

# KCSA Newsletter

Kentucky Crushed Stone Assn., P.O. Box 326, Frankfort, KY 40602

October 2002

## *AGC-SIF WORKERS COMPENSATION LARGEST EVER, 9TH CONSECUTIVE DIVIDEND TO BE RELEASED IN MARCH, 2003*

## *MSHA SELECTS MANAGER FOR SMALL MINE COMPLIANCE*

At its regular meeting on July 23, 2002, the Kentucky AGC/SIF Board of Trustees approved the payment of dividends in the amount of \$8,632,248.00. The payment will be released in March, 2003. Total premium being returned to Fund members from the 1998 year is \$7,919,494.00. The Special Fund Tax being returned is \$712,754.00 to bring the total payment to over **8.5 million dollars**. This payment marks the largest dividend ever released by the Kentucky AGC/SIF to its 4500+ members and will bring the total dividends paid to members since 1996 to \$35,335,390.00. This past March, Fund Members received a 28% return of total premiums paid in 1997. Members with zero losses in 1997 received as much as 44% of their 1997 premiums back! This next payment represents a 32% return of total premiums paid in the 1998 year and as of August

22, 2002, qualifying members with zero losses in the 1998 year could receive up to 50% of their 1998 paid premiums back. **50%!!!**

Don't miss out on the chance to receive YOUR dividend. In order to receive a dividend payment in March, 2003, a Fund Member must: 1) have been a member in 1998, 2) have a loss ratio of less than 100% for the 1998 year, 3) be a current member at the time of the dividend payment, and 4) be current in all of their payment obligations to the Fund and their Trade Associations.

The Mine Safety and Health Administration announced the selection of Kevin Burns as manager of the Office of Small Mine Compliance Assistance. Burns has spent the last four years as a Mine Safety and Health Specialist with MSHA. The new office will aid operators of small mines (those with five or fewer employees) to develop effective safety and health programs to better protect their workers. The creation of the office was part of a plan announced by Assistant Secretary of Labor for MSHA Dave Lauriski in February during a speech to aggregate industry CEOs and safety and health professionals. The office plans to form a partnership with labor organizations, trade associations and companies to help reach its goal of reducing the accident and injury rate at small mines.



The KHI Convention is February 22-March 1 at the Hyatt Cerromar Beach Resort & Casino, Dorado, Puerto Rico. Registrations have been mailed.

### *Highlights*

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## 2003 AGGREGATE TECHNICIAN QUALIFICATION

**N**ew for 2003: The Aggregate Technician Level I & II courses will be combined into one course of approximately two and one-half days.

### Aggregate Technician Course

· Course Objective: The purpose of this course is to provide a **review and qualification** for aggregate sampling and testing. **Individuals with no training and/or experience in aggregate sampling and testing may have difficulty in passing the course. The host laboratories will provide an optional one-day hands-on training session for these individuals for an additional fee.**

Who is this course for?

1. Technicians who need to be qualified to perform acceptance sampling and testing.
2. Aggregate technicians for Approved Sources required by the Kentucky specifications.
3. Currently qualified Level I and Level II aggregate technicians whose qualification expires in 2003 and who desire to maintain her or his

qualification.

Proposed Course dates and locations:

- *January 7-9, 2003*  
*Scotty's Technology Center*  
*Bowling Green, KY*  
*Construction & Materials Lab*  
*Sellersburg, IN*
- *January 14-16, 2003*  
*Hinkle Training Center*  
*Bowen, KY*  
*Scotty's Technology Center*  
*Bowling Green, KY*
- *January 21-23, 2003*  
*Construction & Materials Lab*  
*Sellersburg, IN*  
*Hinkle Training Center*  
*Bowen, KY*

Cost: \$540.00 if paid by December 9th or \$565.00 after December 9th.  
Registration Deadline: December 27th.

### Sampling Technician Course

· Course Objective: The purpose of this course is to provide a **review and qualification** for aggregate sampling. Practice sampling is rec-

ommended prior to attending the course.

Proposed Course dates and locations:

Participants may attend the Sampling portion of the Aggregate Technician. Registration in each course will be limited. If there are sufficient registrations in a district or region, courses will be held locally for Sampling registrations only. Registrants will be notified if such a class is established.

Cost: \$150.00 if paid by December 9th or \$175.00 after December 9th.  
Registration Deadline: December 27, 2002.

Registration forms have been mailed out. To receive detailed registration information about a course, please contact:

KCSA  
Kentucky Aggregate Technician Program  
P.O. Box 326  
Frankfort KY 40602  
Email: [katp38@aol.com](mailto:katp38@aol.com)

## IRS PROPOSES TAXING MOBILE MACHINERY

**T**he Internal Revenue Service (IRS) has proposed taxing mobile machinery that has been exempt from the federal highway excise taxes, which could have a heavy impact on aggregates operations. NSSGA participated in a briefing on the issue held at the Small Business Administration (SBA) Office of Advocacy attended by interested parties and congressional staff from both the House and Senate Small Business Committees.

Currently, off-road equipment (including mobile cranes, concrete pumpers and other machines used in excavation and construction) is exempt from both the excise and

fuel user fees because these machines are not considered to be highway vehicles. In June, however, the IRS proposed a rule that would terminate the exemption for any non-farm equipment that could be used on roads, whether or not its primary use is off-road. The proposed rules would subject this equipment to the new vehicle excise tax (currently 12 percent of the purchase price), motor fuel user fees (18.4 cents per gallon on gas and 24.4 cents per gallon diesel), tire excise tax on heavy duty tires and annual heavy vehicle tax (based on weight and capped at \$550).

At the request of Sen. Kit Bond

(R-Mo.), ranking Republican on the Senate Small Business Committee, the Sept. 4 comment deadline has been extended to Dec. 4. NSSGA opposes this rule because it would impose a heavy financial burden on aggregate producers for equipment that is never used on-road. It is unwarranted and unnecessary. NSSGA will file comments and urges NSSGA members to write the IRS in opposition to the rule. Please contact John Hayden [jhayden@nssga.org](mailto:jhayden@nssga.org) or Pam Whitted [pwhitted@nssga.org](mailto:pwhitted@nssga.org).

**MAGO CONSTRUCTION COMPANY** recently purchased **White Stone Company, Inc.**, in Hardinsburg.

**DAVID HARROD, HARRODCONCRETE & STONE COMPANY** was recently chosen as Chairman of the **Southeast Concrete Promotion Region** for the next two years.

**CONGRATULATIONS TO DON AND JOYCE ANN WALKER**, on their new granddaughter. Lee and Susan Walker are the proud parents of Nina Margaret Walker, born September 6, 2002.

**KHIPAC FUNDRAISER UNDERWAY.** Tickets are now available for the Kentucky Highway Industries Political Action Committee Fundraiser. As in the past, the KHIPAC Fundraiser will be held at the KHI Convention. If you want to buy tickets, call your favorite KAHC, KCSA or PAIKY Board Member or the KCSA office. The PAC needs the support of its members in order to represent our industries' interests in the legislative process.

### **WELCOME NEW MEMBER**

KCSA proudly welcomes the following new associate member

**Morgan Keegan**  
489 E. Main Street  
Lexington, KY 40507  
Phone: 859-253-9769  
Fax: 859-232-8259  
Email:  
van.thompson@morgankeegan.com  
**Van Thompson, Managing  
Director/Branch Manager**

Investment management  
consulting group

### **Condolences**

We regret to inform you that Mr. R.E. Gaddie passed away on September 3, 2002. Mr. Gaddie was a former owner of R.E. Gaddie, Inc. Expressions of sympathy may take the form of contributions to the Kids on the Block Foundation or the Buckhorn Children's Home both of Bowling Green.

We also regret to inform you that Mr. Freddy Nally passed away on September 6, 2002. Mr. Nally was Chairman of Nally & Gibson Quarries in Springfield.

We also regret to inform you that Virgil Hall passed away September 16, 2002. Mr. Hall was a former manager of Bourbon Limestone in Paris.

We also regret to inform you that Dutch Chatfield passed away September 22, 2002. Mr. Chatfield was a former vice-president of Ashland, Inc.'s Asphalt Marketing Division.

### **CURRENT EVENTS**

**TRI-STATE CONSTRUCTION CAREER DAYS, October 16,17, Cincinnati, OH.** The Kentucky Transportation Cabinet has announced that it will sponsor and participate in the first annual Tri-State Construction Career Days to be held at the Hamilton County Fairgrounds in Cincinnati, OH. The purpose of the two day awareness activity is to highlight the need for skilled construction workers and to help educators prepare young people for the future job market. Approximately 2,000 tri-state students are anticipated to attend the event that will include hands on activities, heavy construction equipment and

booth exhibits. Notice to KCSA was late in arriving but volunteers and exhibit opportunities can still occur by contacting Tonya Beesley of Baker Concrete at 513-539-4149. Several tri-state contractors have volunteered their efforts by providing booths and/or equipment displays for the exhibits. FHWA, OSHA Indiana, Ohio and Kentucky DOTs and various state and local associations are participating in the event.

**2002 SOUTHPAW CONFERENCE, October 19-22, Louisville, KY.** A regional conference of transportation public relations officials from around the southeast. Registration forms can be found at [www.kytc.state.ky.us](http://www.kytc.state.ky.us) or contact Andrea Clifford at 502-367-6411.

**2002 NOISE & DUST MONITORING WORKSHOP, October 22-24, Annville, PA.** A 3-day workshop on how to conduct noise and dust exposure monitoring, record and interpret the results and develop plans to reduce any elevated exposures below MSHA permissible limits. Contact Kristina Jett at [kjett@nssga.org](mailto:kjett@nssga.org) or 800-342-1415.

**GOVERNOR'S 3RD ANNUAL HIGHWAY SAFETY SUMMIT, October 29&30, Lexington, KY.** Safe highways require a continuing commitment from providers, regulators, enforcers, and users of our roadways. The Governor's Safety Summit provides a forum for sharing of information, renewal of commitment and planning for the future. For more information contact Traci Carpenter at the Kentucky Transportation Center at 800-432-0719.



## Current Events

### **NSSGA ANTITRUST LAWS-WHAT YOU CAN'T, CAN AND SHOULD DO SEMINAR,**

**November 4.** An interactive video/telephone seminar in your office. The visual information is delivered via the internet and the audio portion is delivered over the telephone. Aggregate industry representatives involved in sales, operations, credit and management will want to hear Don Knebel, Esq., of Barnes & Thornburg, acclaimed presenter at the Advanced Sales Course and last year's web cast. Contact Larry Quinlivan at lquinlivan@nssga.org or 800-342-1415

**NSSGA CONSULTIVE SELLING COURSE SEMINAR, November 10-13, Alexandria, VA.** Designed for sales people and their managers who want additional ways to demonstrate to the customer that all things are not equal. Participants will earn 2.0 CEUs for attending the workshop. Contact Larry Quinlivan at lquinlivan@nssga.org or 800-342-1415.

**DETONATION SAFETY ENGINEERING'S FUNDAMENTALS OF BLAST SEISMOLOGY, November 22, Lexington, KY.** This practical seminar is a must for everyone who is currently using, or should be using a seismograph to monitor the effects of their blasting. For more information contact Larry Schneider at 859-312-0625.

**NSSGA TRANSPORTATION SEMINAR, December 8-10, Monterey, CA.** Transportation in the aggregates industry...Is your company keeping up? Take advantage of the experts on the program plus your peers in the industry, have your toughest questions answered. Last year the panels generated significant, timely, and in-depth discussion of major transportation issues. Contact Larry

Quinlivan at lquinlivan@nssga.org or 800-342-1415.

**7th ANNUAL NIOSH SAFETY SEMINAR FOR UNDERGROUND STONE MINES, December 10-11, Louisville, KY.** You are invited to attend this free technology transfer. It will be presented at the Executive Inn in Louisville. The morning session will provide overviews on health and safety issues affecting the industry. The afternoon session will be series of workshops on the use of geology control planning. Contact Lou Prosser at 412-386-4423 or lfp2@cdc.gov.

**NSSGA DPM SAMPLING WORKSHOP, December 12-13, Louisville, KY.** NSSGA is partnering with MSHA to train aggregate safety and health professionals on how to sample underground miners for exposure to diesel particulate matter. The workshop follows the NIOSH 7th Annual Underground Stone Seminar. The workshop will follow a format similar to the NSSGA/MSHA Noise and Dust workshops, wherein the first day will consist of lectures on the diesel rule, sampling techniques and sampling equipment, while on the second day students will visit a local underground mine and sample the workforce for DPM exposure. Rogers Group, Inc.'s Jefferson County Stone and Underground will host the workshop and MSHA will teach the course. Contact Kristina Jett at kjett@nssga.org.

**KENTUCKY BLASTING CONFERENCE, December 12&13, Louisville, KY.** A seminar for blasters and those supplying and servicing the explosives industry. Some of the topics include:

- Update on Federal Explosive Rules
- Recent and Proposed changes in State Regulations
- Fundamentals of Blasting
- Use of Air Decks in Surface Coal Mines
- Bulk Truck Safety

The technical sessions of the conference

have been approved as satisfying the requirements for up to nine hours of blaster retraining. Kentucky state law requires that blasters attend 16 hours of retraining every three years prior to renewing their blaster's license. Contact Larry Scheider at 859-312-0625.

**DENOTATION SAFETY ENGINEER'S BLASTER'S TRAINING SEMINAR, January 8-10, Lexington, KY.** This class will provide thorough preparation for the blaster's license examination for the crushed stone or construction industry. For more information contact Larry Schneider at 859-312-0625.

**INTERNATIONAL SOCIETY OF EXPLOSIVES ENGINEERS 29TH ANNUAL CONFERENCE ON EXPLOSIVES AND BLASTING TECHNIQUE, February 2-5, Nashville, TN.** This annual event has been recognized in the explosives industry as an international forum uniquely designed and targeted to assist the hands-on explosives user. As in years past, the 2003 program will include exhibits, technical sessions, panel discussions, and educational workshops. Contact ISEE at 440-349-4400 or www.isee.org.

**2003 KHI ANNUAL CONVENTION, February 22-March 1, Hyatt, Regency Cerromar Beach, Dorado, Puerto Rico.** Convention packets with information and registration forms are being mailed to all prime contacts for regular member and associate member companies of the three associations. The convention will be held at the Hyatt Regency Cerromar Beach located in Dorado, Puerto Rico. Named one of the world's "Ten Best Resorts" by *Corporate Meetings and Incentives Magazine*. Come join us and your industry associates in Puerto Rico. For more information please call the KCSA office at 888-

# INDUSTRY NEWS

**WESLEY GLASS NAMED DIRECTOR OF KYTC DIVISION OF MATERIALS.** The Division of Materials recently announced that **Wesley Glass** is the new Director of the **KYTC Division of Material**. **Mr. Glass** replaces **Jim Stone** who recently retired.

**KENTUCKY TRANSPORTATION CENTER** is accepting nominations for the **Kentucky Transportation Hall of Fame Award** that will be presented to the recipient at the Annual Kentucky Transportation Conference (date to be announced). Please see the attached information sheet.

**PERSONNEL CHANGES IN TRANSPORTATION CABINET.** Former State Senator Dale ShROUT has resigned as Commissioner of Vehicle Regulation in the Kentucky Transportation Cabinet to devote himself to the responsibilities of his daily life back home in Mt. Sterling.

Secretary Codell named William M. Bushart as acting Commissioner of Vehicle Regulation until a permanent replacement is found.

From Somerset to Pikeville, the Transportation Cabinet Districts are seeing some personnel changes.

The District 8 office in Somerset is welcoming their new Chief District Engineer Danny Jewell as Roger Coffey retires from that position.

In District 12, Linda Wagner Justice will accept the position of Deputy Executive Director of the Office of Construction and Operations in the State Highway Engineers Office. Danl Hall will become Acting Chief District Engineer for the Pikeville District.

**“REVISED” SIX-YEAR PLAN AVAILABLE.** Copies of the revised Six-Year Plan, 2003-2008, have been released by the Kentucky Transportation Cabinet. The revised plan represents the original plan submitted and the revisions as amended by the General Assembly. If

you would like information about certain counties, the plan is available on the internet at [www.kytc.state.ky.us/progmgt/2002syp.html](http://www.kytc.state.ky.us/progmgt/2002syp.html) or you may call the KCSA office.

**OHIO/KENTUCKY CONCRETE PAVEMENT ASSOCIATION WELCOMES NEW DIRECTOR OF PUBLIC AFFAIRS.** **Gary Koch**, will be representing the association as Director of Public Affairs. Mr. Koch has been active in legislative affairs for 24 years.

**NSSGA FEATURED IN NEW PBS ENVIRONMENTAL SERIES.** The environmental accomplishments and overall stewardship of the aggregates industry are featured in a new segment of PBS' American Environmental Review Series hosted by Morley Safer of TV's *60 Minutes*. Specifically, the program uses NSSGA member Rinker Materials' FEC Quarry, located near the environmentally sensitive Everglades in Miami, as a backdrop to highlight innovative mining and final reclamation options available in the aggregates industry. NSSGA vice-president of Environmental Services, John Hayden and NSSGA member Tony Bauer, Bauer-Ford Reclamation Design, are also featured in this five-minute segment that will air nationwide this fall. This feature story is now available to NSSGA members for a nominal fees and can be used as a public relations tool to highlight the environmental accomplishments of the aggregates industry and to demonstrate the balance between aggregate extraction and environmental protection.

**MSHA OFFERS INTERACTIVE COMPLIANCE TRAINING ON HAZCOM.** The U.S. Department of Labor's Mine Safety and Health Administration has announced the availability of interactive training for mine operators on compliance with its recently issued standards on hazard communication.

The hazard communication interactive training program, found on MSHA'S website [www.msha.gov](http://www.msha.gov). Provides

guidelines for complying with the hazard communication, or HazCom, standard that requires operators to provide information about hazardous chemicals to their workers.

The interactive training program can be found under "HazCom" on MSHA's homepage in the "special initiatives" section. The course contains several lessons covering topics related to compliance with the new HazCom standard. The program also contains a template for operators to use in developing their own hazard communication program.

The new standard went into effect on Sept. 23 for mining operations employing more than five miners. It becomes effective on March 21, 2003, for operations employing five or fewer miners.

## IMCC FILES AMICUS BRIEF IN APPEAL OF JUDGE HADEN DECISION

The Interstate Mining Compact Commission (IMCC) recently filed an *amicus curiae* brief in the appeal of Judge Charles Haden's decision in *Kentuckians for the Commonwealth v. Riverburgh, et al.*

On May 8, 2002, Judge Haden of the U.S. District Court of the Southern District of West Virginia issued a decision in the above-referenced matter which was filed against various officials with the U.S. Army Corps of Engineers (COE) challenging their decision granting coverage under a general "nationwide" (Clean Water Act) Section 404 permit for 27 valley fills associated with the proposed mountaintop mining operation in Martin County, Kentucky. This decision by Judge Haden follows on the heels of his earlier ruling (October 29, 1999) which was based on nearly identical grounds. That decision, which was appealed to the U.S. 4th Court of Appeals, was reversed primarily on jurisdictional grounds. However, many of the findings that serve as the basis of Judge Haden's most recent decision were also raised in his 1999 decision and are now more "ripe" for decision because they are part of an actual permitting decision by the COE.

Judge Haden's most recent decision has been appealed by both the federal

government and the mining industry (Kentucky Coal Association) to the same U.S. Court of Appeals—the 4th Circuit in Richmond, Virginia. The parties requested a stay and clarification of Judge Haden's May 8th decision pending appeal, given the extensive impacts of the decision for both mine permitting and regulatory interpretation and implementation. On June 17th, Judge Haden issued another decision, denying the stay and clarifying some parts of his May 8th Order.

In the *amicus curiae* brief, IMCC argues that Section 404 of the Clean Water Act, which authorizes issuance of "dredge and fill" permits, does not restrict the granting of permits for fills to those having only a "primary constructive purposes" - the new standard grafted onto the statute by the district court's ruling below. IMCC argues that even if, arguably, Section 404 is ambiguous on this point, the district court erred in not deferring to the Corps' and Environmental Protection Agency's (EPA) interpretation of that textual ambiguity, pursuant to which (consistent with their long-standing administration of the statute) permits for the placement of fill material into the waters of the U.S. will continue to be reviewed under Section 404, while

permits for the discharge of wastewater containing pollutants will continue to be regulated under Section 402's National Pollutant Discharge Elimination System.

IMCC's brief also states that "Neither the provisions of SMCRA [Surface Mining Control and Reclamation Act of 1977], nor the regulations issued thereunder by OSM [Office of Surface Mining Reclamation and Enforcement], have any bearing on the interpretation of meaning of "fill" under Section 404 of the Clean Water Act. SMCRA's provisions regulating the placement of excess spoil disposal do not limit that activity to projects involving a constructive purpose. In addition, the disposal of excess spoil in a fill which is permitted under Clean Water Act Section 404 can be undertaken in a manner that is entirely consistent with OSM's buffer zone regulation issued under SMCRA."

For further information regarding the IMCC brief, contact: Gregory E. Conrad, phone: 703-709-8654, or e-mail: gconrad@imcca.isa.us.

## IMCC HOLDS BONDING MEETING

The Environmental Affairs Committee of the Interstate Mining Compact Commission (IMCC) recently met to discuss bonding and financial assurance requirements for both the coal and non-coal sectors, especially in light of the current economic climate. Guests from the Office of the Surface Mining (OSM), the surety and insurance industries, and the mining industry were invited to share their unique perspectives on the current state of the bonding situation.

Robert Duke of the Surety Association of America noted that the issue of bond availability is tied to

underwriting policies and how risk is determined. The financial and loss conditions influenced by events over the last two years have resulted in a tightening of risk characteristics. Mr. Duke identified the major risk factors in the mining industry to be: concerns about the duration of bonds, (which range anywhere from 5-40 years); the amount of bond "called" if forfeiture occurs (which tends to be the full amount); and the overall regulatory climate related to mining. All of these concerns taken together have resulted in a "correction" in underwriting policy, this impacting bond availability. In addition, Mr. Duke noted

that the re-insurance market, which is critical part of the overall reclamation bonding scenario, has been significantly impacted by the event of 9/11, since these companies tend to be subsidiaries of larger insurance company parents. Mr. Duke noted that the bonding and insurance markets tend to go through phases of loss and profitability. He fully expects the markets to recover within the next few years. In the meantime, he emphasized the importance of the mining industry and the states working with the surety industry to effectively

*FREE SERVICES TO HELP YOUR SMALL BUSINESS  
COMPLY WITH THE CLEAN AIR ACT*

**Kentucky Business  
Environmental Assistance  
Program.**

- Provides air quality technical and compliance assistance free of charge to small businesses that are independently owned and have less than 100 employees.
- Works with 15 Small Business Development Centers across the state.
- Gives small businesses the opportunity to correct non-compliance with air quality regulations without involvement of Division of Air Quality.
- Provides educational assistance by conducting workshops, responding to questions and distributing information to all businesses citizens.

For more information:

Call Greg Copley, Director  
(800) 562-2327

Visit the Web Site:

[Http://www.kbeap.org](http://www.kbeap.org)

**S**mall Business Air Quality Advisory Panel

- Is an 11-member panel appointed by the Governor.
- Has members that include small businesses regulated by the air quality program, representatives of the general public and air quality regulators.
- Advises the Department of Environmental Protection on program effectiveness.
- Sponsors the annual Small Business Air Quality Stewardship Awards.

For more information:

Call Rose Marie Wilmoth, Air Quality Representative for Small Business:  
(800) 926-8111

Visit the Web Site:

[Http://www.state.ky.us/agencies/nrepc/](http://www.state.ky.us/agencies/nrepc/)

[dp/smbizair](http://dp/smbizair)

**A**ir Quality Representative for Small Business

- Develops and distributes information to promote awareness of the free assistance available to small businesses to comply with the Clean Air Act.
- Serves as staff to the Small Business Air Quality Advisory Panel.
- Responds to questions or concerns about the state air quality program or the Ky. Business Environmental Assistance Program.

For more information:

Call Rose Marie Wilmoth, Air Quality Representative for Small Business:  
(800) 926-8111

In Jefferson County:

*IMCC Holds Bonding Meeting (continued from page 6)*

*(continued from page 6)*

factors in an effort to improve bond capacity.

Several key insights shared by others in attendance were:

- In an effort to spread the risk associated with reclamation bonding, it might be well to consider the potential of several sureties sharing the risk on the same phase of bonding (where phased bonding is permissible), or to have separate sureties on each phase of the bond—or potentially only on the first two phases in an effort to eliminate the risk associated with the final, longer term phase.
- A similar suggestion was to provide for an ascending fund to replace descending bond amounts and requirements in an effort to avoid the long “tails” of

responsibility, which often discourage sureties from accepting bonds in the first place.

- The major concerns of the surety industry can be summarized as follows: duration of bonds; bond release procedures and certainty of release; and the certainty of knowing what’s covered under the bond (i.e. unanticipated acid mine drainage treatment).
- It is important for state regulatory authorities and the mining industry to work with the surety industry in terms of potential solutions for the current bonding environment. Among the solutions is the “claims side” of the business, where states can work with sureties to encourage more surety reclamation where forfeitures occur.

Several suggestions and potential approaches to address bonding challenges

were put forth and discussed by the committee and guests.

As a result of the discussions, IMCC’s Environmental Affairs Committee members made several decisions: IMCC agreed to work with OSM pursuant to their Advance Notice of Proposed Rulemaking (ANPR) on bonding to pursue in greater detail IMCC’s suggested approaches for addressing the long-term bonding issues addressed during the meeting and in the ANPR. A small work group of state representatives was formed to work with OSM. IMCC also agreed to submit comments on OSM’s ANPR by the October 15, 2002 due date. Discussions at the meeting will serve as the basis for IMCC’s comments.





*Jim Yager  
Chairman  
Quentin Walker, Jr.  
Vice-Chairman  
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October 13-15	NSSGA Pulverized Minerals Division Annual Meeting	Williamsbug, VA
October 19-22	2002 South Paw Conference	Louisville, KY
October 22-24	Noise & Dust Monitoring Workshop	Annville, PA
October 24	KCSA Board of Directors Meeting	Lexington, KY
October 24-26	National Science Teachers Association	Louisville, KY
October 25	KYTC Letting	Frankfort, KY
October 29&30	Governor's 3rd Annual Highway Safety Summit	Lexington, KY
October 27-29	NSSGA Supervisory Training Course	St. Louis, MO
November 4	NSSGA Antitrust Laws	Your office via internet
November 10-13	NSSGA Consultive Selling Course	Alexandria, VA
November 18	KYTC/KHI Steering Committee	Lexington, KY
November 22	Fundamentals of Blast Seismology	Lexington, KY
December 10-11	NIOSH Safety Seminar for Underground Stone Mines	Louisville, KY
December 12-13	Kentucky Blasting Conference	Louisville, KY
December 12-13	NSSGA DPM Sampling Workshop	Louisville, KY
January 7	Aggregate Technician Sampling Course	Bowling Green, KY & Sellersburg, IN
January 7-9	Aggregate Technician Course	Bowling Green, KY & Sellersburg, IN
January 8-10	Blaster's Training Seminar	Lexington, KY
January 14	Aggregate Technician Sampling Course	Bowen, KY & Bowling Green, KY
January 14-16	Aggregate Technician Course	Bowen, KY & Bowling Green, KY
January 21	Aggregate Technician Sampling Course	Bowen, KY & Sellersburg, IN
January 21-23	Aggregate Technician Course	Bowen, KY & Sellersburg, IN
February 2-5	ISEE 20th Annual Conference on Explosives & Blasting	Nashville, TN
February 8-11	NSSGA Annual Convention	Orlando, FL
February 21-23	NSSGA Supervisory Training Course	Cincinnati, OH
February 22-March 1	KHI Annual Winter Convention	Dorado, Puerto Rico