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NEBRASKA CONCRETE AND AGGREGATES ASSOCIATION

DECEMBER 2011

Newsletter

2011 is on its way out

Exciting things on the horizon for NC&AA



Kirk Havranek
Ready Mixed
Concrete-Lincoln
2011 NC&AA
Board President

Merry Christmas and Happy New Year!!! As the roller-coaster ride of 2011 makes its final plunge, it's likely that 2012 will bring a positive concrete year ahead of us. Jereme has done a great job of taking this organization to a higher level again this year. We are very lucky to have him leading us in Nebraska as a premiere association.

As we continue through 2012 the association has an excellent Quality Concrete Conference set-up in Kearney (January 11, 2012) and in Lincoln (January 12, 2012). Jereme went to extreme lengths to get these speakers to visit Nebraska and promote the use of the greatest building material in the world. Another look ahead for the month of April we have a one day seminar on Pervious Concrete that will include five of the top rated Pervious Concrete Professionals in the United States. This has been able to happen to due to the great networking abilities of the association over the last 5 years. The association has built a great relationship with these outstanding speakers.

Don't forget to check the association website and look for mailings to keep you up to date on the latest activities through the association. This way you won't miss out on any of the upcoming events that Jereme is bringing to Nebraska. These are put on for members, concrete contractors, architects and engineers to promote the use of concrete in Nebraska and promote the use of Best Management practices in the Concrete

Industry. Please note these seminars are put on at a very reasonable price, so please show your support for the Association Partners and Friends that we have built, we need to demonstrate the passion we have for the concrete industry in Nebraska. I would encourage you and your customers to attend these seminars to further educate you and refresh our knowledge of the concrete industry so we can work together to make Nebraska a better concrete industry and ensure that Nebraska can be a leader in the best building material in the world.

Don't forget about the annual convention for the Nebraska Concrete and Aggregates Association. Our association along with our associate members put forth a lot of time and money to ensure our Ready Mixed and Aggregate Producers a great convention. This is a great opportunity to thank our associate members for the dedication that they put forth to our association. The convention will be held in Grand Island Nebraska on February 16th and 17th. Please show your appreciation for what Jereme, Rochelle and the association do for all the companies that they help and support. Best of Luck and Happy New Year for 2012!!

Happy New Year 2012

Editor: Mark Deetz
Lyman Richey Corporation
402-556-3600

NC&AA's Executive Director Discusses Recent Quality Review of Certification Program



Jereme Montgomery
NC&AA
Executive Director

I would like to utilize my space for this newsletter to discuss NC&AA/ACI Nebraska 's recent quality review on our certification program evaluated by American Concrete Institute. ACI Nebraska is the authorized local sponsoring group, and the NC&AA administers these training programs.

ACI has launched a comprehensive quality review program that began with Field Testing Technician - Grade I and will ultimately extend to all programs. The intent of these quality reviews are to assist local sponsoring groups in administering the most effective, fair, and consistent certification examination sessions possible; ensures that ACI's policies are upheld; and strengthen the credibility of the program through quality reviews and constructive feedback.

In order to be a Local Sponsoring Group (LSG), you have to apply to ACI's Certification Department. In this review, ACI considers:

1. Individuals involved in the specification, production, design, construction, testing and inspection of concrete.
2. The interest, experience and technical expertise necessary to conduct exam sessions
3. The need to conduct a specific ACI certification
4. An objective to coincide with ACI's overall mission of improving the quality of concrete construction within the LSG's jurisdiction.

The NC&AA has been administering these certification and training programs since 2003. This last December, ACI sent a quality review professional to our first scheduled Field Testing Technician – Grade I in Norfolk, NE and our first quality review audit. I am proud to say that we felt the quality review was a great success.

Mike Willman worked closely with ACI to answer questions, explain processes, and discussed detailed methods of our program. Some informal feedback we received included:

- *How well the instructors and examiners conducted themselves in a professional manner.*
- *Testing equipment was well organized and calibrated with documentation.*
- *The people in Nebraska have an unmatched passion to improve the design, production and placement of concrete.*
- *The quality of the certification program is one of the best.*

This is nothing new, but it is nice to hear these comments from an "outside" source. It really makes you proud of the people that we are surrounded by and really gives you a great sense of accomplishment. This doesn't come easy. Mike Willman, Rochelle Hitz, and Leon Schafer make it look easy. These three, otherwise known as the "A-team", work hard at ensuring ACI and NDOR training programs are operated ethically and within the professional integrity of ACI and NDOR's requirements.

In conclusion, this personal shout out goes to the "A-team", and other volunteers dedicated with sustaining the finest training and certification program in the State!

P.S. Larry Schmidt....we miss you!

NC&AA Speaks at AGC-NE Building Chapter Regional Meetings

Jereme Montgomery

The NC&AA has conducted three of five presentations during the AGC-NE Building Chapter's regional meetings. Titled, "Ready Mix Concrete From a Birds Eye View," these presentations cover various aspects of ready mixed concrete.

Topics include design, production, placement and maintaining quality concrete applications from exterior slabs to interior floors. This presentation also covers troubleshooting concrete and discussing proper testing procedures utilized in the field to assist general contractors, project managers, and supervisors understand concrete.

The last two presentations will be held in Kearney (January 31st) and Omaha (February 24th). If you are a NC&AA member and would like to attend, please call our office at 402.325.8414

Technical Committee Report

Mike Willman

The annual joint meeting with the NC&AA and the NDOR was held December 5, 2011 in Lincoln, NE with 26 attending. Minutes from the meeting will be distributed in the near future.

The 2011-2012 NDOR/ACI training programs are under way with the first class completed December 8, 2011 in Norfolk, NE, and will run through April 2012. The training schedule is available on the Nebraska Concrete & Aggregates Association website www.nebrconagg.com

The ACI Nebraska Chapter and the NC&AA Technical Committee held an ACI Aggregate Testing Technician Grade I certification program at Thiele Geotech in Omaha. Steve Weidenhammer led the pilot program in Nebraska with four members participating from Thiele Geotech and Mid States Engineering and Testing in the class.

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.

Pervious Concrete Seminar is coming to Omaha

Jereme Montgomery

It may be a little early to put this in our newsletter, but what the heck. The NC&AA has started coordinating a 1-day Pervious Concrete Seminar focusing on the Design, Production, Placement, Testing, and Maintenance of pervious concrete pavements.

The speaker line-up will be:

- Specifying/Designing - Matt Offenburg (WR Grace and Current Chair of ACI 522 "pervious concrete")
- Producing - Scott Erickson (Evolution paving resources)
- Placing - David Mitchell (Bunyan Springs)
- Testing - Walt Flood IV (Geotech engineer at flood testing labs)
- Maintaining - Heather Brown (Dept. Chair @ Middle Tennessee State University)

We really couldn't put a better line up together than this. I serve on the ACI 522 Pervious Concrete Committee with all these professionals...and they are the best. If this event was sponsored by any National group, it would cost hundreds of dollars to attend. We will be only paying for their cost! So registration fees will be nominal.

The event is dated for April 26th, 2012 in Omaha (venue TBD). With these names, I wouldn't doubt it goes down as a Regional/National event. Keep your eyes and ears open for more information in the next couple months.



Nebraska Concrete & Aggregates Association 53rd Annual Quality Concrete Conference "Nebraska's Most Wanted"

January 11th, 2012
Younes Conference Center
Kearney, NE

January 12th, 2012
Lincoln Firefighters Reception Hall
Lincoln, NE

Registration now available!
More Information at www.nebrconcagg.com



NC+AA 53rd Annual Convention "Game On"

February 15th
Past Presidents Dinner

February 16th-17th
Annual Convention

Midtown Holiday Inn
Grand Island, NE

We're saving you a place...



For:
Anyone wanting to learn more about Concrete paving, Concrete Overlays and the latest important industry-specific information.

When:
January 24, 2012

Where:
The Cornhusker Marriott at 333 South 13th Street, Lincoln, NE

Registration forms will be available soon! Watch your mail or visit www.nebrconc.org in November to download a form. Registration cost will be \$199.00.

Expense reimbursement available through Work Force Development Funds / NDOR, for qualified Local Agency personnel.

Come join us for an informative and enjoyable experience at the 33rd Concrete Paving Workshop

Make plans now to Attend the 33rd Annual NCPA Concrete Paving Workshop

Learn More About

Local Agency Topics

- Concrete Paving Rehabilitation
- ADA-PRAG Issues
- Update on NDOR 2012 Concrete Paving Projects
- Pervious Concrete and Sustainability
- Fast-Track Bridges
- How Can Local Agencies use Buyout Money for the 'Biggest Bang'?

Roads & the Mighty Missouri River
Deicers & Concrete
To Seal or Not to Seal?
PCC Overlays

Much More!



Awards Banquet on Tuesday the 24th

2011 - 2012 TRAINING DATES

Schedule is based on demand

Class	Date	Location
NDOR Concrete Field Inspector, Level I	December 6, 2011	Norfolk
ACI Concrete Field Testing Technician, Grade I	December 7-8, 2012	Norfolk
NDOR Concrete Field Inspector, Level I	January 17, 2012	Lincoln
ACI Concrete Field Testing Technician, Grade I	January 18-19, 2012	Lincoln
NDOR Concrete Field Inspector, Level I	January 31, 2012	Omaha
ACI Concrete Field Testing Technician, Grade I	February 1-2, 2012	Omaha
NDOR Concrete Field Inspector, Level I	February 7, 2012	North Platte
ACI Concrete Field Testing Technician, Grade I	February 8-9, 2012	North Platte
NDOR Concrete Field Inspector, Level I	April 17, 2012	Kearney
ACI Concrete Field Testing Technician, Grade I	April 18-19, 2012	Kearney
NDOR Concrete Plant Technician, Level II	March 6-7-8, 2012	North Platte
NDOR Concrete Plant Technician, Level II	March 20-21-22, 2012	Lincoln
ACI Strength Testing Technician	February 23, 2012	Lincoln
ACI Concrete Flatwork Finisher Technician	April 3-4, 2012	Lincoln

[Registration online at www.ncaamembership.com](http://www.ncaamembership.com)

View the latest calendar and course availability at www.nebrconcagg.com/trainingcalendar.html



ACI will hold its Annual Banquet on Friday, February 10, 2012 at the Scott Conference Center located at 6450 Pine Street in Omaha, NE.

The evening will begin with refreshments or your choice at 6 pm. We will have a fabulous steak and salmon buffet starting at 7 pm and then proceed into the Awards of Excellence presentation.

Please join us if the fun and celebration of another great year of Your ACI Nebraska Chapter. Entertainment will conclude the relaxing evening with more refreshments.

Reservations per person are \$45 and \$85 per couple.

For reservations please call Tim Hegeholz at 402-643-8235 or email him at tim.hegeholz@ashgrove.com

Environmental News

The EPA versus the Coal Fired Electric Power Plant Industry

Dale Kisling

As many of you know the Environmental Protection Agency is trying to reclassify all Coal Combustion Products as a hazardous waste. Currently fly ash falls under Subtitle D of the Resource Conservation and Recovery Act (RCRA) and the EPA would like to reclassify it under Subtitle C which would give the Federal Government control over the licensing and oversight of landfills that contain combustion products that have been disposed of. The reason they say they want to do this is because of their belief that the States, under subtitle D, do not have the expertise to manage the landfills correctly. They also have the belief that making Coal Combustion Products hazardous will encourage more of it to be used! I have a hard time understanding the logic in that!

The U.S. House of Representatives passed the HR 2273 Coal Ash Bill on October 14th 2011. A similar bill S 1751 is currently looking for a vehicle in the U.S. Senate. This bill has bipartisan support but supporters of the Bill want to inform as many Senators as possible in the coming weeks with the hope of gaining enough support to get it passed. President Obama also was sent a petition asking him to prevent Coal Combustion Products from being reclassified a hazardous waste under Subtitle C; that petition may resurface in the coming months.

The EPA also issued the Cross State Air Pollution Rule in July of 2011 catching utilities and fly ash marketers off guard. This regulation will go into effect January of 2012 and will restrict the electric generation capacity of several existing coal fired plants in the United States. Several lawsuits have been filed against the EPA by numerous states and utilities asking for a delay in its implementation. Meantime, we should expect electric rates to continue to increase along with natural gas prices which many utilities may use as an alternative fuel to meet new EPA regulations on older units.

EPA Decides to Retain PM10 Air Quality Standard

Facing increased pressure from a regulatory reform-minded Congress as well as affected industries such as aggregates, the U.S. Environmental Protection Agency has signaled it will retain the current Coarse Particulate (PM10) National Ambient Air Quality standard. This is of major importance to NSSGA members because a reduced standard would have required many facilities to cut production, particularly in the arid west and Midwest. In 2010, EPA's draft policy assessment showed EPA was considering reducing the PM10 standard by half.

NSSGA and its members have worked diligently for the past year to encourage EPA to retain the current standard, including the co-sponsorship of a research paper on the devastating effects of a new standard and meetings with members of Congress and EPA. EPA's decision means that the current standard will be in place until at least 2016, when EPA is required by the Clean Air Act to review the standard again.

Despite this welcome news that was communicated by EPA in a letter to Sen. Amy Klobuchar (D-Minn.), who is running for reelection, the House Energy and Commerce Subcommittee on Energy and Power plans to go forward with a hearing on Tues., Oct. 25, on Rep. Kristi Noem's (R-S.D.) bill, Farm Dust Regulatory Prevention Act. On the news from EPA Noem commented, "If the EPA has no intention of regulating farm dust then they should support my legislation, which excludes farm

dust managed at the state or local level from federal regulatory standards."

Although Noem's bill also would exempt natural sources of dust from regulation, NSSGA will testify at the Oct. 25 hearing to tell the subcommittee the potentially devastating impact on the aggregates industry if EPA were to lower the standard for coarse particulate matter in the future.

NSSGA is gratified by EPA's decision and thanks all of its members who assisted in making the aggregates industry's position known to regulators and members of Congress. For more information contact Emily Coyner, ecoyner@nssga.org or 703 526-1064.



Safety News

FMCSA bans the use of handheld cellphones

On November 23, 2011, the Federal Motor Carrier Safety Administration (FMCSA) issued a final rule restricting handheld cellphone use by drivers of commercial motor vehicles. The final rule amends several federal regulations including 49 CFR parts 177, 383, 384, 390, 391 and 392. Under the final rule a driver is prohibited from holding a cell phone to talk, press more than one button to dial and reaching for a cell phone in an unsafe manner.

The rule not only effects drivers but requires interstate motor carrier to ensure that their drivers comply with the restrictions. Also a motor carrier is not permitted to require or allow a driver to use a handheld device while the driver is operating in interstate commerce.

One exception to the final rule allows a driver to utilize a handheld device when it is necessary to contact law enforcement or other emergency service providers.



Violation of the final rule may carry steep penalties. Multiple violations of the rule within a three year period would disqualify a driver from operating a commercial motor vehicle in interstate commerce, under 49 CFR 392.82. For each violation, even a driver's first violation, the driver may be subject to a civil penalty of up to \$2,750.00. A motor carrier who is found to have allowed a driver to utilize a handheld mobile phone while driving would be subject to civil penalties as well in an amount up to \$11,000.00.

The new rule is expected to become effective on January 1, 2012. The final rule is expected to be published in early December and will become effective within thirty (30) days of the effective date.

Lawmakers Express Concern and Seek Answers Regarding MSHA Enforcement

Two bipartisan letters were sent by House lawmakers to U.S. Mine Safety and Health Administration Administrator Joe Main expressing concerns over MSHA enforcement of aggregates operations and to elicit information addressing questions concerning the agency's inconsistent enforcement that impedes operator work on behalf of safety and health.

Rep. Heath Shuler (D-N.C.) drafted a letter to Main expressing concern about the agency's inconsistent and ineffective enforcement practices; urging that additional resources be provided for compliance assistance so that stone, sand and gravel producers can more readily comply with standards. The letter also calls for the Small Mine Office to be maintained with its traditional structure, and that the state grants program be fully-funded.

In a separate letter, Reps. Robert Hurt (R-Va.) and David Roe (R-Tenn.) express similar concerns and request responses to four questions:

1. How is MSHA training inspectors to ensure consistent inspection standards and enforcement procedures?
2. How often does MSHA update its inspector training when inconsistencies in enforcement come to light?
3. Do inspectors have the flexibility when writing citations/orders especially with regard to the monetary penalties for non-significant and substantial violations?
4. When will MSHA propose its "criteria and procedures" for proposed assessment of civil penalties?

Shuler's letter had eight cosigners while the Hurt/Roe letter garnered 16 and, proving the bipartisan nature of this issue, Shuler and Hurt signed each other's letter. Given the degree to which operators have communicated their frustrations on these matters to members of Congress, it is not surprising that members are formally asking MSHA representatives for responses to the expressed concerns. This effort is roughly parallel to an effort being undertaken in the Senate to obtain clear answers from MSHA about the agency's enforcement regime.

NSSGA has been pleased to provide substantive guidance to these congressional offices on the practical realities of compliance and the effects of inconsistent enforcement. In 2010, aggregates operators saw an explosion of costs imposed on the enforcement side, with an 18% increase in total dollars assessed, up to \$20.4 million, compared to the 2009 level of \$17.4 million.

Source: NSSGA



**NEBRASKA CONCRETE
AND AGGREGATES
ASSOCIATION**

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ADDRESS SERVICE REQUESTED

Industry Calendar

NCS&AA

January 11th	Quality Concrete Conference (Kearney)
January 12th	Quality Concrete Conference (Lincoln)
January 31st	AGC-Building Chapter Regional Meeting (Kearney)
February 15th	Past Presidents Dinner (Grand Island)
February 16-17th	NC&AA Annual Convention (Grand Island)
February 24th	AGC-Building Chapter Regional Meeting (Omaha)
April 26th	Pervious Concrete Seminar (Omaha)

NCPA

January 24th-25th Concrete Paving Workshop (Lincoln)

ACI-NE

February 10th Annual Awards Banquet (Omaha)

ACI International

March 18th-22nd Spring Conference (Dallas, TX)

NRMCA

March 4-6th Annual Convention (Savannah, GA)

NSSGA

March 11-14th Annual Convention (Charlotte, NC)
March 11-14th AGG1, Aggregates Forum and Expo (Charlotte, NC)