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A PUBLICATION OF MAINE AGGREGATE ASSOCIATION



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**MAINE**  
AGGREGATE ASSOCIATION

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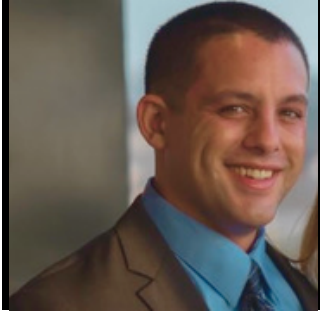
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## A MESSAGE FROM OUR PRESIDENT

**RYAN CARRIGAN**  
**RAY LABBE & SONS CONSTRUCTION**



Happy New Year! I hope you all had a healthy and prosperous 2023. Here at Maine Aggregate Association, we have had a busy year making sure your interests in the aggregate industry are well protected. As previously reported, we were able to squash a proposed bill that would have placed a moratorium on all new quarries for the next 5 years. We have also been keeping a close eye on possible legislation which although may not be directed exclusively at our industry, but has the potential for impacts to us if we are not vigilant. One such topic that has been getting a lot of press is the possible resurgence of metallic mining in Maine. Large deposits of lithium and other precious metals have been discovered in our state which are used in the creation of batteries and other energy related products. Given the worldwide demand for these metals, and the limited availability of them, the value of these discoveries is possibly in the billions. Although Maine Aggregate Association is strictly focused on non-metallic mining, we have been closely monitoring potential changes in metallic mining laws to ensure that we are not inadvertently roped into increased regulations. Unfortunately, many of our legislators do not know the difference between metallic and non-metallic mining so we have been actively working on educating them on that subject.

We have also been working on partnerships with various organizations and agencies on aggregate related topics what would benefit our members. At the beginning of the year our board of directors started a workgroup with the Maine DOT. The goal was to identify issues our members have had working on DOT projects and try to create solutions. As a result, Maine Aggregate Association and MDOT put on a group workshop to focus on Minor Concrete in MDOT Highway Construction. The workshop was a great success, and we are currently in the early stages of forming a new workgroup to focus on another point of interest for 2024. If you have any suggestions or ideas regarding that please reach out to me.

In addition to our attention to policies we also have a heavy focus on safety in the mining industry. MSHA has a great program called Educational Field and Small Mine Services, which many of you have probably used at some point. They lend guidance to new and existing mining operations to help them gain compliance without the risk of receiving citations. Unfortunately, that position for New England area has been vacant for about 4 years now. Therefore, I have submitted a formal request to MSHA asking to have that position filled. As of the beginning of December, there has been more than a 30% increase in fatalities across the country in 2023, compared to the previous year. That is a very troubling increase for our industry. Fortunately, so far this year there have been no mining fatalities in Maine. However, without the proper tools available to Maine miners to ensure safety and compliance I fear that it is just a matter of time before there is a serious accident in our state.

To help support our safety initiatives we host an annual "Spring Thaw" which provides miners with their entire 8-hour MSHA required yearly refresher in a single day, or it can go toward new miners who are working to become experienced miners. This is an especially great tool for small mining operations that don't have the ability to dedicate someone with the sole responsibility of handling their safety program. Last year we brought in some new speakers with great success and plan to bring in some more new speakers this year. Spring Thaw 2024 is scheduled for March 29th at the Augusta Civic Center.

Our other big event of the year is our Annual Meeting which is scheduled for April 24th at Italian Heritage Center in Portland. This meeting is a great time for our members to come together and have the chance to network, meet new people, and connect with old friends. This year we will be voting in our new president Joel Cummings of Auburn Concrete. I hope to see you all there.

In closing, this will be my last newsletter as President of Maine Aggregate Association. I would like to thank all our members for the amazing support you have provided to me during my presidency. It has truly been an honor to be your president for the last two years and I wish the best to the incoming officers in their new roles.

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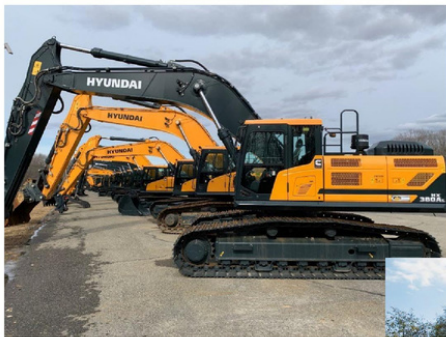
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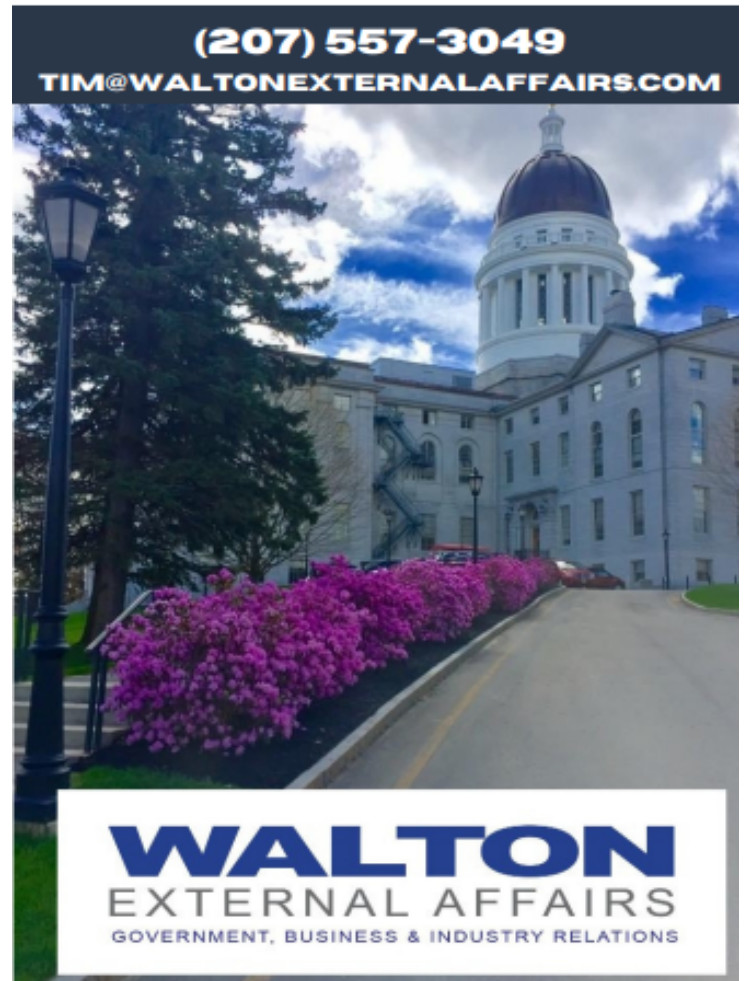
BY TIM C. WALTON

WALTON EXTERNAL AFFAIRS

By the time this newsletter hits your mailbox, our lawmakers will be back at it in Augusta, having reconvened earlier this month to begin the Second Regular Session of the 131st Maine State Legislature.

The second session is distinctly different from the first in two significant ways; the second session is shorter than the first and in the second session, bill proposals, technically referred to as “Legislative Requests”, have to receive a majority vote of the Legislative Council, which is made up of the Leaders from both parties, from both chambers, in order to move forward in the process to eventually become Legislative Documents aka “Bills”. The key difference here is that during the first session, legislation, as long as it meets the deadline, can be submitted by any Legislator, for any reason, covering any topic or issue. The Governor is the only exception to this rule, in that she can submit a bill at any time and for any reason in either session. This year, between individual Legislators and the state’s various departments and agencies, 349 Legislative Requests were submitted to the Legislative Council for review and consideration, with 101 approved to move forward.

Although that may seem like a lot of new bills were put into the system (and it is), probably the most disturbing thing about the process this year is the amount of bills that were “carried over” from the first session to the second. A whopping 482 bills were carried over, with 141 of them from the appropriations committee alone, meaning those had price tags attached to them. This was a reflective outcome of the dysfunction and chaos that often defined, and maybe better put, plagued the first session, including the large amount of “concept drafts” that were allowed into the process last year. A lot of these bills were presented with no language attached, many remaining in that posture right up to the minute of the scheduled public hearing, leaving the public and lobby zero opportunity to react to the respective bill’s language. This was a highly unusual practice and a horrible way to advance public policy.



With this many bills left to be decided and it being the “short” session, it has been a whirlwind of activity thus far. In some ways this is a good thing, in that some of the inefficiencies that are inherently built into the process go away when the schedule gets tight. Speeding-up the process can be detrimental as well though. Good public policy should not be rushed just for the sake of expediency. Time will tell.

As far as the big issues of this session are concerned, there are a few obvious areas that will take up most of the attention and time. Expect to hear a lot about gun control; housing; climate; and energy. These will be front page issues for most, if not the entire session. As far as issues directly impacting our sector of the industry, once more language is released, there is no doubt we will have our hands full at the Statehouse. We will be sure to keep you updated.

## UNDER THE DOME (CONTINUED)

**Election Season:** With eleven months still to go, the next election cycle is already off to an aggressive start. Not to be Captain obvious, but the race for the Second Congressional seat is heating up fast. The Republican ticket already has a primary race to see who will take on Congressman Golden in November. With regards to the Maine House and Senate, both are currently controlled by the Democrats and candidates are currently being recruited, lining-up to run for those seats. Right now the count in the Senate is 22 Democrats and 13 Republicans. The House Chamber count is 80 Democrats; 68 Republicans; 2 Unenrolled; and 1 Vacancy. There is a lot of runway left, but, as the months go on, the frontrunners will emerge. Until then, it is anyone's game to win. Stay tuned.

**Government Relations Committee:** We have an active Government Affairs committee, which meets via zoom weekly during Legislative Session to discuss pending legislation and other timely political matters and then bi-weekly or as necessary during the off-session months. Any member is welcome to join. If you have an interest, please let us know.

If you have any questions, concerns, or comments, please don't hesitate to reach out to me.

*Tim C. Walton serves as Legislative Counsel to the Maine Aggregate Association and is the President of Walton External Affairs, LLC, an Augusta, Maine based firm specializing in Government, Business & Industry Relations. He can be reached at [tim@waltonexternalaffairs.com](mailto:tim@waltonexternalaffairs.com) or 207-557-3049.*



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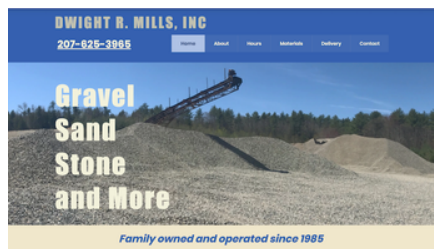
# NEW MEMBER SPOTLIGHT



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# ELECTRIC VEHICLE MANDATES

BY TIM C. WALTON

Of all the legislative and political issues that I have reported to industry allies over my career, I have to say that this one is near the top of the absurd list. The fact that a government...federal, state or otherwise... would allow a mandate of such radical and swift nature to be deliberated and potentially thrust onto its citizens is beyond me. A proposal of this magnitude, brought forward by special interest environmental groups, requiring only 150 signatures to be considered by the Maine Bureau of Environmental Protection is the worst of the worst when it comes to governance.

Earlier this year, the Maine Aggregate Association became founding members of the “Mainers for Smart Energy Coalition” a group that came together to provide information and resources to counter what was coming out of the electric vehicle mandate campaign. The coalition is focused on a voluntary, sensible timeline approach to the issue. We were joined in the coalition by a number of other trade and industry groups including Maine Motor Transport Association; Maine Automobile Dealers Association; Associated General Contractors of Maine; Maine Better Transportation Association; Maine Energy Marketers Association; and Associated Builders and Contractors of Maine.

To be clear, as an association, we are “not” anti-electric vehicle. In fact, several of our members own and operate electric cars and light duty trucks. That is their personal choice, as it should be. Rather, we are simply against the mandates being proposed. We joined the coalition to make sure our voice was heard and to educate all parties involved on the impact these mandates would have on our membership.



The cost and lack of availability of product alone will be significant, not to mention the disruption to operations. When making the decision to join the coalition, the Board gave thoughtful consideration to the fact that this issue is not purely an aggregate focused matter, but, with the detrimental impact it would have on our members, they knew that sitting on the sideline to let our industry partners fight the battle alone was not the right answer.

There is still a long road ahead before this matter is resolved and the outcome is unknown. What is certain though, is that we will stay on top of the issue and keep you informed.

**BEP Update:** Below are excerpts of a recent update issued by the BEP. It offers an outline/timeline of the issue. I have provided additional comments, which are noted in ***bold/italic***.

On May 23, 2023, the Department of Environmental Protection received a citizen petition requesting that the Board of Environmental Protection initiate rulemaking pursuant to the Maine Administrative Procedure Act. The petition requests that the Board adopt a new rule, Chapter 127-A, Advanced Clean Cars II Program, which would establish motor vehicle emission standards for new passenger cars, light-duty trucks, and medium-duty vehicles.

## ELECTRIC VEHICLE MANDATES (CONT.)

The Department published notice of the opportunity for the public to comment on the proposed rule on July 26, 2023. The Board of Environmental Protection held a public hearing on August 17, 2023, and accepted written public comments on the proposed rule until August 28, 2023. MAA Board Treasurer, Larry Grondin testified at the hearing and Comments on behalf of the association were supplied to the Bureau.

On October 5th the BEP met to receive a presentation from the MDEP on the matter. At the conclusion of the meeting, a “straw vote” was taken. The BEP members present voted informally to put off any further action on the truck mandate. That same group in a separate straw vote decided to continue with the car mandate request. Although, a straw vote is non-binding and unofficial, it provided a pretty solid indication of how the BEP was thinking at that time.

The Board was scheduled to vote on the proposed rule on December 21, 2023. However, due to a severe winter storm causing widespread power outages and flooding and resulting in a State of Civil Emergency in 14 of Maine’s 16 counties, and in consideration of the challenges facing Maine citizens who may have wished to participate in but would have been unable to attend the December 21st Board meeting in Augusta, the Board postponed its December 21st meeting.

The postponement prevented the Board from voting on whether to adopt the proposed Advanced Clean Cars II Program rule in calendar year 2023. This postponement of the Board’s vote resulted in the need to amend the proposed rule so that the rule, if adopted, would apply beginning with vehicle model year 2028 instead of model year 2027.

As required by the Maine Administrative Procedure Act, the public must be provided an opportunity to comment on this substantive amendment to the proposed rule. Therefore, the Department provided notice of the amended version of the rule to the public on December 21, 2023, and will allow written comments on this proposed change to be filed until February 5, 2024. Please visit the DEP’s rulemaking website for more information and instructions on how to submit comments.

After the comment period on the proposed change closes on February 5th, the previously prepared Response to Comments document will be updated to also respond to comments received on the proposed change. At that point the Board will again be positioned to vote on whether to adopt the proposed Advanced Clean Cars II Program rule. The proposed Chapter 127-A rulemaking action is thus ongoing, and all timely comments previously submitted to the Department will be considered by the Board before voting on whether to adopt the proposed rule. Persons do not need to resubmit any comments submitted during the previous comment period. To be considered, any new comments should focus only on the amendments proposed in the December 21st draft proposed rule.

*Tim C. Walton serves as Legislative Counsel to the Maine Aggregate Association and is the President of Walton External Affairs, LLC, an Augusta, Maine based firm specializing in Government, Business & Industry Relations. He can be reached at [tim@waltonexternalaffairs.com](mailto:tim@waltonexternalaffairs.com) or 207-557-3049.*

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## ASTEC: A CASE STUDY IN DEMOLITION CRUSHING

The first time Tony Bradley, Crushing Superintendent for Brent Scarborough & Company, set foot on this job site was actually decades before the project started. During a high school field trip, he visited the General Motors assembly plant that formerly occupied the 125-acre (0.5 km<sup>2</sup>) campus. Today, he is helping transform the remnants of that manufacturing hub into something entirely different. A new industry is taking root - the film industry.

When Bradley first heard about the ambitious redevelopment project in Doraville, just north of Atlanta, Georgia, USA, he was impressed with the size and scope of the job. A parcel that formerly housed the automobile assembly plant would be transformed into a mixed-use site that would include film studios, commercial real estate and park space connected to nearby neighborhoods. It called for recycling a large majority of the existing on-site material.

By recycling materials already on hand, Brent Scarborough & Co. was able to keep material out of landfills, avoid the costs and emissions of transporting new materials to the site and preserve natural resources.

In a nod to the site's history, where cars once rolled off the assembly line, the new campus will be known as 'Assembly Yard'. Except now, it will be a place for community connection and art creation.

### THE COMPANY

Brent Scarborough & Company is one of the largest heavy civil site contractors in Georgia. Started in 1985 as an erosion control company, their work has expanded to specialize in clearing, grubbing, grading, boring and underground utilities. The company, which is 100% employee-owned, executes projects throughout the Southeast United States.





## EQUIPMENT

Breaking down nearly 225,000 yards of concrete and rock while staying on schedule requires heavy-duty power and durability. Bradley looked to Zack Gradwell, Vice President, Environmental Solutions Group at Stone Equipment Co., to supply the right equipment for the job. In this case, a closed-circuit FT4250CC mobile HSI plant and FT2650 mobile jaw plant.

“The 4250 is a brute of a machine,” says Gradwell. “This job site contains some gnarly material; a lot of dowel rods and chunk metal. The solid steel rotor on the 4250 is able to keep up with that and combat it with minimal damage, if any.” Gradwell goes on to compare Scarborough’s previous equipment selections, “They had a competitive machine out there that just fell apart every week or so while they were waiting for the Astec machine. It definitely combats the metal, the recycled material, and is also good on fuel. They see pretty good fuel [consumption] for the tonnage that they’re running, so it’s been a good all-around machine for them and this application.”

“We bought the FT2650 jaw about four years ago. That was the first one we purchased. Since then, we have purchased two GT125 jaws, two GT165 scalping screens and then we bought the FT4250 impactor plant,” says Bradley.

The crushing power of Astec equipment has kept the multi-year project on track. “The FT4250 usually runs at around 250-260 tons per hour. The FT2650 will produce about 225 tons per hour. That’s in a six-inch-minus rock. This makes an inch and a half minus rock. The four-inch-minus material usually runs about 225 tons per hour as well,” according to Bradley.

As for his favorite features, Bradley says, “I’m partial to the solid steel rotor on the mobile HSI plant. It’s been heavy-duty and durable for us. We also love the screen box on it, specifically the distance between the screen box and the under-crusher belt. We just like the machine overall. Astec is just where we want to be. It’s been the machine for us,” says Bradley.

Power and ruggedness aren’t the only reasons Scarborough continues to rely on Astec machines. On a jobsite where multiple operators need to be able to work with different types of equipment at any given time, it is a huge time-saver to have user-friendly equipment.

“They have different operators operating 2650 jaws, 125 jaws and 165 screens,” says Gradwell, “They can all jump from one machine to the other without any problems or hiccups. And if there is something they don’t know they can call either myself or a product support rep at Stone Equipment Co. and we can get them going right over the phone. It’s just that simple.”

This same customer-centric support from Stone Equipment extends past just parts and service. They also encourage onsite and online training opportunities. “We put the operators through training on site,” says Gradwell. “We encourage them to go online and do the Astec training to better familiarize themselves. We also work with their mechanics because that’s where you need the support for these machines. They need be able to fix it themselves.”

“The support from Stone Equipment has been great,” says Bradley. “We couldn’t ask for better service from them. They have quick turn-around times on parts and do their best to keep everything we need in stock locally. “

### CHALLENGES

You never know what to expect with a demolition job. Depending on the site, workers can encounter all kinds of challenges from unexpected materials to unsafe conditions.

“The strangest thing I ever found on a jobsite was a cement truck buried 12 feet in the ground. To this day, that was the most challenging item I’ve encountered on a demolition job. Fortunately, we haven’t come across anything so unexpected on this site. We have encountered a large mix of materials while demoing the former car factory. We’ve been demoing the flat work that we can see, we’ll hit a wall and dig down, then maybe 8-12 feet later we find another slab and the walls of a previous building. We process it down and try to get all the rebar out first. Getting it out of the ground and getting it to the crusher has been more of a challenge than crushing it,” explains Bradley.

The process is rigorous, but throughout the job, the Astec crushers have effortlessly pivoted between various materials.

“Here, we have everything from lime rock, limestone, to granite, and you’ll hit different kinds of concrete made out of these materials,” says Gradwell. “It’s different materials in the field and these machines are able to jump from one to the next. We’re able to set them up from doing asphalt to concrete, from hard rock to soft rock. Astec crushers can tackle a number of different materials with ease.”



### ASTEC RELATIONSHIP

The company focus on quality Rock to Road® solutions extends beyond the equipment. When Gradwell thinks of Astec, he thinks reliable. “You call them and get what you need. You talk to somebody that you can build a relationship with. I’ve made friends with pretty much everybody in the service department because we called them a lot in the early stages of our business. Those guys really helped us; we know the parts department like family. And then our customers join the training at the factories, so it’s all been a lot of help. It’s been a great relationship with Astec.”

While the project will extend into 2024, studio production on site was slated to begin in the third quarter of 2023. Astec machines will still be on hand, doing their part to bring the historic materials of the past into the future.

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# **ANNUAL MEETING**

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**WEDNESDAY, APRIL 24, 2024**

*3PM BOARD MEETING*

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