Nathan Dee Kangas
17379 Lewis Ln Caldwell ID 83607

(208) 869-6276
(petitioner's name, mailing address, and phone number)

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DEQ Hearings Coordinator
DOCKET NO.

BEFORE THE BOARD OF ENVIRONMENTAL QUALITY
STATE OF IDAHO

Nathan Dee Kangas, Petitioner,	
v.	Docket No. 0101-12-06
IDAHO DEPARTMENT OF ENVIRONMENTAL QUALITY, Respondent.	PETITION INITIATING A CONTESTED CASE

Nathan Dee Kangas (name of petitioner) petitions the Idaho Board of Environmental Quality (Board) for a contested case proceeding pursuant to Idaho Code § 39-107(5) and IDAPA 58.01.23, Rules of Administrative Procedure Before the Board of Environmental Quality. Petitioner seeks review of the Department of Environmental Quality's decision that petitioner's motor vehicle registration may be revoked by the Idaho Transportation Department pursuant to Idaho Code § 39-116B.

In a notice dated 2013-03-20, the Department of Environmental Quality notified petitioner that registration for the vehicle (described below) will be revoked by the Idaho Transportation Department without further notice unless petitioner complies with the emission testing requirements or files a petition for contested case within 35 days of the date of the notice.

The vehicle is description is as follows:
Year/Make 2000 / Ford
License 2C HX205
Vehicle ID 1FMNU41S4YEC34072

IDAPA 58.01.01, Rules for the Control of Air Pollution in Idaho, Subsection 517.05, lists the types of vehicles exempt from the emission testing requirements. Petitioner requests that the Board enter an order exempting petitioner from emission testing requirements on the grounds that the vehicle is (choose one):

- ☐ Electric or hybrid motor vehicle (IDAPA 58.01.01.517.05.a).
- ☐ Motor vehicle with a model year less than five (5) years old (IDAPA 58.01.01.517.05.b).
- ☐ Motor vehicle with a model year older than 1981 (IDAPA 58.01.01.517.05.c).
- ☐ Classic automobile as defined by Idaho Code § 49-406A (IDAPA 58.01.01.517.05.d).
- ☐ Motor vehicle with a maximum vehicle gross weight of less than fifteen hundred (1500) pounds (IDAPA 58.01.01.517.05.e).
- ☐ Motor vehicle registered as motor home as defined by Idaho Code § 49-114 (IDAPA 58.01.01.517.05.f).
- ☐ Motorized farm equipment (IDAPA 58.01.01.517.05.g).
- ☐ Registered motor vehicle engaged solely in the business of agriculture (IDAPA 58.01.01.517.05.h).
- ☒ Other (describe) PG 11 sec. 2.1- vehicle weight Rateing is over 8500 pounds. vehile (GVWR) is 8900 #.

Petitioner has legal standing to initiate this contested case because he/she is the owner of the motor vehicle that is the subject of the contested case.

Dated this 5 day of april, 2013.

Nathan Dee Kangas
Petitioner

IDAHO DEPARTMENT OF ENVIRONMENTAL QUALITY
REQUEST FOR PROPOSALS (RFP)

RFP0902

VEHICLE EMISSION INSPECTION AND MAINTENANCE PROGRAM

BIDDERS' CONFERENCE
JANUARY 4, 2010 9:00 A.M. – NOON
DEQ STATE OFFICE
BOISE, IDAHO

RFP0902, Amendment #1
January 5, 2010

BIDDERS' QUESTIONS, DEQ RESPONSE, AND RFP ADDENDUM

This document contains the questions submitted by bidders for the above noted Request for Proposals and responses provided by the Department of Environmental Quality.

Purpose of this Request for Proposal

The Idaho Department of Environmental Quality (DEQ), through this Request for Proposal (RFP), is soliciting proposals for a Contractor to provide a basic vehicle inspection and maintenance (I/M) program as defined in 40 CFR 51.352 in accordance with Idaho Code section 39-116B and pending rule Docket number 58-0101-0901, Rules for the Control of Air Pollution in Idaho.

Administrative Notes

The schedule for the remainder of the Request for Proposal (RFP) process is as follows: Proposals for this RFP are due at the Department of Environmental Quality, January 15, 2010, by 4:00 p.m. Mountain Time. Proposals by mail, hand delivery, express mail, or courier service must be submitted to Department of Environmental Quality, ATTN: Marcia Todd/Fiscal Office RFP#0902, 1410 N. Hilton (Main Entrance), Boise, Idaho 83706. You must obtain a receipt from the DEQ noting the date and time the proposal was submitted. For proposals submitted by mail, the receipt will be sent to you.

The bid selection process is confidential. Upon completion of the selection, the process will be complete and subject to public information. All cost proposals submitted to the state will be treated as confidential and will not be released to competing firms, individuals, agencies or the general public until the contract is signed.

This is the sole opportunity that bidders had to ask questions and clarify points. At no other time during the remainder of the RFP process will DEQ Technical Personnel or Grants/Contracts Officers be available to respond to questions of a technical nature from prospective bidders. Questions with regard to administrative procedures for bidding will be answered up to the time bid proposals are due. For questions of an administrative nature, please contact Grants/Contracts Officer Marcia Todd by email at Marcia.todd@deq.idaho.gov.

Any major questions/clarifications that are addressed in the bidders' conference are shared with all persons who received the RFP even if they did not submit questions. The reason the information is shared is that the State of Idaho using taxpayer dollars must maintain an even playing field so that everyone has the same information, the same chance at placing a bid with the same information as the prospective bidders who attended the bidders' conference.

The contents of the RFP, Bidders' Questions/DEQ Response and the selected proposal submitted will become the contract statement of work.

Bidder Questions with DEQ Response

Bidder Questions are in **Bold.**

1. **Pg 5, Sec. 1.3 – The RFP states that "it is anticipated the City of Kuna will sign a joint powers agreement, but if not, they may be included in the emissions testing program along with Canyon County", if Kuna does not sign a joint powers agreement, how will that impact the volume estimates for Cost Proposal Option A?**

   Kuna has responded to the Idaho Department of Environmental Quality (DEQ) and will be included in the Canyon County Program. The volume of vehicles stated in the Request for Proposals (RFP) is correct.

2. **Pg 5, Sec. 1.3 – If Ada County and its cities enter into a joint exercise of power with DEQ wherein they utilize DEQ's Contractor to implement the same I/M program as that in Canyon County, will the contractor have the opportunity to negotiate the terms of an agreement for the new/added I/M program area?**

   Yes.

3. **Pg 5, Sec. 1.3 – If Ada County and its cities enter into a joint exercise of power with DEQ wherein they utilize DEQ's Contractor to implement the same I/M program as that in Canyon County, will the new Ada County I/M program be expected to start-up on June 1, 2010? If not, what date?**

   Yes.

   - Clarification –The intent would be to start an Ada county program June 1, 2010.

4. **Pgs 5-6, Sec. 1.3 – Do the projected inspection volumes include retests?**

   No

5. **Pgs 10-11, Sec.s 1.7 & 2 – Is the Safety and Health Plan required in RFP Section 1.7 to be submitted as part of the bidder's Technical Proposal? If so, is it counted as part of the 20 double-sided page limit of the Technical Proposal?**

   Yes, the Safety and Health Plan has to be submitted as part of the technical proposal. However, the Safety and Health plan should be submitted as a separate document and is not counted as part of the twenty double- sided pages.

6. **Pg 11, Sec. 2.1 – Is there a maximum gross vehicle weight for light duty vehicles and trucks to be eligible for testing?**

   Yes, Gross Vehicle Weight Rating (GVWR) of less than 8,500 pounds.

7. **Pg 12, Sec. 2.2.3 - Does the Ada County I/M program currently have a VID, if so, who owns and operates it?**