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NEBRASKA CONCRETE AND AGGREGATES ASSOCIATION

Newsletter

SEPTEMBER 2009

NC&AA President's Letter



Brian Engel
Paulsen, Inc.
NC&AA President

I hope this letter finds everyone doing well, as you are trying to navigate your way through the fall rush. Once again it seems like the construction season is flying by us at a record pace. I hope all our members businesses have a strong finish to the season!

On the association side Jereme and Rochelle have been busy preparing and planning our fall events. I want to thank all the sponsors and players that attended our golf outing in York this year. We had another great turn out and couldn't have asked for a nicer day to play golf. I also want to thank the sponsors and shooters that helped make our Fund Shoot at Grand Island another success. Those contributions to our scholarship fund from both the golf mulligans and fund shoot are greatly appreciated to keep our four yearly scholarships funded.

I want to make sure that all the board members and committee members did receive the change of date for our next meeting. It is now rescheduled for 1:00 on October 14th, at the Settle Inn. I hope everyone can make the meeting I'm sure the committees will have a number of items to update us on since our last meeting. See you there.

2009-2010 NDOR/ACI Training Schedule Coming Soon

Submitted by Mike Willman

The Nebraska Concrete & Aggregates Association Certification Committee is currently scheduling the 2009 – 2010 NDOR/ACI training programs. The training schedule should be available the end of October on the Nebraska Concrete & Aggregates Association website www.nebrconcagg.com

The training classes will begin in December 2009 and run through April 2010. Large numbers are anticipated this season, so please register as soon as possible to assure the training session desired.

The certification programs are a joint effort with the ACI Nebraska Chapter, Nebraska Department of Roads, and the Nebraska Concrete & Aggregates Association. To register contact **Rochelle Hitz** at 402-325-8414, or the Nebraska Concrete & Aggregates Association website. For questions regarding course agenda and materials contact **Leon Schaefer** at 402-440-1001.

**Registration
forms for the
upcoming training
programs
will be available soon at**

www.nebrconcagg.com



Editor: Kirk Havranek
Ready Mixed Concrete Company
Lincoln, NE
402-434-1844

From the Executive Director



Jereme Montgomery
NC&AA
Executive Director

There are many issues at capitol hill that effect us all. There are a few that really have an impact on our industry: Climate Change Bill, Clean Water Restoration Act, Employee Free Choice Act (card check), and even

Federal Highway Reauthorization bill. The NC&AA has never technically developed a grassroots program. That doesn't mean that we believe that letters to our legislatures just from the association is good enough. To create influence, we need volume.

Now I have never considered myself a political person, mainly due to lack of understanding and involvement. Luckily for me, there are great resources that make promoting our position easy. One resource is the NRMCA's grassroots website, www.nrmca.org/Advocacy/Grassroots.htm. From here you just type

grass 'roots'

*adj. (colloq.)
emanating from the mass of people, as a cause, political movement, etc.*

in your zip code and you're off. With names and addresses of your legislators and even pre-filled letters that are sent with your name on it. It's as easy as 1 2 3.

Another good resource is NSSGA's Legislative Action Center, <http://capwiz.com/nssga/home/>. Again, these resources make it very easy to get involved. If you have any questions on how to get more involved with grassroots, call the office 402.325.8414

Kit Smith Retires After 40 Years at Ready Mixed Concrete Co.

Kit Smith is retiring from Ready Mixed Concrete Co. in May, 2009 after 40 years of service. After graduating from Nebraska Wesleyan, Kit began his career in bookkeeping, then moved to dispatching and finally to the sales department for the past 20 years, specializing in estimates and quotations.

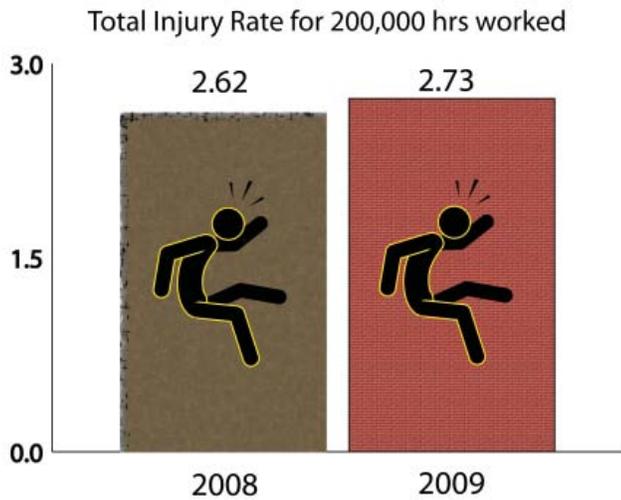
Kit and his wife Margie of 38 years will be traveling and taking care of their farm near Denton, NE.



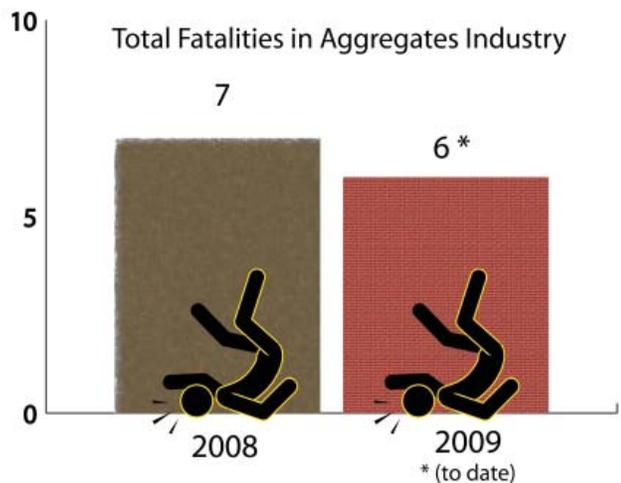
Safety News

Recent Safety Data Cause for Worry

For the first quarter of 2009, the total injury rate for the aggregates industry stands at 2.73 for 200,000 hours worked, a modest increase over the 2008 level of 2.62.



Even more dramatically, the total number of fatalities in the aggregates sector to date stands at six, whereas, the level for all of 2008 was a record low of just seven.



NEWLY APPOINTED OSHA AND MSHA OFFICIALS FAVOR MORE REGULATION AND ENFORCEMENT

Joe Main has been appointed to be the Assistant Secretary of Labor for the Mine Safety and Health Administration and Dr. David Michaels has been nominated to be Assistant Secretary of Labor for the Occupational Safety and Health Administration. Both nominees share a common, unyielding commitment to strict regulation and enforcement.

Aggressive action to protect the construction industry and its personnel from increased enforcement and regulatory risks should be considered. This is a good time to invest in the following:

- Safety equipment and program upgrades;
- Training on how to handle MSHA and OSHA inspections;
- Training on management rights;
- Compliance on recordkeeping audits and corrective actions;
- Initiatives with local and regional MSHA/OSHA offices;
- Challenges to inappropriate enforcement and penalties;
- An increased focus on the technical impossibility of accurately measuring silica and other exposure limits at low regulatory levels;
- Employee discipline for safety rule violations.

Source: *Aggregates Manager Magazine* – September 2009

Obama nominates Main to head MSHA



Jul 9, 2009 -- The Obama administration has nominated Joe Main as MSHA administrator. Main served as administrator for occupational health and safety for the United Mine Workers. A Pennsylvania native, he earned a reputation as a tireless advocate for workers' rights. Main is seen as coming from "the coal side" of the mining industry, NSSGA notes. Accordingly, long-time observers anticipate Main will work to implement programs and policies favored by organized labor. Others believed to be in contention for the sub-cabinet position were Tony Mayville of the Illinois Department of Recreation and Davitt McAteer, past MSHA administrator. The nomination will go before the Senate Committee on Health, Education, Labor & Pensions; the chair is Sen. Edward Kennedy, D-Mass., and the ranking member is Sen. Mike Enzi, R-Wyo.

Industry News

What is the carbon footprint of a cubic yard of concrete?

Concrete is the most versatile and most widely used building material used in construction. It can be molded and shaped into just about anything a designer can think of. The biggest sustainable benefit concrete brings to the table is durability. It has proven year after year as a low maintenance material with outstanding features, but what about its contribution to a greenhouse gas known as carbon dioxide.

There has been a lot of research through many organizations such as the Portland Cement Association, National Ready Mix Concrete Association, and the American Concrete Institute regarding the carbon footprint of concrete.

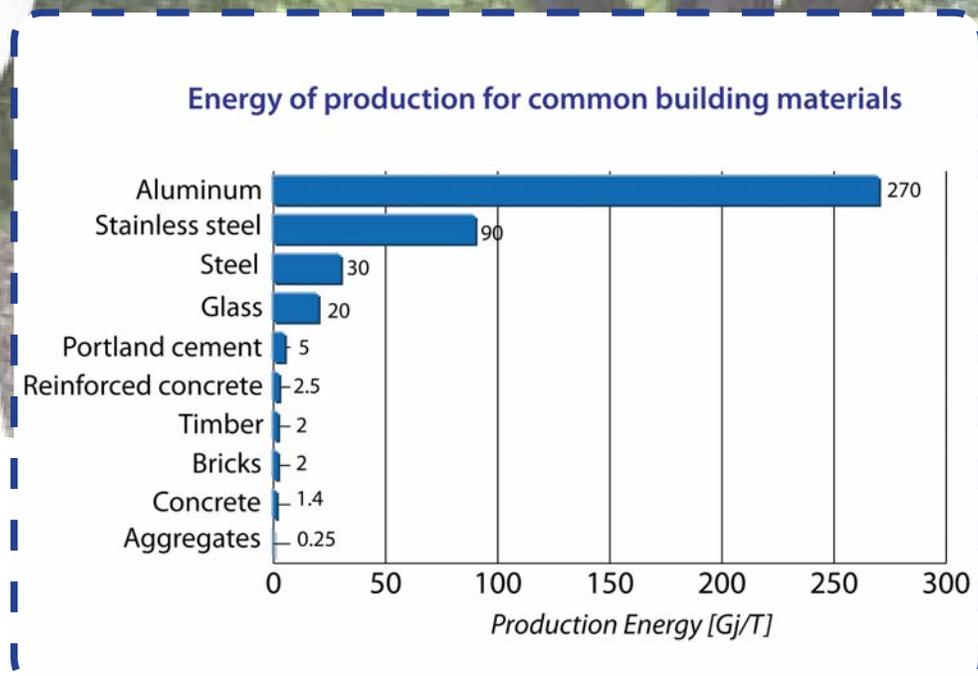
Here are some facts:

- According the Department of Energy, cement production accounts for 0.33% of energy consumption in the U.S. The current level is low compared with other industries, such as petroleum refining at 6.5%, steel production at 1.8% and wood production at 0.5%.

- Concrete uses about 7% and 15% cement by weight depending on the mix. One cubic yard weighs approximately 3800 pounds. The average quantity of cement is around 500 lbs of cement. As a result, approximately 170 to 500 pounds of CO₂ is embodied for every cubic yard of concrete (5%-13% by weight).
- Studies have proven that over 100 years, concrete surfaces will reabsorb CO₂ during the life cycle through a process called carbonation. One study estimates between 33% and 57% of CO₂ emitted from calcination will be reabsorbed back into the concrete.

It is important to note that structures are built with concrete not cement. Sustainable and green professionals need to understand the difference. It is also important to note that other than concrete having a low carbon footprint, concrete has many other green features such as: utilizing recycled materials in the mix, concrete can be recycled, thermal mass, light reflectivity, it is locally produced, and is durable.

So be green, don't green wash...order your cubic yard of concrete today!



Industry News

EPA Administrator Orders Overhaul of Clean Water Act Enforcement Program - More Reporting, More Inspections, More Public Oversight

AGC Invited To Help Shape New Action Plan Aimed at Improving Water Permit Compliance

September 10, 2009 -- U.S. EPA Administrator Lisa Jackson has directed the Office of Enforcement and Compliance Assurance to examine its Clean Water Act enforcement program and report back to her in early October with an action plan to strengthen and improve the Agency's enforcement efforts. This new initiative comes in light of information showing that water quality goals are not being met, there are too many violations in too many places, and the level of EPA enforcement is unacceptably low, according to Administrator Jackson's memo to key Agency officials.

AGC met with EPA officials last week to discuss the National Pollutant Discharge Elimination System stormwater permit program and how it is enforced on construction jobsites. AGC suggested positive incentives and expressed concerns about any potentially punitive measure; AGC plans to provide EPA staff with more detailed, written recommendations later this week. In addition, AGC Chapters and members can help shape the future direction of EPA's national water enforcement program (and comment on EPA's current enforcement efforts) by participating in an online EPA discussion forum by August 28.

The stormwater permit program regulates mostly stormwater discharges associated with municipal sewer systems, industrial activities and construction activities. (All facilities that discharge pollutants through a point source into waters of the United States are regulated by EPA and states under this program.) If your construction activity disturbs one or more acres of land, you most likely need a permit to discharge stormwater runoff from your construction site, available from EPA's stormwater program or the state stormwater permitting authority. Additional information on the federal stormwater requirements is online at <http://www.epa.gov/npdes/stormwater>. You also can obtain information about state and local stormwater requirements through the Storm Water Resource Locator.

EPA SCHEDULES SEPT. 29 WEBINAR ON STORMWATER COMPLIANCE



The U.S. Environmental Protection Agency announced a free, on-line Industrial Stormwater Webcast on Tuesday, Sept. 29 from 1:00 - 4:00 p.m. (EDT) for owners and operators of ready mixed concrete, crushed stone and sand and gravel operations. The webcast will help owners and operators improve understanding of and compliance with federal industrial stormwater requirements. The webcast is in direct response to the national enforcement initiative that EPA began two years ago against ready mix concrete and aggregate operations. EPA has 14 months left in the current initiative. Working with NRMCA and NSSGA, EPA developed this on-line compliance assistance tool to help explain the following:

- Overview of Federal Industrial Stormwater Requirements
- Review of the Federal Multi-Sector General Permit Applicability and Requirements
- Common Environmental Compliance Issues with the Stormwater Pollution Prevention Plan
- Examples of Best Management Practices
- Addressing the Myths Associated with Stormwater Compliance
- Addressing Questions on Your MSGP and SWPPP

The NC&AA will be hosting this webinar at Southeast Community College in Lincoln. Blayne Renner with the Nebraska Dept. of Environmental Quality will join us for questions and answers. Please contact Rochelle for more details 402.325.8414

Industry News

Former operator of sand, gravel, concrete and asphalt plant in Decorah, Iowa, agrees to \$43,082 penalty for water violations

Source: US EPA - Environmental Protection Agency

Aug. 22, 2009 -- Knife River Midwest, LLC, has agreed to pay a \$43,082 civil penalty to settle alleged violations of the federal Clean Water Act at its former sand, gravel, concrete and asphalt plant located at 900 Montgomery Street in Decorah, Iowa.

According to a consent agreement filed in Kansas City, Kan., an inspection of the plant by EPA Region 7 on August 7, 2008, found several violations of the facility's National Pollution Discharge Elimination System (NPDES) permit for industrial storm water management.

The penalty was imposed for Knife River's failure to implement best management practices, failure to conduct required sampling, failure to retain records, failure to conduct and record visual inspections, and failure to maintain and update an adequate storm water pollution prevention plan.

The federal Clean Water Act and NPDES permits issued under the Clean Water Act are designed to protect aquatic life and water quality.



Runoff from ready-mix concrete, sand and gravel facilities, and asphalt batching plants, such as Knife River's, flows into waterways. When proper controls are not in place, runoff from such facilities can lead to water quality impairments such as siltation of rivers, fishing restrictions, and habitat degradation. As storm water flows through those sites, it can pick up pollutants, including sediment, used oil, solvents and other debris. Polluted runoff can harm or kill fish and wildlife, and impact drinking water quality.

Knife River's Decorah, Iowa, facility discharged runoff into the Upper Iowa River.

Knife River Midwest, LLC, headquartered in Bismarck, North Dakota, sold the Decorah plant in December 2008. Knife River Midwest, LLC, owns several other facilities throughout Iowa and the upper Midwest.

'EPA expects industries to properly maintain their pollution control permits, and to honor the terms of those permits,' said Art Spratlin, director of EPA Region 7's Water, Wetlands and

Pesticides Division. 'We are committed to enforcing the Clean Water Act to ensure that our nation's waterways are protected.'

The consent agreement and final order is subject to a 30-day public comment period.

TALKS CONTINUE ON HIGHWAY BILL EXTENSION

(SOURCE: NSSGA e-Digest)

With the clock ticking toward the expiration of SAFETEA-LU, talks continue on both sides of Capitol Hill regarding the length of an extension since completion of work on a multi-year bill by Sept. 30 is unlikely. House Transportation and Infrastructure committee Chairman Jim Oberstar (D-Minn.) continues to push his bill and wants a short-term extension, reportedly three months, in which to complete work on a multi-year reauthorization.

It is possible a short-term extension could be offered as early as next week under suspensions requiring a two-thirds vote of those present and voting and allowing no

amendments. Congressional staff say the Senate, with the administration, wants an 18-month extension and could act on such a proposal next week. The two bills would then have to be reconciled by a conference committee.





NC&AA GOLF RESULTS

2009 NC&AA Golf Sponsors

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Brian Schaefer, Stan Poff, Steve Bernadt, Mark Bartels

FLIGHT WINNERS

FLIGHT #1: First place – Stan Poff, Brian Schaefer, Steve Berndt, Mark Bartels; Second place – Dick Odell, Bob Menze, Chris Simonsen, James Lenz; Third place – Gary Kratky, Travis Rutjens, Joel Johnson, Adam Rutjens

FLIGHT #2: First place – Jack Zimmerman, Dale Kisling, Tex Leber, Brian Swallow; Second place – Cody Harris, Steve McCracken, Jim Pettit; Third place – Mike Arps, Jeff Bryan, Jeremy Quinn, Jon Erwin.



Chris Simonsen, James Lenz, Dick Odell, Bob Menze

PIN PRIZES

Hole #1 – closest to pin any shot across water = CONNIE PEJSAR

Hole #2 – closest to pin any shot off green = GREG PALMER

Hole #3 – longest drive in fairway = RYAN ALT

Hole #4 – closest to pin tee shot = MARK BARTELS

Hole #5 – closest 2nd shot = DALE KISLING

Hole #6 – closest to pin tee shot = MERLYN HANSEN

Hole #7 – closest shot from off green = MIKE WILLMAN

Hole #8 – Longest putt on green = KRAIG KUHNEL

Hole #9 – closest 3rd shot = BRIAN ENGEL

Hole #10 – closest to pin any shot off green = JAMES LENZ

Hole #11 – closest to pin tee shot = MICHELLE KLUVER

Hole #12 – longest putt on green = JOEL SEDLACEK

Hole #13 – closest 3rd shot = JIM HOLMES

Hole #14 – Longest putt on green = JACK ZIMMERMAN

Hole #15 – closest 2nd shot = STAN POFF

Hole #16 – closest to pin tee shot = KAREN MOELLERING

Hole #17 – closest to pin any shot across any water = STEVE WEIDENHAMMER

Hole #18 – Longest drive in fairway = JOEL JOHNSON



Gary Kratky, Adam Rutjens, Joel Johnson, Travis Rutjens



Jeff Bryan, Mike Arps, Jon Erwin, Jeremy Quinn



Jack Zimmerman, Tex Leber, Brian Swallow, Dale Kisling



Jim Pettit, Cody Harris, Steve McCracken

Industry Calendar

October 14, 2009	Board of Directors Meeting
October 18-20, 2009	NRMCA Concrete Works - Indianapolis
October 28, 2009	NRMCA Regional Workplan Meeting
November 11, 2009	Board of Directors Meeting
December 16, 2009	Board of Directors Meeting
January 6-7, 2010	51st Annual Quality Concrete Conference & Expo
January 19-20, 2010	NCPA Annual Workshop - Lincoln
February 17, 2010	NC&AA Past President's Dinner
February 18-19, 2010	NC&AA Annual Convention (Kearney)



NEBRASKA CONCRETE AND
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ADDRESS SERVICE REQUESTED