



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

BOARD OF DIRECTORS:

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Oregon Independent Aggregate Association Newsletter

March 2018

Chairman's Message

OIAA advises our members that if you have unpaid fines, you might be hearing from MSHA soon. The new head of MSHA – Assistant Secretary David Zatezalo – wrote an op-ed piece about operators not paying fines. He discusses that in the past 10 years, \$67 million in delinquent penalties have accrued, but only 16 citations have been issued for failure to pay final penalties. In his words, “The status quo is unacceptable”. MSHA will be increasing their efforts to collect unpaid fines, which could include issuing new fines for non-payment or forcing operators to stop production until fines are resolved.

The op-ed was published March 6th by the Intelligencer Wheeling News-Register but is available on MSHA's website: <https://www.msha.gov/asst-sec-zatezalo-oped-%E2%80%93collecting-mine-safety-fines>.

In other news, the EPA will delay implementing a WOTUS rule until 2020. EPA plans to propose a revised rule in May of this year and finalize it in 2019. This follows the EPA soliciting comments from the industry in November 2017 on what should be included in a new rule. Hopefully this allows enough time to craft a practical rule that clearly defines “navigable waters” protected by the Clean Water Act.

And finally, a useful tidbit to put in your back pocket – a study by the Phoenix Center argues against the commonly held assumption that the presence of a quarry reduces property values. This is one of the most common complaints offered by opponents to mining. Researchers analyzed home prices and proximity to rock quarries and found “no compelling statistical evidence that either the anticipation of, or the ongoing operation of, rock quarries negatively impact home prices.” RockProducts.com reported the study and include a link on their website: <http://www.rockproducts.com/news-late/17326-new-report-finds-quarries-do-not-reduce-home-values.html#.WrWO04jwZhE>.

Erick Staley
Chairman

March was Part 46 Refresher training month for OIAA

Our annual part 46 training classes were held in Roseburg and Albany Oregon on March 12th and 13th.

We had a total of 125 miners attend our training. 51 in Albany and 75 in Roseburg. Our classes were taught by Josh Schultz and Michael Peelish from The Law Office of Adele Abrams. The class was switched up a little offering more participation by the miners. As always they did a great job. Everyone left with the required training and in compliance for another year.



Michael Peelish discusses Electrical Safety to the Albany Oregon Class



Josh Schultz discussed the new Workplace Exam Rule at Albany Class



Michael Peelish – Roseburg Class



Full House at the Roseburg Class (75)

OIAA Membership Drive



March starts a Membership drive contest for our members.

Help us keep our membership growing by promoting our association.

We are always striving to keep our member base strong. We organized back in 2009 to help members with MSHA and OSHA issues. We have provided training to over 125 employees from our 48 member companies each year with our Annual Part 46 Refresher Miner Training and other specialty training throughout the year. Most of these are free classes for our members. All our membership fees are used to provide training to our members and to provide two scholarships every year to students pursuing a career in construction, construction management, engineering, geology, architecture, land use planning, forestry, heavy equipment repair and welding. These scholarships are open to our members only, their families and their employee's families.

Who better to help us grow our association than our members? Send us a new Member company reference, when that company becomes a member your name will be entered into a drawing for a \$100 Visa Gift Card. We will continue our membership drive thru July. We will draw the winning entry at our August 8th meeting.

Remember our association is only as good as you make it. SO GET INVOLVED!!



**THE OREGON INDEPENDENT AGGREGATE ASSOCIATION
BOB MULLINS SCHOLARSHIP**

Our 2018 OIAA Scholarship is named in the honor of Bob Mullins, owner of Martin Creek Quarry.

Bob Mullins was born in 1950 and raised in Cottage Grove Oregon. He worked at the Weyerhaeuser Mill starting in 1968, when he was a senior in high school. He worked swing shift so he could continue attending High School. He graduated in June 1969, married the love of his life Barbara in August of 1969. He bought his first dump truck "1962 B model Mack" in 1974. He used his tax return money of \$1000.00 for a down payment.

Bob was never a man who sat still and waited for someone else to tell him what to do. His mottos are, "Work hard every day, learn from your mistakes, less talking more listening and you'll learn more. Never use the word "I" use "WE" (we built that road, NOT I built that road) Family always comes first"

During the 80's when our logging industry was in a financial crunch. Bob went to Alaska. He took his 1979 Western Star and worked repairing the Alaska State Highways. He worked in Alaska for 5 years. In 1988 he started building logging roads for Weyerhaeuser. Bob and his crew have built many miles of road, for numerous Timber Companies in Oregon. Most of his employees were class mates that attended school with him. Over the years he has been blessed with a great crew. He purchased his first Rock Quarry in 1989. A rock crusher in 1996. The rock crusher purchase included Kirby Nelson. Kirby is the finest crusher foreman, employee and friend Bob has known. Bob purchased his second Rock Quarry in 2000.

Bob semi-retired in 2015. Which means he now takes the weekends off. He and his bride celebrated their 48th wedding anniversary in 2017. They have two daughters and three grandchildren.

Scholarship applications are available on our website at www.oraggregate.com or by contacting our secretary at memberreply@oraggregate.com,



A Message from Dean Beam of SAFEPRO

Understand the laws and regulations that govern the mining industry are vital to managing your compliance and safety programs. Along with the new changes coming to work place examination the Safepro institute will give you the information and knowledge to not only comply with MSHA law but to combat citations with which you do not agree. The four-day institute covers the 1977 Mine Health and Safety Act as amended by the 2006 Miner's Act and 30 CFR standards. We will go into detail about company's responsibilities under the law. Operator entitlements and inspector's responsibilities pertaining to the law. We will review what constitutes a S&S citation and 104d1 citation. Attendees will be given a law manual which includes The Act, 30 CFR and MSHA program policies. Adele L. Abrams, Esq., CMSP president of The Law Office of Adele L. Abrams PC will be at the Safepro institute for a full day of training and taking questions from our attendees. We will review a number of actual citations that have been issued over the years and how to defend against bad paper using the law manual. The seminar will cover part 46 training requirements and part 50 reporting requirements. By the end of the institute you will be able to understand the two parts of the law that govern the mining industry and use the law manual to prevail against unnecessary enforcement. This class is for Supervision, Owners, Presidents and CEO's the people you trust to run your business. Companies should not be caught off guard when dealing with citations or accidents know the law and company responsibilities. The Safepro Mine Safety and Health Institute being held in Western North Carolina at Harrah's Cherokee Casino. Classes will start at 8:30 a.m. on June 11 – 14, 2018. Spouses are welcome if your company allows you to bring them. Cherokee and Asheville have many attractions including the Biltmore House and Gardens, Blue Ridge Parkway, Down Town Asheville, Harrah's Cherokee Casino and many others. We want you to have a good time as well as a great learning experience.

Yours in Safe production,

Dean Beam

2018 Board Meeting Schedule

May 9th – August 8th – December 12th

**Note: May 9th meeting confirmed for 10AM
KPD Office in Springfield, Or.**

For location of meetings please contact our secretary at memberreply@oraggregate.com

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APPLICATIONS FOR BOARD MEMBERS ARE NOW BEING ACCEPCTED

If you have fresh ideas or would like to become more active in our association by becoming a member of the Board of Directors we are currently accepting applications. Our Association is only as good as we each make it. Membership participation is an important part of our mission. If you are interested please e-mail our Secretary Kellie Ramar @ memberreply@oraggregate.com or call her at (503) 849-5583.

VISIT OUR WEBSITE AT WWW.ORAGGREGATE.COM