



A publication of the
Oregon Independent Aggregate Association
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Oregon Independent Aggregate Association Newsletter

May 2017

Chairman's Message

With warmer days, sunnier skies, and the rapid expansion of my “to-do” list, the busy summer season is definitely here. Just a couple of notes for you this time:

WOTUS Update – The EPA issued a “recodification” rule earlier this month to interpret the definition of Waters of the United States (WOTUS) using preexisting standards. As required by an executive order from February this year, agencies will interpret WOTUS the same as before the 2015 issuance of a new WOTUS Rule that would have expanded the definition. The “recodification” rule is under review, but there is every reason to believe it will be enacted.

Part 46 Training for 2018 – In response to some issues with the refresher training this year, OIAA is providing clarification. See the explanation later in this newsletter. It will be important to sign up early if you want to reserve the training at your desired location next year.

Hope everyone has a fun and safe Memorial Day, and also take time to remember the folks who fought and died for our country.

Erick Staley
Chairman

MSHA announces extension of final rule effective date on exams of working places in metal, nonmetal

Effective date of rule is extended to Oct. 2, 2017 ARLINGTON, Va. – The U.S. Department of Labor’s Mine Safety and Health Administration announced today it is extending the effective date of the agency’s final rule on Examinations of Working Places in Metal and Nonmetal Mines until Oct. 2, 2017. This extension will allow additional time for MSHA to provide training and compliance assistance for its stakeholders. MSHA is developing a variety of compliance assistance

materials to assist the industry, which the agency will make available to stakeholders and post on the website at www.msha.gov. The extension will enable the agency to hold informational meetings and focus on compliance assistance visits at various locations around the country. Additional time will also allow MSHA to train its inspectors to assure consistent enforcement. # # # <https://www.msha.gov/news-media/press-releases/2017/05/22/msha-announces-extension-final-rule-effective-date-exams>



OIAA 2018 Part 46 Training

Mark your calendars. Dates have been set for our Annual Part 46 Training. The Law office of Adele Abrams will conduct the training. Registration forms will be available starting January 15th. Policy changes have been made for 2018, please read below for the new changes.

Roseburg Class – March 12, 2018
Albany Class – March 13, 2018

OIAA Annual Part 46 Training Policy Changes

Starting in 2018 this will be a “Refresher Training” class only. If you have new miners they may attend and this course material will count towards the new miner training, but it will not cover all of it. Each company will need to provide the additional training required for their new miners.

Registration will be on a first come first served basis this year. Registration forms will be accepted starting January 15th, 2018. If you want a particular location you must sign up early to insure you get your location. Late entrants will be offered space available only.

Premier Corporate Membership attendance will be free for all YOUR employees.

Corporate Membership attendance will be free for the first 10 employees. The cost for each additional employee will be \$100.00. You will be billed for the additional attendees after the training is completed.

Associate Membership attendance will be free for your first employee. The cost for each additional employee will be \$ 100.00. You will be billed for the additional attendees after the training is completed

This training is for OIAA Member Employees only. If you have subcontractors working for you and you send them to the training they will need to register under their company name and pay the non-member fee. Only if they are on your company payroll are they considered your employees.

If you have any questions please e-mail memberreply@oraggregat.com. Please include “Part 46 training” in the Subject Line.

Safepro Law Institute coming to Savannah June 5 – 9

By Dean Beam

A federal appeals court decision has rejected MSHA's argument that the Mine Act gave it authority to take enforcement against a manufacturing plant making and repairing mine equipment, saying that instead the shop falls under OSHA jurisdiction. The [decision](#) limits the scope of what is defined as a mine operation under federal law and therefore what types of workplaces MSHA can inspect.

The CRA provides the opportunity for Congress to pass a resolution of disapproval within 60 days of receiving a final copy of a rule or the rule being published in the Federal Register. The President then has the ability to veto Congress' vote of disapproval or sign the resolution, thereby eliminating the rule. This may impact work place examination rule stay tuned.

Proposed budget cuts would cut DOL's budget to \$9.6 Billion – down from the \$12.2 Billion budget for 2017. Unsure at this time what this may lead to for MSHA if anything.

While MSHA continues to issue citations and orders, it is essential that mine operators are aware of their rights. The Mine Act of 1977 governs all mine operators and grants MSHA authority over the industry. It, along with the MINER Act of 2006, also specifically the rights of miners and operators. A better understanding of these powers and authority provides operators the ability to deal with MSHA and when needed exercise their rights during inspections. 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 upcoming institute in Savannah June 5 - 9 will give you the knowledge coupled with your mining experience that allows you to be prepared for the imminent MSHA inspection. The Institute information will help you avoid bad citations and the knowledge to comply with the law. You will add value to yourself and your company by attending! Nothing works if your house isn't hazard-free. Time is drawing near with only 6 spots open at the institute make your reservation now.

If you have any questions or wish to register, just contact us at safeproinc.com. We want you to have a good time as well as a good learning experience. I look forward to seeing you Savannah Ga.



Safety Tip for the Month

Spring Safety Tips for Quarry Operators and Construction Workers

Most everybody looks forward to spring and the respite from the frigid, icy weather. However, with spring comes some safety hazards for construction workers that they might not think about until disaster strikes. What are some of these hazards and how can construction companies prepare for them? Let's take a look at some spring safety tips.

The first one is ordinary rainfall. Rain by itself presents the hazard of workers slipping on wet surfaces. This can be detrimental or even fatal if the slipping occurs on a high-rise construction site. A way of preventing this is to wear slip-resistant boots at all times, especially during the rainy season. Not only is rain a safety issue, but when it is mixed with dirt or sand it can produce mud. The dangers of slipping on mud exceed those of slipping

on wet surfaces. Additionally, muddy boots can cause workers to slide and fall when climbing up onto mobile equipment such as bulldozers or cranes. Be sure to remove any mud from your boots prior to ascending onto equipment or construction site surfaces. It is a good idea to wipe mud off of your gloves as well to make certain you can get a good grip on the equipment.

Another safety issue that can be caused by spring rain and resulting mud is that it can make slopes more difficult to maneuver. This is something to watch out for when operating machinery. It is possible for your machine to slide and go careening down the slope onto the ground below. There could be serious injuries to the operator as well as workers on the ground who did not see it coming toward them. It is a good idea to make sure other workers stay clear of machinery as much as they can. Machine operators should always wear safety belts to prevent serious injuries. This is great advice to follow even when the weather is clear.

The outside temperatures during spring can also present [safety](#) hazards. Despite umpteen weather forecasts in the mornings, it is not always possible to predict when temperatures will turn hot. Rising temperatures can result in illnesses or dehydration if there is not a sufficient water supply. Workers should avoid foods or drinks with high amounts of sugar.

There is also a significant risk of sunburn if workers fail to wear sun-resistant clothing including long sleeves and pants, hats, gloves and sunshades. It is advisable to use sunscreen products with an SPF of 15 or more at all times. Pay strict attention to health warning signs like dizziness, nausea or increased pulse. Safety Managers should already have procedures in place to deal with the effects of heat or extreme sun exposure on workers.

If you have any high school graduates working for you and they plan to pursue a career that meets our criteria please encourage them to apply for our scholarship. If you have college students working for you they are also eligible to apply for our scholarship, even if they have done so before.



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

2017 Board Meeting Schedule

August 9th 2017- KPD Office Conference Room – Springfield, Or 10AM

December 13, 2016- Location to be announced



***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