United States Environmental Protection Agency

EPA REGION 10 Enforcement and Compliance Assurance Division

INSPECTION REPORT

Inspection Entry Date/Time	09/19/2024 09:58 AM (PT)	Announced: Yes
Inspection Exit Date/Time	09/19/2024 12:02 PM (PT)	Access: Granted
Weather	61°F, Sunny	
Media	Water	
Statute(s)/Program(s)	Clean Water Act, NPDES, Stormwater – Industrial	
Type of Inspection	Compliance Evaluation Inspection	
Permittee Name	Cedar Poles, LLC	
Site Name	Cedar Poles, LLC	
Site Physical Address	101 N Idaho Avenue	
City, State, Zip Code	Oldtown, Idaho 83822	
County	Bonner	
Facility GPS Coordinates	48.181, -117.0357	
Mailing Address	P.O. Box 3553	
City, State, Zip Code	Oldtown, Idaho 83822	
FRS ID	110042072299	
Permit Number	IDR053192	
SICs	2411 (Logging)	

Lead Inspector:	CHARISSA BUJAK	Digitally signed by CHARISSA BUJAK Date: 2024.11.27 08:43:26 -07'00'	
Charissa Bujak	EPA Region 10	bujak.charissa@epa.gov	(208) 378-5754
Supervisor Review:	Marshalonis, Daniel (Dino)	Digitally signed by Marshalonis, Daniel (Dino) Date: 2024.11.27 09:03:03 -08'00'	
Dino Marshalonis	EPA Region 10	marshalonis.dino@epa.gov	(206) 553-1519

SECTION I – Opening Conference

I arrived at Cedar Poles, LLC (the "Site" or "Facility"), located at 101 N Idaho Avenue, Oldtown, Idaho, at 9:58 AM (PT) on 09/19/2024 for an announced inspection. I presented my credentials to Mr. Daniel Duley, Owner, and Authorized Representative. Idaho Department of Environmental Quality (IDEQ) Inspector Mr. Mathew Colling accompanied me. I informed Mr. Duley that I was there to conduct an inspection of the site to determine compliance with the Clean Water Act (CWA) and the Idaho Multi-Sector General Permit (MSGP). I based this report on information supplied by the site Representatives, my direct observations, and records and reports maintained by the permittee. In addition, this report may contain information gathered before or after the inspection from a review of EPA, State, and public records.

Attendees

Organization	Attendee Name	Title	Present in Opening Conf.	Present in Closing Conf.
EPA Region 10	Charissa Bujak	Lead Inspector	Yes	Yes
IDEQ - Coeur d'Alene Regional Office	Mathew Colling	IPDES Compliance Officer	Yes	Yes
Cedar Poles, LLC	Daniel Duley	Owner - Authorized Representative	Yes	Yes

Site Information

Responsible official	Daniel Duley
Personnel conducting inspections/sampling	Daniel Duley
Sampling locations	Stormwater is sampled at outfall 001 on the north side of the Facility's property boundary, located approximately 224 feet from the Pend Oreille River.
Years in operation	The Facility has been in operation since around 1948.
Number of employees	The Facility employs between four and six employees.
Receiving Water	Pend Oreille River.
Number/location of Stormwater Outfalls	The facility has one discharge point, designated as Outfall 001.
BMPs/Stormwater Treatment	The Facility utilizes swales, ditches, pervious surfaces such as gravel, and vegetative buffers to enhance stormwater infiltration. The topography generally directs stormwater towards the northern corner of the property, where Outfall 001 is located. During the inspection, I observed gravel piles in lower topographic areas throughout the Facility's yard, including one at the northern corner, where stormwater flows towards Outfall 001. Although the water truck was not operating at the time of the inspection, the Facility employs a truck to spray water in and around the yard twice a day—once in the morning and once in the evening—to reduce dust.
Industrial activities exposed to stormwater	The Facility processes wooden poles for overhead utility lines. The process begins with raw poles that still have their bark. The usual steps involved are as follows: storing the raw poles, running them through a peeler to remove the bark, scaling the poles to determine their volume, and storing the processed poles for shipment by truck and rail. A third party performs vehicle maintenance off-site as Cedar Poles, LLC leases the vehicles. When an oil change is necessary, drip pans and spill kits, which are kept in the vehicles, are utilized to manage any spills or drips.

Industrial Sector/Sub-sector	Primary Sector – A3 (SIC 2411)
Type of Operation	The Facility primarily processes raw poles. It does not chemically treat poles and does not store treated poles on-site. No paved surfaces are sealed or re-sealed with coal-tar sealant. The Facility does not manufacture, use, or store creosote or creosote-treated wood. The Facility also does not conduct spray-down or wet-deck operations.
Is property owned or leased?	The Facility is owned by Poles Inc, as per the Bonner County Parcel Map Viewer.
Shifts/Hours	The Facility typically operates from 7:00 AM to 3:30 PM, mostly weekdays.
Size of Facility	The Facility conducts operations across a 19-acre area.
Type of materials and/or vehicles stored outdoors	No oil, fuel, or chemicals are stored outdoors. Additionally, salt is not stored outside. However, raw materials such as unpeeled poles and debris from processing these poles, including bark and sawdust, are stored outside. Peeled poles that are ready for off-site shipment are also stored outdoors.

SECTION II – Observations

Location: Dumpster located near shop
Observation #: OB-001
During the site tour, I noticed that the dumpster near the shop was uncovered, and I did not observe the presence of a lid.

SECTION III – Records Review

Records may not be in sequential order.

Record: Other - EPA's Integrated Compliance Information System (ICIS) Database - DMRs		**AOC:** Yes
Ref #: RR-001	**Reviewed By:** Charissa Bujak	**Reviewed Date:** 09/5/2024
I reviewed the information in the EPA's ICIS database covering the period from September 2019 through September 2024. I observed that the Facility failed to timely submit a Discharge Monitoring Report (DMR) for the monitoring period ending May 31, 2021.		
Record: Other - Quarterly Visual Assessments & Benchmark Monitoring		**AOC:** No
Ref #: RR-002	**Reviewed By:** Charissa Bujak	**Reviewed Date:** 09/17/2024
The Facility has reported that no discharges have occurred at Outfall 001 since 2017. I did not observe any areas of concern.		
Record: Other - Routine Facility Inspections		**AOC:** Yes
Ref #: RR-003	**Reviewed By:** Charissa Bujak	**Reviewed Date:** 09/17/2024
During the inspection, the Facility had no documentation of any completed Routine Facility Inspections in the SWPPP.		
Record: Notice of Intent		**AOC:** Yes
Ref #: RR-004	**Reviewed By:** Charissa Bujak	**Reviewed Date:** 09/05/2024
Before the inspection, I reviewed the Facility's Notice of Intent (NOI) dated May 12, 2021. The NOI states that the receiving water is not listed as impaired on the 303(d) list. However, according to the 2016, 2020, and 2022 Waterbody Reports, the receiving water at the discharge point is indeed listed as 303(d) impaired. During the inspection, I noted that Appendix D of the Stormwater Pollution Prevention Plan (SWPPP) includes 2020 documentation correctly identifying the receiving water's 303(d) status.		

Record: Other - EPA's ICIS Database – Annual Reports		AOC: Yes
Ref #: RR-005	**Reviewed By:** Charissa Bujak	**Reviewed Date:** 09/10/2024
Before the inspection, I reviewed information from the EPA's ICIS database covering the period from September 2019 to September 2024. The facility failed to submit the Annual Report for 2021, which was due on January 30, 2022. Additionally, the facility did not submit the Annual Report for 2022 on time; it was due on January 30, 2023, but was submitted late on May 31, 2023. After the inspection, the facility provided correspondence between itself and the EPA regarding the submission of the 2021 Annual Report. The facility also shared correspondence with IDEQ dated January 25, 2023, concerning the late submission of the 2022 Annual Report.		
Record: SWPPP		**AOC:** Yes
Ref #: RR-006	**Reviewed By:** Charissa Bujak	**Reviewed Date:** 09/17/2024
At the time of the inspection, I reviewed the Facility's Stormwater Pollution Prevention Plan (SWPPP), dated May 12, 2021. At the time of the inspection, I observed that the SWPPP did not contain the following items: 1) employee training records, 2) a schedule/procedure for maintenance on the gravel installed, and 3) the required elements of the unauthorized non-stormwater discharge evaluation. I also observed that the SWPPP was not signed and dated. At the time of the inspection, I observed that the SWPPP map did not contain the following items: 1) the size of the property in acres, 2) the location of all stormwater control measures, including the vegetated buffer and gravel installation, 3) indication of whether the receiving water is impaired, 4) location of potential pollutant sources, such as the pile of sawdust and bark on the northwestern corner of the property, 5) areas of Endangered Species Act-designated critical habitat for endangered or threatened species, and 6) locations of the following activities: loading/unloading areas, processing and storage areas, and immediate access roads and rail lines used or traveled by carriers of raw materials. Post-inspection, the Facility provided documentation regarding employee training, as well as documentation on gravel delivery and installation/maintenance.		

SECTION IV – Sampling Activities

No sampling was conducted.

SECTION V – Areas of Concern

Areas of Concern may not be in sequential order.

The presentation of Areas of Concern does not constitute a formal compliance determination or violation.

AOC Reference #: OBS-001 – Dumpster Lid near Shop.
Permit Requirement: **Part 1.1.2.2 of the Permit** states, in part, " You must keep clean all exposed areas that are potential sources of pollutants. You must perform good housekeeping measures to minimize pollutant discharges, including but not limited to, the following...Keep all dumpster lids closed when not in use."
AOC: At the time of the inspection, the facility had one dumpster without a lid. Post-inspection, the facility submitted a photo showing the dumpster with the lid closed. See Appendix II.
AOC Reference #: RR-001 - Other - EPA's Integrated Compliance Information System (ICIS) Database - DMRs
Permit Requirement: Part 7.3.1 of the Permit states, in part, "You must submit all stormwater discharge monitoring data collected pursuant...using Net-DMR...no later than 30 days after you have received your complete laboratory results for all monitoring discharge points for the reporting period."
AOC: At the time of the inspection, the facility did not timely submit a Discharge Monitoring Report (DMR) for the monitoring period ending May 31, 2021, in a timely manner. Post-inspection, the facility provided documentation indicating that they were experiencing technical difficulties with online DMR submissions on July 12, 2021. See Appendix II.
AOC Reference #: RR-003 - Other - Routine Facility Inspections

Permit Requirement: Parts 3.1, 3.1.4, and 3.1.6 of the Permit states, in part, " Qualified personnel (as defined in Appendix A) must perform the inspections…at least quarterly…You must document the findings of your Facility inspections and maintain this report with your SWPPP."
AOC: At the time of the inspection, the Facility did not have any documentation of any completed Routine Facility Inspections in the Stormwater Pollution Prevention Plan (SWPPP).
AOC Reference #: Ref #: RR-004 – NOI
Permit Requirement: Parts 1.3.2 and 1.3.4 of the Permit states, in part, "you must use EPA's NPDES eReporting Tool for the MSGP (NeT-MSGP) to electronically prepare and submit to EPA a complete and accurate NOI…and…if after submitting your NOI, you need to correct or update any fields, you may do so by submitting a "Change NOI" form using NeT-MSGP."
AOC: At the time of the inspection, the Facility did not have an accurate NOI.
AOC Reference #: RR-005 - Other - EPA's ICIS Database – Annual Reports
Permit Requirement: Part 7.4 of the Permit states, in part, "You must submit an Annual Report…by January 30th for each year of permit coverage."
AOC: At the time of the inspection, the Facility did not submit the Annual Report for the year 2021, which was due on January 30, 2022. Additionally, the Facility did not submit the Annual Report for the year 2022 on time; it was due on January 30, 2023, but was submitted late on May 31, 2023. Post-inspection, the Facility provided correspondence between itself and the EPA public support email inbox, which instructed the Facility to submit documentation to IDEQ. Post-inspection, IDEQ confirmed that they did not have a copy of the Annual Report for 2021. The Facility also shared communication with IDEQ, dated January 25, 2023, regarding the late submission of the 2022 Annual Report. See Appendix II.
AOC Reference #: RR-006 – SWPPP
Permit Requirement: Parts 6.2.2.3, 6.2.3.4, 6.2.5, and 6.2.7 of the Permit states, in part, "You must provide a map showing…a) size of the property in acres…d) location of all stormwater control measures…e) indication of whether the receiving water is impaired…g) location of potential pollutant sources…l) areas of Endangered Species Act- designated critical habitat for endangered or threatened species, and…m) locations of the following activities: loading/unloading areas, processing and storage areas, and immediate access roads and rail lines used or traveled by carriers of raw materials…By the end of the first year of your permit coverage under this permit you must inspect and document all discharge points at your facility as part of the SWPPP…Documentation of your evaluation must include: a) The date of the evaluation, b) A description of the evaluation criteria used; c) A list of the discharge points or on-site drainage points that were directly observed during the evaluation…Preventative maintenance procedures…including any back-up practices in place should a storm event resulting in a stormwater discharge occur…The SWPPP shall include the schedule or frequency for maintaining all control measures used to comply with the effluent limits in Part 2…You must document…in your SWPPP…The elements of your employee training plan shall include all, but not necessarily limited to, the requirements set forth in Parts 2.1.2.8, and also the following: ii The content of the training; iii The frequency/schedule of training…iv A log of the dates on which specific employees received training…You must sign and date your SWPPP in accordance with Appendix B, Subsection 11.
AOC: At the time of the inspection, documentation of employee training, the schedule for maintenance/installation of gravel, and the required elements of the unauthorized non-stormwater

discharge evaluation were not in the Stormwater Pollution Prevention Plan (SWPPP). Additionally, the following items were missing from the SWPPP map: 1) size of the property in acres, 2) location of all stormwater control measures, 3) indication of whether the receiving water is impaired, 4) location of potential pollutant sources, 5) areas of Endangered Species Act- designated critical habitat for endangered or threatened species, and 6) locations of the following activities: loading/unloading areas, processing and storage areas, and immediate access roads and rail lines used or traveled by carriers of raw materials. I also observed that the SWPPP was not signed and dated. During the closing conference of the inspection, the Authorized Representative signed and dated the SWPPP. Post-inspection, the Facility provided documentation regarding employee training, as well as documentation on gravel delivery and installation/maintenance. See Appendix II.

SECTION VI – Closing Conference

I held a closing conference with Mr. Duley at approximately 12:02 PM (PT) on September 17, 2024, regarding the inspection. During this conference, I discussed my Observations and the Areas of Concern that I identified during the inspection. Please note that these Observations and Areas of Concern have not yet been evaluated for a formal compliance determination.

SECTION VII – List of Appendices

1. Appendix I - Photo Log
2. Appendix II - Post-Inspection Documentation

APPENDIX I: Photo Log

All photos listed below were taken by Lead EPA Inspector, Charissa Bujak, at the time of the inspection.

Photos were not manipulated beyond minor cropping for sizing and labels or callouts to draw attention to the subject of the photo.

All photos taken during the inspection are included in the Photo Log; however, only photos that support an Area of Concern are included in the inspection report.

Photograph Log – Cedar Poles, LLC

Photo #:01 (P190211)
Description: Facing west, photo of dumpster by shop without a lid, as well as gravel and vegetated buffer north of Outfall 001 in forefront of phot.

Photo #:02 (P9190210)
Description: Facing down, photo of the SWPPP map at the time of the inspection.

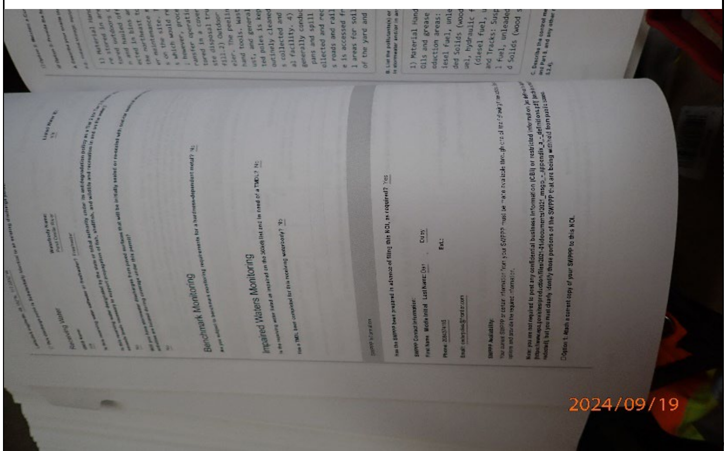

Photo #:03 (P9190293)
Description: Facing down, photo of NOI submission page describing the 303(d)-listing status.

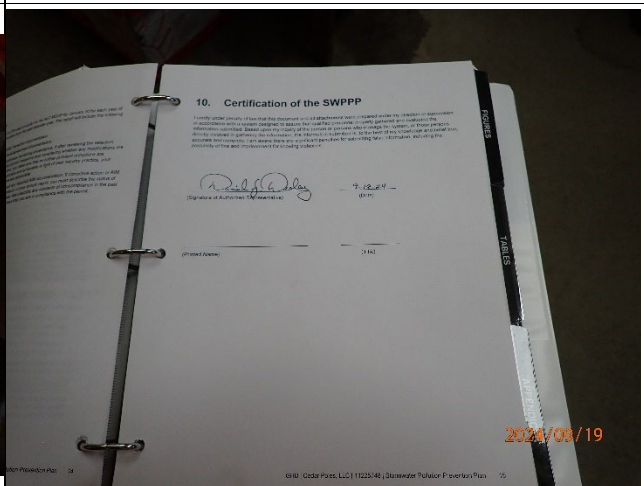

Photo #:04 (P9190289)
Description: Facing down, photo of SWPPP signed and dated on 9/19/2024.

APPENDIX II: 1. Post-Inspection Documentation

AOC Reference #: OBS-001 – Dumpster Lid near Shop.
Page 1 of 1

Amy Piper

From: Amy Piper
Sent: Friday, July 9, 2021 7:34 AM
To: IPDESNetDMR@deq.idaho.gov
Subject: Cedar poles DMR

Good morning,

I am attempting to assist Cedar Poles in their online submission of their DMRs for period ending June 30, 2021, however, I am unable to see the proper form when doing the search.

Amy Piper

From:	Amy Piper
Sent:	Monday, July 12, 2021 9:11 AM
To:	Shanda.Lowder@deq.idaho.gov
Subject:	RE: Cedar poles DMR

You are awesome. Thank you Shanda!

Amy Piper
Office Administrator – Oldtown, ID
Bell Timber, Inc
(208) 610-7799

From: Shanda.Lowder@deq.idaho.gov <Shanda.Lowder@deq.idaho.gov>
Sent: Monday, July 12, 2021 9:11 AM
To: Amy Piper <Amy.Piper@blpole.com>
Subject: RE: Cedar poles DMR

CAUTION: ***Exercise Caution. This is an EXTERNAL email. DO NOT open attachments or click links from unknown senders or unexpected email. ***

Amy,

I am getting that same spinning wheel this morning. I think they must be having issues with their site. I will try again in a few hours. If we get any notice from EPA about it being down, I will let you know.
-Shanda

From: Amy Piper [mailto:Amy.Piper@blpole.com]
Sent: Monday, July 12, 2021 8:58 AM
To: Shanda Lowder
Subject: RE: Cedar poles DMR

Thank you Shanda,

I got the access needed, however, I have a couple continuing issues. (If there is someone else I should reach out to, please just let me know.) I have not been able to pull up the form to fill out the Q2 results... today I am unable to get the application to load at all. The status shows that everything is running as it should but I keep getting the screen below.

From: EPA Public Support <public_support@epa.gov>
Sent: Monday, January 24, 2022 8:07 AM
To: Amy Piper <Amy.Piper@blpole.com>
Subject: CS0012191 - NeT-MSGP usage

CAUTION: ***Exercise Caution. This is an EXTERNAL email. DO NOT open attachments or click links from unknown senders or unexpected email. ***

Hello Amy,

Cedar Poles, LLC Permit ID IDR053192 has been delegated. Delegated indicates that the responsibility for administering the coverage has been delegated to another issuer. I would contact your state permitting authority for more information. The contact I have listed is Misha Vakoc (vakoc.misha@epa.gov), (206) 553-6650.

We hope this information helps, please let us know if further questions arise.

Thank you,

Courtney Gunderson

NPDES eReporting Help Desk
Staffed by Avanti Corporation
1-877-227-8965

For more information, please visit the EPA's NeT/NetDMR Support Portal, where you can stay updated with news, announcements, training, get answers from the knowledge base, and share your ideas and questions with us.

Date Created: 01/24/2022 09:08:10 EST
Subject: NeT-MSGP usage
Question: -----Original Message-----
From: Amy Piper <Amy.Piper@blpole.com>
Sent: Friday, January 21, 2022 1:18 PM
To: NPDESeReporting <NPDESeReporting@epa.gov>
Cc: Dan Duley <cedarpoles@frontier.com>
Subject: NeT-MSGP usage

Could you please let us know if Cedar Poles will be able to file the Annual Report via the eReporting Tool? The "Create Annual Report" button it not usable.

Thanks!!

Amy Piper

Administrative Assistant - Oldtown, ID

(208) 610-7799

Ref:MSG10726630_eTdhEFfbmkYNoTOdjAp

AOC Reference #: RR-005 - Other - EPA's ICIS Database – Annual Reports

From: Shanda Lowder <Shanda.Lowder@deq.idaho.gov>
Sent: Wednesday, January 25, 2023 9:09 AM
To: Amy Piper <Amy.Piper@blpole.com>
Subject: RE: Municipal Separate Storm Sewer (MS4) Annual Report

Amy,

Unfortunately, we don’t have the form preloaded in the system yet. I have attached the form for you just in case you don’t have it. Once you have it filled out, it will need to be submitted through the reporting tab in e-permitting. On the reporting tab, you will see a notification submittal button. Once the report loads, you choose your permit from the dropdown. After a few seconds, several reports will load to choose from. Choose the receiving water annual report and upload the filled-out form. After you hit the complete button, the form will be sent to the signature and submittal tab for the DAR or the Certifying Official to sign. After that is done, the document will be sent to DEQ for review.

If you need any help with this process, please let me know. I am happy to help!

Thank you,
-Shanda

Shanda Lowder | Technical Records Specialist 2
Idaho Department of Environmental Quality
1410 N. Hilton
Boise, ID 83706
Office: (208) 373-0136
http://www.deq.idaho.gov/
Our mission is to protect human health and the quality of Idaho’s air, land, and water.

From: Amy Piper <Amy.Piper@blpole.com>
Sent: Wednesday, January 25, 2023 8:38 AM
To: Shanda Lowder <Shanda.Lowder@deq.idaho.gov>
Subject: Municipal Separate Storm Sewer (MS4) Annual Report

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 Shanda,

I am attempting to assist Cedar Poles LLC with the annual reporting, however, I have no idea what I am doing either. Is there any way you would be able to help me properly fill out this form?

I'd appreciate any and all help.

Thanks,

Amy Piper
Administrative Assistant

O: 208-437-4115
C: 208-610-7799

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(855) 870-3318

VISUAL ASSESSMENTS

ROUTINE FACILITY INSPECTIONS

DATE	NOTES	RECORDABLE DISCHARGE
Jul-20		NO
Oct-20	REFRESHED GRAVEL	NO
Jan-21		NO
Apr-21	REFRESHED GRAVEL	NO
Jul-21		NO
Oct-21	REFRESHED GRAVEL	NO
Jan-22		NO
Apr-22	REFRESHED GRAVEL	NO
Jul-22		NO
Oct-22	REFRESHED GRAVEL	NO
Jan-23		NO
Apr-23	REFRESHED GRAVEL	NO
Jul-23		NO
Oct-23	REFRESHED GRAVEL	NO
Jan-24		NO
Apr-24	REFRESHED GRAVEL	NO
Jul-24		NO
Oct-24	REFRESHED GRAVEL	NO

STORMWATER GRAVEL

QUANTITY AND RECORD

DATE	AMOUNT DELIVERED	
May-23	31.15	yd^3
Sep-23	27.35	yd^3
Apr-24	29.42	yd^3
Sep-24	28.15	yd^3
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STORMWATER GRAVEL

QUANTITY AND RECORD

DATE	AMOUNT DELIVERED	
May-23	31.15	yd^3
Sep-23	27.35	yd^3
Apr-24	29.42	yd^3
Sep-24	28.15	yd^3
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