

WINTER 2020

SAND & GRAVEL

A PUBLICATION OF MAINE AGGREGATE ASSOCIATION



MAINE

AGGREGATE ASSOCIATION

WHAT'S INSIDE?

03

*Air Compressor
Regulations*

05

*Above Ground
Storage Tanks*

09

2020 Spring Thaw

15

*Planning For The
Future*

GET TO KNOW US

Board of Directors:

Janet Hughes, President
Hughes Brothers, Inc, Hampden

Gene Fradigon, Vice President
Gorham Sand & Gravel, Gorham

Ryan Carrigan, Treasurer
Ray Labbe & Sons, Brunswick

Don McFadden, Secretary
St. Germain Collins, Westbrook

Joel Cummings
Auburn Concrete, Auburn

John Beauregard
Beauregard Equipment, Scarborough

Steve Blais
Blais Civil Engineers, Scarborough

Jeremy Jordan
Chadwick-BaRoss, Westbrook

Douglas Foglio, Sr.
D.C. Foglio, Inc, Waterboro

Michael Carroll
F.R. Carroll, Inc, Limerick

Chris Genest
Genest Concrete Works, Sanford

Thomas Shaw,
Gorham Sand & Gravel, Gorham

Ivan Hanscom,
Jonesboro Sand & Gravel, Machias

Eugene Weldon/Taylor Pye
Northeast Paving, Bangor

Dana Milair/Mike Sullivan
Nortrax Equipment, Westbrook

Jason Folsom
Owen J. Folsom, Inc, Stillwater

Justin Zdunczyk
Pike Industries, Westbrook

Larry Grondin
R.J. Grondin & Sons, Gorham

Ryan Bragg
Sargent Corporation, Stillwater

Gary St. Laurent
St. Laurent & Sons, Lewiston

Daniel Shaw/Steve Farmer
Shaw Brothers Construction, Gorham

Shawn Frank
Sebago Tehcnics, Westbrook

Gary LaPierre
The Rowley Agency, Portland

Timothy Walton
Walton External Affairs, Augusta

Ted Johnston, Legislative Counsel
Resource Policy Group, Fayette

2020 ANNUAL MEMBERSHIP MEETING

APRIL 29, 2020

3PM- BOARD MEETING

4PM-LEGAL STRATEGIES DEALING WITH MSHA

5PM-ANNUAL MEETING

ITALIAN HERITAGE CENTER, PORTLAND, MAINE

\$45 IN ADVANCE

REGISTER AT WWW.MAINEAGGREGATE.ORG



Legal Strategies Dealing with MSHA

***Free Workshop with Adele L. Abrams,
Esq., CMSP.***

The Law Office of Adele L. Abrams PC is a full service law firm, focusing on occupational and mine safety and health, employment, and environmental law.

EVENTS

Feb. 19- Board Meeting - Pepper's Grill, Winthrop

Mar. 18- Board Meeting - Pepper's Grill, Winthrop

Mar. 25- Spring Thaw Augusta - Civic Center

Apr. 29- Annual Meeting - Italian Heritage Center

Jun. 29- 14th Annual Marlee Johnson Golf Tournament

ABOUT

Maine Aggregate Association is a statewide, member-based group of businesses and individuals involved with the gravel and rock industries. Established in 1994, MAA has become an effective and respected voice for the industry.

Subscribe to our e-mail's to stay up-to-date!

E-mail chrisvoynik@yahoo.com

REGISTERING AND INSPECTING YOUR AIR COMPRESSOR

BY CHIP LAITE

The pressure vessel inspection requirement has been in effect since July 15, 1998. Despite this requirement, few pressure vessels have been registered. Pressure vessels require a certificate inspection once every three years. This is handled through the Maine Dept. of Professional & Financial Regulation, Office of Licensing & Registration.

The State of Maine requires pressure vessels to be inspected / registered / certified with the Board of Boilers and Pressure Vessels. The majority of vessels found in auto repair and service shops are air tanks, used in air compressor systems.

Requirements:

- Any Air Tank (5 cubic ft.) approximately 40 gallons or larger, operated at a pressure greater than 15 psi is required to be inspected, registered and issued a certificate for use. The certificate is good for 3 years. After initial inspection and registration, every 3 years the air tank requires an inspection and new certificate issued for continued use.
- Inspection and evaluation of vessel will:
 - 1) Ensure vessel is constructed and installed to Board requirements.
 - 2) Ensure safety relief valve is of proper construction, size, capacity and functional.
 - 3) Evaluate internal, external and material condition of the body of the vessel
****NOTE:** (If construction permits, a visual inspection of internal surfaces will be completed. If not, thickness testing of the vessel body will be performed to determine material condition. This will also require the vessel body to be clean of any oil, dust, dirt or grease, and all safety guards in place).
 - 4) Create a report, assign a registration number, and generate a report to document the vessel condition.

This inspection is a general safety evaluation to assess the condition and fitness of the vessel for continued service. Owner information and a copy of the Maine Boiler Board Laws and Rules are available on the State web site. For unregistered vessels, the owner should contact their Insurance Company and request an Authorized Boiler inspector perform the inspection. Even though this is a State of Maine regulation, MSHA also requires that these air compressors be registered and inspected.

30 CFR § 56.13015, Inspection of compressed-air receivers and other unfired pressure vessels.

(a) Compressed-air receivers and other unfired pressure vessels shall be inspected by inspectors holding a valid National Board Commission and in accordance with the applicable chapters of the National Board Inspection Code, a Manual for Boiler and Pressure Vessel Inspectors, 1979. This code is incorporated by reference and made a part of this standard. It may be examined at any Metal and Nonmetal Mine Safety and Health District Office of the Mine Safety and Health Administration, and may be obtained from the publisher, the National Board of Boiler and Pressure Vessel Inspector, 1055 Crupper Avenue, Columbus, Ohio 43229.

(b) Records of inspections shall be kept in accordance with requirements of the National Board Inspection Code, and the records shall be made available to the Secretary or his authorized representative.

So, if you have an air compressor with a tank that is larger than 40 gallons, operating at a pressure greater than 15 PSIG and all pressure vessels regardless of size when operated at greater than 250 PSIG may require inspection and registration.

If you have questions please contact: David E. Corey: Deputy Chief Boiler Inspector, E-Mail david.e.corey@maine.gov Office phone: # 624-8654, cell phone # 215-6536 or fax 207-624-8636.

UNDER THE DOME

BY TIM C. WALTON

With the 2nd Regular Session of the 129th Maine State Legislature well underway, MAA has hit the ground running to ensure the association continues to be well represented in Augusta, while maintaining its longstanding reputation as a trusted resource to lawmakers and department officials alike. Along with the large number of bills that were left unresolved from last session, coupled with the several hundred new pieces of legislation introduced in January, MAA lobbyists and volunteer leaders are closely monitoring public policy initiatives important to the membership and taking appropriate action on your behalf.

A couple of the bills that we have directly engaged in so far this session are:

LD-1915, "Resolve, Directing the Department of Environmental Protection To Evaluate Emissions from Heated Aboveground Petroleum Storage Tanks". The stated summary of this resolve directs the Department of Environmental Protection to study methods to measure and estimate air emissions from fixed-roof, heated aboveground petroleum storage tanks and methods to control odor and other air emissions from emission sources at oil terminal facilities. The department is required to submit a report by January 1, 2021 to the joint standing committee of the Legislature having jurisdiction over environment and natural resources matters, which may submit legislation to the First Regular Session of the 130th Legislature. This bill, if passed as written, could be very costly to our members and have long-term challenging impacts on our industry.

And, **LD-1977**, "An Act To Ensure a Consumer's Right To Repair Certain Electronic Products". This bill proposes to establish a consumer's right to repair electronic devices, excluding motor vehicles. It requires manufacturers of electronic equipment to make available the information and equipment necessary for diagnosis and repair of electronic equipment problems. It prohibits original equipment manufacturers from limiting access to diagnostic equipment and tools to authorized repair providers and requires manufacturers to make this information and equipment available to independent repair providers under fair and reasonable terms. The bill provides that a violation constitutes an unfair trade practice.

As written, this bill would have serious, adverse implications for our equipment dealer members and subsequently our membership in general.

MAA opposes both bills "as written". Both currently remain in their respective committees of jurisdiction, where their fate is still being considered. MAA is cautiously optimistic that its possible that both bills could see a favorable negotiated outcome. For more detailed information on these bills, including full text, visit <http://legislature.maine.gov>.



"If you have any questions about these, or any other public policy issues, please don't hesitate to reach out. Always remember, its "your" government and MAA is "your" association!"

Tim serves on the MAA Board of Directors and is the President of Walton External Affairs, LLC. He can be reached at tim@waltonexternalaffairs.com or 207-557-3049.



St. Germain

As of January 6th, 2020, we are now St. Germain!

Same office, same people. Same phenomenal service to our clients and exemplary care to the environment.

Please adjust your website bookmarks and outgoing emails to us accordingly.

Best wishes to you and yours in this New Year,
The St. Germain Team

St. Germain, Westbrook, Maine, and Portsmouth, New Hampshire, 207.591.7000

ABOVE GROUND STORAGE TANKS

BY TED JOHNSTON

Legislation initiated by MAA that passed in 2011 required the Maine Department of Environmental Protection (MEDEP) and State Fire Marshal's Office (SFMO) to develop a permit-by-rule to allow limited storage diesel fuel in certain remote gravel pits. Above ground storage tanks (ASTs) for up to 1100 gallons of diesel fuel used in equipment to mine sand and gravel if:

1. The AST is part of a mining operation for sand and gravel by the DEP under either the Performance Standards (38 MRSA §§490-A to 490-K) or the Site Location of Development Laws (38 MRSA §§481 to 490);
2. The tank is not located on a portion of the sand and gravel aquifer mapped as a high potential aquifer with a yield exceeding 50 gallons per minute;
3. The tank is not located in a wellhead protection zone;
4. The tank is a MEDEP approved above ground, double-walled tank with continuous monitoring for leaks with no product piping runs associated with the tank, and the dispenser is located directly on the tank;
5. Tanks must have an audible overfill and a visual fill level gauge;
6. Tanks must maintain a minimum of a 25-foot setback from all buildings, property lines and public roads;
7. Tanks and fueling area must be on a single impervious concrete pad or a continuous sealed asphalt pad;
8. The reporting of evidence of a leak in the tank to the MEDEP within 24 hours of discovery;
9. Maintenance of a written log or other documentation of spill inspections conducted on days when the facility was in operation receiving or dispensing fuel;
10. Reporting of all oil spills and discharges to the MEDEP within 2 hours of discovery, and immediately cleaning them up to the department's satisfaction;

"These guidelines allow us to work safely while protecting our property."

11. Proper tank refueling procedures including requiring fuel delivery personnel to check n before unloading to verify the quantity ordered and the tank's ability to receive that volume, to remain with the truck and monitor filling of the tank, to check that hose lines are properly connected and disconnected at the start and completion of fueling, to inspect the fueling area for spills, and to ensure spills are reported to their facility operator; and
12. Submission of an Annual Tank Inspection Report to the MEDEP.

Additionally, if a tank will be out of service for 24 or more consecutive months, the operator must notify the MEDEP 10 days prior, remove all fuel and either re-use or dispose of the tank in accordance with MEDEP rules.

Finally, the new rules require submission of an environmental site assessment to determine the presence of oil contamination within 30 days of the transfer of ownership, or a change from a mining operation to another land use of the parcel upon where the tank was located.

The standards require that any structure with an above ground storage tank containing flammable or combustible liquids shall have a fire resistance rating of 2 hours unless the following items are present:

- The container is constructed of non-combustible material.
- The container has ventilation to prohibit the accumulation of vapors.
- The container is not used for storage of items not pertaining to the storage tank.
- The container must have an exit for each 20' of container.
- The container shall be a minimum of 500' from a public way or neighboring building.
- The container shall be limited to 1100 gallons capacity.
- The tank within the container must be listed.
- The container shall have no smoking signs posted.
- The container shall have portable extinguishers as per NFPA 10.
- The location shall be approved by the local authority having jurisdiction for fire protection.

If all of the above conditions are met then the 2 hour fire resistance rating shall not be required. This enforcement policy does not supersede or nullify more stringent requirements that may be imposed by local authorities having jurisdiction.

WELCOME NEW MEMBER

Since 1978, CES, Inc. (CES) has grown into a fully integrated consulting firm of engineers, environmental scientists, and surveyors. We offer a wide range of services of unparalleled quality to assist our clients from project conception through final construction and beyond.

With a team of approximately 100 highly qualified personnel including registered professional engineers, certified geologists, professional land surveyors, environmental scientists and technicians, GIS analysts, professional foresters, and CAD technicians, we have the expertise to successfully complete your project and ensure your satisfaction. CES' combined talent allows us to provide a comprehensive range of technical services and expertise to municipal, industrial, commercial, and institutional clients located throughout Maine and New England.



CES offers a wide range of services including:

- Civil Engineering
- Structural Engineering
- Mechanical Engineering
- Electrical Engineering
- Environmental
- Engineering
- Environmental Field
- Geology/Hydrogeology
- Natural
- Resources
- Surveying
- Drones
- Planning
- GIS/WebGIS

With 7 locations across the state, contact CES today at:

465 S. Main Street
 PO Box 639
 Brewer, ME 04412
 (207) 989-4824



Rock solid machines for rock solid aggregates.



MAINE

HERMON

59 Contractor Dr.
 Hermon, ME 04401
 Phone: 207-848-2050

CARIBOU

323 Sweden St.
 Caribou, ME 04736
 Phone: 207-498-3196

SCARBOROUGH

14 Gibson Rd.
 Scarborough, ME 04074
 Phone: 207-885-0600

www.beauregardequip.com



REMEMBERING MARLENE T. THIBODEAU

1957-2019

MAA longtime Administrator and wife of MAA Lobbyist Ted Johnston, died unexpectedly on Sunday Oct. 27, 2019 at her home. Marlee, always pleasant and willing to help MAA members, was a regular at MAA's Annual Meetings and well known to many of us. She had recently retired from her position at Resource Policy Group and as MAA's Administrator. Our condolences and prayers go out to Ted and their son Alec. She will be missed.



"We are extremely grateful and humbled by the generosity and support from MAA members and our friends,"-Ted Johnston

MAA President Janet Hughes announced that the MAA 14th Annual Marlee Johnston Memorial Golf Tournament will be held at Belgrade Lakes Golf Club on June 29, 2020.

MAA has sponsored this event since its inception in 2006 to honor the memory of the daughter of long-time MAA member and lobbyist Ted Johnston. Monies raised from the Golf Tournament go to a scholarship in Marlee's name for local area students to attend Kents Hill School, a private college preparatory school attended by Johnston's son and intended school of Marlee.

"We are extremely grateful and humbled by the generosity and support from MAA members and our friends," said Ted Johnston, Marlee's father. "However, as much as I have enjoyed working with MAA on this great event, the 2020 Tournament will be our last," said Johnston. Marlee was 14 years old when she died and Marlene & I had planned this to be the last year for the Marlee Fund, Johnston said. Now that Marlene is no longer with me, I want this last tournament to celebrate her memory as well.

Belgrade Lakes Golf Club is one of the country's premier golf courses, the money raised provides scholarships for Maine kids to attend Kents Hill School a private college preparatory high school that Marlee had planned on attending. Kents Hill School is also a cosponsor of the tournament.

The tournament is capped at 100 players with those that have been previous participants, so-called "Legacy Players" having first dibs on registrations.

For more information contact:
ted@resourcepolicygroup.com



MSHA'S EXAMINATIONS OF WORKING PLACES

BY CHIP LAITE

There has been much discussion in the mining industry about the MSHA regulations for the examination of working places in metal & nonmetal mines which include sand & gravel pits. Operators **MUST** inspect areas that miners are working in **BEFORE** work begins. The inspection **MUST** be completed by a *Competent Person* and any adverse condition found **MUST** be noted before the end of the shift.

Major Provisions of the Final Rule

The final rule requires that mine operators:

- Designate a competent person to examine each working place at least once each shift before miners begin work in that place, for conditions that may adversely affect safety or health.
- Promptly initiate corrective action when adverse conditions are found.
- Promptly notify miners in affected areas if adverse conditions are found and not corrected before miners are potentially exposed.
- Withdraw all persons from affected areas when alerted to any conditions that may present an imminent danger, until the danger is abated.
- Make a record before the end of the shift for which the examination was conducted.

The record must contain:

- a. the name of the person conducting the examination;
 - b. date of the examination;
 - c. location of all areas examined; and
 - d. a description of each adverse condition found and the date of the corrective action.
- Maintain the examination record for at least one year.
 - Make the examination record available to MSHA and miners representatives, and provide a copy upon request.

Effective Date

The final rule is effective September 30, 2019, MSHA will begin to enforce on January 1, 2020.

Here's to a Happy & Healthy 2020



**HOT MIX ASPHALT AVAILABLE ALL WINTER
&
24hr EMERGENCY SERVICES**

(207) 725-7336

www.raylabbeandsons.com

SCHEDULE OF EVENTS

- 7:00AM**- Registration
- 8:00AM**- Opening Comments, Gene Fadrigon, Maine Aggregate
- 8:05AM**- Stretches, Derick Hurst, Sargent Corp.
- 8:15AM**- MSHA Accident & Injury 2019, Chip Laite, Sargent Corp
- 9:15AM**- Break
- 9:30AM**- Power Haulage, Joel Cummings, Auburn Aggregates
- 10:15AM**- Top Citations, Janet Hughes, Hughes Brothers
- 11:00AM**- Hearing Conversation, Sam Knight, Safety Works
- 11:45AM**- Lunch
- 12:45PM**- MSHA Northeast Update, Brent Laviolette, MSHA
- 1:00PM**- Safety Awareness, Irvin Gill, Catamount Safety
- 1:45PM**- Workplace Exams, Ryan Carrigan, Ray-Labbe & Sons
- 2:30PM**- Miner's Rights, Video
- 2:45PM**- Break
- 3:00PM**- Machine Guarding, Steve Badger, MEMIC
- 3:45PM**- Conveyor Safety, MEMIC
- 4:30PM**- Questions & Answers
- 5:00PM**- Conclusion

Blais Civil Engineers
Engineering | Regulatory Permitting | Construction Services

PHANTOM 4 PRO V2.0

Drone Services Include:

- Volume measurement
- 3D Mapping
- Inspections
- Construction progress

Blais
civil engineers

We're here to serve you. Contact us today!
207.730.7200 | www.blaisce.com

SPRING THAW

March 25, 2020
8AM-5PM
Augusta Civic Center
76 Community Drive, Augusta, ME



This safety seminar assists Operators, Supervisors, and those who are responsible with training their employees in the required MSHA 8 hour Refresher

MAA, ABC, & AGC
MEMBERS REGISTER BEFORE
2/25/20 AND GET A SPECIAL
RATE OF \$50.00/PERSON!

\$75.00 per person for non-members

Register at www.maineaggregate.org

**After 2/25/20: \$75.00 Members /\$100.00 Non-Members.

GROUNDWATER PROTECTION

BY DON MCFADDEN

Protection of the State's groundwater resources is a critical component of the gravel pit regulations. The MAA has put forth considerable effort to ensure that the groundwater protection requirements are effective and practical for the aggregate industry. Maintaining compliance with the groundwater protection requirements of the gravel pit regulations is essential for a positive image of the aggregate industry.

Although infrequent within the MAA membership, violations do occur with regard to groundwater protection. Facilities are most commonly cited for not maintaining the required separation above the seasonal high-water table. Since the inception of the gravel pit regulations in 1997, more than 13 Consent Agreements (CA) have been issued to operations excavating within five feet of the seasonal high-water table.

While a majority of the CAs are issued to unlicensed facilities, and interestingly are predominately issued to non MAA members; nonetheless it is critical for all operators to consider the groundwater protection standards for separation between seasonal high-water table when excavating for gravel or rock.

The performance standards for the aggregate industry require, at a minimum, the following with regard to groundwater protection/seasonal high-water table separation:

1. Excavation may not occur within 5 feet of the seasonal high-water table.
2. The seasonal high-water table must be verified using an established benchmark.
3. One test pit or monitoring well must be established for every 5 acres of unreclaimed land.

It is important to note that the requirement for a 5-foot separation is under "seasonal high" conditions, which occurs in the spring (April-May). It is during this time of the year that monitoring wells should be gauged and/or test pits advanced to determine water table elevations. Many violations occur to operations that have taken the time to determine water table elevations; however, the water table elevations were established in the summer or early fall,

which typically represent times when the water table is at its lowest. Problems then occur when the water table rises in the spring and enters the working pit.

In addition to monitoring at the appropriate time of the year, it is also important to obtain water table elevation data that is accurate and defensible if questioned by the MDEP. A facility that maintains a surveyed benchmark along with monitoring wells and/or test pits can accurately monitor the water table and establish a base elevation with a great deal of confidence.

The advantage of installing monitoring wells versus test pits is that if future operations are expected to go below the water table then the monitoring wells are already in place to collect groundwater quality data under the MDEP Chapter 378 variance process. In fact, if properly located, the installation of three monitoring wells may be all that is needed to establish seasonal high-water table and collect the required water quality samples for an "excavation into groundwater".

Continued compliance with the groundwater protection standards of the gravel pit regulations helps to maintain a good working relationship with the MDEP Mining Program and a positive image to the general public.



**EXTERNAL, GOVERNMENT, AND
BUSINESS RELATIONS**

LEVERAGING:

**RELATIONSHIPS
REPUTATION
TRANSPARENCY
INFLUENCE
RESULTS**

FOR THE SUCCESS OF THE CONSTRUCTION INDUSTRY

WWW.CAPITOLAFFILIATES.COM

BIG IRON. BIG SERVICE. BIG SUPPORT.

JOHN DEERE BIG PARTS PROMISE

#1 - Critical, quickly installed production-class parts **GUARANTEED IN STOCK, OR THEY'RE FREE.***

#2 - Large production-class parts available **NEXT DAY, or WE COVER THE FREIGHT.***

At Nortrax, we know what it takes to keep your big iron up and running. We have factory-trained technicians, dedicated Product Support Technology Representatives, advanced machine monitoring, remote diagnostic capability, and world-class parts availability backed by John Deere's **BIG PARTS PROMISE**.

Our **Nortrax Ultimate Uptime** offers powerful packages with every machine we sell for worry free ownership featuring customizable support options to create a program for keeping your equipment and job sites up and running. We're ready to deliver big-time uptime — all the time. **We Stand Ready.**



JOHN DEERE

NORTRAX
www.nortrax.com

MAINE: Westbrook (207)773-3777 • Bangor (207)947-6786 • Houlton (207)532-6517 • Fort Kent (207)834-6701

*Visit JohnDeere.com/BIG for details and restrictions. Effective through Dec. 31, 2020.



207-839-2442 | www.gsgravel.com | 939 Parker Farm Road, Buxton ME

Commercial site work | Road Construction | Aggregate Sales

A NEW PERSPECTIVE

BY JOSH EON, PLS

From mapping roadways, construction sites, and open pit mines to inspecting free standing structures, such as bridges and towers, Sebago Technics is proud to offer a number of UAV Mapping Solutions. To start, UAV stands for "Unmanned Aerial Vehicle" also known as a drone. This piece of equipment tends to get the most glory, but in fact is only one piece of our entire workflow. When combined with the correct sensor, software, and proper survey methods, we can create highly accurate models of any terrain or structure in a fraction of the time. This in turn, allows us to produce results for our clients with a quicker turn-around and at a cost savings compared to traditional means. Another point to make is when traditional survey methods are implemented, they almost always take place on the ground and collect one piece of data at a time. With our UAV, we capture millions of pieces of data in less time but from the air, which gives a better, overall perspective of any site than that of a traditional survey.

Once collected, the data is used to generate two products; a 3 dimensional point cloud, and a geo-referenced rectified orthomosaic image. Firstly, a 3-dimensional point cloud is a highly accurate representation of the current project area and scope and shown in 3-D space. This point cloud is processed by extracting a surface and correctly located features, the resulting product can be viewed in AutoCAD or Microstation in addition to a number of other platforms. The point cloud is also used to perform volume analysis and to create existing conditions plans.

The second mentioned product, a geo-referenced rectified orthomosaic image is a highly accurate and detailed image of the entire project scope or in other words, a bird's eye view which is placed correctly on the earth.

This product is used for a number of deliverables such as construction site progress tracking, basic site overview, and as a major aspect of any feasibility survey.

The big point to make here is that the images captured are current, giving you an up-to-date final product, which can also be used by numerous applications such as AutoCAD.

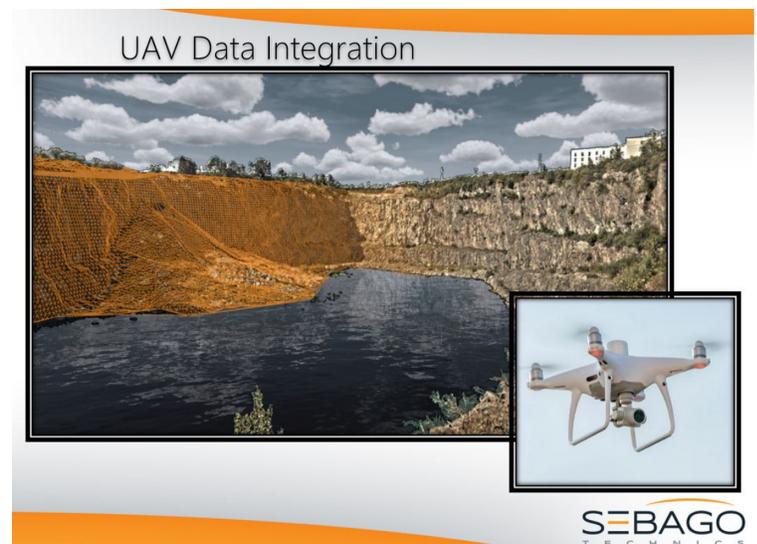
Here at Sebago Technics all of our UAVs are FAA registered and all operators hold a FAA Part 107 certificate which is required when performing UAV work commercially. With this certification comes the extensive understanding of all FAA regulations pertaining to UAVs such as airspace classifications and restrictions, aeronautical weather reports, and knowing the proper channels of communication to gain access to restricted airspace. Examples of the services offered:

- Quantity Surveys & Volumetric analysis
- Topographic surveys
- ALTA Surveys
- Inspection services (Bridges, Towers, and Construction sites)
- High Definition Videography / Aerial Photography
- Construction site monitoring and Progress Documentation

Founded in 1981, Sebago Technics is one of Maine's leading land development consulting firms offering civil engineering, survey, landscape architecture, GIS, traffic/transportation engineering and environmental services.

Please contact Joshua Eon, PLS at: jeon@sebagotechnics.com if you would like us to assist in your project needs.

Visit our website for more information www.sebagotechnics.com.



EDUCATING YOUR DRIVERS ON HANDSFREE LAW

BY GARY LAPIERRE, VICE PRESIDENT & JOE RALBOVSKY, SAFETY MANGER

TRAFFIC SAFETY EXPERTS CLASSIFY DISTRACTIONS INTO THREE MAIN TYPES:

- MANUAL DISTRACTIONS ARE THOSE WHERE YOU MOVE YOUR HANDS FROM THE WHEEL.
- VISUAL DISTRACTIONS ARE THOSE WHERE YOU FOCUS YOUR EYES AWAY FROM THE ROAD.
- COGNITIVE DISTRACTION IS WHEN YOU'RE MIND WANDERS AWAY FROM THE TASK OF DRIVING.

TEXTING INVOLVES ALL THREE TYPES OF DISTRACTION!

We are proud to support The Maine Aggregate Association

Best wishes from your friends at...

THE ROWLEY AGENCY INC.

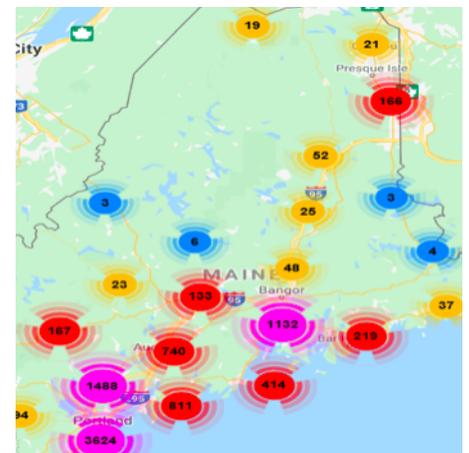
INSURANCE • BONDS • BENEFITS

...an Assurex Global Partner

1-800-238-3840
www.rowleyagency.com

CELLPHONE USE

- People are as impaired when they drive and talk on a cell phone as they are when they drive intoxicated at the legal blood-alcohol limit of 0.08%.
- Cell phone users are 5.36 times more likely to get into an accident than undistracted drivers.
- Text messaging increases the risk of crash or near-crash by 23 times.
- Sending or reading a text message takes your eyes off the road for about 5 seconds, long enough to cover a football field while driving at 55 mph. NHTSA



2019 SIDESWIPE/REARENDINGS: 10,681

METALLIC MINING PROGRAM

2020 SUMMARY

BY DEPT. OF ENVIRONMENTAL PROTECTION

Since the effective date of the law (October 1993), the Department has received 901 "Notices of Intent to Comply." Out of the 901 "Notices" received, approximately 137 of them represent rock quarries, 3-5 clay mines and 3-5 topsoil operations. The remaining notices represent gravel pits.

The registration system includes a variance process. It provides an opportunity for operators to vary from the specific statutory performance standards contained in 38 MRSA § 490-D (Performance Standards for Excavations) and 38 MRSA § 490-Z (Performance Standards for Quarries). The variance review process is similar to the existing Site Law application process. Since July 1997, the Department has processed approximately 199 variance applications. Under the performance standards, the Department can consider the compliance history as part of the approval process for a variance. Due to the history of an applicant operating in noncompliance, an applicant has withdrawn only one variance application since 2016. The most common variance applied for is excavating gravel from below the water table.

Since amnesty ended in 1996, the Department has initiated 206 formal enforcement actions resulting in civil penalties. To date, the Department has conducted 3606 +/- compliance inspections. The overall compliance rate for the performance-based program is steadily increasing and it now stands at +/-85-90%. and for MAA member companies the compliance rate exceeds 95%. The most common deficiency is insufficient natural buffer strips. It is important to remember to flag property lines with metal posts, stakes, flagging or blazed trees. Although not required by the law, MAA recommends that you flag your buffer strip to ensure that they remain intact during excavation activity.



Shaw Brothers can supply all your aggregate needs with 13 gravel pits and quarries throughout Southern Maine. See our website for pricelist or call for large quantity quotes.

Locations in: Dayton, Freeport, Gorham, Standish, Westbrook, Windham.
For orders call: (207) 892-6363

Main office: Mosher Road * PO Box 69, Gorham, ME 04038 * Phone: (207) 839-2552 * Fax: (207) 839-6239
www.shawbrothers.com

PLANNING FOR THE FUTURE OF MAINE'S AGGREGATE SUPPLY

BY JANET HUGHES

Maine's aggregate industry took on a major challenge in the changing and ever restrictive environmental regulations in the early 1990's. The aggregate industry then and over the past 30 years has worked hard to collaborate with the Maine Department of Environmental Protection to develop and meet strict environmental regulations in protection of the Maine's environment and future. Maine has one of the most restrictive regulatory frameworks in the country. For the mining industry this includes minimum setbacks from roads, homes, and wells, protection of groundwater quality and air quality, minimum buffer standards, minimum noise standards, storm-water treatment requirements, blasting standards, and verification of protected species and historical sites. Regulation includes reclamation requirements so that the quarries and pits will not be abandoned but be developed into a natural part of the landscape, often conducive to fish and wildlife. Maine aggregate producers deserve an A+ for their compliance with Maine's laws.

Demand continues to increase for the production of construction materials, including sand, gravel, stone, bituminous pavement and concrete. However, viable resources to accommodate the demand are limited and becoming more and more of a challenge by opposition from neighboring citizens and the local community. Mineral extraction is perceived as an annoyance, harmful to the environment, and a risk to human health by many without the knowledge of how Maine mines are operated and regulated. Conflict is inevitable and outwardly irreconcilable. More often than not, aggregate producers are shut down and municipal officials are left scrambling and trying to best handle public reaction. More and more, municipalities react by moratorium of mining activities. Political, economic and esthetic influences vary over time, causing complex frequently not understood, pressure on the aggregate industry, land-use planners, and municipal officials.

This results in excessive legal fees to the municipality and the aggregate producer, which at the end of the day, is passed on to the consumer.

The costs for materials continues to increase, as transportation cost due to travel distance, and to meet restrictive regulation by the local regulation. However, communities continue to want affordable homes, improved roads, safe bridges, local shopping, and new development bringing economic vitality. Maine communities continue to also be challenged with rising property taxes and increased costs of construction will result in more taxation.

The Maine Aggregate Association believes that careful resource management, can minimize or eliminate undesirable processes. Aggregate producers can work harmoniously with the municipalities by becoming a part of land use planning and development of ordinances that are protective of the environment and the community, while ensuring that the very materials that they desire for building infrastructure and maintaining a quality of life that Maine people deserve are accessible and cost effective. With careful planning and responsible mineral extraction, most of these problems can be minimized or eliminated.

The Maine Aggregate Association attended the Maine Municipal Association Annual Convention in October 2019. The response by municipal officials was of interest by many municipalities. MAA met with MMA in January to discuss the potential for workshops for education of municipal officials. MAA also plans to update its 2014 Model Mining Ordinance and make the Ordinance available to municipal officials. Any members of interest or who would like to be part of this process should contact Janet Hughes at jhughes@hughesbrosinc.com. The MAA will be planning workshops to discuss education and outreach to the municipal community. Be a part of this process and ensure that your interest, as a supplier is represented.

NEWS

RAY LABBE & SONS- Is pleased to announce the new Owners of Ray Labbe & Sons (all equal shares) Ryan Carrigan, Vice President started with Labbe in 2004. Ryan Officially joined MAA BOD in 2015, took over as treasurer Sept. of 2016. Robert Walton, President started with Labbe in 1999. Bruce Edgecomb, Treasurer started with Labbe in 1995 RL&S was started in 1955 by Raymond & Madeline Labbe.



MAINE

AGGREGATE ASSOCIATION

PO Box 243
Kents Hill, ME 04349

News Continued from pg. 15...

RESOURCE POLICY GROUP- Principal, Ted Johnston announced his retirement. Ted has been a critical part of the aggregate industry over the last decade and laid the foundation for the overall success of MAA.

MAINE AGGREGATE ASSOCIATION- Announced that Capitol Affiliates was awarded the RFP for administrative services.

CIANBRO- Was awarded a \$16.2M contract to build the flood basin for Portsmouth naval shipyard. The project is expected to be completed in March, 2020

GORHAM SAND & GRAVEL- Westbrook homeowners commended Gorham Sand and Gravel for their outstanding work on New Gorham Road this summer. Road construction started in late spring and was completed in November.

*Subscribe to our e-mail's to stay up-to-date!
E-mail chrisvoynik@yahoo.com*



CHADWICK-BAROSS

90 YEARS



chadwick-baross.com

BANGOR, ME
188 Perry Road
207-942-4838

CARIBOU, ME
314 Main Street
207-498-2547

WESTBROOK, ME
160 Warren Avenue
207-854-8411

