workforce.

- **Automotive:** Original Equipment Manufacturers (OEMs) employ more than 7 percent of the painting and coating labor force. Automotive refinishing and protective coatings add to a high employment sector.
- **Marine:** The painting and sealing of ocean and freshwater vessels includes a significant portion of the workforce that often conducts tasks in enclosed spaces, which presents additional safety risks.
- **Industrial Wood:** The staining, painting, laminating, and coating of wood building materials occurs within manufacturing plants at an increased rate. Builders and DIY homeowners are purchasing installation-ready materials that are finished in plants.

People who work in wide-reaching industries also encounter potentially harmful fumes. For example, metal coil coating workers may suffer exposure to fumes, much like indoor home and commercial building painters.

What Do Paint Fumes Contain that Make Them Dangerous?

The so-called "new paint" smell that everyday people experience is driven by the evaporation of sometimes harmful chemicals. It's essential to understand that paint and coating vapors can continue to pose a health risk while drying. However, the strongest emission from wet paint and coatings during the application process is the most dangerous.

aint as well as volatile organic
that are known to cause adverse
ally include the following.

Resources

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to-safely-work-with-toluene/ This
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t. Exposure also may result in
:le coordination. Prolonged

exposure can prove fatal.

- **Benzene:** This hazardous chemical turns into vapor quickly when paint and coating containers are opened. The fumes tend to sink into low-lying spaces, according to the CDC. Exposure can result in irregular heart rhythms, headaches, tremors, and confusion. Excessive exposure can prove fatal.

- **Dichloromethane:** Commonly used in paint remover, exposure causes fatigue, lethargy, headache, and chest pain. Over-exposure can result in death.

Formaldehyde: ([https://int-enviroguard.com/blog/protecting-workers-from-](https://int-enviroguard.com/blog/protecting-workers-from-formaldehyde-exposure/)

- **formaldehyde-exposure/**

Often employed in building materials such as pressed wood, this hazard can also cause adverse health reactions through skin contact. Formaldehyde has also been linked to cancer.

- **Trichloroethylene:** Used in wide-reaching industrial settings, this chemical has been linked to groundwater contamination and cancer. Vapor inhalation poses a danger to the lungs, and direct contact can result in the carcinogen entering the body.

- **Acetone:** This chemical has a wide range of commercial applications that include solvents, nail polish, and it is considered highly flammable. Inhalation results in prompt nose, eye, throat, and lung irritation. Ongoing exposure typically causes dizziness, erratic heart rates, confusion and can result in death.

This short-list ranks among the more dangerous chemicals that workers routinely encounter throughout painting and coating occupations. Others include Ethanol, Propylene glycol, Glycol ethers, and Styrene. Workers are considered at heightened risk

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Coating VOC exposure usually sidelines workers in many cases. However, the implications of excessive exposure or contact with known carcinogens can result in long-term conditions.

Carcinogens such as Benzene have been linked to debilitating and fatal conditions such as cancer and liver damage. What makes this class of paint and coating additives so dangerous stems from the fact that both skin contact and inhalation put workers at risk. It's crucial to keep in mind a wide variety of products include known carcinogens making painting hazards and control measures such as a paint suit necessary.

Do OSHA Regulations Cover Paint Fumes or Painting Safety?

In terms of painting hazards and control measures, a variety of OSHA regulations generally apply. The general industry standards that involve a safe workspace include areas free of walking impediments, slip and fall hazards, and common risk factors associated with the environment or job application. Given many painters and people who use solvents work in the construction sector, regulations regarding safety training, education, and ventilation, among others, remain critical measures that employers are required to observe. OSHA ventilation requirements include the following.

- Dust, vapors, and fumes cannot exceed safety limits established by OSHA.
- Local exhaust methods will be employed to extricate dust, fumes, and vapors to reduce concentrations to safe levels.
- Exhaust fans and mechanical devices are required to expel fumes, dust, and vapors from enclosed spaces.

d Coating Fumes Q

are at risk of short-term ailments and VOC health effects tend to be severe. People can generally heal from with rest, headaches, and even modest symptoms in many cases. Mild paint and

Coating VOC exposure usually sidelines workers in many cases. However, the implications of excessive exposure or contact with known carcinogens can result in long-term conditions.

Carcinogens such as Benzene have been linked to debilitating and fatal conditions such as cancer and liver damage. What makes this class of paint and coating additives so dangerous stems from the fact that both skin contact and inhalation put workers at risk. It's crucial to keep in mind a wide variety of products include known carcinogens making painting hazards and control measures such as a paint suit necessary.

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Safe ventilation practices are critical in an area that could expose workers to harmful elements. Whenever possible, local exhaust ventilation (LEV) should be used in ventilated areas. The health and safety of workers using respiratory apparatuses are available in various forms of clothing are utilized.

How to Paint Fumes in the

The keys to minimizing VOC and carcinogen inhalation are generally adequate ventilation and respiratory protection. Employers are tasked with maintaining exhaust systems and ensuring employees have access to respirators when working indoors or in enclosed spaces with high levels of toxic fumes. Proper ventilation may involve commercial exhaust fans that force air out of an enclosed work area. But it's also critical to install intake grates that allow fresh air to be drawn into the space while fans are operational.

Opening doors to let fresh air in does not meet OSHA standards and turning off exhaust systems due to inclement or cold weather creates an imminent danger. That's largely why enclosed paint spraying areas typically utilize commercial-grade HVAC systems to ensure people get fresh air, fumes are removed, and reasonable temperatures can be maintained. Along with ventilation that meets OSHA standards, employees are advised to wear the following personal protective equipment and disposable clothing when working with paints, coatings, and solvents.

- Coveralls:** Disposable personal protective coveralls that meet industry standards for splash resistance are a necessity when working with chemicals (<https://int-enviroguard.com/products/ppe-protection/painting.html>). One of the common missteps employers and workers make is assuming the paint products are not harmful in terms of skin contact. This is usually not the case.
- Foot Protection:** Indoor painting crews who wear comfortable shoes may not have adequate protection against spills. It's advisable to adorn protective footwear coverings that can be appropriately disposed of at the end of each shift.
- Gloves:** Spraying, rolling, and brushing on paints and coatings results in splatter accumulating on workers' hands. That's why protective gloves remain a workplace

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and control measures to minimize
ever possible provides workers with
sociated with enclosed spaces.
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s cancer.

mes or Chemical Skin

rkplace typically experience initial
discomfort such as dizziness and nausea, among others. It's critical to evacuate a space
laced with toxic paint fumes and get to fresh air. The next order of business is to
contact a poison control resource and seek medical attention.

Workers who fail to wear a paint suit and sustain skin or eye contact are advised to
promptly flush the impacted area with clean water. This should be repeated to wash
away the chemicals, and people compromised by paint chemicals should seek medical
treatment as soon as possible.

Paint fume and chemical contact call for adequate ventilation, fresh air, and personal
protective equipment and clothing. International Enviroguard manufacturers and
distributes a complete line of protective clothing and accessories that exceed industry
standards for paint work and applications.

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Subject Just putting thoughts together
To: [Scott Bauer <scott@iplg.law>, David Dewberry <daviddewberry@runbox.com>]
From chaseinvestigations@aol.com <chaseinvestigations@aol.com>
Tue, Aug 20, 2024 at 23:34

Subject: Request for Investigation and Cease and Desist Order

Dear Boundary County Commissioners,

I hope this message finds you well. I am writing to formally address the concerning activities related to Panhandle Door & Drawer and its owner, Nelson Mast, within Boundary County.

It has come to our attention that Panhandle Door & Drawer has constructed its facility without the necessary permits required by Boundary County for the past six years. Mr. Mast has grossly neglected the three simple permits mandated by the county, showcasing a blatant disregard for established processes. As a seasoned business owner in Boundary County, Mr. Mast's decision to build and expand without permits is particularly troubling, especially considering the potential impact on surrounding properties and the community at large.

Moreover, it is alarming to note that Panhandle Door & Drawer, which leases land from Maverick Corporation—also owned by Mr. Mast—has experienced significant growth under these unlawful conditions. This expansion has not only been unethical but has also reportedly caused considerable harm to water, soil, and air quality in the surrounding area. The operations of Panhandle Door & Drawer present serious health risks to both human populations and wildlife, contributing to environmental degradation that affects neighboring properties as well.

In light of these serious issues, we respectfully request an immediate cease and desist order against Nelson Mast. Furthermore, we urge you to initiate a full investigation into the activities of both Maverick Corporation and Panhandle Door & Drawer without delay.

Thank you for your attention to this urgent matter. We look forward to your prompt response.

Sincerely,
Kelli M Martin
122 Pot Hole Road
Naples, Idaho 83847
Investigator

Kelli M. Martin
.The content of this email is confidential and intended for the recipient specified in message only. It is strictly forbidden to share any part of this message with any third party, without a written consent of the sender. If you received this message by mistake, please reply to this message and follow with its deletion, so that we can ensure such a mistake does not occur in the future.

Lacquer has been very useful for humans covering most ceilings, walls and floors. After being applied to a surface and dried, it is typically safe. However, when this is wet, inhalation of its fumes bring about several risk to humans due to its toxicity. This includes breathing difficulty, kidney failure, nervous system damage and loss of vision. According to the Researchers from the Swedish Cancer Registry lacquer can significantly increase the risk of acquiring lung cancer from the inhalation of lacquer fumes. Bladder cancer and pancreas is also a risk of being acquired due to too much lacquer exposure.

FIREWOOD

Description: The distribution of cull logs, ends, and limbs for use in individual fireplaces and stoves. Some mills provide these materials to employees and/or the public free of charge.

Materials:

1. Cull Logs, broken ends and limbs.

HOG FUEL

Description: Bark and cull wood from the log yard is ground in a hogging operation to produce boiler fuel for use in wood fired boilers. Hog fuel is used to generate steam for the purpose of drying lumber or power generation.

Materials:

1. Bark, logs, broken logs, and limbs.

Construction Practices:

1. Burners must be designed or adapted to use hog fuel and be tolerant of noncombustible materials. "Tramp tolerant" burners have proven successful in burning a mixture of hog fuel, dirt and rock.
2. Soils and dirt are removed from the hog fuel to minimize noncombustible material.

LANDFILL ALTERNATIVE DAILY COVER AND FINAL COVER MATERIAL

Description: Use wood and mill yard debris as an alternative daily cover and final cover material at municipal and other solid waste landfills.

Materials:

1. Wood and mill yard debris, (with a high percentage of soil), lends itself to use as alternative daily cover material. In no case shall log yard debris with greater than 40% organic material, by weight, be used as alternative daily cover without sequencing the use of the material with soil.
2. Wood and mill yard debris shall be sized to 1 ½ inch minus for municipal solid waste landfills.
3. Boiler ash in any ratio may be mixed with the log yard debris.
4. Wood and mill yard debris may be used as the vegetative cover material for the final cap on a solid waste landfill.
5. Compliance with Items 1-4 above meets the Idaho Solid Waste Facilities Act (39-7401 et. seq.) or the Solid Waste Management Rules (IDAPA 58.01.06) for daily cover.

Examples:

1. Fighting Creek Landfill used several thousand yards of log yard debris with about 40% or less organic material.
2. Donnelly MSWLF used processed segregated wood waste for erosion control of the final cover.

LAND RECLAMATION AND EROSION CONTROL

Description: The use of log yard debris as an erosion cover, organic matter and topsoil for reclamation sites with low organic matter soils, soils prone to erosion, or soils poorly suited to revegetation. Reclamation sites may be those lands resulting from construction excavations, non-hazardous mine spoils and tailings, landfill closure, or contaminant remediation. By providing pathways for water infiltration into the soil, log yard fines can reduce the potential for erosion. Larger log yard debris materials are best suited as soil cover to control erosion where fast revegetation is not desired. Large woody materials on the soil surface minimize direct impact of rain droplets with the soil and slow water flow velocities to reduce sediment transport. Erosion control applications with large debris are better suited to revegetation with planted shrubs or trees.

Materials:

1. Log yard debris less than 6 inches.

Recommended Construction Practices:

1. Log yard debris may be stockpiled on the reclamation site prior to use as specified in the storage section (see storage).
2. Spread materials using a manure spreader, bull dozer, grader, or other suitable method.
3. Land reclamation
 - a. Spread in uniform lifts and mix into the upper 6" to 18" of existing soil with a rototiller, mold board plow, chisel plow, or other suitable equipment.
 - b. Evaluate the need for extra fertilizer (to help decompose the woody debris) by using soil tests and observed crop response. Add extra nitrogen fertilizer in increments during the course of the growing season to provide a moderate but steady supply of nitrogen for wood and bark decomposition. The first application of supplemental nitrogen could be added at the time of debris placement to supplement the nutrient needs of the plant cover.
 - c. Allow a minimum of two weeks for soils to acclimate prior to planting. Time plantings to coincide with spring or fall rainfall depending on the desired vegetation. Contact the local office of the Idaho Department of Lands or the Agriculture Extension Office for a list of low maintenance plants for your area.
4. Erosion control
 - a. Screened material 1" minus may be used as a substitute for "reclamation grade compost."

- b. Six inch (6") minus wood debris can be used for erosion control.
- c. Recommended practices:
 - 1) Spread in specified lifts and do not incorporate into the soil. Leave on the surface as cover.
 - 2) Grasses, shrubs, trees, and landscaping plants may be planted immediately after application.
 - 3) Care should be taken to avoid compacting the soil and erosion control layer.

Land Reclamation Examples:

- 1. Cataldo Mission State Park land reclamation demonstration project. Cottonwood trees were planted following screened log yard material application and incorporation in flood plain soils.
- 2. Coeur d'Alene Airport land reclamation demonstration test plots. University of Idaho researchers applied and incorporated various rates of logyard materials into the soil in test plots. The plots were planted to alfalfa and grasses to evaluate and demonstrate the use of log yard debris for soil amendment and reclamation uses.

Campbell, A.G., Zeng, M., Mahier, B. L., "Log Yard Fines as a Soil Amendment: Pot and Field Studies" *Communications in Plant and Soil Science*, Vol. 24, pages 2025-2041, 1993.

LANDSCAPING MATERIALS

Description: Landscaping practices can use many of the components of log yard debris. For example: processed wood and mill yard debris is used for decorative cover, "beauty bark", mulch, a component of soil mix, or as a compost bulking agent.

General Guidelines:

1. Log yard debris fines for landscaping mulch applications generally must be 3/4" or less in size. Sizes as small as 3/8" are often desired by landscape suppliers for use in topsoil mixes. Mulches can be larger in size.
2. Beauty bark should be kept clean of soil or other foreign matter. This generally requires storage separate from other materials on a hard clean surface.
3. Landscape bark products and wood chips are sold based on size and tree species.
4. Woody bulking agents promote aeration and odor-free composting by breaking up clumps of organic material, reducing the overall moisture content, and controlling carbon:nitrogen ratio. Log yard debris size, mineral, moisture, and carbon content all influence the suitability and need for amendments to achieve a good compost.

Examples:

1. Idaho Forest Industries, Coeur d'Alene, Idaho - bark off of the paved sorting yard is sold as a component of beauty bark.
2. Stimpson Lumber Co., Bonner, Montana - clean bark from the log yard is sold as a component for beauty bark.
3. Idaho Cedar Sales, Troy, Idaho - rakes the log yard to separate the cedar bark and grinds the bark into beauty bark for local markets.
4. Plum Creek, Arden, Washington - stockpiles fines for use by Moore Penn-A-Mulch (Spokane Washington) as mulch.
5. EKO-Comp, Missoula, Montana and Lewiston, Idaho - use log yard debris as a compost bulking agent.
6. American Timber, Olney, Montana - produces "Glacier Gold Compost" with log yard debris.
7. Castle Composting, Boise, Idaho - uses log yard debris as a compost bulking agent.
8. Pacific TopSoil, Bothel, Washington - uses log yard debris as a compost bulking agent.

ROAD FILL

Description: The use of wood and mill yard debris as fill material for road or pathway construction to reduce the cost or weight of fill material.

Guidance:

Anyone planning a road fill project may need to obtain a permit or approval from federal, state or local agencies that may have jurisdiction over the proposed project.

Factors to consider when using wood and mill yard debris for road fill:

1. Particle size of the fill should be variable to promote cohesion of compacted material.
2. Wood fragments large enough to cause bridging (the creation of voids or air spaces) in the fill should be removed prior to placing the wood and mill yard debris. Air voids in the fill should be avoided to prevent structural failure and draft spaces in the unlikely event of a fire.
3. Wood and mill yard debris is a natural product and is prone to biological decomposition. This causes a slow breakdown of the material and results in settling. Settling should be considered in the design. The amount of settling will depend on the size, percentage and age of the wood fragments. Older wood and mill yard debris with large wood fragments and a large percentage of soil mixed with it will decompose at the slowest rate.
4. Wood and mill yard debris used for roadfill should not contain foreign materials such as metal or volatile compounds. These contaminants can increase the risk of fire.
5. Material should be placed and compacted in lifts. The depth of each lift should vary based on the size of the equipment used to place the wood and mill yard debris. Lifts should never exceed two (2) feet even with large equipment (D-8), smaller lifts should be used with smaller equipment. During compaction grade of the working slope should not exceed fifteen (15%) percent.
6. Most wood and mill yard debris has a large nitrogen uptake that needs to be compensated for with fertilizer.

Examples:

1. St. Maries Bridge approaches 1970.
2. Highway 2 Wrenco Loop section, 1995 used 80,000 yd³ of wood and mill yard debris.
3. St. Maries Airport runway, circa 1970.
4. Highway 95 north of Sandpoint, 11,000 yd³ of ground scrap veneer, 1997.

SOIL AMENDMENTS

Description: The use of wood debris as a soil supplement can improve water infiltration rates, improve soil structure, increase soil organic matter, and in the long term, improve crop productivity. This is especially true of soils with a high clay content or very sandy soils. Smaller sized log yard debris up to two to three inches are suited for organic matter and topsoil applications. Larger log yard debris has been deep plowed and mixed into soils up to three feet deep. (Registration of log yard debris as a soil amendment is required by the Idaho Department of Agriculture.)

Materials:

1. Log yard debris and or fines.
2. "Fine" grade screened material (<2 inch) is commonly used as a soil amendment resulting in good soils structure when decomposition is complete. However, nitrogen balance of the soil during decomposition must be carefully managed for optimum plant growth.

Construction Practices:

Soil organic matter and topsoil enhancement (incorporate into existing soil).

1. The log yard material delivered as a soil amendment needs to be compatible with the farming practices and property owners specifications.
2. Spread materials using a manure spreader, bulldozer, grader, or other suitable method.
3. Spread in a uniform lift and mix into the upper 6 to 18 inches of existing soil with rototiller, mold board plow, chisel plow, or other suitable equipment.
4. Allow a minimum of two weeks for soils to acclimate prior to planting. Time plantings to coincide with spring or fall rainfall depending on the desired vegetation. Planting immediately following log yard fines incorporation is possible but not recommended.
5. Evaluate the need for extra fertilizer to help decompose the woody debris using soil tests and observed crop responses. Add extra fertilizer nitrogen in increments during the course of the growing season to provide a moderate but steady supply of nitrogen for wood and bark decomposition. The first application of supplemental nitrogen could be added at the time of application to accelerate the decomposition process.

Examples:

1. Boise Cascade Corporation, Medford and White City. Oregon lumber mills have successfully applied log yard debris in four-inch lifts to farm land.
2. Fines are used at the retail level as a component in "3 in 1" mix or other retail soil blends.
3. Boise Cascade Corporation, LaGrande, Oregon. Soil amendments were applied in 1991, 1994 and 1996 under a solid waste permit.
4. Boise Cascade Corporation, Horseshoe Bend, Idaho. Soil amendment program began in 1994.

STOCKYARD BEDDING

Description: Most stockyards use piles of earth or plant materials (straw, wood chips) to create dry areas for cattle. These mounds are intended to keep the livestock clean by elevating them above muddy bog areas often associated with stockyards during rain storms.

Materials:

1. Piles made from sawdust, wood shavings, and log yard debris are in use. These materials are valued for their light-weight (for transportation), cleanliness, and pile stability.

Construction Practices:

1. Mill yard debris used for animal bedding should be sized to remove oversize rock, and wood pieces. The material should not be placed adjacent to or in streams or marshlands.

Examples:

1. Donaldson Ranch, Lewiston. Mill yard debris was used for cattle bedding.
2. Emmett Dairy Application, log yard debris used for cattle bedding. Oversized material was removed by machine and hand at the mill and dairy.

VISUAL AND SOUND BARRIERS

Description: Wood and mill yard debris berms used as a sound barrier or to provide visual relief of the property through landscaping.

Materials:

1. Wood and mill yard debris with a high percentage of soil may be used in development as privacy berms.
2. Some boiler ash may be mixed with the log yard materials. (See boiler ash section, page 5-2)

Construction Practices:

1. Berms are generally constructed of a log yard debris base and may be covered with a suitable growth media (top soil, compost, or sized wood debris) to support vegetation such as trees, shrubs and other landscape plants or covered with other landscape materials.
2. A watering system may be needed to provide dust control and to establish good vegetative cover. The water system may consist of a sprinkler system for easy maintenance or by a water truck (higher maintenance).
3. Slopes of the berms should be stable and maintainable to prevent erosion.

Examples:

1. Louisiana-Pacific, Chilco complex berm, south property line. 16 feet high, 10 feet across at top and 40 feet across at the base.
2. Idaho Forest Industries, Atlas mill on Seltice Way in Coeur d'Alene. Grass and trees watered with a sprinkler system.
3. DeArmond Mill on River Avenue in Coeur d'Alene has a landscaped berm along the Centennial Trail. Grass and trees are watered with a sprinkler system. See front cover of TGM.

WOOD AND MILL YARD DEBRIS LANDFILL

Applicability: Wood and mill yard debris is defined in Idaho Code Section §39-172(3). Wood and mill yard debris landfills are not subject to Idaho Code Section 39-7401 et. seq., Idaho Solid Waste Facilities Act.

Notice: The applicant shall furnish the following information in a notice to the local District Health Department:

1. Owner's name.
2. Operator's name.
3. Physical location of the facility.
4. Facility mailing address.
5. Telephone number of the facility.
6. Type of solid waste management facility.

Wood and Mill Yard Debris Landfill Criteria: In accordance with the following outline, highlighting general requirements for establishing and operating a wood and mill yard debris disposal site in compliance with IDAPA 58.01.06, Solid Waste Management Rules, the owner/operator of a wood and mill yard debris landfill shall:

1. Be Prohibited From:
 - a. Disposal in a landfill of regulated waste from any business that provides health care, support to health care businesses, or medical diagnostic services that has not been decontaminated.
 - b. Speculative accumulation, unless otherwise approved by the Department in writing.
 - c. Disposal of radioactive waste except in a facility regulated pursuant to Section 39-4405(9), Idaho Code, and rules adopted thereunder or a facility regulated under the authority of The Atomic Energy Act of 1954, as amended.
2. Signs. Facilities open to the general public shall clearly post visible and legible signs at each entrance to the facility. The signs shall specify at a minimum the name of the facility, the hours of operation, the waste accepted at the facility and an emergency phone number.
2. Nuisance Control. The owner and operator shall control nuisances, including but not limited:
 - a. Disease or Discomfort. Operations at any facility shall not provide sustenance to rodents or insects that cause human disease or discomfort.
 - b. Vector. Vector control procedures shall prevent or control vectors that may cause health hazards or nuisances.
 - c. Odor. The facility shall be operated to control malodorous gases.
 - d. Litter. Effective measures shall be taken to minimize the loss of debris from the facility. Debris blown from or within the facility shall be collected and properly disposed to prevent objectionable accumulations.
4. Facility Access. Unauthorized vehicles and persons shall be prohibited access to the facility. A facility open to the public shall accept waste only when an attendant is on duty. The owner and operator shall maintain the fencing or other access controls for a period of ten (10) years after closure, or another timeframe approved in writing by the Department.
5. Bird Hazards to Aircraft. No facility may handle putrescible wastes in such a manner that may attract and increase the likelihood of bird/aircraft collisions. Facilities that are located within ten thousand (10,000) feet of any airport runway used by turbojet aircraft, or within five thousand (5,000) feet of any airport used by only piston-type aircraft shall operate the facility in such a manner that birds are not a hazard to aircraft.

6. Open Burning and Fires. Open burning is prohibited at facilities except as authorized by these rules and IDAPA 58.01.01, "Rules for the Control of Air Pollution in Idaho".
 - a) No open burning shall be conducted during an air pollution episode, declared in accordance with IDAPA 58.01.01, "Rules for the Control of Air Pollution in Idaho".
 - b) Open Burning is authorized only if it is infrequent and the materials are agricultural wastes, silviculture wastes, land clearing debris, diseased trees, or debris from emergency cleanup operations. Materials burned shall not include garbage, dead animals, asphalt, petroleum products, paints, tires or other rubber products, plastics, paper (other than that necessary to start the fire), cardboard, treated wood, construction debris, metal, pathogenic wastes, hazardous wastes, or any other substance (other than natural vegetation) that when burned releases toxic emissions, dense smoke or strong odors.
 - c) Open burning shall be conducted pursuant to conditions set forth by the Department or local fire authority. The owner and operator of the facility shall contact the Department and the local fire authority prior to conducting open burning to report its nature and location.
7. Storm Water Run-On/Run-Off Controls. Implement sufficient storm water management provisions, which may incorporate a NPDES storm water pollution prevention plan, to prevent contamination of surface or ground water and prevent the spread and impact of contamination beyond the boundary of the facility.
8. Documentation. Maintain on site documentation, such as a daily log of the quantity and type of waste received.

NOTE: Except for boiler ash as defined above, codisposal of other solid waste into a wood and mill yard debris landfill may result in the landfill no longer qualifying as a wood and mill yard debris landfill. Wood and mill yard debris landfills are often used to codispose of ash generated from burning wood for energy recovery. Codisposal of wood and mill yard debris with ash is not expected to increase risks to human health or environmental associated with a wood and mill yard debris landfill provided: (a.) the annual ash disposal does not exceed six (6) percent of the total annual disposal volume; (b.) the ash is distributed throughout the landfill; and (c.) the ash results primarily from burning wood fuel.

GLOSSARY

Berm: A lateral extension of dirt, sand, rock, or other fill material used for construction, landscaping, storage or disposal of the fill material. (See Visual & Sound Barrier alternative).

Boiler ash: Residue from wood fired boilers.

Cull logs: Damaged logs and end pieces not suitable for processing at the mill.

Debris fill: An area designated for the disposal of wood or mill yard debris.

Dunnage: Any material used for packing and crating for freight. Low-grade wood materials used to stabilize for shipping and transport. Typically used once and discarded.

Geotextile liner: Any permeable textile used with foundation, soil, rock, earth, or any other geotechnical engineering-related material as an integral part of a human-made project, structure, or system. (A Design Primer: Geotextiles and Related Materials, page A-2).

Hogged (hog) fuel: Woody materials or bark which has been sent through a wood hog for ultimate use as fuel.

Hogging: The process of reducing woody materials in size and volume, usually into wood chips below four inches in size.

Leachate: A liquid that has passed through or emerged from solid waste and contains soluble, suspended or miscible materials removed from such waste (IC. 39-7403(27)).

Liner: A barrier of soil or synthetic material to prevent leachate from passing through a landfill.

Log decks: An ordered pile of logs so stacked as to facilitate ease of storage and use.

Log yard: A facility that receives, sorts, stores, and/or processes logs.

Log yard debris: See wood and mill yard debris.

Mill yard: See log yard.

Non-municipal solid waste: That portion of the solid waste stream that does not originate in a family dwelling, such as demolition waste, logyard waste, and landscaping waste.

Primary wood products facility: A facility which converts logs into primary wood products, such as lumber, veneer, plywood, and pulp chips.

Secondary wood products facility: A facility which converts wood products or by-products into useful products, such as, particleboard, paper, pellet fuel, and hardboard.

Solid Waste: Garbage, refuse, radionuclides, and other discarded solid waste materials including solid waste materials resulting from industrial, commercial, and agricultural operations, and from community activities, but does not include solid or dissolved materials in domestic sewage or other significant pollutants in water resources, such as silt, dissolved or suspended solids in industrial wastewater effluents, dissolved materials in irrigation return flows or other common water pollutants. Idaho Code §39-103(11).

Sorting yard: A specialized logyard or portion of logyard where logs are separated into different classifications (such as, length, diameter, quality, and wood species) prior to processing and/or shipping.

Spontaneous combustion: Combustion of material initiated by chemical or biological action produced within the materials.

Storage: The accumulation of a material or product with the intent for use, sale, or disposal of the material at a later date.

Storm water: Precipitation.

Tannins: Water soluble, colored, polyphenolic chemicals originating from wood, bark, and other plant-derived materials; any of various substances of plant origin used in tanning and dyeing, in inks, and as astringents.

Wetlands: The Corps of Engineers (FR 1982) and the EPA (FR 1980) jointly define wetlands as: Those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.

Wood byproducts (wood residuals): Wood products, such as chips, sawdust, and hogged fuel, which are incidentally produced by a primary wood product facility.

Wood mulch: Sized woody material suitable as a soil additive.

Wood waste: Solid waste consisting of wood pieces or particles generated as a by-product or waste from the manufacturing of wood products, handling and storage of raw materials and tree stumps. This ... does not include wood pieces or particles containing chemical preservatives, such as, creosote, pentachlorophenol, or copperchrome-arsenate. Idaho Code §39-7403(57).

Wood yard: See log yard.

Wood and mill yard debris: Solid wood, bark, or wood fiber generated from the process of manufacturing wood products that may include components of soil, rock, or moisture and for which the use, management, storage, or final disposition is approved pursuant to this act. Idaho Code §39-172(3).

IDAHO CODE

WOOD AND MILL YARD DEBRIS ACT

Idaho Code §39-171. Legislative Findings And Purpose. The Legislature of the state of Idaho finds that:

- (1) Wood and mill yard debris is a byproduct of wood processing and manufacturing; and
- (2) If properly managed, wood and mill yard debris can be put to uses that have economic and environmental benefits; and
- (3) There is a need for guidance about how to manage, store, use or dispose of wood and mill yard debris so that nuisance and adverse environmental impacts are minimized; and
- (4) This guidance will enable the department and local units of government to more effectively regulate the use or disposal of wood and mill yard debris.

The purpose of this act is to provide guidance for the sound use, storage, management and disposal of wood and mill yard debris by requiring the director of the Department of Health and Welfare to appoint a committee to study the issues and to gather and disseminate information to persons and entities that deal with wood and mill yard debris.

Idaho Code §39-172. Definitions. For the purposes of this act:

- (1) "Committee" means the wood and mill yard debris committee.
- (2) "Director" means the director of the Idaho department of health and welfare.
- (3) "Wood or mill yard debris" means solid wood, bark, or wood fiber generated from the process of manufacturing wood products that may include components of soil, rock, or moisture and for which the use, management, storage, or final disposition is approved pursuant to this act.

Idaho Code §39-173. Committee--Members--Terms. The director shall, in cooperation with the appropriate public health districts created pursuant to Chapter 4, Title 39, Idaho Code, appoint a committee to develop guidance on the use, storage, management, and disposal of mill yard or wood debris. This committee shall consist of seven (7) individuals and shall include:

- (1) One (1) representative of the division of environmental quality, who will provide administrative and other support to the committee.
- (2) Two (2) representatives of the public health districts which have mill yard or wood debris within their districts.

- (3) Two (2) representatives from industries generating wood or mill yard debris.
- (4) Two (2) members with demonstrated technical knowledge important to the work of the committee.

Committee members shall be appointed to serve three (3) year terms. No member may serve more than two (2) full terms. Members serve at the pleasure of the director.

Members of the committee shall serve without compensation pursuant to section §59-509(a), Idaho Code.

Idaho Code §39-174. COMMITTEE DUTIES -- MEETINGS. The committee's duties shall include:

- (1) Developing a manual providing guidance for the use, storage, management and disposal of wood or mill yard debris to prevent public nuisances and minimize or prevent harmful environmental impacts. Guidance provided by the manual may be incorporated or adopted by reference in the rules of the department or other appropriate state agencies.
- (2) Considering and developing specific solutions to unforeseen wood or mill yard debris use, storage, management or disposal as needed.
- (3) Developing and sharing knowledge related to the use, storage, management and disposal of wood or mill yard debris including ways to constructively use or reclaim the debris.
- (4) Making recommendations for any necessary permits, rules or legislation related to the use, storage, management or disposal of wood or mill yard debris.

The committee shall meet at least two (2) times a year at a time and place most convenient to the majority of the members.

LITERATURE REVIEW/ANNOTATED BIBLIOGRAPHY

Summary of significant literature publications and synopsis of other timber producing state's rules.

RESERVED: Under development

APPENDIX A

CONTACT LIST - DEQ AND DISTRICT HEALTH DEPARTMENTS

Coeur d'Alene Regional Office-DEQ 2110 Ironwood Parkway Coeur d'Alene, ID 83814 208-769-1422	Panhandle District Health Department 2195 Ironwood Court Coeur d'Alene, ID 83814 208-667-9513
Lewiston Regional Office-DEQ 1118 F Street Lewiston, ID 83501 208-799-4370	North Central District Health Department 215 10th Street Lewiston, ID 83501 208-799-0353
Boise Regional Office-DEQ 1445 N. Hilton Boise, ID 83706 208-373-0550	Southwest District Health Department 920 Main Street Caldwell, ID 83605 208-455-5400
	Central District Health Department 707 N. Armstrong Place Boise, ID 83704 208-327-7499
Twin Falls Regional Office-DEQ 601 Pole Line Road Suite 2 Twin Falls, ID 83301 208-736-2190	South Central District Health Department 1020 Washington Twin Falls, ID 83303 208-734-5900
Pocatello Regional Office-DEQ -444 Hospital Way, #300 Pocatello, ID 832041 208-236-6160	Southeastern District Health Department 1901 Alvin Ricken Drive Pocatello, ID 83201 208-233-9080
Idaho Falls Regional Office-DEQ 900 Skyline Suite B Idaho Falls, ID 83402 208-528-2650	District 7 Health Department 254 E Street Idaho Falls, ID 83402 208-523-5382
State Office-DEQ 1410 N. Hilton Place Boise, ID 83706 209-373-0416	

August 16, 2024

Dear Boundary County Planning and Zoning Department,

We, the undersigned, would like to consolidate our appeal request regarding file #24-0076/Maverick, LLC.

Kelly Martin
122 Pot Hole Road
Naples, ID 83847


Signature

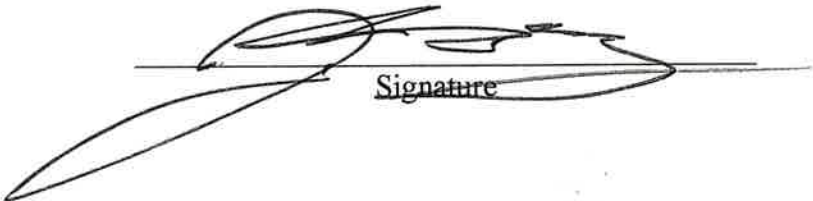
~~Don Jordan
1281 Brown Creek Road
Naples, ID 83847~~

Signature

Jeffery Steinborn
P.O. Box 1063
Bonners Ferry, ID 83805


Signature

Jim Dewberry
331 Pot Hold Road
Naples, ID 83847


Signature

RECEIVED
AUG 20 2024
BT: 33692

August 16, 2024

Dear Boundary County Planning and Zoning Department,

We, the undersigned, would like to consolidate our appeal request regarding file #24-0076/Maverick, LLC.

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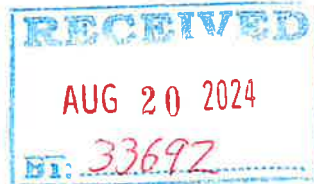


Signature

Jim Dewberry
331 Pot Hold Road
Naples, ID 83847



Signature



GLEND POSTON
Clerk of the District Court and
Ex-Officio Auditor and Recorder
P.O. Box 419 • Bonners Ferry, ID 83805

Office of the Clerk of the District Court, Ex-Officio Auditor
and Recorder, Boundary County, Idaho **No 33692**

BONNERS FERRY, IDAHO, August 20 2024

Appeal

Dewberry, Martin, & Sternborn
122 & 331 Pot Hole Rd Naples, ID 83847
Appeal #24-0076

PO Box 1063 Bonners Ferry
ID 83805

Benjamin M. [Signature]

Fee, \$ 500.00
CASH

Deputy

MW Surveying

1172 W Clearview Ct
Hayden, ID 83835
410-708-4589

Work Order No
18 - 2024

Client:Kelli Martin / Tim Love..... Supervisor:Matthew D. Wilson..... Date:Sept. 12, 2024.....
Street: 122 Pot Hole Rd (US95).....City:.....Bonners Ferry..... State:ID..... Zip: ...83847.....
Phone:208 651 1172.....Email:chaseinvestigations@aol.com.....
Project Address:same..... Owner: same.....
Legal Description:.....TAX 14, Sec. 29 T61N R1E.....
Located Within:NE/4, Sec. 29, T61N, R1E, B.M., Boundary County, Idaho
Deed # ...297346 PRD.....

Scope of Services: PIN: RP61N01E290315A

- Provide Professional Land Surveying Services to locate and mark the Westerly line of RP61N01E290315A, as described in PRD 297346. (See attached exhibit)
- Draft and prepare an Exhibit map showing the Westerly property line of said parcel and any buildings located 'near' said line.
- Provide necessary office work, field work, research, etc.....to complete said survey.

Items provided by client: any pertinent information about the property; deeds, title reports, etc.....

Terms and Conditions

Unless otherwise specified, the cost of the above described work is to be billed on a time and material basis.

Unless otherwise specified herein, the following shall apply:

- a) It is understood that estimates are not fixed fees. Estimates can vary depending upon site conditions and required research, and the estimate for the work herein authorized has been based upon availability of the closest existing survey control points and public records and is subject to field verification. Any points or records found to be in error or missing will necessitate cost increase at our regular time basis. If "not to exceed fees" are quoted, they will be clearly identified as such. Not to exceed fees remain in effect for sixty (60) days unless otherwise specified.
- b) Any changes to work ordered in this agreement shall be described on a separate form with appropriate adjustments to charges and completion time. This form will also be signed by the client and a MW Surveying representative.
- c) Payment of retainers are expected to be received before work commences to cover part of the initial costs.
- d) Unless other arrangements are made, work is invoiced regularly (weekly or monthly) based on project status and progress. Invoices are payable upon receipt.
- e) If timely payments are not made, MW Surveying has the option of ceasing work on the project after written notice to the client through registered mail and/or pursuing any other legal remedies to past due accounts.
- f) Interest on past due and delinquent accounts over 90 days old will be assessed at 1.5% per month or an annual percentage of 18%.
- g) In the event that client fails to make payments as herein specified and if MW Surveying turns said matter over to an attorney for collection or legal action, the client to be charged is to pay reasonable legal fees. Lien rights will be exercised as necessary on past due accounts. This form will be our only notice of such intent.
- h) In the event that any surveying errors occur, provided such errors are attributable to the acts or omissions of MW Surveying, the same shall be corrected by MW Surveying at their own expense. The client agrees that any liability for such surveying errors shall be limited to the correction thereof by MW Surveying as provided above.
- i) Ownership of Documents: All reports, field data, field notes, calculations estimates, source information, and other documents, including electronic media, prepared by the Consultant are instruments of service and shall remain the property of the Consultant. Client shall be entitled to receive a reasonable number of copies of all documents, plans, specifications, working papers, and any other materials the Consultant produces in connection with this Agreement after completion upon written request and arrangement for conveyance. Client agrees that all reports and other work furnished to the Client or their agents, which is not paid for, shall be returned upon demand and shall not be used by the Client for any purpose whatsoever.

Estimated Fee: \$1,050.00 for office work, field work, drafting, etc (\$800.00 field work / \$250.00 drafting)
Not to exceed \$1,050.00 without prior notice to client. (Valid for sixty (60) days)

***If monumentation is NOT found as expected and the fee will exceed the above estimate, client will be notified of additional work and expenses to correctly and accurately complete the job
Fee is due at time of services: Please make check payable to:
Matthew Wilson, MW Surveying or CASH

I have read the foregoing work including the terms and conditions. Said order is in all respects correct. It embodies the entire agreement and supersedes any previous agreements either verbal or written. It reflects the understanding of the parties and I agree to be bound thereby.

Authorized Signature

Date

This Work Order verified by:

APPROVED

By mwilson at 9:37 am, Sep 12, 2024







Case Information

21-1-00466-31

Snohomish

04/16/2021

ADL Criminal Adult

On Warrant

Party

STATE OF WASHINGTON

Lead Attorney
Geraghty, Timothy Patrick

RUDEEN, KRISTINA

XX/XX/XXXX

Events and Hearings

Why Commissioner's need to enforce codes

9B News

Proves why ↓

owner is wanted felony warrant in WA



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Mike Weland, Publisher

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Time to change county leadership

May 10, 2022



Is this a junkyard? According to your Boundary County Commissioners this is not a junkyard. To them, these aren't even pictures of a junkyard. To us, the neighbors who must live next to this, it most certainly is a

junkyard. If it looks like one, smells like one, sounds like one, and conducts business like one, then it must be one. So why is it in an agricultural area?

The properties in this part of Boundary County are all zoned agricultural/forest. Just a few years ago there was nothing here but nice private residences and farmland. This mess came from outsiders who brought a commercial business with them after being kicked out of the area they were from. All of the land around this site is still clean, rural land, much the way it always was.

Commercial junkyards have been prohibited in agricultural areas for years. Non-commercial junkyards and even excess storage of materials is prohibited within 500 feet of a residence. All of this is spelled out clearly in the current zoning ordinances. Boundary County could easily declare this an illegal operation and have it removed.

The County Commissioners have the final ruling over land use and planning and they are well aware of this problem. Why are they protecting this junkyard owner against the complaints of a dozen neighbors in the area?

Boundary County has a comprehensive development plan that states that development is to be done with regard to the character of an area. In other words, done with some planning and with the needs of the residents in mind. It is obvious that the current commissioners of Boundary County do not care about the interests of the people who live here and are not qualified to do anything resembling community planning or development.

What are you going to do when outsiders move a disaster like this next to you?

If you are concerned about property rights, ask yourself an honest question: Do you want to live next to this? Would you buy the piece of property right next to this? Would you pay full market price for it? If you do, contact me, as I have neighbors with land to sell.

You could just accept the risk that this will someday ruin your neighborhood. You can continue to put up with the cronyism and incompetence of your current county government. Or, maybe you could get involved. It is election season, after all.

There are alternative candidates to vote for in this upcoming primary race for county commissioners. It is time for a change.

John Poland
Naples

Okoloko, Edirin O

3:30 PM

▼

Okoloko, Edirin O

▼

▼

▼

Ellis, Janice E

3:30 PM

▼

Ellis, Janice E

▼

▼

▼

Re Extradition Boundaries

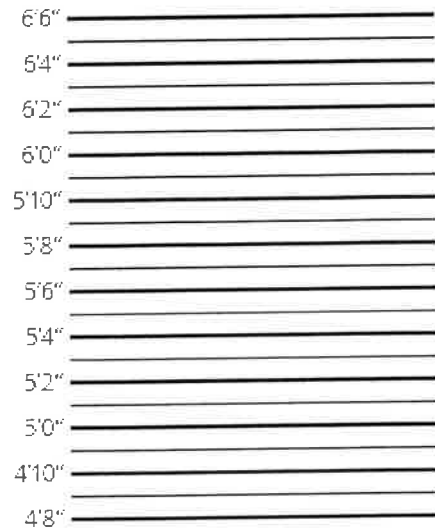
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Home > Names with K > Kristina > Kristina J Rudeen

Kristina J Rudeen Arrest Record and Mugshot from Washington, Snohomish

KRISTINA J RUDEEN IS PRESUMED INNOCENT, UNTIL PROVEN GUILTY IN A COURT OF LAW. NOT ALL OF OUTCOMES ARE KNOWN OR FINAL.



Kristina J Rudeen was arrested on 2018-11-23 06:23:00. The arrest was made by Snohomish County Sheriff's Office .

Below you can find more information about the charges of Kristina J Rudeen (if available).

Sponsored Ads - Purchase Report:

Arrest Report Overview: Kristina J Rudeen

- First Name: KRISTINA
- Last Name: RUDEEN
- Middle Name: J
- Arrest Date: 2018-11-23 06:23:00
- State: Washington
- County: Snohomish
- Agency: Snohomish County Sheriff's Office
- Location: SCSO - Corrections Bureau
- Booking Date: 2018-11-23 18:23:00

Kristina Rudeen is innocent until proven guilty in a court of law.

This official record of Kristina J Rudeen is redistributed by FindMugshots.com and is protected by publishing, constitutional and other legal rights. The official record was collected from local law enforcement agencies of Washington. Not all of outcomes of this arrest report are known or final.

According to Washington Law Enforcement files, Kristina Rudeen was arrested on 1 charge (BURGLARY

Not the Kristina J Rudeen you were searching for? Use the search bar above to find the correct record or view all results for Kristina Rudeen in Snohomish.

Charges 1

RESIDENT [NO FORCE-RES])

Charge: BURGLARY RESIDENT [NO FORCE-RES] Level: Felony B Arresting Agency: Snohomish County Sheriff's Office

Kristina Rudeen was arrested on 2018-11-23 06:23:00

Kristina J Rudeen was arrested in Snohomish, Washington

Recent Arrests from Washington, Snohomish



Eric W. Jones
Madison



David Jones
Madison



Tim Raton Oakes



Watson Ann
Madison



Camille Lucia
Granam



Coltrane J.
Dubois

Boundary County, Idaho

Introduction to the Zoning and Subdivision Ordinance 9B18LOV2

Boundary County, Idaho, is a unique place, and this ordinance was written to reflect the rural mores and lifestyle of this community.

— neighbors and myself, David Dewberry, expect you to protect our rural lifestyles

Those who call Boundary County home take great pride in the rugged surroundings, and work hard to make a living from the forests and farms. Most still retain a friendly neighborliness you'll find in few other places.

Illegal + unlawful business does not fit!

Those who are contemplating purchasing rural property here or who are considering making the great outdoors of Boundary County home should be aware that life is different here than it is nearly anywhere you may be coming from. This preface is not meant to scare anyone away, merely to point out some of the differences you can expect so you can make decisions that will help you enjoy all our community has to offer.

Because the county is predominately rural, please remember that the services you may have taken for granted elsewhere are not always available in Boundary County. Winter snows often knock out power, sometimes for days or weeks on end, and roads are often rendered impassable by snow or by flooding in the spring when the snow melts. Boundary County does have an extensive network of county roads, but some of those roads aren't maintained in the winter, so access is not always guaranteed. Many lots and parcels are accessible only by private road, and it's important that property owners are aware of the legal aspects of access, especially if you have to gain that access across someone else's property. It's also important to remember that maintaining a private road, and that includes plowing it in winter and repairing it in the spring, is the responsibility of the property owners, not the county.

Ex

— *PDI is overrunning our private road with commercial trucks + over 200 trips per day*
Winter conditions are extremely hard on roads, both paved and graveled. Boundary County spends a considerable amount each year maintaining its roads, but very often it takes much of the summer just to repair all the damage from the previous winter. Therefore, even when the weather is nice, road conditions often aren't.

Trained volunteers provide fire protection and emergency medical services in Boundary County, but because of the distances involved and because conditions are not always favorable, response time can be delayed.

This is compounded by commercial trucks from PDI, yearly blocking pot hole road every winter, getting stuck on the corner by
Utilities and services are not available everywhere in Boundary County. Electrical service is not

available in many areas and many here rely on alternate energy sources for their homes. If you happen to locate in an area served by a water district, hooking up can be expensive. If not, a well or surface water is the only option, and in some areas, neither are available. There are no sewage systems in rural areas of the county, and some areas of the county have soils unsuitable for the installation of a septic system and leach field, meaning that if an option is available, it will be more expensive.

The highway is this is the only access for emergency vehicles

It is always wise to check on the availability of utilities before you put up the down payment. It's also wise to check beforehand to ensure that you'll be able to use your property as you intend; not all lots in the county are open to development. If a lot was created in violation of this ordinance, as sometimes happens, no zoning certificates will be issued. There are also flood plains throughout the community, where additional restrictions apply before any development can begin.

E-1
A-1

*The PDI property was not open to development beyond 2005
C.V.P. and current owners have illegally operated and expanded doing damage to the community and land + water*

Neither Pot Hole Rd nor Maenck lane are permitted for commercial vehicles.

You should also check to make sure you have legal access to your property and that you are aware of any easements that may exist; it's not a bad idea to make sure a parcel has been surveyed prior to purchase. The cost will most likely be added to the purchase price, but at least you'll know exactly what you're buying. Relying on a fence line, a rock or the tree out back is not always prudent.

The PDI property has buildings on and over the neighbor's property line.

Be sure to check out the neighborhood, too. Businesses are located throughout the county; some are noisy, some bring increased traffic and dust; but as they were there first, you'll have no room to complain if you choose to build nearby. Agriculture is prevalent throughout the county, and if you buy next to a hog farm, you can expect the breeze will be a little less than sweet when it blows your way.

Farmers work around the clock, and the dust and noise can certainly disrupt your peace and quiet.

PDI built at the time the homes around it were built. They expanded size & hours of operation illegally.

Another economic mainstay is forestry. Over 75 percent of the land base in Boundary County is managed by the Idaho Department of Lands, the Bureau of Land Management and the U.S. Forest Service. If you buy a parcel because the trees across the road make for a pretty view, don't be too disappointed if sometime in the future loggers move in and begin turning them into boards and other products. Burning is an integral part of both farming and forestry; fields and slash-piles are burned each year, resulting in a wide-spread smoky haze.

PDI property is zoned ag/forest, not industrial.

The forests here are beautiful, and they provide a home for many species of wild animal. The area abounds with deer, elk, moose, mountain lion, bear and other creatures. The key word to remember is "wild." Even the most innocent animal, like deer, cross roads and create hazards. Bear enjoy nothing more than a meal, and one of the surest sources of food is the trash we set within their reach. If bear can smell it, they'll most likely get it; even if it's in a can or on your back porch.

PDI has and is poisoning the water source for wildlife & people. That brook babbling in your back yard can become a raging torrent during spring thaw and even the trees can turn dangerous. Forest fires are a way of life here, and if you build without being aware of the danger, it's possible you'll come to regret it. PDI is a fire disaster potential for the community.

Many people coming into Boundary County consider the contents of this ordinance lenient. While the State of Idaho does require adherence to the Idaho Building Code, there are no additional restrictions imposed by Boundary County and no additional local building inspections. The procedures set down here are fairly straight-forward and the fees are lower than nearly any place else.

PDI has a large industrial facility built outside of code. It is the belief of the county that people who buy and build a here have the right to build the home that best suits them with minimal intrusion; if the roof caves in under the weight of the snow, they'll know better next time. Conversely, you may build a beautiful home that meets the most stringent building codes, but your next door neighbor may not. County government will not intercede on your behalf to make your neighbor live up to your standards.

The information provided here is by no means complete, nor is it intended to be. It's our goal to provide you food for thought; it's your responsibility to take into consideration the things that are important to you.

1. TITLE, AUTHORITY, PURPOSE

1.1. Title: This ordinance is titled the "Boundary County Zoning and Subdivision Land Use Ordinance," hereinafter referred to as "ordinance."

1.2. Authority: This ordinance is adopted and established pursuant to and in conformance with the authority granted Boundary County by the State of Idaho, particularly as applicable to Article 1, Section 1, Idaho Constitution; Title 67, Chapter 65, Idaho Code, and Article XII, Section 2, Idaho Constitution, as amended, and to preserve those rights established at Article 1, Section 1, Idaho Constitution.

1.3. Purpose: The purpose of this ordinance is to establish fair, equitable and consistent land use regulations and guidelines so as to promote the health, safety and general welfare of the people of Boundary County and to set minimum and defined standards for land use, development and subdivision applicable to all equally, pursuant to the general guidelines established in the Boundary County Comprehensive Plan, adopted July 21, 2008.

1.4. Prior Land Use Ordinances Superseded: On the date of adoption, this ordinance will supersede Boundary County Ordinance 99-06 and all amendments thereto.

1.5. Provisions Apply Equally: The provisions of this ordinance apply equally to all owners of property within the jurisdiction of Boundary County, Idaho, with the exception of those lands situated within the incorporated cities of Bonners Ferry and Moyie Springs, the grounds of the Boundary County Airport and the tribal trust lands of the Kootenai Tribe of Idaho.

1.6. Effective Date: This ordinance will be in full force and effect upon its passage by the board of county commissioners and on legal publication in the Boundary County newspaper of record.

1.7. Severability: The provisions of this ordinance are declared to be individually severable. Should any provision of this ordinance be declared invalid by a court of competent jurisdiction, such declaration will not affect the validity of remaining provisions.

1.8. Affect on Other Laws: No portion of this ordinance will be construed to usurp requirements or regulations of any other county departments nor any state or federal land use regulation or requirement.

1.9. Uses will Comply: From the effective date of this ordinance, all land development and use within the jurisdiction of Boundary County will conform to the regulations and standards established herein.

1.10. Public Nuisance: No provision of this ordinance will be construed to permit the establishment or continuation of a public nuisance as defined in Section 2 and further defined at IC 18-5901.

PDI IS A PUBLIC NUISANCE

2. DEFINITIONS: To the extent possible, specific words and phrases as defined in this section will prevail in the interpretation of meaning and intent where used throughout this ordinance. Where words or phrases have connotations specific to a section, those words will be defined as part of that title or section.

2.1. Accessory Dwelling Unit: See 2.63. Structure.

2.2. Accessory Structure: See 2.63. Structure.

2.3. Addressable: A structure requiring assignment of a physical address pursuant to the Boundary County Addressing Ordinance.

Boundary PZ has a history of capricious and arbitrary land use decisions that are not fair, equitable nor consistent.

PDI is violating state environmental laws & the constitution.

The provisions have not been applied to PDI owners equally.

PZ has overlooked clear violations brought to their attention in regards to other requirements applicable to PDI.

They are out of compliance.

A permissible use of PDI property
2.4. Agriculture: The commercial cultivation of land, raising crops, and/or the feeding, breeding and raising of livestock for the production of food, feed and fiber. Agricultural accessory structures are those built specifically to accommodate agriculture.

2.5. Aliquot Parcel: See 2.42. Parcel.

2.6. Cause, Disapprove for: findings established for denial of an application. These findings may be due to but are not limited to:

- failure to meet permit application requirements (this application)
 - prior failure to meet terms and conditions for any permit
- PDI fails on both points*

2.7. Classes of Parcel Division: See 2.42. Parcel.

2.8. Commercial: A use, activity, structure or group of structures on a single parcel or lot intended primarily to provide a location to attract clients or customers for the conduct of wholesale or retail trade or the provision of services. This definition incorporates the manufacture and/or storage of products or goods which is subordinate to the offering of services or goods. Commercial uses can be characterized as but are not limited to:

1. stores, shops,
2. day care, elderly care,
3. sporting events,
4. concerts, theatrical performances,
5. botanical gardens, tree farms,
6. professional offices, restaurants, malls, etc.

2.9. Conditions, Covenants and Restrictions: Also referred to as CCRs. Civilly binding standards established by the seller of real property which attach to ownership following sale of the property and which regulate uses allowed or set specific standards of performance.

2.10. Conditions of Family Transfer Privilege: See 2.65. Transfer, and Section 20.9.

2.11. Construction: See 2.15. Development.

2.12. Dedication: The giving of land by a private person or entity to the government.

2.13. Developer: Any person or group of people seeking to establish a use requiring a county permit as established by this ordinance, or seeking to subdivide land for any purpose other than agriculture or silviculture.

2.14. Density: The smallest parcel size allowable within a zone district.

2.15. Development: Any human-caused change to improved or unimproved real property including, but not limited to; subdivision, construction or placement of structures, dredging, filling, grading, paving and excavation. Development can be further categorized as:

2.15.1. Construction: The building, placement or erection of a structure on the surface of the land.

2.15.2. Ground Disturbance: The movement of one acre or more of the earth's surface, to include road construction, dredging, filling, excavation or grading, that is not to be accompanied by construction.

2.16. Division: See 2.42. Parcel.

2.17. Driveway: A vehicular access from a public or private road to one primary structure or to a single lot or parcel, intended solely for the occupants, guests, purveyors, clients or customers of that structure, lot or parcel.

2.18. Duplex Residential: See 2.56. Residential.

2.19. Easement: The granting of a right for others to use portions of a privately owned lot or parcel for a specific purpose, entered into by civil agreement. Common easements include granting the right to another to travel over private property, known as an access easement, and easements granting placement of water, electrical, sewer, phone or other lines, known as utility easements. The owner of property that is subject to easement is said to be "burdened" with the easement, as they may not interfere with the use for which the easement was granted.

2.20. Elderly Care/Boarding House: The provision of full or part time residential care, for compensation, for seven or more children or adults not related to the property owner or tenant.

2.21. Ex-Parte Communication: A violation of the right of due process by means of direct or indirect communication on the substance of a pending case without the knowledge, presence, or consent of all parties involved in the matter.

2.22. Family: A group of people related by blood, marriage, adoption, guardianship or other custodial relationship.

2.23. Feedlot: For the purpose of this ordinance, a feedlot shall be a confined animal feeding operation as defined at 67-6529C, Idaho Code.

2.24. Final Plat: See 2.47. Plat.

2.25. Findings: A written analysis weighing objective and subjective testimony and data so as to analyze, explain and justify a decision. Previously approved findings establish precedent in the interpretation of this ordinance, and may be cited in succeeding applications or situations where similarities exist.

2.26. General Welfare: Concerned with, applicable to or affecting the whole or every member of a class or category. The purpose of land use regulation is to protect the public health, safety and welfare. For a zoning resolution or decision to be lawful, it must secure a public purpose, be reasonable, not be confiscatory and be consistent. *pt 2 hqs Failed to do this w/ ADI*

2.27. Ground: See 2.15. Development.

2.28. Home Business: A use intended for fiscal gain and which requires for its operation a state business name and tax identification number and which is conducted entirely within the business owner or tenant's primary residence or in residential accessory structure(s), and which has no outside storage of materials, supplies or wares.

2.29. Industrial: A use, structure or group of structures on a single parcel or lot intended primarily for the manufacture, assembly, production, warehousing and/or storage of a product or component, or the production, refinement, processing and/or packaging of a natural resource or raw material. See also 2.32. Light Industrial.

2.30. Instrument of Conveyance: A legal instrument short of final plat, recorded with the Clerk of Boundary County, by which a legally described parcel of land within Boundary County is transferred from one party to another. Records of survey define portions of land, but are not sufficient to convey ownership or create a separately taxable lot or parcel, thus are not an instrument of conveyance.

2.31. Junk Yard: A "junkyard" is the use of any lot, parcel or tract of land for the outdoor storage or abandonment of refuse; or for the storage, impoundment, dismantling, demolition, salvage or abandonment of more than three (3) derelict automobiles, other vehicles or parts thereof. A derelict vehicle is any vehicle that is clearly inoperable and unable to move under its own power; or which is partially or totally dismantled or damaged so as to render the vehicle unsafe or illegal to operate on public roads or rights of way. This definition shall not include implements of husbandry, farm tractors or vehicles customarily operated in a farming, ranching or agricultural operation, nor impoundment lots established by the Boundary County Sheriff or Prosecutor as necessary for law enforcement.

This is all PDI was permitted for.
This is what PDI is doing unlawfully

3. ADMINISTRATION

3.1. Types of Land Use Decisions: In administering this ordinance, all decisions made will fall under one of the three following classifications:

3.1.1. Administrative: Decisions made under authority granted the administrator and decisions involved in the management of this ordinance, to include establishing rules and methods for the keeping of records, processing and documentation of applications, the establishment of rules of procedure for the conduct of meetings and other like actions or decisions which do not address a specific application, request or complaint.

Previous records request to P+Z revealed missing records

3.1.2. Legislative: Decisions involved in the establishment or amendment of law. Legislative decisions will not address or affect a specific application, but may be initiated as a result of or in response to any action or situation where it is deemed that existing laws are not serving the public interest. Legislative actions include review and adoption of amendments to the comprehensive plan, amendments to the comprehensive land use map, amendment of this ordinance or replacement of this ordinance following comprehensive plan review, and administrative zone map amendments, which affect an area encompassing the lands of multiple property owners or comprise a definable region. Legislative actions will always be subject to at least two public hearings; at least one by the planning and zoning commission to forward a recommendation, and at least one by the board of county commissioners to render a final decision. Generally, neither conflict of interest nor ex-parte communication issues apply.

3.1.3. Quasi-Judicial: Decisions made in response to specific land use applications (also to include some legislative zone map amendments) in which facts are provided, public hearing(s) held, evidence weighed and conclusions are rendered pursuant to the laws established by this ordinance. In all quasi-judicial matters, conflict of interest and ex-parte communication are prohibited. Ruen-Yeagor & Associates, profits from development.

They should not oversee P+Z decisions regarding development. Tess Vogel exhibits bias for PDI!

3.2. Continuation of Offices: At the time of adoption of this ordinance, all offices, employees and officers established by Boundary County Ordinance 99-06 will continue forward without interruption or disruption, subject to the provisions established herein.

3.3. Office of Planning and Zoning: The Office of Planning and Zoning is continued, with its primary duty the administration of this ordinance. The office may be assigned additional duties and tasks at the discretion of the board of county commissioners.

3.4. Position of Zoning Administrator: The position of zoning administrator, hereinafter "administrator," is continued, with the primary duty to conduct and oversee the functions of the office.

3.5. Primary Duties of the Administrator

3.5.1. Office Management: The administrator is responsible for management of the office pursuant to Boundary County Job Description PZ-01, as amended.

3.5.2. Receive and Process Applications: The administrator will receive, process and document all applications for permits and processes established by this ordinance and perform all necessary steps necessary to see them carried through to completion. In receiving applications, the administrator will serve the interests of the county, interpreting requests and advising the applicant on all processes, procedures and provisions herein that are pertinent to the use or action proposed. The administrator will assist each applicant to ensure that applications are complete, but will not have authority to withhold processing an application once submitted and fee paid except where decision authority is granted the administrator.

3.7.3. Recommendation Authority Granted: The planning and zoning commission will interpret the provisions of this ordinance specific to individual applications so as to render written findings supporting a recommendation to the board of county commissioners on applications for temporary use, development agreements, long-plat subdivision and non-administrative zone map amendment, and will likewise forward findings and recommendation to county commissioners on applications to amend the Boundary County Comprehensive Plan, administrative zone map amendments, proposed city area of impact agreements and proposed amendments to this ordinance. At the discretion of the planning and zoning commission, final action on a recommendation to county commissioners may be tabled until the next regular meeting to allow review and adoption of the written findings and recommendation. When deemed necessary by the planning and zoning commission, it may, by motion and majority vote, initiate application for legislative actions, including administrative zone map amendments and amendments to the comprehensive plan, the comprehensive plan map or the zoning ordinance.

3.8. Powers and Duties of the Board of County Commissioners

3.8.1. Final Local Authority: The board of county commissioners is the final local authority and arbiter for the interpretation and application of all provisions established herein, and will decide all appeals to final decisions of the administrator and the planning and zoning commission. Final decisions of the board of county commissioners may only be contested through action in a court of competent jurisdiction.

3.8.2. Decision Authority Retained: County commissioners will interpret the provisions of this ordinance specific to individual development permit applications so as to render written findings and decisions on temporary uses, development agreements, short and long plat subdivisions and non-administrative zone map amendments, and will likewise render findings and decisions on amendments to the Boundary County Comprehensive Plan, city area of impact agreements and amendments to this ordinance. These decisions will consider the facts of the application, testimony received during the public hearing process and, where applicable, the recommendation of the planning and zoning commission so as to render reasoned written findings in support of the decision. At the discretion of the board of county commissioners, final action on a decision may be tabled to allow review and adoption of the findings. When deemed necessary by the board of county commissioners, it may, by motion and majority vote, initiate applications for legislative actions, including city area of impact agreements, administrative zone map amendments and amendments to the comprehensive plan, the comprehensive plan map or the zoning ordinance.

3.9. Fees: Fees for application processes established by this ordinance will be set by resolution by the board of county commissioners.

We firmly believe that the basis of facts in this decision before you, should result in ADI moving their business to a suitable location while they clean up a host of messes they have made with dumping, hazardous materials, building construction & placement, adverse economic impact and more. they are a complete nuisance & worse to our neighborhood

4. ENFORCEMENT

4.1. Violations and Penalties:

4.1.1. Infractions: A civil public offense not constituting a crime, for which a penalty not to exceed \$100 per occurrence may be imposed. As annotated in this ordinance, infraction violations include:

- 4.1.1.1. Failure to comply with standards for specific use (Section 10.7).
- 4.1.1.2. Failure to obtain a residential placement permit (Section 6.4.4).
- 4.1.1.3. Failure to file simple subdivision or Final Plat (Section 11.8.1., 11.8.2.).
- 4.1.1.4. Failure to comply with a conditional use permit (Section 7.5).
- 4.1.1.5. Failure to comply with a special event permit (Section 8.9).
- 4.1.1.6. Failure to comply with a temporary use permit (Section 9.5).
- 4.1.1.7. Failure to comply with building requirements of the flood plain overlay (Section 16.1.5).
- 4.1.1.8. Failure to file Parcel Division (Section 20.9.).

4.1.2. Separate Violation may Exist: A separate violation may be deemed to occur each week an adjudicated infraction continues to exist without abatement, beginning on the date of adjudication, as established at Section 4.7, below. In the case of illegal structure placement, where no simple remedy to move the structure exists, and there is no unreasonable risk to public safety, a judge may impose a fine up to \$1,000. Once the infraction is paid by the homeowner, this will preclude Boundary County from taking further action unless the structure is subsequently modified without an approved variance.

4.1.3. Misdemeanors: A crime punishable by a fine not to exceed \$1,000 per occurrence. As annotated in this ordinance, misdemeanor violations include:

- 4.1.3.1. Failure to comply with structure placement requirements of the flood plain overlay (Section 16.1.5).
- 4.1.3.2. Failure to comply with airport overlay, Section (Section 16.2.2).
- 4.1.3.3. Failure to obtain or comply with a commercial/industrial placement permit (Section 6.5.4).
- 4.1.3.4. Failure to obtain a conditional use permit, or the third violation of the same condition of the permit (Section 7.5).
- 4.1.3.5. Failure to obtain a special event permit, or the third violation of the same condition of the permit (Section 8.8).
- 4.1.3.6. Failure to obtain a temporary use permit, or the third violation of the same condition of the permit (Section 9.5).
- 4.1.3.7. Establishing a prohibited use.
- 4.1.3.8. Failure to plat (Section 11.8.2).
- 4.1.3.9. False representation (Section 11.8.3).

Has PDI been fined? If not, why?



PDI is in this category at least

PDI claimed public record

to have a clean bill of health from DEQ. Evidence shows this is false.

4.1.4. Separate Violation may Exist: A separate violation may be deemed to occur each week an adjudicated misdemeanor continues to exist without abatement, beginning on the date of adjudication. In the case of illegal structure placement, where no simple remedy to move the structure exists, and there is no unreasonable risk to public safety, a judge may impose a fine up to \$5,000. Once the infraction is paid by the homeowner, this will preclude Boundary County from taking further action unless the structure is subsequently modified without an approved variance.

4.2. Injunctive Action: Except as limited by the violations and penalties established above, Boundary County may take whatever legal action deemed necessary and appropriate to restrain, enjoin or estop any violation of this ordinance in accordance with the laws of the State of Idaho.

4.3. Voluntary Compliance Encouraged: It is the policy of Boundary County to encourage and promote voluntary compliance with the provisions of this ordinance and to promote education and awareness rather than the immediate imposition of legal enforcement action. Except where there is a threat to the general welfare, as determined by the board of county commissioners, the prosecutor or the sheriff, the administrator will attempt to bring about voluntary compliance prior to initiating legal enforcement as established below.

4.4. Reporting Violations: If any person has complaint or cause to believe that a violation of this ordinance has occurred or is about to occur, that person should notify the administrator, providing the nature of the complaint and information sufficient to accurately identify the lot or parcel upon which the violation is alleged. A citizen may also make complaint directly to the sheriff or the prosecutor, and nothing in this section will preclude their taking action as deemed appropriate to the allegation, which may include referring the complaint to the administrator. If enforcement action is undertaken by the sheriff or the prosecutor, the following provisions of this section do not apply.

4.5. Notice of Complaint: Upon receipt of a complaint or alleged violation, the administrator will interpret the provisions of this ordinance as regard the specifics of the complaint to determine if probable cause exists to warrant further action, with record maintained. If there is reasonable cause to believe that a violation may exist or is being established, the administrator will send the owner of record of the parcel on which the violation is alleged a notice of complaint, by first class mail, notifying them of the potential violation, potential penalties which may be imposed, and corrective action which may be taken to bring about compliance. The administrator will request that the property owner contact the office within ten business days to either defend against the allegation or to make arrangements to abate the violation.

4.6. Corrective Action for types of complaints:

4.6.1. Failure to obtain a permit or variance: Property owner makes application for a permit or variance, and the administrator shall take no further action until the application process is completed.

4.6.2. Failure to comply with standards for specific use or the conditions of a permit: The property owner corrects the situation within 30 days or makes arrangements for a reasonable time to bring the property into compliance.

4.6.3. Illegal structure placement corrective actions

4.6.3.1. Move the structure

4.6.3.2. Property owner makes application for a permit or variance, and the administrator shall take no further action until application process is completed.

4.6.4. Failure to plat: Property owner may plat with subdivision process or consolidate divided parcels.

It seems that a capricious & arbitrary lack of action has so far been exhibited in regards to PDI's land use actions

It has been shown that this condition exists.

Was this done?

This has not happened

4.6.5. False representation: There is no corrective action. If the property owner or sales representative cannot dispute the complaint, then a notice of violation will be sent, and the matter forwarded to the sheriff.

4.6.6. Establishing a prohibited use: The property owner ceases the use within 30 days or makes arrangements for a reasonable time to bring the property into compliance.

4.7. Notice of Violation: If the administrator has probable cause to believe that a violation has been committed, or in the event the property owner fails to respond to a notice of complaint or admits to a violation and fails to take corrective action or abide by arrangements to abate the offense, the administrator will send the property owner, by certified mail, with return receipt requested, a notice of violation, which will contain in addition to the information required in a notice of complaint the specific provisions of this ordinance alleged to have been violated and notice that failure to respond will, within ten business days of mailing, result in the complaint being turned over to the sheriff for further enforcement action. If the administrator has probable cause to believe that the violation may be detrimental to the public welfare or constitute a public nuisance, county commissioners will be notified of the complaint prior to the mailing of a notice of violation and county commissioners may direct that the sheriff assume responsibility for enforcement.

ADI has been given a pass at the expense of the neighbors and environment of the county

This should have happened a long time ago. Did it? If so, when & what was the result? If not, why?

If ADI was not in the wrong zoning, this should have been done, in light of safety concerns voiced months ago.

5. GUARANTEE OF INSTALLATION AGREEMENTS AND SURETY

However, because of completely unlawful nature of ADI operations, they should have shut down operations immediately.

Fence was not installed SETUP Parameters not followed

5.1. General: In order to ensure the development of essential improvements made necessary by private development required to maintain public welfare, health and safety and to secure the taxpayers of Boundary County from unfair burden, a guarantee of installation agreement and surety may be required of the applicant or developer as a condition of approval for any application process established herein that is subject to public hearing.

5.2. Guarantee may be Imposed: When the deciding body establishes terms or specific standards for necessary improvements as a condition of approval to any development permit application subject to public hearing, and determines that completion of those improvements are essential to public welfare, safety or health, a guarantee of installation may also be required as a further condition of approval.

5.3. Form of Guarantee: A guarantee of installation will consist of a detailed description, prepared by the applicant or developer, of the improvements required, the minimum standards to which they will be built, the cost of the improvements to be performed, established by a qualified and independent authority, a timeline of development, to include expected completion date, and surety in the form of a cash deposit, cash bond, corporate surety bond or irrevocable letter of credit in favor of Boundary County in an amount set by the board of county commissioners but not less than 150-percent of the total cost estimated, or in such other form as expressly approved by the Board of County Commissioners.

5.4. Administration:

5.4.1. The board of county commissioners has sole authority to order, enter into and approve a guarantee of installation. If the planning and zoning commission is the deciding body of an application and deems that a guarantee of installation is a necessary condition of approval, decision authority will be deferred to the board of county commissioners and a recommendation, to include the proposed terms of the guarantee of installation, will be forwarded. County commissioners will hold public hearing on the application and may impose the requirement of a guarantee of installation as a condition of approval, specifying the terms, specifications, conditions, duration and amount of the guarantee. In the event a guarantee of installation is required, no final permit will be issued until the guarantee of installation agreement is signed by both parties and surety conveyed to Boundary County.

5.4.2. The board of county commissioners will maintain all records and documentation related to guarantees of installation and will carry out the tasks necessary for administration of the guarantee.

5.5. Release of Surety: Upon certification of completion of improvements by the developer, as provided for in the guarantee of installation agreement, the board of county commissioners shall schedule time on their regular agenda to meet with the applicant or developer to initiate the county's release of surety. In anticipation of release, the board of county commissioners may request on-site inspection of improvements by competent authority to verify that improvements made meet or exceed agreement standards. Based on information provided, the board of county commissioners may, by motion and majority vote:

5.5.1. Release surety.

5.5.2. Table the request pending an on-site inspection of improvements by the board or their designated representative.

6. ADMINISTRATIVE DEVELOPMENT PERMITS

where are the PDI permits for all they have done?

6.1. **Recording:** Development permit applications will be maintained as a permanent record pursuant to Idaho Code, and will be made available for public view on request by any interested party.

why have they been given a pass?

6.2. **Concurrent Processing of Applications:** Whenever application is made for a proposed use requiring the issuance multiple permits, the applications will, to the extent possible, be processed concurrently, with single public notice process covering all application procedures. When applications are processed concurrently, only the fee established for the highest cost permit under consideration will be imposed.

6.3. **Certificate of Compliance:** When a property owner requires documentation that a particular use, unregulated by Boundary County, is in compliance with the provisions of this ordinance, that property owner may make application for a certificate of compliance, describing the use being conducted. Upon ascertaining that the use described meets the provisions established herein, the administrator shall issue, at no fee to the property owner, a certificate of compliance. Certificates of Compliance shall remain valid for two years following cessation of the use described. Expansion of an unregulated use may require additional permitting.

6.4. **Residential Placement Permit:** Where established within a zone district as a use requiring administrative permit, a residential placement permit is required prior to the onset of construction of a primary residence or an Accessory Dwelling Unit intended for residential occupation.

6.4.1. **Administration:** Upon receipt of a completed application for a residential placement permit and applicable fee, the administrator will provide review copies to all affected county departments, to include at minimum the assessor and road and bridge, and examine the documentation provided to ensure that it is sufficient to determine that all structures proposed meet setback requirements within the zone district, that driveway approach to any county road meet safety requirements, that minimum parcel size standards are met and that structures proposed are in conformance with all applicable overlay zone requirements.

6.4.2. **Decision:** Not later than ten business days following receipt of application, the administrator may:

6.4.2.1. **Approve:** Approve the application and issue a residential placement permit, providing the applicant contact information for other state or federal permits that may be required and forwarding a copy to the GIS mapping department for assignment of a physical address.

6.4.2.2. **Table:** Table issuance of the permit pending proof of compliance with requirements of other county departments.

6.4.2.3. **Deny:** Deny the application for cause, advising the applicant in writing of the reasons for denial and steps that may be available to gain approval, including the right to appeal.

6.4.3. **Duration of Permit:** Following issuance, a residential placement permit will belong to the applicant and will only be transferable to the extent that development as depicted on the application has been completed on the date of sale or transfer of the parcel or lot.

6.4.4. **Penalties for Violation:** Failure to obtain a residential placement permit when required will constitute an infraction, pursuant to Section 4.1.1.2.

This applies to PDI. Has it been done?

*This was by PDI, because they can't even legally break ground
no done by for industrial construction. What a farce!*

6.5. Commercial/Industrial Placement Permit: Where established as a use requiring administrative permit, a commercial/industrial placement permit is required prior to the onset of construction or expansion of a primary structure to establish a commercial, light industrial or industrial use as defined in Section 2; or for converting a residential or accessory structure into a primary structure for commercial or industrial use.

6.5.1. Administration: Upon receipt of a completed application for a commercial/industrial placement permit and applicable fee, the administrator will provide review copies to all affected county departments, to include at minimum the assessor and road and bridge, and examine the documentation provided to ensure that it is sufficient to determine that all uses and structures proposed meet provisions established within the zone district, to include setback requirements, that structures proposed are in conformance with all applicable overlay zone requirements, and that all applicable standards as established at Section 15 are met.

6.5.2. Decision: Not later than ten business days following receipt of application, the administrator may:

6.5.2.1. Approve: Approve the application and issue a commercial/industrial placement permit, providing the applicant contact information for other state or federal permits that may be required and forwarding a copy to the GIS mapping department for assignment of a physical address.

6.5.2.2. Table: Table issuance of the permit pending proof of compliance with requirements of other county departments.

6.5.2.3. Deny: Deny the application for cause, advising the applicant in writing of the reasons for denial and steps that may be available to gain approval, including the right to appeal.

6.5.3. Duration of Permit: Following issuance, a commercial/industrial placement permit will go with the land and remain valid for the life of the use and be transferable on sale of property, to the limits established in the approved application. Expansion beyond the limits established in the approved application will require the issuance of a new commercial/industrial placement permit or conditional use permit, as applicable. When a use for which a commercial/industrial placement permit was issued is discontinued for a period of two years, the permit will be considered lapsed.

6.5.4. Penalties for Violation: Failure to obtain a commercial/industrial placement permit when required will constitute a misdemeanor, pursuant to Section 4.1.3.3.

Tess-Vogel with
Ruen-Kealger & Associates
represents a conflict of interest.

7. CONDITIONAL USE PERMITS

7.1. **Deciding Body:** Planning and zoning commission.

7.2. **Applicability:** Where a specific or general use is allowed for consideration as a conditional use with a zone district, a conditional use permit shall be approved and issued prior to the onset of development or establishment of that use. A conditional use application will encompass all development proposed on a single parcel or lot, and upon issuance, the application, as modified by standards, terms or conditions imposed by the conditional use permit, will become the controlling plan for that parcel or lot, and will not be changed or expanded without application for a new development permit.

7.3. **Duration of Permit:** Conditional use permits run with the land to which they attach, and continue in effect for the life of the use established.

7.4. **Terminating a Conditional Use:** An approved conditional use permit will be deemed to lapse if work to establish the use has not begun within two years of the date of approval, or when a use established by a conditional use permit is discontinued for a period of two consecutive years. The owner of property subject to a conditional use permit may request termination of a conditional use permit at any time by notifying the administrator in writing.

7.5. **Penalties for Violation:** Failure to obtain a conditional use permit prior to establishing a use for which one is required will constitute a misdemeanor pursuant to Section 4.1.3.4. Failure to comply with a conditional use permit will constitute an infraction pursuant to Section 4.1.1.4. If the property owner is found guilty of more than two infractions, of the same kind, within a two year period then the charge will increase to a misdemeanor.

7.6. **Administration:**

7.6.1. **Applicant:** It is the responsibility of the applicant, on forms provided by the administrator and based on the specific provisions of the zone district in which the use is proposed, to provide, at the time application is made, sufficient information, detail, data and documentation so as to demonstrate to the planning and zoning commission that the specific proposal meets those provisions and that the use proposed can be carried out without imposing undue adverse effects on established uses in the area.

7.6.2. **Administrator:** Upon receipt of a completed conditional use permit application and applicable fee, the administrator will schedule public hearing on the next available agenda of the planning and zoning commission pursuant to Section 19. Following the deadline for receipt of written comment and at least one week prior to the scheduled hearing, the administrator will mail copies of the application, to include documentation and written comment received, to each member of the planning and zoning commission for review. The mailing will also include a staff analysis which will:

7.6.2.1. Summarize the development and use proposed.

7.6.2.2. Establish the specifics of the site on which the use is proposed, to include parcel number, legal description, parcel size, zone district designation, surrounding zone district designation and surrounding land uses.

7.6.2.3. Identify all overlay zones, hazardous areas or special sites that might be affected by the proposed use.

7.6.2.4. Cite comprehensive plan considerations.

This applies to PDI. Was it done? If not, it is indicative of conflict of interests & capricious & arbitrary decisions by P&Z administrator.

Pt in previous hearings this was not done with diligence. It was clear

that the administrator was biased for PDI and against presentation of facts & information that ~~might~~ would give reasons to deny the CUP.

Failed to
me non CUP denials
made for same but
less ~~for~~ powerful
objections of
those opposed
to a CUP
eg. Bear group (owners)
development &
sewings operation
CUP denial
not far from
PDI location.

This was done in a capricious & arbitrary manner

7.6.2.5. Cite provisions of this ordinance applicable to the specifics of the proposal, to include standards applicable to the use proposed.

7.6.2.6. Cite precedents that might be applicable to the specifics of the proposal.

7.6.3. Planning and Zoning Commission: The planning and zoning commission will hold public hearing on the proposed conditional use. Based on the materials of the application, staff analysis and testimony presented in writing or during public hearing, members of the planning and zoning commission will hold discussion to consider a decision and, if applicable, terms and conditions, giving due consideration to potential takings issues, so as to develop reasoned findings.

7.7. Considerations: When considering a conditional use application, the planning and zoning commission should determine, at minimum:

7.7.1. Whether the application, site plan and additional documentation provided by the applicant sufficiently demonstrate the full scope of the use proposed. *not done*

7.7.2. Whether the proposed use conforms to all applicable standards established by this ordinance. *does not conform*

7.7.3. Whether there is sufficient land area to accommodate the use proposed, and whether development is so timed and arranged so as to minimize adverse effects on surrounding properties and uses. *not done*

7.7.4. How the impacts of the use proposed compare with the impacts of existing uses within the zone. *not done*

7.7.5. Whether concerns raised by other departments, agencies or by the providers of public services, including but not limited to road and bridge, water, electricity, fire protection, sewer or septic, can be adequately addressed. *not done*

7.7.6. The potential benefit to the community offered by the use proposed. *adverse impacts abound*

7.7.7. Whether specific concerns aired through the public hearing process have validity and whether those concerns can be adequately addressed. *most concerns addressed*

7.7.8. Whether the use proposed would constitute a public nuisance, impose undue adverse impact to established surrounding land uses or infringe on the property rights of surrounding property owners, and whether terms or conditions could be imposed adequate to mitigate those effects. *All adverse impacts apply*

7.7.9. Whether the use proposed would unfairly burden Boundary County taxpayers with costs not offset by the potential benefits of the proposed use. *County liability is very high*

7.8. Terms and Conditions: In considering approval of an application to establish a conditional use, the planning and zoning commission may consider the imposition of terms and conditions as a means of eliminating or mitigating potential adverse effects or to provide for public safety. Such terms and conditions may, but are not limited to:

7.8.1. Control the sequence and timing of development.

7.8.2. Establish or limit hours or days of operation.

7.8.3. Establish limits on the timing and/or duration of potentially disruptive activities. *This was done only in appearance but not in substance*

7.8.4. Require the installation of public services or utilities as recommended by providers necessary to accommodate the use proposed. *addresses the*

7.8.5. Establish specific locations and/or standards for structures, parking areas, access lanes, etc., to reduce adverse impact on traffic or traffic patterns. *credible complaints presented*

7.8.6. Establish standards for landscaping, fencing, lighting or other measures so as to maintain the aesthetics or character of the area in which the use is proposed or to contain noise, dust, light or other potential nuisances from encroaching onto adjoining properties.

7.8.7. Require specific security measures, such as fencing, secure storage areas, fire prevention measures, etc., that are appropriate to the use and necessary for public safety.

7.8.8. Require proof of compliance with other county regulations.

7.9. Decision: Upon conclusion of public hearing and based on the findings developed, the planning and zoning commission may, by motion and majority vote:

This was not done even when violations were testified to

7.9.1. Approve: Approve the application, establishing terms and conditions and findings sufficient to enable staff to prepare written decision. At the discretion of the planning and zoning commission, final action may be tabled until the next regular meeting to allow review and approval of the written findings and decision. For tolling appeal, approval of a conditional use permit will be effective on the date the chair signs written findings and decision. On receipt of a signed decision to approve, the administrator will issue the applicant a conditional use permit, to include terms conditions established.

7.9.2. Disapprove: Disapprove the application for cause, establishing findings sufficient to enable staff to prepare written decision. At the discretion of the planning and zoning commission, final action may be tabled until the next regular meeting to allow review and approval of the written findings and decision. For tolling appeal, disapproval of a conditional use permit will be effective on the date the chair signs written findings and decision. On receipt of a signed decision to disapprove, the applicant will be provided a copy of those findings and advised of rights to appeal.

7.9.3. Table: Table a final decision to the next regular meeting to allow the applicant to obtain documentation of agency approvals or to provide additional specific information when the planning and zoning commission is likely to approve the application but:

7.9.3.1. The site plan and/or other documentation fail to provide a sufficiently clear and definable description of the scope of the development or use proposed.

7.9.3.2. Portions of the application fail to conform to specific standards established by this ordinance.

7.9.3.3. Additional agency approvals are established as a condition of approval requiring proof of compliance before additional development can proceed.

7.9.4. Defer Decision Authority: The planning and zoning commission may defer decision authority, forwarding to county commissioners a written recommendation or synopsis of issues when:

7.9.4.1. It is decided by the planning and zoning commission that a guarantee of installation agreement pursuant to Section 5 is necessary as a condition of approval; or

7.9.4.2. When the planning and zoning commission has cause to question whether or not an application meets criteria for consideration within a zone district, or

7.9.4.3. When the scope of the application or controversy generated is such that members of the planning and zoning commission are unable to reach consensus sufficient to render a motion or when it is determined by the

planning and zoning commission that decision authority should rest with the board of county commissioners.

7.9.4.4. When decision authority is deferred to the board of county commissioners, the administrator will schedule an additional public hearing before that body pursuant to Section 19.

The P&Z had adequate information to rightfully reject the CUP request.

PDI can not stay based on adverse economic impact but even if they were in the correct location, they fail each of these standards. No exaggeration.

10. STANDARDS FOR SPECIFIC USES

10.1. Standards for Commercial, Light Industrial and Industrial Use: The following provisions apply equally to all commercial, light industrial and industrial uses operating within the jurisdiction of Boundary County.

10.1.1. Hazardous Materials: Any commercial or industrial activity involving the use or storage of hazardous materials, including but not limited to flammable, explosive, corrosive, poisonous or radioactive materials will provide for the safe storage and handling of these materials in compliance with current state and federal regulations so as not to threaten public safety. Such materials will be stored or kept for disposal in areas secure from public trespass.

10.1.2. Dust: Excessive dust from commercial or industrial activities, parking areas and access ways will be controlled by landscaping, paving, application of dust suppression materials or by installation of filters, as appropriate.

10.1.3. Noise: Regularly occurring noise from commercial or industrial activities will be muffled, contained or otherwise controlled to reduce volume at the nearest property line similar to the sound of a residential lawnmower.

10.1.4. Lighting: All permanently installed exterior lighting will be designed and placed so as not to produce glare onto adjoining properties or roadways.

10.2. Off-Street Parking: In all zone districts, off-street parking areas will be depicted on development permit applications, to include access ways, in accordance with the minimum standards here established:

10.2.1. Residential: A minimum of two parking spaces will be provided for each single-family residential unit.

10.2.2. Transient Lodging Facilities: One parking space will be provided for each guest room or suite, plus additional parking sufficient to accommodate staff, including shift change.

10.2.3. Public Assembly Places:

10.2.3.1. Community halls, restaurant, clubs, dances halls and similar public gathering places will provide at minimum one parking space per 100 square feet of interior space.

10.2.3.2. Auditoriums, theaters, churches and like places of public assembly will provide at minimum one parking space for each three seats or two parking spaces for each 100 square feet of interior space, whichever is greater.

10.2.3.3. Public assembly places having a limited occupancy fire rating will provide one parking place for each three persons allowed in occupancy.

10.2.4. Commercial and Industrial Uses:

10.2.4.1. Off-street public parking will be provided within 300 feet of the primary structure for all commercial or industrial uses.

10.2.4.2. Parking will include sufficient area to accommodate the highest number of employees on shift at any one time, to include shift change.

10.2.4.3. Banks, professional offices, retail business establishments and service businesses will provide at minimum one parking space for each 400 square feet of interior space.

10.2.4.4. Warehouse, manufacturing and other industrial businesses will provide at minimum one parking space per 1,000 square feet of interior floor space.

13.2.6.1. Uphold the appeal, overturning the initial decision that prompted the action.

13.2.6.2. Deny the appeal, upholding the initial decision.

13.2.6.3. Modify the decision so as to mitigate the grievance.

13.2.7. Judicial Relief: Any person aggrieved by a decision rendered as a result of an appeal hearing may seek judicial review pursuant to Rule 84, Idaho Court Rules, or other relief as established by the court.

The longer ADI operates where it is, the more adverse impacts on neighbors increases. These impacts include: the nuisances of Noise, traffic, dust and fumes

- the ~~presence~~ ^{presence} of airborne ^{hazardous} chemicals, ground water hazardous chemicals, emergency ingress & egress hazards, highway entrance hazards

- trespassing (people parking ^{walking} and driving on neighbor's land, buildings on and/or encroaching on neighbor's land

← adverse economic impact on surrounding property values & adverse economic viability by overburdening the neighborhood w/ commercial ~~activities~~ and industrial activities that leave no room for neighbors to engage in home based businesses.

15.6. Land-Intensive Uses: More than 100 trips traffic per day, and/or more than 10 full-time employees. Noisy and/or odiferous. Use does not present substantial life safety concerns such as large explosive hazard, potential large release of poison gas, etc.

- 15.6.1. Moderate or high-occupancy use exceeding employee, traffic, noise or odor limitations.
- 15.6.2. Gravel pits or quarries with sales exceeding 10,000 yards per year with crushing, and/or blasting.
- 15.6.3. Mining, gas and oil extraction.
- 15.6.4. Towers exceeding 150-feet in height.
- 15.6.5. Power production greater than one megawatt, such as biomass, wind farm, etc.
- 15.6.6. Manufacturing, warehousing and distribution greater than 8,000 square feet.
- 15.6.7. Processing or packaging plant.
- 15.6.8. Lighted or digital signage not to exceed 600 square foot for on-site business.

POI is worse than this

15.9. AGRICULTURE/FORESTRY

POI is
Non-compliant, it
seems

15.9.1. Density: Ten acres.

15.9.2. Structure Setbacks: Property line: 25 feet.

15.9.3. Uses Not Regulated by Boundary County:

15.9.3.1. Unrestricted Class and Light Class uses.

15.9.3.2. Moderate class uses when located more than 500 feet from any existing residence.

15.9.3.3. Agriculture and silviculture and structures accessory to those uses.

15.9.4. Uses Requiring County Permit:

15.9.4.1. One (1) single-family primary residential structure on a buildable parcel or lot.

15.9.4.2. Accessory dwelling unit.

15.9.4.3. New primary structure for unregulated Light Class or Moderate Class Uses.

15.9.4.4. Off-site commercial greenhouses and produce stands.

15.9.4.5. Driveway access to a county road.

15.9.5. Conditional Uses:

15.9.5.1. Moderate class use when located less than 500 feet from any existing residence.

15.9.5.2. High occupancy and land-intensive uses.

15.9.5.3. Duplex, multi-family or multi-structure residential.

15.9.5.4. Animal boarding facilities, riding or equestrian training facilities, veterinary clinics.

15.9.5.5. Feed lots.

15.9.5.6. Industrial uses.

15.9.6. Prohibited Uses:

15.9.6.1. CAFO operations exceeding Idaho code 67-6529

15.9.6.2. Off premise signs.

15.9.6.3. Commercial junkyards.

15.9.6.4. Septage farms.

additional public notice required.

19.4. Order of Proceedings:

19.4.1. The hearing chair will open the meeting and describe the public hearing procedure. When multiple public hearings are included on a single agenda, review of the procedure need only occur once at the beginning of the meeting.

19.4.2. Prior to accepting testimony during a quasi-judicial public hearing, the chair will call for conflicts of interest or ex parte contact among members specific to the proposal being heard.

19.4.3. The chair will open public hearing and briefly describe the application.

19.4.4. The applicant or designated representative may give an opening statement. Members may ask questions of the applicant. Absence of the applicant or representative at public hearing will not automatically result in postponement of the public hearing, but members may table the hearing should it be determined that the applicant's presence is necessary so as to allow an informed decision. Likewise, if the applicant knows or finds that attendance at the meeting will not be possible, the applicant may notify the administrator prior to the hearing and request either that the hearing continue despite the absence or that the hearing be tabled to allow attendance. If the request is to hold the hearing despite the absence, such request will be provided the chair at public hearing in lieu of the applicant's opening statement. If the request is to table the public hearing, a time and date certain for reconvening the hearing will be set and announced to all interested parties in attendance, and no additional public notification will be required. If no time and date certain is set, the public notification process set forth above at 19.2, above, will be repeated prior to reconvening the public hearing at the applicant's expense.

19.4.5. The administrator or designee may give staff report. Members may ask questions of the administrator.

19.4.6. The hearing will be opened to public testimony, first from those in favor of the proposal, next from those uncommitted on the proposal and finally from those opposed to the proposal. Members may ask questions of each speaker.

19.4.7. The applicant will have the opportunity to provide a closing statement to clarify the application and rebut concerns. Members may ask questions of the applicant.

19.4.8. If, as a result of testimony received, a material change has been made to the application, the chair will declare the substantial change and reopen the hearing to public testimony specific to that change.

19.4.9. Upon conclusion of all testimony, the chair will close the hearing to public testimony and call for discussion and deliberation by members. No further questions will be asked of the applicant or members of the public, and no additional public comment will be accepted without reopening the hearing to public testimony. Discussion will be aimed toward establishing reasoned findings upon which to base a recommendation or decision.

we are particularly interested to know that this is taken seriously in this hearing.

Tess Vogel has excluded relevant info & steered members away from facts relevant to the position of those opposed to the C.U.P.