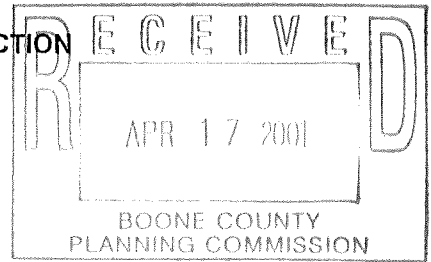


BOARD OF ADJUSTMENT AND ZONING APPEALS ACTION



See Boone County Zoning Regulations

SECTION A (To be completed by applicant)

1. Jurisdiction (Check One)

BOONE <input checked="" type="checkbox"/>	FLORENCE	WALTON	UNION
---	----------	--------	-------

2. Type (Check One)

01-BCBOA-017-A

Conditional Use Permit	<input checked="" type="checkbox"/>
Variance	<input type="checkbox"/>
Appeal	<input type="checkbox"/>
Change in Non-Conforming Use	<input type="checkbox"/>

3. Applicant Information

Applicant's Name	Armor USA Inc.		
Phone Number	(859) 689-2100		
Fax No.	(859) 334-5666		
Applicant's Address	2900 Earhart Court		
City	Hebron	State	Kentucky
Zip	41048		

4. Description of Request

Request is for conditional use under the I-1 zone regulations to allow for the use of certain chemicals in the ink manufacturing and film coating processes.

5. Name of Development

Airpark International

6. Location of Development

Route 20, Hebron

7. Acreage

Acreage Under Review: <sup>14.3</sup> 13.0 Acres +/- Acres

8. Lot Information

Lot Number	13	Name of Subdivision	Airpark International
------------	----	---------------------	-----------------------

9. Owner Information

Owner of Property	Paul Hemmer and Associates III		
Phone Number	(859) 341-8300		
Fax No.	(859) 341-6817		
Applicant's Address	250 Grandview Drive		
City	Fort Mitchell	State	Kentucky
Zip	41017		

10. Proposed Use(s) on Site

Ink manufacturing and film coating

11. Total Square Footage of Existing and/or Proposed Buildings

70,000 SF (Proposed)

12. Zoning

Current Zoning on Property I-1

13. Parcel Information

Deed Book 579 Page No. 258 Group No. 2009

14. Is the site subject to a zone change?

No [X] Yes If yes, give date of approval

15. Have you submitted a Site Plan with this request?

No Yes [X]

16. Have you submitted a list of adjoining property owners with this request?

No [X] Yes

17. I, or we, understand and agree that this application and drawing(s) are being filed in accordance with the Boone County Zoning Regulations.

Applicant's Signature: Chris Walker, for ARMOR USA, Inc.

Property Owner's Signature: Michael Hays for PAUL HAMMER COMPANIES

SECTION B (To be completed by the Boone County Planning Commission Staff)

1. Date Received Fee Received

Month April Day 17 Year 2001

2. Fee Received

\$738.00 R# 27435 No Yes [X]

3. Is application complete?

No Yes

4. Staff Reviewer

5. Scheduled Board Action Date

Month Day Year

6. Board Action: 6-13-01

Approved Approved with Conditions (See #6) [X] Denial (See #7)

7. Conditions of Approval:

Action of Boone BOA: The board approved the Conditional Use Permit with the following conditions:

1. All federal, state, and local regulations are complied with regarding the handling and storage of chemicals to be utilized at this site and that all necessary permits are obtained. This includes coordination with the Hebron Fire Protection District and the county's Emergency Management office.
2. A site plan depicting all buildings constructed on-site, appropriate buffer yards, landscaping, parking, signage, etc, must be reviewed and approved by the staff of the Boone County Planning Commission in accordance with Article 30 of the Boone County Zoning Regulations

## BOARD OF ADJUSTMENT AND ZONING APPEAL REVIEW

### APPEALS

Agricultural & Residential Zones	\$300.00 (flat fee) \$75.00 publication of legal ad \$6.00/adj. prop. \$21.00 CLUR
All Other Zones	\$600.00 (flat fee) \$75.00 publication of legal ad \$6.00/adj. prop. \$21.00 CLUR

### CHANGE OF NON-CONFORMING USE

Agricultural & Residential Zones	\$200.00 (flat fee) \$75.00 publication of legal ad \$6.00/adj. prop. \$21.00 CLUR
All Other Zones	\$400.00 (flat fee) \$75.00 publication of legal ad \$6.00/adj. prop. \$21.00 CLUR

### VARIANCES

Agricultural & Residential Zones (Each Variance)	\$300.00 (flat fee) \$75.00 publication of legal ad \$6.00/adj. prop. \$21.00 CLUR
All Other Zones (Each Variance)	\$400.00 (flat fee) \$75.00 publication of legal ad \$6.00/adj. prop. \$21.00 CLUR

### CONDITIONAL USE PERMIT

A-1, A-2, R, CONS, RS, RSE, SR-1, SR-2, R-1F, UR-1, UR-2, UR-3, MHP, and PF Zones	\$350.00 (flat fee) \$75.00 publication of legal ad \$6.00/adj. prop. \$21.00 CLUR
C-1, C-2, C-3, C-4, O-1, O-1A, O-2, I-1, and I-2 Zones	\$600.00 (flat fee) \$75.00 publication of legal ad \$6.00/adj. prop. \$21.00 CLUR
I-3 Zones	\$800.00 (flat fee) \$75.00 publication of legal ad \$6.00/adj. prop. \$21.00 CLUR
SC Overlay District	\$300.00 (flat fee) \$75.00 publication of legal ad \$6.00/adj. prop. \$21.00 CLUR

### FEE SCHEDULE

## STAFF REPORT

APPLICANT: Armor USA Inc.

LOCATION: Lot 13, Earhart Court, Airpark International Subdivision  
Boone County, Kentucky

ZONING: Industrial One (I-1)

DATE: May 9, 2001

### Proposal

The applicant is requesting a Conditional Use Permit (CUP) in order to allow the storage and use of chemicals for ink manufacturing and film coating. The 14.3 acre site is zoned Industrial One (I-1) and is located on Lot 13 of the Airpark International Subdivision. The proposed building is 70,000 square feet in size with a future expansion area of 70,000 square feet (as shown on the concept plan). The building will contain office space, and areas for warehousing and manufacturing.

The applicant submitted Exhibits A through G as part of the application.

Exhibit A - Memo from Mark F. Scheper, Hemmer

Exhibit B - List of adjacent property owners.

Exhibit C - Legal description of Lot 13

Exhibit D - Company Profile

Exhibit E - Layout of Airpark International Subdivision

Exhibit F - Description of Airpark International Subdivision

Exhibit G - Concept Plan for Armor USA Inc.

### Surrounding Land Uses and Zoning

The proposed Armor USA Inc. site is located at the northern tip of the Airpark International Subdivision and is surrounded by other Industrial One uses located within the subdivision. Adjacent industries include Federal Express located to the east, The Gap Inc./Cabot Industrial Trust located to the west, and UPS/ProLogis Plus to the south. An undeveloped Agriculture Two (A-2) District is located directly to the north of the site.

### Applicable Regulations

Article 11, Section 1133 of the Boone County Zoning Regulations permits uses in which the primary business activity that involves "*the storage of chemicals*" as a conditional use within the Industrial One (I-1) district.

Article 11, Section 1136 of the Boone County Zoning Regulations states that each development in the Industrial One district shall meet the following applicable performance standards pertaining to noise, vibration, air pollution, dust control, heat, lighting, and landscaping (See Article 31). General: No land or structure in an I-1 district shall be used or occupied in any manner so as to create any dangerous, injurious, noxious, or otherwise objectionable condition which may affect any other property, including, but not limited to a) noise, b) vibration or shock, c) air pollution, d) dust control, e) heat, f) lighting, and g) landscaping and buffering.

Article 30, Section 3007 of the Boone County Zoning Regulations states that “property involving a conditional use and/or variance shall be subject to the Boone County Planning Commission Site Plan review and approval if required by an individual zoning district.”

### Conditional Use Findings

The Board should evaluate the applicant’s request as it relates to the criteria necessary for granting a Conditional Use Permit stated in Section 262 and the following criteria from Section 1133 of the Boone County Zoning Regulations:

Findings listed in Section 262:

1. Will be harmonious with and in accordance with the general objectives, or with any specific objective of the County’s comprehensive plan, a specific corridor plan and/or the zoning order;
2. Will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and shall not change the essential character of the same area;
3. Will not be hazardous to existing or future neighboring uses;
4. Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately such services;
5. Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community;
6. Will not involve uses, activities, process, materials, equipment and conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, dust, fumes, glare, or odors;
7. Will have vehicular approaches to property which shall be so designated as not to create an interference with traffic on surrounding public thoroughfares.

Article 11, Section 1133 of the Boone County Zoning Regulations allows uses in which the primary business activity involves the storage of chemicals as a conditional use in the I-1 district if the proposed facility meets all of the following requirements:

- a. the activity is provided primarily in support of and obtains its trade from the employees of the district; or
- b. the activity is of integral relation to the purpose of the district;
- c. the use, building, or structure is subservient to and not of scale, nature, trade or other character which will compete, detract, or conflict with the purpose and permitted uses of the district; and
- d. provided the arrangement of uses, buildings or structures will be mutually compatible with the organization of permitted and accessory uses to be protected in the district.

## Staff Concerns/Comments

1. The Industrial One (I-1) category generally addresses businesses similar to the proposed use but does not list specific petroleum, gas, or chemical products that may be used, stored or handled in this district. As such, the use, storage or handling of these chemicals falls under the Industrial One (I-1) Conditional Use Permit (CUP) category #1 which states, “*uses in which the primary business activity involves the following*”, which is then followed by a list of various processes and substances one of which is “*the storage of chemicals*”. Based on this regulation, Kevin Wall, Boone County Zoning Administrator, determined that a CUP must be granted by the Board of Adjustment before ink making and/or ink coating processes can occur on the proposed site (See Exhibit J for further explanation).
2. The applicant provided a list of chemical products used in the ink making/ink coating process which includes: Methyl Ethyl Ketone (250 metric tons per year), Butyl Acetate (10 metric tons per year), Ethyl alcohol (90,000 liters per year), Toluene (350 metric tons per year) and Gas “E”, Exxon DSP 100/400: 100 tons per year. In addition, the applicant also provided the Material Safety Data Sheets (MSDS) Sheets for these chemicals. The MSDS identifies the composition, hazards, first aid measures, handling and storage, etc. of each chemical and are provided as Exhibit I. As part of the CUP process, this information was forwarded by the Boone County Planning Commission to the Hebron Fire Protection District and the county’s Emergency Management Office. The Hebron Fire Protection District responded (see Exhibit K) by stating that there was not a problem with chemicals being utilized on the site and requested additional information regarding the proposed business.
3. The concept plan submitted as part of the conditional use application depicts Phase I of the operation to include construction of a 70,000 square foot building contains space for an office, warehouse, and manufacturing. The plan also shows the location of underground storage tanks, proposed storm detention area, and general location of parking. A 70,000 square foot expansion area is also shown on the proposed plan. Upon review of the general requirements contained in the BCZR, the submitted concept plan is in general conformance with the zoning regulations as submitted. As the applicant has indicated that it may be necessary to construct a separate building for the office and may move the proposed parking area, it is important to note that the applicant must submit and obtain approval of a site plan which will specifically address the issues of parking, landscaping, signage, etc.

## Conclusion

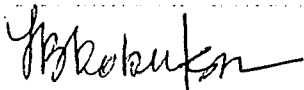
KRS 100.237 and Sections 260 and 1133 of the Boone County Zoning Regulations gives the Boone County Board of Adjustment and Zoning Appeals the authority to grant the applicant’s request for a conditional use permit to operate a business where the primary activity involves the processes and substances necessary to operate an ink manufacturing and film coating facility within an Industrial One (I-1) district.

Based upon the information submitted by the applicant, is the staff’s opinion that the approval of a conditional use permit will be harmonious with the zoning regulations, and that

the proposed use is compatible with the overall character of the Airpark International Subdivision. However, the proposed use and chemicals associated with this use can be hazardous to adjacent uses if mishandled or exposed to heat or a flame. Therefore, should the Boone County Board of Adjustment consider approval of the applicant's request, the findings contained in Sections 262 and 1133 of the BCZR must be made with the following conditions being suggested:

1. All federal, state, and local regulations are complied with regarding the handling and storage of chemicals to be utilized at this site and that all necessary permits are obtained. This includes coordination with the Hebron Fire Protection District and the county's Emergency Management office.
2. A site plan depicting all buildings constructed on-site, appropriate buffer yards, landscaping, parking, signage, etc, must be reviewed and approved by the staff of the Boone County Planning Commission in accordance with Article 30 of the Boone County Zoning Regulations.

Respectfully submitted,



Lara B. Robertson, AICP

Attachments

- Exhibit A - Memo from Mark F. Scheper, Hemmer
- Exhibit B - List of adjacent property owners.
- Exhibit C - Legal description of Lot 13
- Exhibit D - Company Profile
- Exhibit E - Layout of Airpark International Business Park
- Exhibit F - Description of Airpark International Business Park
- Exhibit G - Concept Plan for Armor USA Inc.
- Exhibit H - Letter from Randal E. Culman, Financial Controller, Armor USA, Inc.
- Exhibit I - Faxed MSDS Sheets from Randal E. Culman, Financial Controller, Armor USA, Inc.
- Exhibit J - Letter from Kevin T. Wall, Boone County Zoning Administrator
- Exhibit K - Letter from Dale A. Harshbarger, Chief, Hebron Fire Protection District
- Exhibit L - Armor Site Vicinity and Zoning Map



*Construction & Real Estate*

EXHIBIT

P.O. Box 17310  
250 Grandview Drive  
Fort Mitchell, KY 41017-0310  
606-341-8300  
606-341-6817 Fax

www.paulhemmer.com  
e-mail: info@paulhemmer.com

## HEMMER *Memo*

**DATE:** April 11, 2001  
**TO:** Kevin Wall  
**FROM:** Mark F. Scheper  
**SUBJECT:** Site Plan for Armor U S A Inc.

Kevin, Mr. Randy Culman has submitted to you a site plan for a project being planned on a site in Airpark International. This plan is part of Armor U S A's submission to request a conditional use permit for the I-1 zoning regulations.

This site plan submitted is an accurate depiction of the requirement based on what we know about the project at this time. However, as we move through the design phase we may find it advantageous to relocate the office to a lower structure outside the main shell of the building, similar to the Lemforder and Hi Tech Polymer projects at Airpark. This may, in turn, possibly cause us to move some of the parking from in front of the building to the side, expanding the parking shown there now. Other than that, we do not anticipate any other changes at this time.

If you have questions, please call. Thanks.

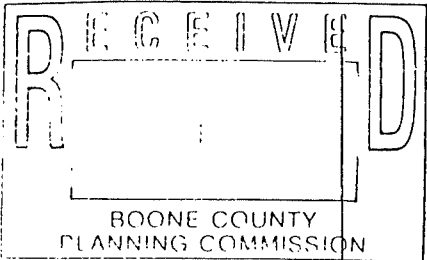
## List of Adjoining Property Owners

The proposed site for the Armor USA Inc. Project, the subject of this conditional use permit request, is Lot 13. Earhart Court, Airpark International. The adjoining property owners are:

- Lot 10:           SCI - Limited Partnership IV  
                    4710-T Interstate Drive  
                    Cincinnati, Ohio 45246
- Lot 11:           ProLogis Trust  
                    4710-T Interstate Drive  
                    Cincinnati, Ohio 45246
- Lot 12:           Knickerbocker Properties XI  
                    c/o Cabot Industrial Trust  
                    4460 Carverwoods Drive
- Lot 14:           Express Hemmer  
                    250 Grandview Drive  
                    Ft. Mitchell, Kentucky 41017
- Lot 15:           Cabot Industrial Trust  
                    4460 Carver Woods Drive  
                    Cincinnati, Ohio 45242
- Lot 17:           Hot Rods, LLC.  
                    301 Orangethorpe  
                    Anaheim, California 92801
- Agricultural Property  
Behind Lot 13:   Gilbert Dolwick Estate  
                    c/o: Mrs. Don Malott  
                    2176 West Horizon Drive  
                    Hebron, Kentucky 41048

# W VIOX & VIOX, INC.

Consulting Engineers & Surveyors



DESCRIPTION  
FUTURE LOT 13  
AIRPARK INTERNATIONAL

A parcel of land lying at the end of Earhart Court in Boone County, Kentucky and being more particularly described as follows:

• Planning

Beginning at an existing iron rod at the most northeasterly corner of Lot 12 Airpark International, Section 6 (as recorded in the Boone County Clerk's Records in Burlington) in the westerly right-of-way line of Earhart Court and running thence Along the exterior lines of said Lot 12 as follows:

N 72-55-16 W – 508.62 feet to an existing iron rod

N 27-55-16 W – 28.28 feet to an existing iron rod

N 17-04-44 E – 750.00 feet to an existing iron rod in the southerly line of Gilbert Dolwick Estate (Deed Book 76, Page 196 as recorded in the Boone County Clerk's Records in Burlington) thence

• Design

Along the common line between said Gilbert Dolwick Estate and Paul Hemmer and Associates III (Deed Book 579, Page 258 as recorded in the Boone County Clerk's Records in Burlington) S 72-55-16 E, a distance of 477.91 feet to an existing iron rod thence

Along the common line between said Gilbert Dolwick Estate and Paul Hemmer and Associates III (Deed Book 450, Page 261 as recorded in the Boone County Clerk's Records in Burlington) N 11-23-44 E, a distance of 538.45 feet to an existing iron rod thence

Along the common line between Ralph S. and Marjorie Sprague (Deed Book 497, Page 317 as recorded in the Boone County Clerk's Records in Burlington) and the said Paul Hemmer and Associates III, N 89-19-44 E, a distance of 192.00 feet to an existing iron rod at the most northwesterly corner of Lot 14 Airpark International, Section 9 (as recorded in the Boone County Clerk's Records in Burlington) thence

Along the westerly line of said Lot 14, S 11-23-44 W, a distance of 1131.33 feet to an existing iron rod thence

• Surveying

Along the westerly line of said Lot 14, S 54-07-40 W, a distance of 259.33 feet to an existing iron rod in the northerly right-of-way line of Earhart Court thence

Along the northerly right-of-way line of Earhart Court along a curve to the west having a chord of S 64-41-51 W – 46.87 feet and an arc distance of 48.15 feet to the place of beginning and containing 14.3382 acres more or less.

The above parcel being subject to any and all easements and or right-of-ways of record.

4/18/01  
Airlot13

466 Erlanger Rd.  
Erlanger, Kentucky 41018

Tel: 606-727-3293  
Fax: 606-727-8452  
e-mail: viox@nkol.net



# Company Profile

## The company

**DATE OF ESTABLISHMENT:** 1922

### STRUCTURE

Limited Company with a capital of 48 468 000 FF.

### HEAD OFFICE

NANTES-FRANCE

### PRODUCTION PLANTS

- NANTES-FRANCE
- LA CHEVROLIÈRE-FRANCE
- BIRJDID-MOROCCO
- DORTMUND-GERMANY
- PRUDNIK-POLAND

## A wealth of experience

### THE MAKING OF INKS AND INK TRANSFER

- *Ink chemistry, the basis of the expertise.*
- *Ink transfer, the key to performance.*

Thanks to our skills in coating, converting, filling and assembling Armor guarantees the highest printing quality.

## Over 75 years experience

**1922:** Creation of the "Galland et Brochard" company.

**1925:** Launch of the Armor brand.

**1964:** Armor was the first company to manufacture carbon film (solvent ink base) in France.

**1975:** Launch of the first cartridge ribbons.

**1983:** Armor became the first company in Europe with "Thermal Transfer" technology.

**1992:** Creation of a manufacturing unit of toner cartridges for laser and LED printers.

**1993:** Armor develops its own inks for ink jet printers.

**1995:** ISO 9002 Certification n°1995/3773

**1996:** ARMOR sets up ARTECH and integrates the conception of empty cartridges, the manufacturing of moulds and the injection of plastic components.

**1997:** Creation of three retail subsidiaries.

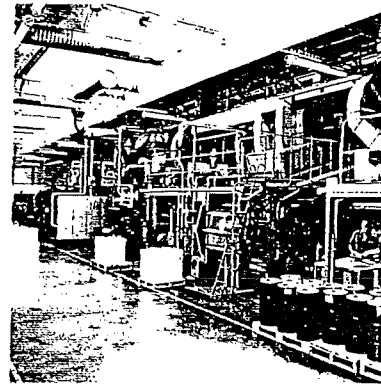
**1998:** Purchase of Médias Plus France.

**1999:** Opening of three subsidiaries on the American continent.

## The capability to innovate

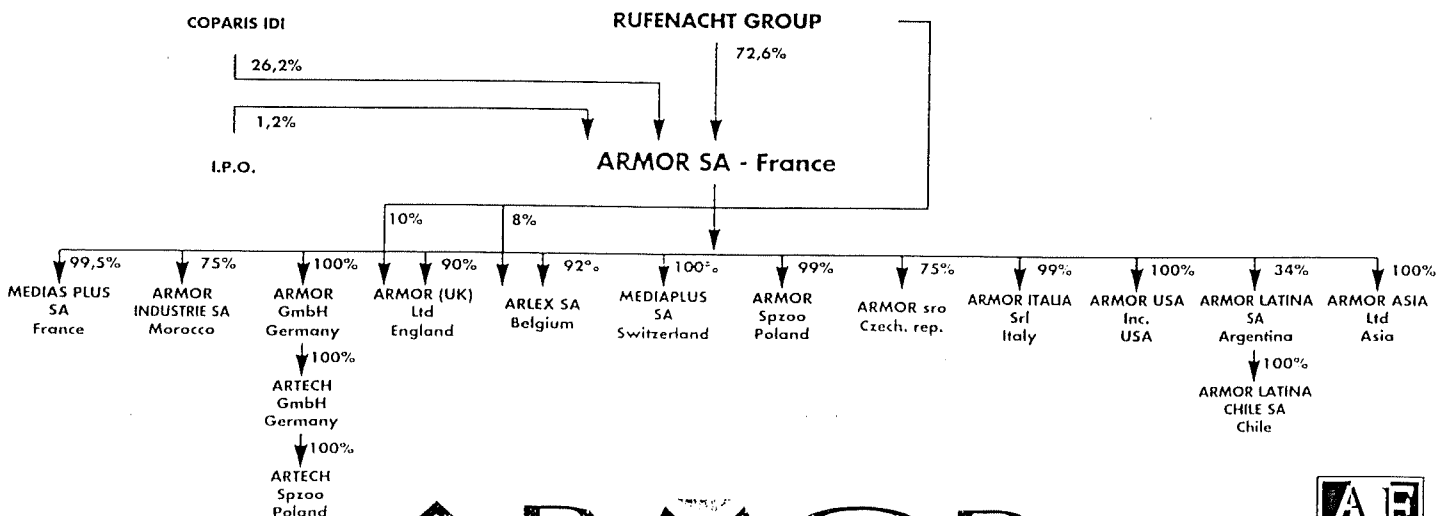
### WITH AN EXPERIENCED R&D TEAM

- *A firm commitment to the future.*
- *A focus on quality.*



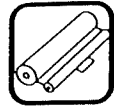
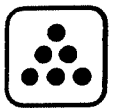
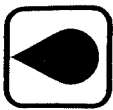
## Industrial means

By investing more than 7 million Euros per year, on average, for the last five years, Armor has armed itself with means that fulfill its ambition.



ARMOR





# Computer consumables market

## The range

### IMPACT LINE

- Ribbons & cassettes for typewriters.
- Ribbons & cassettes for printers.
- Correction tapes, correcting fluid.
- Ink rollers.
- Carbons, stencils.

### INK JET, LASER, THERMAL TRANSFER

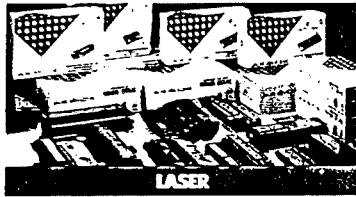
- Toner cartridges.
- Ink jet cartridges.
- Ink for wide format ink jet.
- Ribbons for thermal transfer fax.

### COMPLEMENTARY PRODUCTS

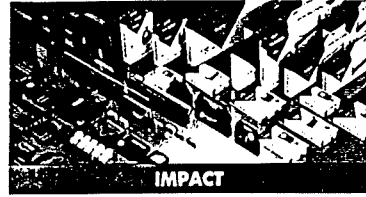
- Special media for ink jet and laser printers and copiers.
- Data processing cleaning products.
- Screen filters.
- Fax rolls.



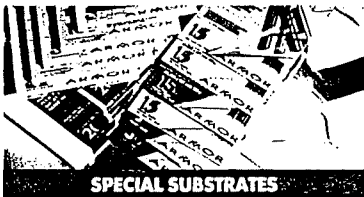
INK JET



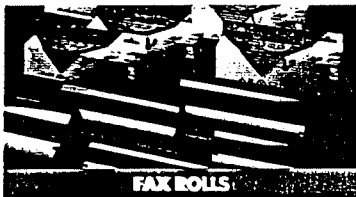
LASER



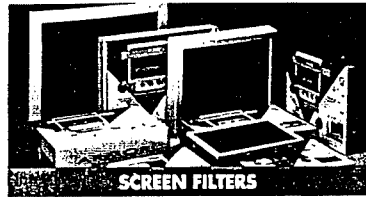
IMPACT



SPECIAL SUBSTRATES



FAX ROLLS



SCREEN FILTERS

# Industrial market

## The Thermal Transfer range

### RIBBONS & CASSETTES FOR LABEL OR BARCODE PRINTERS, FOR DIRECT PRINTING ON PACKAGING

- AWR wax based for standard applications.
- AWX wax based for standard applications, high performance.
- APR solvent/wax based (premium).
- AXR solvent based (super premium) very good mechanical and chemical resistance.

### TICKETING

- Multiuse ribbons for airline ticketing printers and other ticketing printers.

### PLASTIC CARDS

- Specific ribbons.



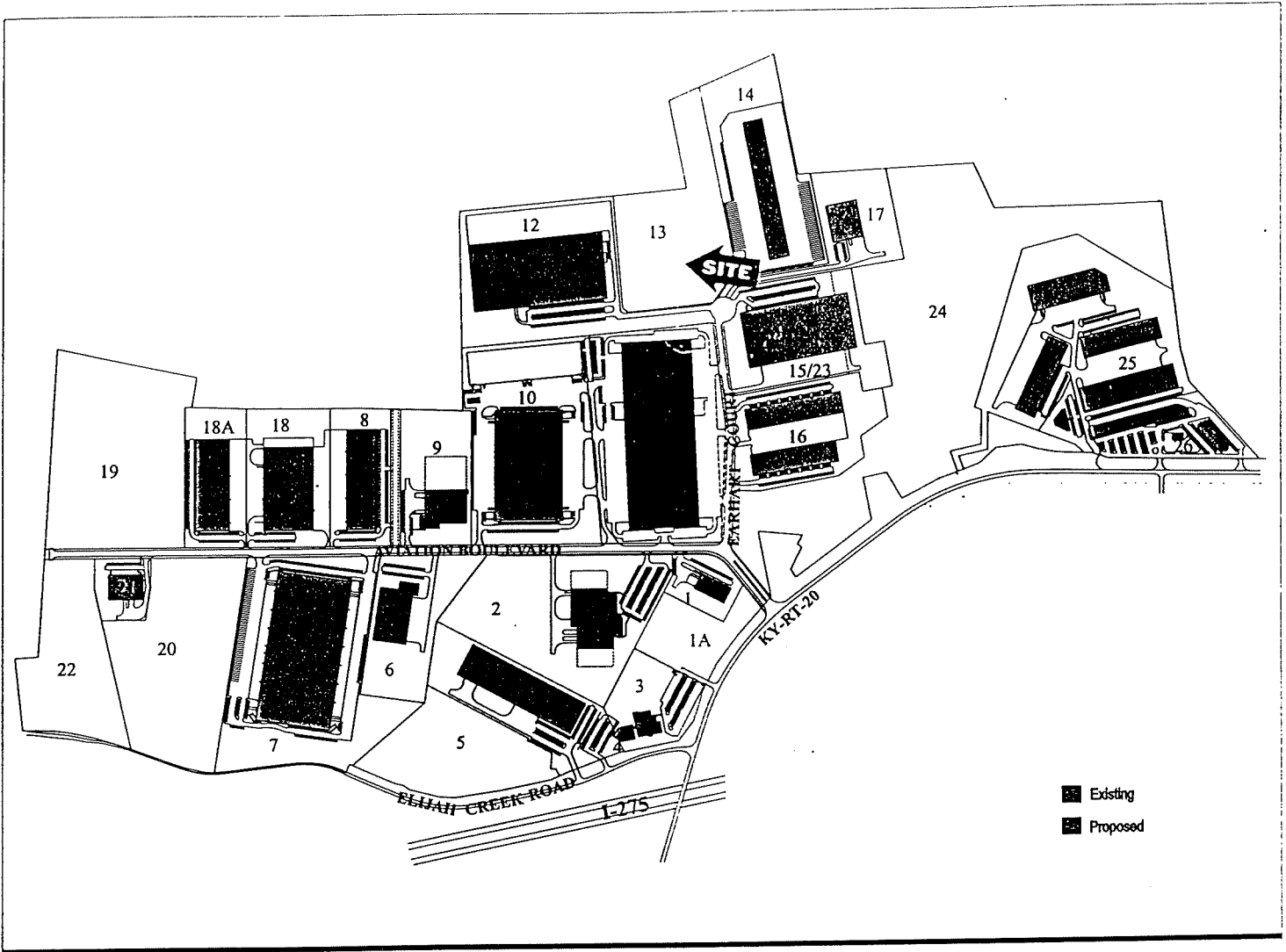
THERMAL TRANSFER

## Evolution of turn over

EURO million	1995	1996	1997	1998
<b>ARMOR SA</b>	61,70	67,40	76,53	81,16
<b>France</b>	27,79	24,54	25,92	27,30
<b>Export</b>	33,90	42,84	50,61	53,86
<b>Subsidiaries</b>	23,40	30,79	39,64	54,88
<b>Consolidated total for the Group</b>	<b>76,22</b>	<b>88,42</b>	<b>100,62</b>	<b>115,66</b>

## The staff

	1998
<b>ARMOR SA</b>	
R&D/Quality	56
Production	295
Commercial	69
Others	85
<b>TOTAL</b>	<b>505</b>
<b>Subsidiaries</b>	<b>432</b>
<b>Total for the Group</b>	<b>937</b>



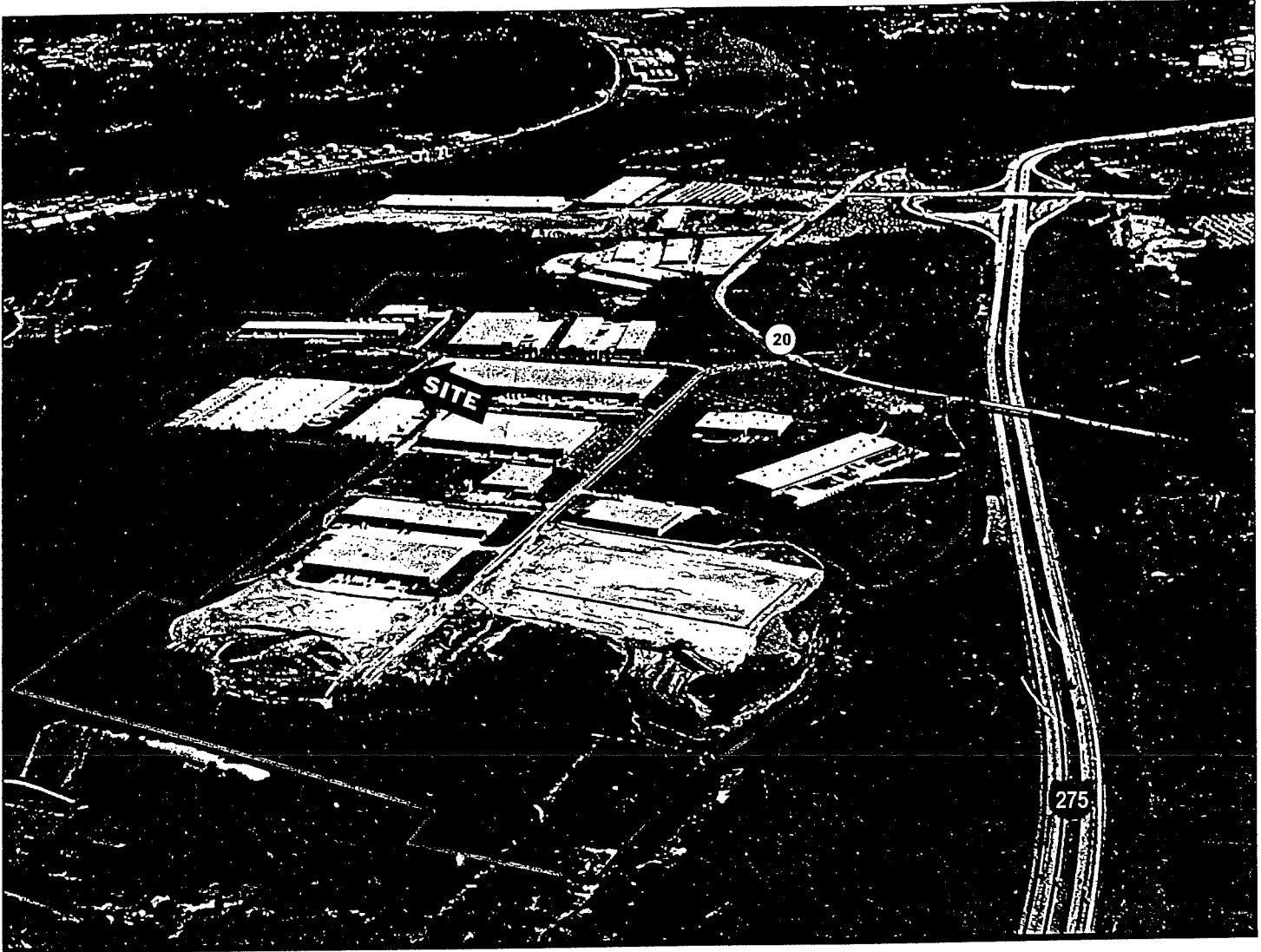
**Airpark International**  
**Paul Hemmer & Associates**

**Boone County, Kentucky**

	<u>Acres</u>		<u>Acres</u>
1.	2.9	14.	15.0
1A.	5.0	15/23.	11.9
2.	18.8	16.	10.9
3.	5.5	17.	6.5
4.	10.3	18.	9.5
5.	10.5	18a.	7.0
6.	9.0	19.	20.4
7.	24.0	20.	19.7
8.	6.9	21.	2.7
9.	8.0	22.	11.5
10.	20.5	24.	43.6
11.	25.0	25.	20.1
12.	18.5	26.	8.0
13.	13.0		

For more information, contact Paul Hemmer Companies at (859) 341-8300

Commercial Real Estate



**Project**

Airpark International

**Location**

Boone County, Kentucky

**Description**

366 Acres  
Business Park

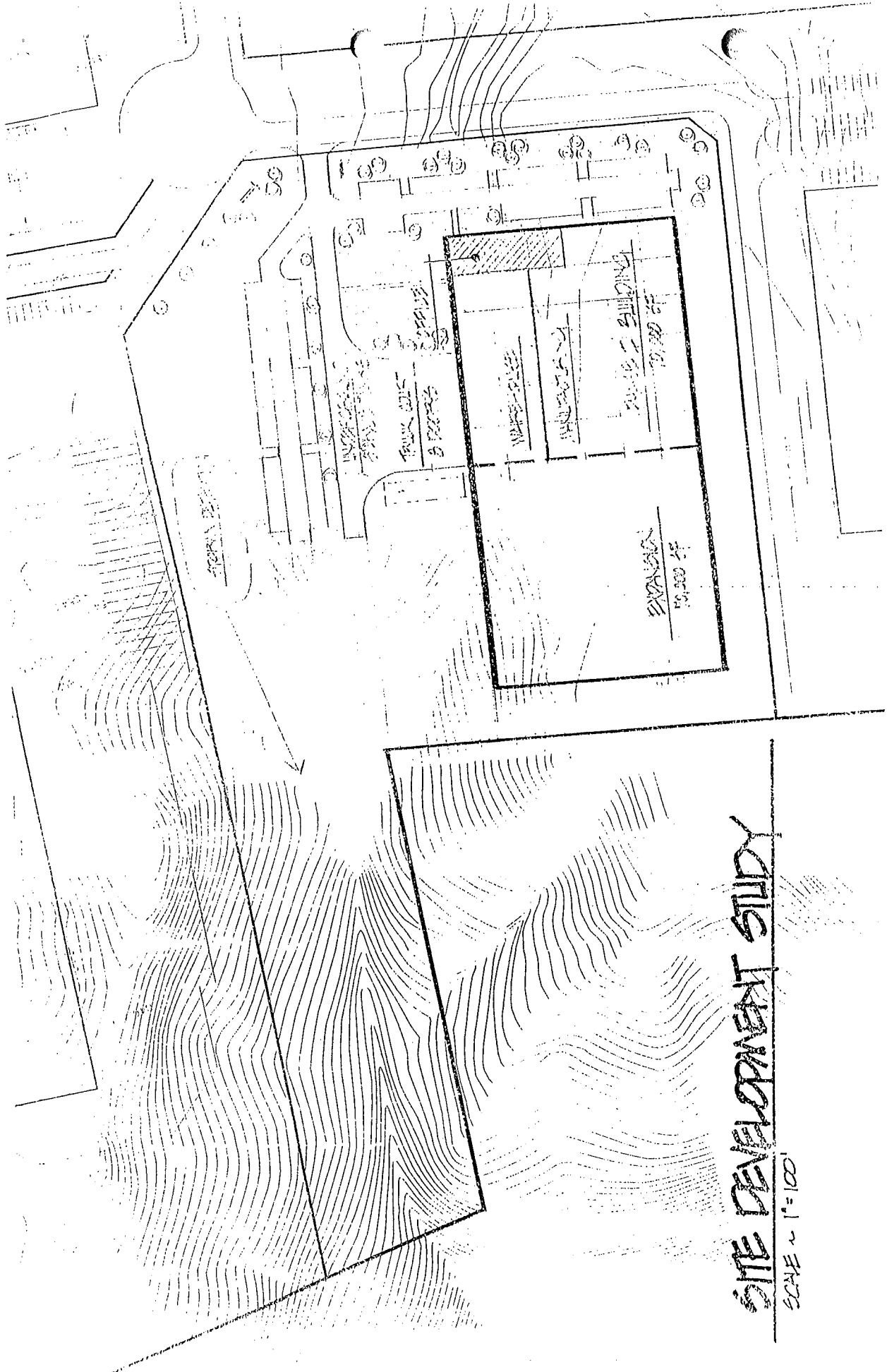
**Utilities**

- Gas (Provided by Union, Light, Heat & Power - a Cincinnati Gas and Electric Subsidiary)
- Electric (Provided by Owen Electric Cooperative)
- Water (Provided by Boone County Water & Sewer District)
- Sewer (Provided by Boone County Water & Sewer District)

**Zoning**

- I-1 (Light Manufacturing, Warehouse and Distribution)
- C-2 (Office and Retail)

For more information, call Paul Hemmer Companies at (859) 341-8300



SITE DEVELOPMENT STUDY

SCALE ~ 1" = 100'

FROM : ARMOR USA Inc.

FAX NO. : 859 334 5666

Feb. 23 2001 10:00AM 03

Exhibit H

# ARMOR

February 23, 2001

For the attention of Kevin Wall

Dear Mr. Wall,

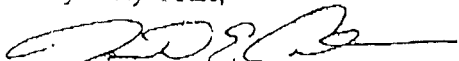
Armor USA is in the process of looking into the possibility of expanding its activity in the area. For doing so, we are thinking of making ink and coating our raw material ourselves rather than buying it pre-coated from our headquarters in France.

The ink coating manufacturing process and products would involve the following:

- Coating PET film (Polyethylene Terephthalate film) with wax and/or wax/rosin based ink for the manufacture of thermal transfer film. (That's the project)
- Thermal transfer film is then slit into smaller ribbons used as a printer consumable on thermal transfer printers (this is the activity that Armor USA is having today and is considered as "light Manufacturing".)
- The ink coating would involve the purchasing of an ink making station, 1 or 2 coating machines, a back-coating mixer, a vapor generator and a controlled equipment for the recycling of the solvents used in the coating process. This operation will be under a title 5 license (EPA requirement).
- The chemical products used for this ink making/ink coating process are:
  - Methyl Ethyl Ketone: Around 250 metric tons per year.
  - Butyl Acetate: Around 10 metric tons per year
  - Ethyl alcohol: 90,000 liters per year.
  - Toluene: 350 metric tons per year
  - Gas "E", Exxon DSP 100/400: 100 tons per year
- The solvent storage will be done in underground tanks for the biggest solvent volumes, and some other (Like ethyl alcohol) will be stored in 55-gallon drums.
- Based on the NEC (National Electric Code), it looks like our facility would be considered as a Class 1 plant. Under the NPFA (National Fire protection Association) regulation, our plant would be classified as a group D - T6 (Group D refers to explosives because of the chemicals we would be using) and T6 refers to the temperature at which the chemicals will be used. Please note that this is only a possible classification that cannot be confirmed until further investigation is done.

If you have any questions, please do not hesitate to give me a call at (859) 692-2464.

Very Truly Yours,



Randal E. Culman  
Financial Controller Armor USA, Inc.

Exhibit I

# ARMOR

FAX MESSAGE

DATE	3/01/01
ATTENTION	Kevin Wall
FROM	Randy Culman
SUBJECT	MSDS Sheets
PAGES (including cover)	14

Kevin,

Here are the MSDS sheets for the chemicals described in our letter dated February 23, 2001. The last MSDS sheet is for Crossnate D-70. Depending upon the specific equipment used in our expansion (yet to be determined), the quantity of this product will vary.

Please give me a call if you have any questions or wish to discuss further. My number is 859-692-2464 and please do not hesitate to transfer to the receptionist so I can be paged.

Thanks,

Randy 

RECEIVED

MAR - 1 2001

BOONE COUNTY  
PLANNING COMMISSION

# METHYLETHYLKETONE

**MEK**

SYNONYMS	2-BUTANONE, ETHYLMETHYLKETONE	
FORMULA	$\text{CH}_3 - \underset{\text{O}}{\underset{\parallel}{\text{C}}} - \text{CH}_2 - \text{CH}_3$	
CAS N°	78-93-3	EINECS N° 2011590
MOLECULAR WEIGHT	72.11	
SPECIFICATIONS	VALUES	TEST METHODS
- Appearance	Limpid liquid free of suspended matters	LCR 1116-00
- Water (% weight)	max. 0.10	ISO 760
- Purity (% weight)	min. 99.7	CPG
- Acidity (% weight expressed as acetic acid)	max. 0.002	ISO 2887
- Colour (Hazen)	max. 5	ISO 2211
- Density (20/4°C)	0.804 - 0.806	ISO 758
<b>GENERAL PHYSICAL DATA</b>		
- Refractive index $n_D^{20}$	1.3788	
- Boiling point °C (1013 mbar)	79.6	
- Viscosity at 20°C (mPa.s)	0.4	
- Flash point closed cup (°C)	- 6	
- Vapour pressure at 20°C (Pa)	9687	
<b>PACKAGING</b>		
- 25 t roadtankers and railtankers.		
- 225 l drums at net 170 kg and gross 187 kg.		
- 217 l DOT drums at net 160 kg and gross 181 kg.		
<b>MAIN USES</b>		
- Paints and varnishes, glues and adhesives, inks, synthesis, extraction.		
- Non exhaustive list, further information available from our application departments.		
<b>SAFETY</b>		
- Please refer to the safety data sheet.		

Issued in: february 1998

Last issue: february 1993

The information contained in this document is based on trials carried out by our Research Centre and data selected from the literature, but shall in no event be held to constitute or imply any warranty, undertaking, express or implied commitment from our part. Our formal specifications define the limit of our commitment. No liability whatsoever can be accepted by Elf Atochem with regard to the handling, processing or use of the product or products concerned which must in all cases be employed in accordance with all relevant laws and regulations in force in the country or countries concerned.

**elf atochem**

**PERFORMANCE****CHEMICAL**

Effective : February 04, 1993

**Exxon® MEK****Specifications**

Property	Units	Min values	Max values	Typical values	Test method
Distillation range	°C				ASTM D 1078
- Initial boiling point		78.5		79.5	
- Other points					
- Range				1.5	
- Range must include			79.6	-	
- Dry point			81	80.1	
Acidity (as acetic acid)	wt%		0.003	0.002	ASTM D 1613
Colour Pt-Co	-		10	5	ASTM D 1209
Diacetyl content	mg/kg		10	0	Exxon Chemical
Diacetyl index	-		20	3.5	Exxon Chemical
Inorganic chlorides	mg/kg		10	0	Exxon Chemical
Non-volatile matter	g/m <sup>2</sup>		20	10	ASTM D 1353
Purity by GC	wt%	99.5		99.7	ASTM D 2804
Specific gravity 20/20°C	-	0.805	0.807	0.806	ASTM D 891
Water content	wt%		0.1	0.03	ASTM D 1364

**Physical properties**

Property	Units	Typical values	Test method
Flash point	°C	-4	ASTM D 56
Evaporation rate (n-BuAc = 100)	-	800	Exxon Chemical
Refractive index at 20°C	-	1.378	ASTM D 1218
Viscosity at 25°C	mPa.s	0.42	ASTM D 445

Product meets ASTM D 740 requirements. All deliveries via shipping contain 10-20 mg/kg inhibitor.

**PROMECOME**

68, av. du Général Michel Bizot

75012 PARIS

Tél. : 01 44 73 10 00

Fax : 01 44 73 10 33 - Téléx 220616



Distilleries  
de l'Aube

R.N. 71 - 10800 BUCHERES  
Sortie autoroute A5 St-Thibault  
Tél. : 33 (0)3 25 41 64 30  
Fax 33 (0)3 25 41 64 31

FICHE DE SPECIFICATIONS  
SPECIFICATIONS FORM / AUFSTELLUNGEN

<b>ETHANOL REN 99,9°</b>	Date / Date / Datum. 27/11/00
	N°: FT.CONT.034.5
DENATURE PAR PROCÉDE GENERAL	Dest : DIR / COM / CONT / AQ

Page 1/1

CARACTERISTIQUES Determination / Technische Daten	UNITES Units / Einheiten	SPECIFICATIONS Specifications / Aufstellungen
TITRE ( à 20 °C) Alcohol strength ( At 20°C) Gehalt (20°C)	% Volume % Volume % Volumen	≥99,9
ASPECT Appearance Aspekt	Limpide incolore Colourless and Clear Klar farblos	Limpide incolore Colourless and Clear Klar farblos
ALDEHYDES Aldehydes Aldehydes	%	≤ 0,05
ALCOOLS SUPERIEURS High Alcohols Hochsiedende Alkohole	%	≤ 0,05
ESTERS Esters Ester	%	≤ 0,1
TENEUR EN EAU après dénaturation DENATURANT COMPLET	% v/v % v/v	≤ 1 4,8 ≤ ≤ 5,2

Rédacteur / writer / Redaktor	Vérificateur / checker / Prüfer
Technicienne contrôle Hélène Boone VISA :	Responsable Qualité Françoise Graser VISA :

MSL 129

<b>BRENNTAG</b>	Référence : Edition n° 1	G + ALCIP + V Du -06/09/1999
Service Marketing Marketing Department	ALCOOL ISOPROPYLIQUE NATURE ISOPROPYL ALCOHOL	

**SPECIFICATIONS DE VENTE / SALE SPECIFICATIONS**

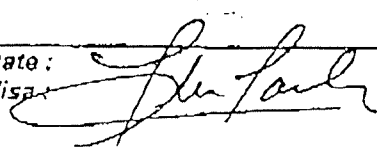
BRENNTAG s'engage sur les spécifications de vente. / BRENNTAG undertake upon sale specifications

Caractéristiques Characteristics	VALEURS Values	Unités de mesure Units	METHODES Méthods
Densité à 20°C / Density at 20°C ou/or	0,784-0,788	Mini maxi	INTERNE / INTERN
Masse volumique à 20°C / Mass			INTERNE / INTERN
Indice de réfraction / Refractive index	1,375-1,379		INTERNE / INTERN
Teneur en eau / Water content	2000	ppm maxi	INTERNE / INTERN

**DONNÉES PRODUCTEURS / PRODUCERS DATAS**

CARACTERISTIQUES CHARACTERISTICS	VALEURS TYPES TYPICAL VALUES	Unités de mesure Units
Couleur / Color	15	HAZEN maxi
Aspect / Aspect	Incolore, exempt de particules / Clear, free particles	
Acidité (Acide acétique) / Acidity as Acetic acid	0,002	% poids maxi / % by weight maxi
Intervalle de distillation / Distillation range	81-83	°C
Pureté / Purity	99,7	% mini

Ces informations sont données à titre indicatif. / This informations are given for information only.

<b>Directeur de Site</b>	
Date :	
Visa :	

<b>Service Marketing</b>	
<b>Yves MEROLLE</b>	
Date :	23/09/99
Visa :	

Formule / Formula : C7H8

Synonyme / Other name : METHYLBENZENE - PHENYLMETHANE

CAS N°: 108-88-3

N° EINECS / EINECS N°: 203-625-9

N° ONU / UN N°: 1294

**1 - SPECIFICATIONS COMMERCIALES DU PRODUIT / SALES SPECIFICATIONS OF THE PRODUCT**

CARACTERISTIQUES / ITEMS	UNITE / UNITS	SPECIFICATIONS	NORME / STANDARD
• PURETE / PURITY	% POIDS / % WEIGHT	99,7 min	• ISO 5279
• BENZENE	PPM POIDS / PPM WEIGHT	100 max	• ISO 5279
• XYLENE + ETHYLBENZENE	PPM POIDS / PPM WEIGHT	1 000 max	• ISO 5279
• NON AROMATIQUES / NON AROMATICS	PPM POIDS / PPM WEIGHT	500 max	• ISO 5279
• SOUFRE TOTAL / TOTAL SULPHUR	PPM POIDS / PPM WEIGHT	4 max	• NFT 67106
• COULEUR / COLOUR	APHA	5 max	• ISO 2211
• MASSE VOLUMIQUE A 15°C / DENSITY AT 15°C	Kg/L	0,871 / 0,872	• NFT 60101
• DISTILLATION : Intervalle entre 1% et 97% évaporé / DISTILLATION : Range between 1% et 97%	°C	0,6 max (incluant 110,8 ± 0,1 / including 110,8 ± 0,1)	• NFT 67101

**2 - PROPRIETES PHYSIQUES / GENERAL PHYSICAL DATA**

Liquide incolore / Colourless liquid  
Odeur aromatique / Aromatic odour

**3 - CONDITIONNEMENT / PACKAGING**

Wagon citerne / Rail tank car- camion citerne / Road tank car

**4 - PRECAUTIONS D'EMPLOI ET TOXICOLOGIE / HEALTH AND SAFETY INSTRUCTIONS**

Se reporter à la fiche de données de sécurité / Please refer to the Safety Data sheet.

Europe

## Shell Chimie

## SPECIFICATION-FORM

PRODUCT : Q9131 TOLUENE

PROPERTY	UNIT	METH. OF ANALYSIS	SALES SPECIFICATION
Colour Pt/Co(Hazen)		ASTH D 1209	20 MAX.
Density at 20 °C	g/mL	ASTH D 4052	0.865 - 0.869
Acid wash colour		ASTH D 848	2 MAX.
Appearance		LPH 5037	CFFS
Non aromatics	X(m/m)	ASTH D 2360	0.20 MAX.
Toluene	X(m/m)	ASTH D 2360	99.8 MIN.
Benzene	mg/kg	ASTH D 2360	200 MAX.
Ethylbenzene	Z(m/m)	ASTH D 2360	0.01 MAX.
o-Xylene + m-Xylene + p-Xylene	Z(m/m)	ASTH D 2360	0.10 MAX.
Total CB-aromatics	Z(m/m)	ASTH D 2360	0.20 MAX.
Total sulphur	mg/kg	SMS 1897	2.0 MAX.
CONFORMITY DATA -----			
Distillation range (IBP - DP)	degree C	ASTH D 1078	1.0 MAX. including 110.6
Density at 15 °C	kg/L	ASTH D 4052	0.869 - 0.873

SMS 473 = DIN 51423  
LPH 5037 = ASTM D 4176

DATE OF ISSUE : 26-06-1996

Effective : November 4, 1991


**EXXON**  
**CHEMICAL**

## Exxsol® DSP 100/140

### Specifications

Property	Units	Min values	Max values	Typical values	Test method
Distillation range	°C				ASTM D 86
- Initial boiling point		98		101	
- 50%				113	
- Dry point			140	137	
Aromatic content	wt%		0.5	0.1	Exxon Chemical UV
Benzene content	mg/kg		50	20	Exxon Chemical UV
Colour Saybolt	-	+ 30		+ 30	ASTM D 156
Corrosion (3hrs at 50°C)	-		1b	1b	ASTM D 130
Sulphur content	mg/kg		5	1	ASTM D 3120

### Physical properties

Property	Units	Typical values	Test method
Aniline point	°C	60	ASTM D 811
Bromine Index	mg/100g	50	ASTM D 2710
Density at 15°C	kg/dm <sup>3</sup>	0.738	ASTM D 4052
Evaporation rate (n-BuAc = 100)	-	210	Exxon Chemical
KB value	-	35	ASTM D 1133
Refractive index at 20°C	-	1.409	ASTM D 1218

**MSL140**

**ESSENCE "E" -5%**

**MATERIAL SAFETY  
DATA SHEET**  
(According to 91/155/EEC)

MANUFACTURER: DAINICHISEIKA COLOR & CHEMICALS MFG. CO., LTD  
AKABANE FACTORY  
1-4-3, UKIMA, KITA-KU, TOKYO, JAPAN  
EMERGENCY PHONE: 03-3968-1211  
ISSUE DATE : 11/July, 1997  
MSDS No. : 906-7  
Version : 05

**SECTION 1 IDENTIFICATION**

PRODUCT NAME : CROSSNATE D-70  
CHEMICAL NAME/FAMILY : POLYISOCYANATE RESIN SOLUTION

**SECTION 2 COMPOSITION/INFORMATION ON INGREDIENTS**

INGREDIENTS	Wt %	CAS No.	Exposure Guidelines		Health Hazard data	
			ACGIH		Lethal dosage	
			TWA	STEL	Orl LD <sub>50</sub> rat	Inh LC <sub>50</sub> rat
Toluene 2,4-Diisocyanate Triiser	50	31870-61-3	N/A	N/A	N/A	N/A
Ethyl Acetate	50	141-78-6	400ppm	no data	5620mg/kg	1600 ppm
Toluene 2,4-Diisocyanate (TDI)	0.1-1.0	26471-82-5	0.006ppm	0.02ppm	5800mg/kg	14 ppm/4hr

: N/A = not applicable  
: TDI content less than 1% at time of manufacture. However, after 3-6 months storage, the free monomer content may rise.

**SECTION 3 HAZARDS IDENTIFICATION**

**EMERGENCY OVERVIEW:**  
Transparent, colorless, volatile liquid having a fragrant, slightly fruity odor and a peculiar, fruity, burning taste.  
Causes respiratory tract, skin, and eye irritation.  
May affect the central nervous system.  
Flammable liquid and vapor.  
May cause flash fire.  
Keep away from all ignition sources.  
Avoid breathing vapor or mist.  
Avoid contact with eyes, skin and clothing.  
Keep container tightly closed.  
Wash thoroughly after handling.  
Use only with adequate ventilation.

**POTENTIAL HEALTH EFFECTS:**  
INHALATION : May cause irritation. Additional effects may include drunkenness.  
SKIN CONTACT : May cause irritation.  
EYE CONTACT : May cause irritation. Additional effects may include tearing.  
INGESTION : May cause sore throat, diarrhea, stomach pain, headache, drowsiness and drunkenness

CARCINOGEN STATUS: Ethyl Acetate      TDI  
OSHA: Not listed      Not listed  
NTP: Not listed      Listed  
IARC: Not listed      Listed

**SECTION 4 FIRST AID MEASURES**

INHALATION:

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**FIRST AID-** Remove from exposure area to fresh air immediately. Perform artificial respiration if necessary. Keep person warm and at rest. Treat symptomatically and supportively. Get medical attention immediately.

**SKIN CONTACT:**

**FIRST AID-** Remove contaminated clothing and shoes immediately. Wash with soap or mild detergent and large amounts of water until no evidence of chemical remains (at least 15-20 minutes). Get medical attention immediately.

**EYE CONTACT:**

**FIRST AID-** Wash eyes immediately with large amounts of water or normal saline, occasionally lifting upper and lower lids, until no evidence of chemical remains (at least 15-20 minutes). Get medical attention immediately.

**INGESTION:**

**FIRST AID-** If the person is conscious and not convulsing, induce emesis by giving syrup of ipecac followed by water. (If vomiting occurs keep the head below the hips to prevent aspiration). Get medical attention immediately.

**SECTION 5 FIRE FIGHTING MEASURES****FIRE AND EXPLOSION HAZARD:**

Dangerous fire hazard when exposed to heat or flame.

Vapors are heavier than air and may travel a considerable distance to a source of ignition and flash back.

Vapor-air mixtures are explosive.

**EXTINGUISHING MEDIA:**

Dry chemical, carbon dioxide, water spray or alcohol-resistant foam

For larger fires, use water spray, fog or alcohol-resistant foam Alcohol foam

**FIRE FIGHTING:**

Move container from fire area if you can do it without risk. Apply cooling water to sides of containers that are exposed to flames until wall after fire is out. Stay away from ends of tanks.

Extinguish only if flow can be stopped; use water in flooding amounts as fog, solid streams may not be effective. Cool containers with flooding quantities of water. Apply from as far a distance as possible. Avoid breathing vapors, keep upwind. Water may be ineffective.

**FLASH POINT:** -2°C

**LOWER FLAMMABLE LIMIT:** 2.2% @ 200 F

**UPPER FLAMMABLE LIMIT:** 11.1% @ 200 F

**AUTOIGNITION:** 427°C

**HAZARDOUS COMBUSTION PRODUCTS:**

Thermal decomposition products may include oxides of carbon, methane, formaldehyde, methanol, and peracetic acid.

**SECTION 6 ACCIDENTAL RELEASE MEASURES****OCCUPATIONAL SPILL:**

Shut off ignition sources; no flares, smoking or flames in hazard area. Stop leak if you can do it without risk. Water spray may reduce vapor; but it may not prevent ignition in closed spaces. For small spills, take up with sand or other noncombustible absorbent material and place into containers for later disposal. For larger spills, dike far ahead of spill for later disposal. Keep unnecessary people away; isolate hazard area and deny entry. Stay upwind; keep out of low areas.

**SOIL SPILL:**

Dig holding area such as lagoon, pond or pit for containment.

Absorb bulk liquid with fly ash, cement powder, sawdust, or commercial sorbents.

**AIR SPILL:**

Apply water spray to knock down vapors.

**WATER SPILL:**

Limit spill motion and dispersion with natural barriers or oil spill control booms.

Use suction hoses to remove trapped spill material.

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## SECTION 7 HANDLING AND STORAGE

Observe all federal, state and local regulations when storing this substance.  
Store in accordance with 29 CFR 1910.106.

Bonding and grounding: Substances with low electroconductivity, which may be ignited by electrostatic sparks, should be stored in containers.

Recommended Practice on Static Electricity.

Store away from incompatible substances.

## SECTION 8 EXPOSURE CONTROLS/PERSONAL PROTECTION

EXPOSURE LIMITS: Refer to SECTION 2

### VENTILATION:

Provide local exhaust or general dilution ventilation to meet published exposure limits. Ventilation equipment should be explosion-proof if explosive concentrations of dust, vapor or fume are present.

### EYE PROTECTION:

Employee must wear splash-proof or dust-resistant safety goggles to prevent eye contact with this substance.

Emergency eye wash: Where there is any possibility that an employee's eyes may be exposed to this substance, the employer should provide an eye wash fountain within the immediate work area for emergency use.

### CLOTHING:

Employee must wear appropriate protective (impervious) clothing and equipment to prevent repeated or prolonged skin contact with this substance.

### GLOVES:

Employee must wear appropriate protective gloves to prevent contact with this substance.

### RESPIRATOR:

The following respirators and maximum use concentrations are recommendations by the U. S. Department of Health and Human Services, NIOSH Pocket Guide to Chemical Hazards ; NIOSH criteria documents or by the U. S. Department of Labor, 29 CFR 1910 Subpart Z.

## SECTION 9 PHYSICAL AND CHEMICAL PROPERTIES

\* EA: Ethyl Acetate

BOILING POINT (°C) as EA	77	SPECIFIC GRAVITY (H <sub>2</sub> O)	1-1.1 (20°C)
VAPOR PRESSURE as EA (20°C)	32.7X10 <sup>3</sup> Pa	VAPOR DENSITY (AIR=1) as EA	3.0
EVAPORATION RATE (BuAc=1) as EA	5.7	SOLUBILITY IN WATER	none
REACTIVITY IN WATER	yes	PERCENT VOLATIL BY WEIGHT (%)	48-51
APPEARANCE AND ODOR	Viscous liquid with odor		

## SECTION 10 STABILITY AND REACTIVITY

### CONDITIONS TO AVOID:

Avoid contact with heat, sparks, flames, or other sources of ignition.  
Vapors may be explosive and poisonous; do not allow unnecessary personnel in area.  
Do not overheat containers; containers may violently rupture and travel a considerable distance in heat of fire.

### INCOMPATIBILITIES:

#### ETHYL ACETATE:

ACIDS (STRONG): Exothermic decomposition.  
BASES (STRONG): Exothermic decomposition.

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CHLOROSULFONIC ACID: Exothermic decomposition.  
LITHIUM TETRAHYDROALUMINATE: Possible explosion.  
NITRATES: Fire and explosion hazard.  
OLEUM: Exothermic decomposition.  
OXIDIZERS (STRONG): Fire and explosion hazard.  
POTASSIUM TERT-BUTOXIDE: Possible ignition.

**HAZARDOUS DECOMPOSITION:**

Thermal decomposition products may include toxic oxides of carbon.

**POLYMERIZATION:**

May occur ; Contact with moisture or other materials which react with isocyanate may cause polymerization.

**SECTION 11 TOXICOLOGICAL INFORMATION****ETHYL ACETATE:**

IRRITATION DATA: 400 ppm eye-human.  
TOXICITY DATA: LD50: 5620 mg/kg oral-rat  
LD50: 4100 mg/kg oral-mouse  
CARCINOGEN STATUS: None.

LOCAL EFFECTS: Irritant- inhalation, skin, eye.

ACUTE TOXICITY LEVEL: Slightly toxic by inhalation, dermal absorption, and ingestion.  
TARGET EFFECTS: Central nervous system depressant. Poisoning may also affect the liver and kidneys.

AT INCREASED RISK FROM EXPOSURE: Persons with chronic respiratory disease, skin disease or anemia.

**HEALTH EFFECTS****INHALATION:**

IRRITANT/NARCOTIC. 2000 ppm Immediately Dangerous to Life or Health.

ACUTE EXPOSURE- Inhalation of 400 ppm for 3-5 minutes has caused respiratory tract irritation in humans. Low vapor concentrations may also cause headache, coughing, dizziness, drowsiness, and shortness of breath.

CHRONIC EXPOSURE- No adverse symptoms were observed in workers exposed to 375-1500 ppm for several months.

**SKIN CONTACT:****IRRITANT.**

ACUTE EXPOSURE- Direct contact with the liquid may cause irritation with redness and defatting action on the skin.

CHRONIC EXPOSURE- Repeated or prolonged exposure may cause defatting dermatitis.

**EYE CONTACT:****IRRITANT.**

ACUTE EXPOSURE- Direct contact with the liquid may cause irritation, with redness, pain, and lacrimation.

CHRONIC EXPOSURE- Repeated or prolonged exposure may cause conjunctivitis and cornea clouding.

**SECTION 12 ECOLOGICAL INFORMATION**

ENVIRONMENTAL IMPACT RATING (0-4): no data available

ACUTE AQUATIC TOXICITY: no data available

DEGRADABILITY: no data available

LOG BIOCONCENTRATION FACTOR (BCF): no data available

LOG OCTANOL/WATER PARTITION COEFFICIENT: no data available

**SECTION 13 DISPOSAL CONSIDERATIONS**

Observe all federal, state and local regulations when disposing of this substance.  
Disposal must be in accordance with standards applicable to generators of hazardous waste.

**SECTION 14 TRANSPORTATION INFORMATION**

EXPORT HAZARD CLASS IMDG:3 (Flammable liquid)  
PACKING GROUP : II  
UN NUMBER : 1866

**SECTION 15 REGULATORY INFORMATION**

SARA SECTION 313 (40CFR372.66):	Listed(Ethyl Acetate ,TDI)	HMIS CODE:HEALTH . . . 2
CALIFORNIA PROPOSITION 65:	Listed	FLAMMABLE . . . . . 3
ACUTE HAZARD:	Yes	REACTIVITY . . . . . 3
CHRONIC HAZARD:	Yes	PERSONAL PROTECTION - I
FIRE HAZARD:	Yes	

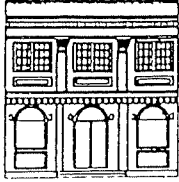
EEC COMMISSION 91/325/EEC

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**SECTION 16 OTHER INFORMATION**

A backslash in the left hand margin indicates an amendment from the previous version.  
The information contained herein is based on the present state of our knowledge and does not therefore guarantee certain properties. Recipients of our product must take responsibility for observing existing laws and regulations.

## BOONE COUNTY PLANNING COMMISSION



2995 Washington Street • Burlington, KY 41005

www.boonecountyky.org

Phone: (859) 334-2196

Fax: (859) 334-2264

E-mail: plancom@boonecountyky.org

March 8, 2001

Mr. Mike Hargis  
Paul Hemmer Companies  
P.O. Box 17310  
250 Grandview Drive  
Ft. Mitchell, KY 41017-0310

FAX: 341-6817

RE: Ink Manufacturing and Film Coating in I-1 Zone

Dear Mr. Hargis:

In response to your fax that includes a letter from Randal E. Culman of Armor USA located at 2900 Earhart Court in Airpark International, I am providing the following information. Additionally, I discussed the nature of some of the specific chemicals with Mr. Culman, and he provided copies of the applicable MSDS sheets which I forwarded to both the Hebron Fire Protection District and the County's Emergency Management office.

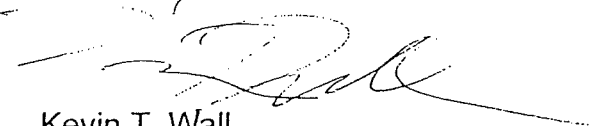
First, based on what I have learned about the chemicals involved in the contemplated ink making and ink coating of PET film, I believe that these processes best fall under use categories in the Boone County Zoning Regulations that pertain to industrial uses which involve petroleum, gas, and bulk storage of chemicals. According to Mr. Culman's letter, Armor USA would have both bulk and containerized storage. These uses are largely Conditional Uses in the I-1 zone and some are Principally Permitted in the I-2 zone (acids are listed only in this category), although uses which involve acetylene gas and ammonia are only permitted as Conditional Uses in the I-2 zone.

The I-1 Conditional Use category is fairly general in the sense that it does not list specific petroleum, gas, or chemical products that may be used, stored, or handled, but rather they fall under CUP category #1 which states "uses in which the primary business activity involves the following," which is then followed by a list of various processes and substances. Based on this fact, a Conditional Use Permit (CUP) must be granted by the Board of Adjustment (BOA) before the ink making and/or ink coating uses can be initiated. As you are likely aware, neither the Concept Development Plan or conditions of approval

Mr. Mike Hargis  
March 8, 2001  
Page 2

for the Airpark International zone change prohibit this type of use outright, assuming the current Earhart Drive facility is the intended location for this use (intended location was not specified). Please call me if you have any questions or need any clarifications.

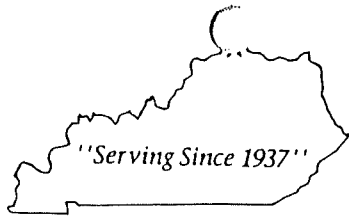
Sincerely,

A handwritten signature in black ink, appearing to read "Kevin T. Wall", written over a horizontal line.

Kevin T. Wall  
Zoning Administrator  
Boone County Fiscal Court

KTW/vlm

cc: Randal Culman - FAX: 334-5666



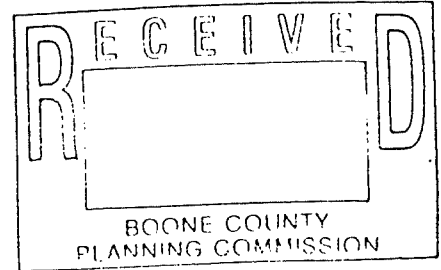
# HEBRON

## Fire Protection District

3120 North Bend Road • P.O. Box 24 • Hebron, Kentucky 41048 • (859) 586-9009

March 22, 2001

Mr. Kevin Wall  
Boone County Planning Commission  
2995 Washington Street  
Burlington, Kentucky 41005



Dear Kevin,

My staff and I have received the forwarded information regarding ARMOR. We do not have a problem with the chemicals involved; however, we do need to know the quantities. Also, is this a new facility? If so, what is the size? If this is an expansion we will need that information as well. If you have any further questions please let me know.

Cordially,

Dale A. Harshbarger, Chief  
Hebron Fire Protection District

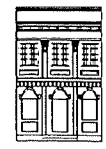
DAH/sls



**Armor USA**  
**Site Vicinity & Zoning Map**

900 0 900 Feet

1 inch equals 900 feet  
 Produced by the  
 Boone County Planning Commission  
 GIS Services Division  
 April 27, 2001





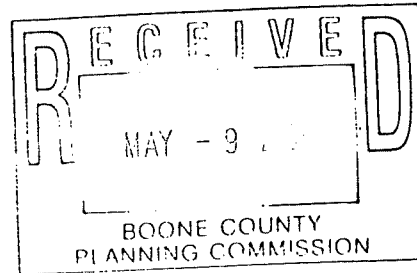
# HEBRON

## Fire Protection District

3120 North Bend Road • P.O. Box 24 • Hebron, Kentucky 41048 • (859) 586-9009

May 9, 2001

Todd Morgan  
Boone County Planning Commission  
2995 Washington Street  
Burlington, KY 41005



**RE: ARMOR USA, Inc**

Dear Todd,

I have received a copy of a fax sent to me by ARMOR referencing the reportable quantities of products to be used within the ARMOR business. I met with William Fletcher, Deputy Director of Boone County Emergency Management today and we discussed the needs assessment of the reportable quantities of products and facility.

First of all, most of the proposed chemicals being used are a Class 1B Flammable Liquid. Which means that the chemicals have a high flammability range. Secondly, some of the chemicals may pose a toxic issue to the human body, and other chemicals pose a combustible issue.

With all of that said, we have a few questions regarding the storage of these products, the facility itself, proposed layout of the building, and reporting issues. While we did not see any problems with the chemicals themselves, we do believe that some additional issues should be addressed and complied with prior to final approval. I have outlined the needs assessment below.

- With the bulk of the chemicals being a Class 1B Flammable Liquid, a sprinkler system will be required. The sprinkler system should be designed according to NFPA 13 and meeting the flow requirements for the volume of chemicals stored.
  
- No on-site storage issues have been addressed. With the amount of chemical quantities being proposed for use, how will they be stored?

Will the contents be in bulk storage, drums, or what? This question must be answered.

- If bulk storage will be required, the fire department and EMA would like to see a site plan, building plan, and facility documents on where ARMOR proposes to store the chemicals while on site.
- SARA title III requires that a annual Tier II (section 312) report be filed with, the local fire department, NKEPC, and the State Emergency Response Commission.

If you have any further questions regarding this matter, please feel free to contact me at my office.

Sincerely,



Dale A. Harshbarger, Chief  
Hebron Fire Protection District

Cc: William Fletcher, BCEMA  
ARMOR file

**Armor USA, Inc.**  
**Chemicals Used in Proposed Coating Project**  
**Estimated Annual Usage**

Name	Kilograms	x 1000 =	Grams	/ 28.35 =	Ounces	/ 16 =	Pounds	/ 2000 =	Tons
Methyl Ethyl Ketone	461,292		461,292,000		16,271,323		1,016,958		508
Butyl Acetate	10,754		10,754,000		379,330		23,708		12
Toluene	646,952		646,952,000		22,820,176		1,426,261		713
Gas "E", Exxon DSP 100/400	197,258		197,258,000		6,957,954		434,872		217

Name	Liters	x 0.264 =	Gallons
Ethyl Alcohol	164,492		43,426

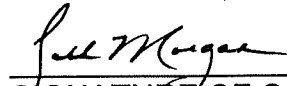
COPY

CLUR #01-BCBOA-017-A

CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER(S)  
Paul Hemmer and Associates III  
250 Grandview Drive  
Fort Mitchell, KY 41017
  
2. ADDRESS OF PROPERTY  
2900 Earhart Court  
Hebron, KY 41048
3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)  
Armor USA, Inc.
  
4. DEED BOOK 579                      PAGE NO. 258                      GROUP NO. 2009
  
5. TYPE OF RESTRICTION(S) (Check all that apply)  
  
 Zoning Map Amendment:  
    From      To                            Conditional Use Permit  
  
 Development Plan                       Conditional Zoning  
  
 Subdivision Plat                       Other:  
    (Not Recorded)  
  
 Variance
  
6. NAME AND ADDRESS OF PLANNING COMMISSION, BOARD OF ADJUSTMENT,  
LEGISLATIVE BODY OR FISCAL COURT WHICH MAINTAINS THE ORIGINAL  
RECORDS CONTAINING THE RESTRICTION

BOONE COUNTY PLANNING COMMISSION  
2995 WASHINGTON STREET  
BURLINGTON, KENTUCKY 41005



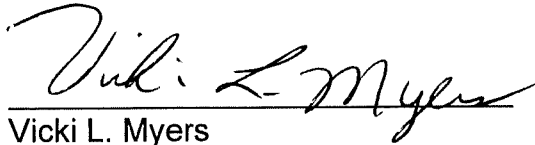
SIGNATURE OF COMPLETING OFFICIAL

Todd K. Morgan, Planner, Zoning Services  
Name and Title of Completing Official

COMMONWEALTH OF KENTUCKY

COUNTY OF BOONE

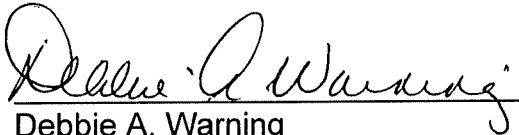
Subscribed, sworn to, and acknowledged before me by Todd K. Morgan on behalf of  
the Boone County Planning Commission this 26 day of June, 2001.



Vicki L. Myers  
NOTARY PUBLIC, State at Large

My commission Expires:  
April 17, 2003

This instrument was prepared for recording purposes only by:



Debbie A. Warning  
Boone County Planning Commission  
2995 Washington Street  
Burlington, Kentucky 41005

NO TITLE EXAMINATION

(Legal Description and source of Title and Group Number furnished by the applicant.)

CONDITIONS OF APPROVAL

The following Conditions of Approval apply to the Conditional Use Permit approved by the Boone County Board of Adjustments and in accordance with the current zoning in effect as of June 13, 2001 Certificate of Land Use Restriction (#01-BCBOA-017-A), for Paul Hemmer and Associates III, Property Owner(s).

The following conditions will apply:

- 1) All federal, state and local regulations are complied with regarding the handling and storage of chemicals to be utilized at this site and that all necessary permits are obtained. This includes coordination with the Hebron Fire Department District and county's Emergency Management office.
- 2) A site plan depicting all buildings constructed on-site, appropriate buffer yards, landscaping, parking, signage, etc. must be reviewed and approved by the Staff of the Boone County Planning Commission in accordance with Article 30 of the *Boone County Zoning Regulations*.

The approved Conditional Use Permit as well as the preceding conditions apply to the property described in:

DEED BOOK 579

PAGE NO. 258

GROUP NO. 2009