



A publication of the
Oregon Independent Aggregate Association
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www.oraaggregate.com

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Oregon Independent Aggregate Association Newsletter

February 2017

Chairman's Message

Wow, a lot can happen in a month! In case you had your head firmly planted under a rock, there is a new federal administration in town. Rather than try to cover all of the possible changes anticipated for the aggregates industry, here are a couple to book-end the past month:

On January 20, 2017 – the same day President Trump was sworn into office – White House Chief of Staff Reince Priebus issued a memorandum to freeze all new and pending federal regulations. The memo stated agencies cannot send new regulations to the Office of the Federal Register — necessary for the finalization of new rules — until Trump's administration has agency leaders in place to approve these rules. Importantly, the memo also stated regulations sent to the office but not yet published in the federal register need to be withdrawn. (Historical note: former President Obama issued a similar memo in 2009 after he took office.) This will hopefully include MSHA's final workplace exam rule, which was announced on January 17 and was due to be published in the federal register on January 23. That's right – after a multi-year process, MSHA may have missed enacting this rule by three days, including a weekend.

On February 17, 2017, Scott Pruitt was confirmed to head the EPA. Long a vocal and active opponent to the agency he will now lead, his confirmation should make good on Trump's promise to "get rid of [the EPA] in almost every form." Case in point: as Oklahoma's Attorney General, Pruitt filed a lawsuit against the EPA for the waters of the United States (WOTUS) rule, which would expand interpretation of federal jurisdiction to include waters within 4,000 feet of "navigable waters", including dry stream beds and isolated wetlands. Interpreting "navigable waters" has always been a slippery subject thanks to the original Clean Water Act of 1972 not adequately defining what "navigable water" is. His and other challenges raised by states, as well as agricultural and industry groups, led to a judicial stay of the rule for further hearings. With Pruitt now confirmed as the EPA head, we can expect the WOTUS rule will be removed.

Don't forget to register for one of OIAA's two MSHA Part 46 safety training opportunities. We are happy to provide this training – **FREE** to our members! Details are included in this newsletter.

Erick Staley
OIAA Chairman

OIAA Scholarship for 2017



OIAA is pleased to once again this year offer two \$ 2,500.00 scholarships. This year's scholarship is named the Oregon Independent Aggregate Association- Ken Leahy Construction Inc. Scholarship. Ken Leahy Construction is a family owned Excavation and utility Contractor in Cornelius, Oregon. The company was started 50 years ago by Ken & Donna Leahy in Beaverton. Both Ken & Donna remain very active in the company along with their two sons.

A Scholarship application will be attached to the end of this newsletter and available on our website. Deadline for 2017 scholarship applications is August 15, 2017



OIAA Sponsored Part 46 Training has been scheduled in Roseburg on March 20th and in Albany on March 21st. This year's classes will be taught by Adele Abrams law team Josh Schultz, Esq. CMSP and Michael Peelish, Esq. Both are practicing attorneys in Adele's Law Firm.

Josh has taught the class with Adele in the past few years and is also certified as a Mine Safety Professional by the ISMSP and is active in the National Safety Council's Young Professionals Division. He's also chair of the Colorado Stone Sand & Gravel Assn safety committee and is on their board of directors. Before becoming a lawyer, he worked at a family cement plant.

Michael has been litigating MSHA cases for mine operators, and also has headed safety departments at both coal and metal/nonmetal mines from Colorado to WV. He oversaw Alpha's settlement with MSHA of the multimillion Upper Big Branch mine disaster, after alpha assumed Massey liabilities. He does safety and health audits for our clients, including a lot of work doing IH sampling and evaluating workplaces for silica issues and controls, for the new OSHA silica standard. He just got back from doing safety audits at some Mexican mines in December 2016. .

Unfortunately Adele will not be able to attend this year due to her very busy schedule.

A registration form is attached to the end of this newsletter. Be sure to sign up early. The Roseburg class is just about full. There is still plenty of room at the Albany class.

IMPORTANT!!! THE ROSEBURG CLASS IS ALMOST FILLED TO CAPACITY

If you missed OIAA sponsored Safepro training last December, Dean Beam will be holding another law institute June 5th thru 9th in Savannah Georgia.

Understanding the laws and regulations that govern the mining industry is vital to managing your compliance and safety programs. Safepro covers the 1977 Act in detail along with 30 CFR and program policies which give guidance to how the laws and regulations are to be enforced. The Safepro Institute will give you the knowledge, coupled with your mining experience that allows you to be prepared for the imminent MSHA inspection. Nothing works if your house isn't hazard-free. The Safepro institute information will help you avoid bad citations based on the inspector's imaginary hazard scenarios.

We will cover the new Workplace Examination Rule which can be found on the Federal Register. The most significant changes require operators to have a "competent person" conduct working place examinations to identify hazards before work begins in an area, notify affected miners of hazardous conditions that are not corrected immediately, and promptly initiate corrective action and record the locations examined, the adverse conditions found, and the date of the corrective action.

The new standard increases the potential issuance of citations and opens the door for heightened enforcement. Operators may now see citations for failing to make records available, failing to correct a hazard properly, failing to document the corrective action, failing to document the adverse condition, failure to notify miners, failure to conduct the examination before work begins in the area. With these changes it will allow MSHA to bring heightened enforcement and larger fines and the threat of criminal accusations. This Safepro institute will prepare you with a understanding of the law which will let you meet the inspector on equal terms. Attorney Adele Abrams will have the latest legal news concerning MSHA and will answer questions.

The Safepro institute will be held in Savannah,GA June 5-9 2017 at the historic downtown Hilton Garden Inn. Our hospitality room will be open every night after class for you and a guest if your company allows. We offer meals, drinks and fellowship with your classmates and trainers. Many great restaurants and attractions are in walking distance of the hotel. You can register for this informative institute at safeproinc.com.

Yours in safe production,

Dean Beam
Safepro Inc.

2017 Board Meeting Schedule

May 10th 2017- Location to be announced

August 9th 2017- Location to be announced

December 13, 2016- Location to be announced

Continue to the next pages for the Training Registration and the Scholarship Application



January 3, 2017

IMPORTANT TRAINING INFORMATION

Once again this year we are providing the Refresher & New Miner Part 46 training at two Location: Douglas County Fairgrounds in Roseburg and Linn County Fair and Expo in Albany.

This training is free to our Members, however REGISTRATION IS REQUIRED.

For Non-members the charge is \$ 350.00 for small companies (1 – 2 attendees) and \$ 650.00 for larger companies (3 or more). Please complete the information below. An invoice will be mailed to you. If you want to join the association and receive a discount on this training please contact Kellie Ramar at (503) 849-5583 or info@oraggregate.com for more information.

Coffee and lunch will be provided at both of these trainings. **To ensure that everyone gets lunch and that we are not paying for lunches we do not need,** please help us keep an updated count of your employees that will be attending by calling or e-mailing with updates as you add or remove from the list.

Thank you
Kellie Ramar – OIAA Secretary

Please circle the training date you wish to attend and list all the employees that will be attending.

March 20, 2017 Douglas County Fair Grounds – Roseburg Oregon 7:30 AM – 5:00 PM

March 21, 2017 Linn County Fair & Expo- Albany Oregon 7:30 AM – 5:00 PM

Company Name: _____ **Contact Person:** _____

Phone Number: _____ **e-mail address** _____

Please print clearly or type your employee’s first and last name that will be attending.
(Attach a second sheet if necessary)

- | | |
|-----------|-----------|
| 1. _____ | 11. _____ |
| 2. _____ | 12. _____ |
| 3. _____ | 13. _____ |
| 4. _____ | 14. _____ |
| 5. _____ | 15. _____ |
| 6. _____ | 16. _____ |
| 7. _____ | 17. _____ |
| 8. _____ | 18. _____ |
| 9. _____ | 19. _____ |
| 10. _____ | 20. _____ |

Fax your completed form to (503) 357-3649 or e-mail to kramar@kenleahy.com or mail to PO Box 489 Cornelius, Oregon. Attn: Kellie. Please e-mail or call me if you need to make any changes to the list.



***THE OREGON INDEPENDENT AGGREGATE ASSOCIATION 2017 SCHOLARSHIP
HONORING KEN LEAHY OF KEN LEAHY CONSTRUCTION, INC.***

Oregon Independent Aggregate Association (OIAA) is proud to offer two annual Scholarships to any deserving students pursuing a career related to the construction, aggregate and forestry industry. Areas of study are to include construction, construction management, engineering, geology, architecture, land use planning, forestry, heavy equipment repair and welding. This year's scholarship is named in honor Ken Leahy founder of Ken Leahy Construction, Inc. located in Cornelius, Oregon

Who May Apply?

The OIAA Scholarship is open to all current members, employees of current members and their families studying in the required fields as indicated above.

The academic institution may be a university, community college, private college or a trade school with recognized related courses of study. Scholarships will be applied toward full or part-time tuition and or educational material costs within one calendar year.

Your Personal Statement is the most important part of your application! When you prepare your Personal Statement, it's very helpful to tell the OIAA scholarship selection committee about your career goals in the required industries, personal goals, reasons for applying for this particular scholarship, and personal financial circumstances that pertain to your financial need. Your statement should be a minimum of one page and not more than two pages.

The OIAA Selection and Award Process

Applications will be directed to the scholarship selection committee. Scholarship recipients will be notified in writing by the OIAA and the recipient's name will be listed on the OIAA website. Those who do not receive scholarships will also be notified by mail.

Unless otherwise noted, the scholarships shall be in the amount of \$ 2,500.00 each as a onetime award.

All recipients will be required to write a short letter of thanks to the OIAA and present it in person at a designated Board Meeting. By attending such meeting you indicate your acceptance of the award and the terms of the scholarship.

Scholarships shall be awarded in compliance with applicable Oregon laws and OIAA policies related to non-discrimination on the basis of sex, race, age, color, national or ethnic origin, marital status, disability, religion, sexual orientation or veteran status.



Scholarship Application (2017)

(Office Use Only) Application Number _____

PERSONAL INFORMATION: (PLEASE PRINT OR TYPE)

Applicant's Name: _____

Date of Birth: _____

Address: _____

City: _____ State: _____ Zip code: _____

Phone: (____) _____ Alternate phone number (____) _____

E-mail address: _____

I. ACADEMIC INFORMATION: (PLEASE PRINT OR TYPE)

Name of High School: _____

Year of High School Graduation: _____

Current University, College or Trade School: _____

Address: _____

City: _____ State: _____ Zip Code _____

Phone (____) _____

Overall GPA: _____ Major: _____ Minor: _____

When do you expect to graduate? _____

II. Extracurricular and or Community Information:

List honors, awards, prizes or recognition you have received: _____

List school and or group activities (sports, clubs, committees, offices) that you have participated in:

List and describe your hobbies and interests: _____

III. WORK EXPERIENCE (INCLUDE ON A SEPARATE SHEET OF PAPER IF NEEDED)

What work experience have you had? _____

Would you be interested in work with a construction, aggregate projects or forestry company?

YES _____ NO _____ PART-TIME _____ SUMMER _____

IV. Remember to attach the following:

- 1, A transcript of grades through the last grading period prior to the date of application.
2. A letter of recommendation from a teacher, employer or other relevant acquaintance.
3. Your Personal Statement as required in the Scholarship Guidelines.

I certify that the information on this application is complete and accurate to the best of my knowledge and belief.

Signature: _____ Date: _____

Please return you application to the attention of the application committee

Oregon Independent Aggregate Association

P.O. Box 571

Stayton, Oregon 97383

Application Deadline: August 15, 2017

Applicant will be selected for the school term starting September 2017