



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

November 2019

Chairman's Message

As a geologist and mining professional, I need to share this... Rep. Greg Stanton (D-AZ) and Rep. Troy Balderson (R-OH) introduced a bipartisan bill: *Rebuilding Our Communities by Keeping Aggregates Sustainable (ROCKS) Act*. I tip my hard hat to the guy who named this one! The ROCKS Act would establish a multi-agency group to study aggregate use and make recommendations for continued access. Rep. Stanton has an announcement on his webpage: (<https://stanton.house.gov/media/press-releases/stanton-balderson-introduce-bipartisan-bill-foster-sustainable-building>), and NSSGA also has an announcement from President and CEO Michael Johnson: <https://www.nssga.org/nssga-commends-introduction-of-the-rocks-act/>.

The intent of the ROCKS Act is to protect aggregate resources and ensure they are readily available where needed for public works projects. There is emphasis on studying the cost and environmental impacts from maintaining resources close to projects. The benefits are obvious to those of us in the mining industry: decreased truck traffic, congestion, and accidents; lower transportation costs, fuel consumption, and related air emissions; more efficient construction by delivering materials with less traffic delays. The list goes on.

Those who work in larger metropolitan areas know how challenging it can be to deliver rock to job sites. Development inevitably surrounds and then consumes older mines and potential aggregate resource sites. Many of the people making land-use decisions are out of touch with the vital role of keeping aggregate resources close to where you use them. It's an inherent conflict, then, for places that use the most resources – urban centers – to push aggregate sites out of their way as they grow. I've seen the consequences of deficient resource planning first-hand while working in the Chicago metro area. At some long-established quarries, there was no room to expand outward, but their location was close enough to the urban core that it was affordable to mine underground – for aggregates! As you might guess, the price for aggregates was quite a bit higher than around here. But can you imagine Seattle or Portland someday mining below ground because the traffic is too thick and the resources are too far away? All it takes is a lack of resource planning, development constraints, time, and *voila!* – your miners need headlamps.

Let's hope the ROCKS Act provides some progress and mutual agreement toward preserving aggregate resources where they are needed.

Erick Staley
Chairman

What is First Aid and What is Medical Treatment?

By: Matthew DeAtley

As all mine operators should know, MSHA requires the reporting of injuries on a form 7000-1 within ten days of the accident that caused the injury. However, many mine operators are not familiar with exactly what injuries require reporting and which do not. In essence, MSHA requires injuries that need medical treatment to be reported, while injuries that only need first aid do not need to be reported. So, when does first aid become medical treatment?

Under MSHA rules, an injury that requires a trip to the hospital is not necessarily “medical treatment.” Additionally, if the miner is prescribed medication at the hospital, it still may not be “medical treatment.” MSHA may consider both situations “first aid,” which does not require reporting on a 7000-1 Form. MSHA defines “first aid” as any one-time visit to a doctor or hospital for treatment, and any follow-up visits for observational purposes, of a minor injury. 30 C.F.R § 50.2(g). MSHA also describes that medication alone for any treatment other than for an eye injury is not a reportable medical treatment. Therefore, if an injury occurs and the injured miner goes to the hospital for a one-time treatment, is prescribed medication, and can return to full work duty the following workday, then the injury does not need to be reported on a 7000-1 Form. For a more specific breakdown of when the treatment for different injuries rises from first aid to medical treatment, look to 30 C.F.R. §50.20-3.

Alternatively, not reporting an injury that the mine operator should have reported can have serious consequences. Occupational illnesses are a reporting requirement that operators often overlooked. MSHA defines an occupational illness as “an illness or disease of a miner which may have resulted from work at a mine or for which an award of compensation is made.” 30 C.F.R § 50.2(f). Under this definition, an occupational illness does not have to be directly related to mining activities — only that it “*may* have resulted” from work at a mine.

If an accident or injury occurs that does not need reporting on Form 7000-1, it may still require reporting as a “near miss.” Such “near miss” reports are required when an accident occurs, but no miners are injured. No operator wants to be in the position where an accident report is required. Nonetheless, knowing when a report is required and when it is not can save significant time and stress.



Class Dates for the year **2020 Part 46** have been scheduled

Roseburg class will be on March 9, 2020

Albany Class will be on March 10, 2020

Class Instructors will be Josh Schultz and Michael Peelish from Adele Abrams office

2019 Board Meeting Schedule

Our December Board Meeting has been cancelled

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