

# THE CONVEYOR 2021

A publication of the California Construction and Industrial Materials Association

WINTER ISSUE

*Environmental Issue*



## Graniterock teams up with CHEER on San Benito River clean-up project

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#### ON THE COVER:

Herman Garcia, CHEER CEO and Founder (left) with Rachel Reed, Graniterock's Biological Resources Project Manager at the Graniterock Hollister location.

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## Moving on from 2020



A year ago, as we entered 2020, then Chairmen Michael Toland discussed the many good reasons we had to be optimistic. As the year progressed we strived to be and then struggled to remain optimistic about the immediate future.

A great number of things have happened over the course of the last year.

Many of us experienced serious changes and disruptions in our personal and professional lives, and we will likely see more before this crisis ends. I personally lost my father, but gained a son in law, so we went through a funeral and a much reduced sized wedding.

Here are a few of the events that were and are of significant impact to our industry this last year.

The retirement of the first and only CEO of CalCIMA - Gary Hamby. Although the transition to fill his position took a little longer than expected, Gary finished leading CalCIMA and we continue to be grateful for all his hard work, leadership and the legacy he leaves.

The successful recruitment of new CEO Robert Dugan. Robert left a good position at the AGC of California to join CalCIMA. He takes the leadership role in very challenging times and with significant expectations from the CalCIMA members.

The COVID-19 crisis has been all consuming. It has impacted almost every facet of our professional and personal lives and those impacts may linger on or even remain permanently. As I write this, a new, more infectious strain of COVID-19 has spread throughout England, leading to a near lockdown of London and there are fears the new strain has already reached California. At the same time, many parts of the United States are running out of hospital beds to treat a massive influx of new cases and several thousand people are dying from the virus each day.

If the health crisis was not distracting enough, we went through another historic election. More people voted in the presidential election than ever before, both by sheer numbers and as a percentage of the voting eligible population (66.2%). The effects of this election will change and shape how we live and work for the foreseeable future.

Here is to a better 2021 everyone!



**Martin Hansberger**  
Director of Technical Services, Holliday Rock  
CalCIMA Chairman

Closer to home:

CalCIMA joined the coalition to stop Proposition 15, the direct assault on the legendary Proposition 13 which limits the tax rate on real estate, which would have resulted in a massive property tax increase with NO commitments to increased property related government services. Many special interests did hope to benefit from this tax increase on our businesses for the state's general fund, specifically government employee unions.

The Board of Directors authorized the long overdue review and then restructuring of the member dues fees that took effect January 1st 2021. The dues amount had not increased since the creation of CalCIMA in the early 2000s. The greater revenue allows our organization to build a budget and staff that can address the complex issues faced by our industry.

Once the dues restructuring was done at the request of a coalition of member companies, the Board of Directors approved for a vote and the members of CalCIMA approved Bylaws changes to allow for the addition of Precast Concrete and Asphalt Producers as their own Member Category along with dues structures for these new groups. The inclusion of these producer member categories is part of what is referred to as the "Complete CalCIMA model" that was inspired by the CalCIMA Strategic Review done in February of 2020.

What I take from all of this is that we have been tasked, we have been challenged and we responded. We have risen to the challenge and while it has been a struggle, we have not only endured, we have strengthened ourselves, companies and our organizations, and we do have reason to be optimistic about the future.

I would like to close with one final observation. All of the many above mentioned challenges and struggles that CalCIMA has dealt with for both 2020 and 2019 have been over seen by the outgoing Chairmen Michael Toland. Every step of the way Mike has been a focused, inclusive, and engaging leader. He takes charge when he needs to and then gets of the way if he thinks another member is up to the task. While I have known Mike for many years, the experience of working directly with him has truly been a pleasure and intend to lean heavily on his experience over the next couple of years.

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# Graniterock Teams Up with Environmental Group, CHEER, and other Volunteers to Cleanup and Restore Section of San Benito River at their Hollister Location

By Brian Hoover, CMS

\*All photos were taken prior to COVID restrictions and protocols.



*Left: Herman Garcia, CEO and Founder of CHEER, standing in front of the San Benito River record breaking tire pile.*

*Below: Volunteers from the November 2019 cleanup including Aaron Johnston, Rachel Reed, and Reed Carter from Graniterock's Environmental Services Department and Gavilan College student volunteers from Professor Rey Morales' zoology course.*



**T**he San Benito River on California's Central Coast begins in the furthest southwestern part of San Benito County and ends in the northwest corner. This river is a tributary to the Pajaro River, spanning approximately 109 miles between the Diablo and Gabilan mountain ranges. Graniterock owns land that includes a mile-long section of the river along Hollister's western boundary. Historically, you would expect to see deer, fox, rabbits and various bird species making this riparian corridor home.

Unfortunately, the river had become a dumping ground for tons of trash – tires, furniture, electronics, glass, abandoned vehicles, and a

long list of other personal items. The 90-acres had been taken over by transient encampments that used the site as their private landfill, among other things. Waste does not stay confined to this area. Rather, trash migrates downstream to Watsonville and into the Monterey Bay, especially when it rains. It was clear something had to be done, and Graniterock made restoring the entire habitat a priority.

As owner and steward to hundreds of acres of land surrounding their 14

locations and facilities, Graniterock is serious about its environmental and community responsibilities. Along with using recycled products in the manufacturing of their construction materials, Graniterock is committed to environmentally friendly practices at their concrete and hot mix asphalt plants.

The company's environmental stewardship extends to land responsibilities, including set aside conservation easements, protected and enhancement areas, and the



**Left: Rachel Reed Graniterock's Biological Resources Project Manager and Irma Batrez CHEER's Chief Operations Director.**

**Below: No Dumping signs have been placed throughout the Graniterock property. Stiff penalties up to \$25,000 per offense or six months in jail will be enforced.**

creation and preservation of acres of wetlands and wildlife habitats. Graniterock maintains an extensive environmental team, including Aaron Johnston, Vice President of Safety, Environmental and Quality Services, and Biological Resources Project Manager Rachel Reed, among several other specialists, engineers and managers.

After conducting a habitat survey, Johnston and Reed spearheaded the clean up of the San Benito River. Together, they enlisted the efforts of their longtime environmental partner Coastal Habitat Education & Environmental Restoration (CHEER). "Most of the community is aware of the history of dumping along our local rivers," says Reed. "At Graniterock, we want to set a good example as the property owner to stop this illegal dumping activity. CHEER has a track record of maintaining water-sheds, so we asked them to take the lead on removing the trash and helping us restore the habitat." CHEER is a nonprofit whose mission is to restore coastal ecosystems in a way that safeguards resource-based local economies. CHEER was founded by Herman Garcia, whose concept began in 2003 with the simple motto of "leave it how we found it."

Garcia returned to his hometown of Gilroy after a lengthy career as a professional poker player. As a longtime outdoor



enthusiast, Garcia soon noticed extensive damage had been done to the Pajaro River watershed. "On April 19, 2006 American Rivers, a non-profit watchdog group, listed the Pajaro River as the number one most endangered river in the U.S.," says Garcia. "Thanks to our supporters and volunteers, the Pajaro River is now delisted!" Garcia also noted the fish population had disappeared, toxic dumping was on the rise, and illegal garbage dumping was a regular everyday occurrence.

By 2006, CHEER had partnered with the National Oceanic and Atmospheric Administration (NOAA) to reclaim and restore the devastated Pajaro River habitat. When Garcia took his first look at the cleanup site located off Buena Vista Road in Hollister, he admits

feeling overwhelmed as the area was covered in garbage.

Always ready for a challenging cleanup project, Garcia and more than 25 volunteers, including Graniterock's environmental team and students from Gavilan College's zoology course, showed up on Nov. 9, 2019 to begin the hard work of restoring the San Benito River and surrounding area back to its original beauty and purpose. "The timing of the cleanup was crucial to stay ahead of winter rains as our first responder volunteers worked hard to remove the debris from the riverbed," Garcia said. "Our crews are the first and last line of defense to protecting watersheds before any seasonal rains can carry the trash downstream and into the Monterey Bay Marine Sanctuary. Whatever gets by us will wind up in the bay, and we can't let that happen."

More than 1,200 tires were removed from the watershed in 2019, breaking the 2014 record of 1,030 tires, Garcia said. The cleanup effort broke the previous single location record of tires removed from 157 to 420. Pre-COVID, CHEER spent months picking up 3,000-5,000 pounds of junk each cleanup day.

During COVID, CHEER has continued the clean-up effort with a small group of interns removing 1,000 pounds of garbage and debris a day. Amazingly, a total of 18



*Left: CHEER volunteer and Gavilan College graduate Jesse Rogarte bags debris at a cleanup in October 2020.*

*Below: The iconic CHEER truck with CHEER volunteer, Marty Martinez, taking another load to the dump.*



abandoned vehicles, three boats, and one ATV were removed. All trash and debris removed are transported to the Recology transfer station in San Martin, which waives fees for the nonprofit.

Graniterock and the Children's Cancer Funding Group chipped in to buy CHEER a new trash trailer for the project. Gilroy Rotary Club, Graniterock, CHEER, local businesses and Gavilan Community College students took part in volunteer days.

Reed says removing garbage from the San Benito River is vital to maintaining the watershed's health, particularly where steelhead trout are concerned. "Steelhead trout were spotted in the San Benito River in June 2020 for the first time in nearly a century. Having this threatened native species of trout back in the San Benito River is an encouraging sign the work of CHEER and their local volunteer conservation group is making a huge impact," says Reed. "After decades of illegal dumping, parts of the watershed are returning to their original state. This restored ecosystem also means cleaner water for San Benito County residents."



*Left: Herman Garcia, CHEER CEO and Founder with Rachel Reed, Graniterock's Biological Resources Project Manager.*

Garcia, CHEER's CEO, echoes Reed's sentiment and agrees the return of steelhead is a strong sign of healthy water quality. "Now that the steelhead have spawned in the river, leaving 5,000 to 10,000 eggs, they continue their migration downstream and into the Monterey Bay," says Garcia. "It is not by accident. You clean it up, and nature responds and recovers fast."

Reed and Garcia have planned additional wildlife enhancement activities to take place after the habitat reclamation work is complete. "Our goal is to achieve

sustainability at the site. Herman and I have been working with our neighbors on securing vehicle access points to the property and posting specially designed CHEER 'No Dumping' enforcement signs," says Reed. "We are now at the point of planning habitat restoration activities. Next, we would work on some wildlife enhancement projects including installation of cavity-nesting bird boxes and bat shelters."

To learn more about future river cleanup efforts, visit CHEER at [cheercentral.org](http://cheercentral.org) or Graniterock at [graniterock.com](http://graniterock.com). ■



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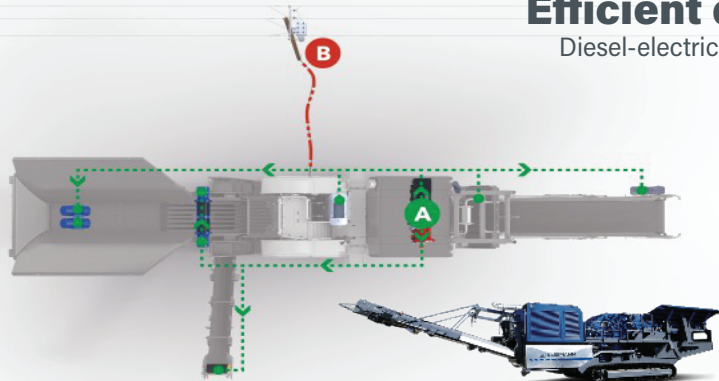
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# Martin Hansberger of Holliday Rock Takes the Reins as the New CalCIMA Chairman

## A LITTLE BIT OF BACKGROUND

By a vote of the Board of Directors in January, Martin (Marty) Hansberger will begin his 2-year term as Chairman of the California Construction and Industrial Materials Association (CalCIMA). Marty and his entire family have a long and proud history of service in California's aggregate and materials business. His grandfather owned and operated Tri-City Concrete throughout the 50s and 60s. Many of Marty's family members worked there at one time or another, including his father and every one of his uncles. Even though Marty's grandfather sold the business in 1967, he remained a partner in smaller-sized rock quarries for the remainder of his life.

Marty left his job working for the phone company in 1989 to pursue a career in the ready mixed concrete and aggregate industry. His first experience was driving a mixer truck for Rancho Ready Mix before moving on to Allied Ready Mix and then to a job working for the Cartier family at Elsinore Ready Mix. In 1990, Marty was recruited by Owl Rock to be a sales representative at their Lytle Creek plant. He remained with Owl Rock until the business was sold in 1993, and this was when his long career at Holliday Rock first began. "I started at Holliday Rock as a sales rep and dispatcher," says Marty. "I would work the sales gig until around 2 pm and then relieve the dispatcher till the end of the day. I was also responsible for the tape, which some recognize as the recorded next day start times for our drivers." When things were extremely busy, Marty would put his driving hat back on and jump into the seat of a mixer truck.



**Marty Hansberger, Holliday Rock Director of Technical Services and new CalCIMA Chairman.**

Marty was hired by and worked directly for John Holliday, even though John's father was still actively running the company at that time. He continued in sales, dispatching, driving, and anything else he was asked to do until 1998 when he was promoted to sales manager.

John and Marty worked together to recruit and hire the sales team members and the quality control (QC) staff. Marty worked especially close with the QC department, as he exhibited high technical competency. All QC managers reported directly to Marty from 2013 until right around 2017, when he moved on to work more in the political realm and with various associations. It became a natural transition for Marty to begin managing and leading the technical side at Holliday Rock. All of the aggregate, asphalt, and ready-mix concrete technical duties fell under his supervision.

Marty began grooming a new sales manager, which provided him

with the time to work on corporate strategic planning and his extensive duties with statewide associations and government entities. This required much travel, and Marty often found himself flying to Sacramento or Washington D.C. as he served on multiple boards and legislative committees. Politics and legislation is something that Marty has long been familiar with as his father was an elected official and served as a San Bernardino Supervisor for 20 years. Marty continues to serve as the director of technical services for Holliday Rock while maintaining his legislative and association work.

## CHAIRMAN MARTIN HANSBERGER

Marty is in for a jam-packed 2-year term as CalCIMA Chairman by anyone's standards. He will begin by working closely with CalCIMA's new CEO, Robert Dugan, with whom he has an excellent working relationship. "We just implemented a new dues structure that Robert and I will be rolling out together in these coming months," says Marty. "We also just added asphalt as a new membership category here at CalCIMA as a part of our complete CalCIMA model. Getting this integrated into our offering will be a big lift over these next two years, and I want to make sure we support these asphalt members with everything they require. This will include bringing on additional technical staff and other support members."

Marty points out that CalCIMA hosted little to no special events in 2020 due to COVID. "There is just a huge backlog of things we need to do going forward in 2021 when restrictions are lifted, and

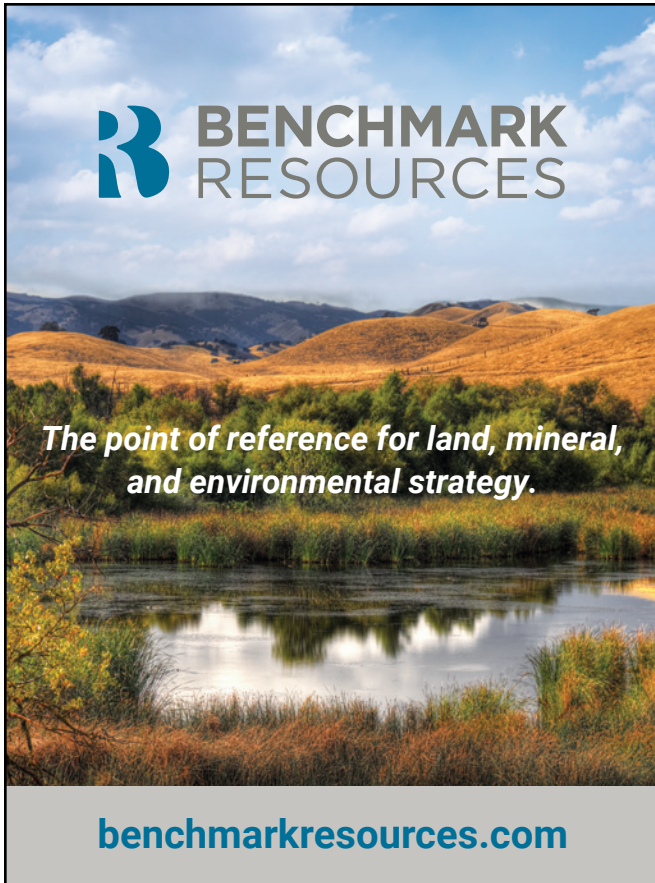
it becomes safe to congregate and socialize. We are working at getting these events on the calendar for 2021," says Marty. "This will include legitimate content for those who want to get together and share ideas and experiences while building back some of that networking we missed out on in 2020." Marty also realizes that 2020 has changed the way we meet and communicate each day. "We have all learned that we can do video conferencing successfully and that it is not necessary to jump on a plane or drive a hundred miles for a 2-hour meeting," continues Marty. "We need to figure out how this model will work for us in the future and use these newly found skills to our advantage."

Infrastructure legislation will be another top priority for Marty during these next two years. "We still

need to see some major infrastructure legislation from the federal government. California is one of the leading producers of construction materials in the nation, and our legislators must hear our voice. We will be doing everything we can to inform elected officials of the need to fix our crumbling infrastructure. We are also asking our association members to do more going forward, and that expectation is reflected in our new dues structure. My job will be to make sure that we remain focused on what is achievable and not get distracted."

The list of things that need to get done during Marty's tenure goes on and on. "We will continue to be pressed as an industry to reduce our carbon footprint and greenhouse gas emissions," continues Marty. "From the feds to our local government agencies,

we will need to be aware of the consequences of every action and how that can affect our members from both a technical and economic standpoint." Marty is also mindful that he and his members will have to learn to adjust to what may be the new norm after COVID subsides. "Even after the vaccines have been administered and every business gets the green light to fully open, there will still be an 18-to-24 month rebound period," says Marty. "Achieving some sort of stabilized behavior will not happen overnight, but we welcome the healing process with open arms and look forward to a booming economy at that time. It is going to be a long yet rewarding 2-years, and I look forward to serving CalCIMA as their 2021/2022 Chairman." ■



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# California Air Resources Board Adopts Significant New Substance Regulations

By: Adam Harper, Director of Policy Analysis, CalCIMA

**T**he California Air Resources Control Board (CARB) has recently adopted some of the most significant, stationary source reporting regulations in California history. The addition of new substances will require businesses to analyze their facilities in much greater detail. More than 900 materials have been added to the existing list of toxic substances, which represents an increase of nearly 200%.

The regulations in question are the "Regulation for the Reporting of Criteria Air Pollutants and Toxic Air Contaminants" (CTR) and "Amendments to the Emission Inventory Criteria and Guidelines Report for the Air Toxics (Hot Spots Program)" (EICG). The CTR regulations expand upon the annual reporting of emissions to air districts and then on to CARB.

The EICG regulations further amend the Air Toxic Hot Spots program created by AB 2588 (Connelly) in 1987 that was set into regulation in the early 90s. The regulations for both CTR and EICG were heard in a single hearing and adopted in separate motions.

Further, the CARB Board directed staff to make additional amendments utilizing the Administrative Procedures Act 15-day comment procedures. A final picture of precise details of requirements that will be implemented by businesses starting in 2023 are currently unknown.

It is important to note that the CARB Board and staff listened to concerns from private industry and government stakeholders alike.

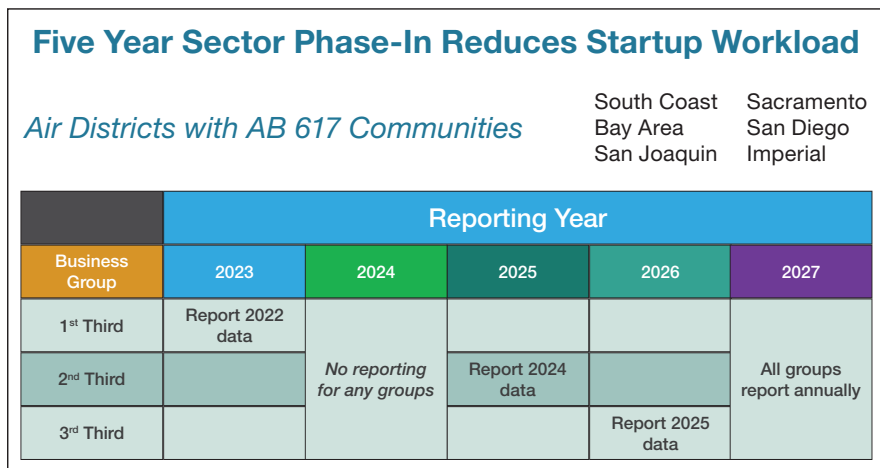


Figure 1

Specifically, local air districts' comments regarding limited resources were addressed by creating a phased implementation schedule and proposing some modifications under the 15-day review. Regardless, the rules' combined impact will be significant, challenging to implement, and potentially very costly for some, if not most, businesses that currently report air emissions and/or have a stationary source operating permit issued by an air district. CARB has provided no additional resources for the air districts to enforce the program despite the significant workload.

The CTR regulations are scheduled to be effective by 2023 within the air districts that are home to AB 617 Environmental Justice Year-1 Communities. CTR affected facilities in these specific districts will be required to report 2022 emissions data in 2023. Members in the following air districts—Bay Area AQMD, Imperial County APCD, Sacramento Metro

AQMD, San Diego County APCD, San Joaquin Valley APCD, and South Coast AQMD—are scheduled to comply within the scaled back initial reporting format in 2023. The CARB Board will ease implementation impacts on air districts by providing a gap for the air toxics reporting based upon the business group criteria in Table A-3 of the CTR regulation. Annual reporting of both criteria and toxic emissions for facilities that are within an AB 617 Year-1 community is scheduled to begin in 2027. All other air districts would phase in a year behind this schedule with initial reporting year in 2024 and then annual reporting starting in 2028. The CARB phase-in schedule is presented in Figure 1.

The CTR regulations utilize a portion of the toxic substance list, ChemSet-1 in the EICG substance list, and Table A-3 in the CTR regulation. These regulations will expand and modify annual emissions reporting to over 60,000 facilities statewide. It is essential

to note the rule applies to facilities with local air district air permits and facility reporting is based on a reduced criteria emissions threshold of 4 tons annually, as well as reporting threshold of zero based on the toxic substances/permitted activity/SIC Code in Table A-3. Currently, facilities report to the local air district based upon district-specific criteria and methods. Construction aggregate processing without the use or production of asphalt is one category of streamlined reporting that will be available under the new rules. We remain grateful that CARB and staff listened to joint CalCIMA and California Asphalt Pavement Association (CalAPA) concerns by providing streamlined reporting for specific sources within the construction materials industry. In their presentation, CARB staff estimated half of the facilities regulated would use streamlined reporting options. There was, however, opposition to the adoption of a significant number of requirements for which there were concerns that remain unaddressed.

Scott Cohen, P.E., C.I.H. is the principal engineer at Sespe Consulting and he has been working closely with a variety of stakeholders affected by these new regulations. "Changes to the emissions inventory requirements will ultimately manifest in higher health risk assessment (HRA) results, increased notifications to neighbors, and abatement requirements. The HRA process is already stacked with conservative assumptions to the point that results can be unrepresentative of the actual risk. Adding more sources and contaminants will increase risk and recent changes to HRA methods will have a compounding effect. Specifically, the change from PM10 to PM will increase mass

of the existing contaminants from fugitive dust sources by at least a factor of two," says Cohen. "Currently, deposition on-site and accompanying depletion of the plume before reaching a receptor is excluded from HRA and instead it is assumed that material impacting the ground is reflected back up into the air until it reaches a receptor where it is then deposited. The soil ingestion assumptions in the HRA Guidance should be revisited and clarified. Non-default methods can only be assessed in a Tier 2 or higher tier HRA (Tier 1 is required to be performed as prescribed by the Office of Environmental Health Hazard Assessment (OEHHA) HRA Guidelines). Facilities should plan on acting promptly when notified that HRA is needed if they want to try and incorporate any concept that would balance the conservative policies in the existing HRA process with factual and/or scientific methods."

Once the CTR regulation's final changes are made through a 15-day amendment process, likely in early 2021, it will be submitted to the Office of Administrative Law (OAL) for review. When these regulations are approved, CalCIMA members will want to consult with their technical staff and local air districts to determine what changes to emissions tracking and reporting they will need to make and when to implement the rule. In most cases, members will report through their local air district and then report to CARB. In local air districts that fail to report, CARB will go directly to the facilities for the data. The entire process will be challenging, particularly early in implementation, as many toxics are set at zero thresholds. This will create uncertainty as to what activities use products that contain said substances. CARB staff has suggested a review of Material

Safety Data Sheets (MSDS). They have also adopted an appendix in the EICG regulation that lists substances they believe may be associated with certain permitted activities. The appendix is for guidance purposes and is not meant to be conclusive, but only to provide some assistance in narrowing down the review process.

The changes to the EICG toxic hot spots system are even more significant and impact local air district resources and member facility analysis requirements. To briefly summarize what will be implemented, there will be 181 initial substances added to the current 450 substances reviewed. This will conclude with the current hot spot report eventually increasing to 900 new substances. Individual districts have said that it is likely they will reopen the low-risk facilities that were previously evaluated and existing medium and high priority facilities. The understanding is that each air district will have some discretion as to when they review facilities, either on the existing 4-year schedule for intermediate facilities or sooner. This appears to have held the analysis of costs under the \$50 million annual cost for a major regulation in the CARB analysis. Some districts have already communicated they will need to review all facilities again and expect to do it as quickly as possible.

In addition to the substance list expansions, the modifications make changes to several aspects of the hot spots program implementing methods.

CalCIMA, CalAPA, and other stakeholders have expressed significant concerns at the lack of Reference Exposure Levels (REL's) and health values for the substances to be tracked and reported. In many ways, this

## Proposed 15-Day Changes

- Require annual reporting only for chemicals with provisional health values or RELs
- Streamline phase-in for lower priority chemicals
- Evaluate reporting of lowest priority chemicals
- Ensure industry sector phase-in for medium and small air districts is implementable
- Adjust and phase-in emissions threshold for medium and small air districts
- Minor corrections and clarifications to both regulations

Figure 2

regulation is going back to the steps that occurred in the early 90s with new methodologies and many more substances to be tabulated if present. The new regulations are expected to apply to over 60,000 public and private facilities.

Resource concerns of air districts, such as South Coast Air Quality Management District, have generated what appears to be at least some changes within the proposed 15-day revisions to the rule. Even for a district of South Coasts' resources and technical

sophistication, the complexities of implementing these rules will be challenging based upon comments they submitted to the Board. The proposed 15-day changes are shown in Figure 2.

It is important to note that hundreds of substances were listed at CARB discretion without REL's or Provisional Health Advisory values. In fact, none of the new substances currently have Provisional Health Advisory values.

They represent a new class of health value methodology being created by CARB separate from the traditional OEHHA/CARB/Scientific Review Panel Health Value processes. This will be an activity that occurs at a later date. ■



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# Legislative Session 2021-2022: A Look Ahead

By: Robert Dugan, Adam Harper and Charley Rea

**A** new legislative session is upon us. After a hectic 2020 with a narrowed focus by the legislature rendering many pieces of legislation dormant for the year, we have spent the past few months gearing up for 2021. While there is still a great deal of uncertainty about both the 2021 legislative session itself and how the legislative leadership's priorities will impact the issues we are focusing on, we wanted to try and give you an early idea of what to expect in the coming 2021-2022 legislative session.

On December 7th, the California Legislature officially convened for the 2021-2022 Session. The Democrats continue to hold super majorities in both the Assembly and Senate. In the Assembly, Democrats hold 60 of 80 seats while the Republicans hold 19. Chad Mayes (I-Rancho Mirage), a Republican turned Independent, holds the 80th seat. In the Senate, 30 seats are held by Democrats, while nine are held by Republicans. One seat, Senate District 30, is currently open as Holly Mitchell won a seat on the Los Angeles Board of Supervisors. Her replacement will be elected this spring. While the composition of the legislature is much the same as it has been, COVID-19 is expected to continue impacting the legislative process.

The unusual has become the usual. Indeed, the scheduled January 4th first day of session was pushed back a week to January 11 due to the COVID surge.

COVID-19's impacts were felt during the swearing-in ceremonies on Dec. 7. The Assembly conducted a socially distanced ceremony

without family at the Golden 1 Arena, while the Senate did so in the Senate Chamber. Even with a vaccine being distributed, it is considered unlikely social distancing and COVID-19 precautions will be undone to the extent they no longer impact the legislative session or how citizens and stakeholders interact with the legislature under those precautions. While we have heard no rumors of legislative leaders asking members to curtail the number of bills allowed by each author, the physical constraints of the State Capitol make it unlikely a full number of bills will be heard within the required timeframes. There simply are not enough large rooms available. However, it is also the first year of a two-year session, and bills that fail deadlines this year will still have an opportunity to move in 2022. We expect many more virtual meetings, so being active before bills are heard in committee will be critical to ensuring CalCIMA members' perspective has been shared with the legislature.

While legislative leadership's direction on how they will accommodate the impacts of COVID-19 have been limited to date; they have revealed committee assignments and changes in committee leadership and, of course, published the legislative calendar. The Assembly assignments and Senate Assignments contain some noteworthy changes. First, Assembly Member Jim Frazier (D-Fairfield) has been replaced by Assembly Member Laura Friedman (D-Glendale) on the Assembly Transportation Committee. Assembly Member Friedman

was previously the Chair of Assembly Natural Resources and is expected to bring a strong focus on regional planning and alternative transportation. For the Senate Transportation Committee, Senator Lena Gonzalez (D-Long Beach) was named Chair. She succeeds Senator Jim Beall, who termed out last session. Assemblywoman Luz Rivas (D-North Hollywood) was named to Chair the Assembly Natural Resources Committee. Of her appointment, Assembly Speaker Anthony Rendon (D-Lakewood) said, "It doesn't take a scientist to know that California faces critical environmental challenges today, but we will be supremely equipped to face those challenges with a trained scientific mind guiding our Natural Resources Committee." Assemblywoman Rivas has a degree in electrical engineering from MIT and a Master's in Education from Harvard. Senator Henry Stern (D-Canoga Park) remains the Chair of Senate Natural Resources and Water Committee. Each of these committees handle legislation of interest to the construction and industrial materials industry. We look forward to working with the Chair and committee staff as this session's measures emerge.

December 7th also marked the first day to introduce legislation. Early legislative introductions and early legislation do help provide a few insights and, perhaps, interesting observations as we head into the coming year. Members may recall that while homelessness is still a critical issue in California, several housing measures didn't quite make it



through the legislative process last survive the 2020 session. Senate President Pro-Tem Atkins (D-San Diego) has introduced SB 5, a housing bond act, and SB 9, a housing development approval legislation. Housing was identified as a legislative priority during swearing-in, and these measures by the President Pro-Tem reinforce that.

We can be assured that legislation focused on mitigating the impacts of COVID-19 and the state's response to it will continue to be a top priority this session. In fact, Assembly Member Adam Gray has already introduced AB 62, a proposed income tax credit applicable to the 2021 costs of implementing the new COVID-19 prevention workplace standard. In all, 32 bills covering everything from homelessness to workers compensation have been introduced to address COVID-19 impacts, a number that will doubtlessly grow.

Specific to our industry issues, climate change adaptation and emissions reduction issues will continue to be high on this year's agenda, with bills already introduced to address carbon sequestration on working lands, green hydrogen, regional climate adaptation, decarbonization and wildfire prevention. CalCIMA members will be interested to know that several measures on building decarbonization were introduced. A good example of such legislation is SB 32 by Senator Dave Cortese (D-San Jose), which focuses on the incorporation of such policies into general plans. Members who have invested in near-zero natural gas vehicles for their vehicle fleets will be interested in AB 96 by Assemblyman Patrick O'Donnell (D-Long Beach), which proposes to extend incentive fund eligibility for such

technology through 2026. While the Air Resources Board seems solely-focused on battery-electric technology for vehicles, the legislature is supporting investment and development in other carbon-neutral fuels and technology which may be better adapted for certain uses and vehicle types such as disaster and emergency response vehicles. Of course, the outcome on all these bills remains as uncertain as the future.

As we look at our initiatives in the coming year, we will be focused on advocating for the increased allowance of recycled materials for all public works projects in both the concrete and asphalt product lines consistent with existing Caltrans specifications, a stronger and more predictable relationship with CalOSHA including timely notification of potential violations and incentives for safe operations, and the increased use of resilient construction materials in fire-prone areas of the state. From a defensive perspective, we will have to be ever vigilant to defend our best practices and ensure equitable regulatory and legislative outcomes for our operations, plants, and products that are the foundation of California's economy.

The 2021-2022 legislative session promises to be another challenging and extremely busy session. We expect thousands of more bills to be introduced, addressing issues from numerous perspectives. Working with our Government Affairs Committee, it will be of utmost importance that we review and inform bill authors of our concerns with legislation early in the process. ■

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# 2020 CalCIMA Excellence in Safety Awards

By Charley Rea, Director of Communications & Policy, CalCIMA

**T**he year 2020 provided another very good year to highlight the safety accomplishments of CalCIMA members. The 2020 CalCIMA Excellence in Safety Awards were presented to a broad group of the membership at a virtual all members meeting on Dec. 15.

The awards were presented by Safety & Health Committee co-chairs, Meghan Neal, *PW Gillibrand*, and *Mike Herges, Graniterock*, along with James Peck, the Vacaville District Manager for the *Mine Safety & Health Administration*.

The presenters began by reminding members that the awards are based on cumulative information showing the mine, plant or individual has demonstrated outstanding leadership in engineering innovations, communication, and commitment to safety, while also extending safety culture and practices beyond the workplace setting.

They also thanked this year's judging panel, which is composed of members of the Safety & Health Committee. As usual, the judging panel had a tough job selecting among outstanding applications.



*Employees at Granite Construction's Vernalis Plant worked together to earn the Safety Award for a large aggregate plant.*

In the large aggregate category, the recipient was **Granite Construction's Vernalis Aggregate Plant** in San Joaquin County. One notable innovation was the plant's elevating plant equipment—including motor control areas and tail pulleys—to facilitate maintenance and protect from mobile equipment. Ruben Shackelford accepted the award for the plant.

The recipient in the small aggregate category was **CalPortland's Rocky Canyon Aggregates** located in Atascadero. A key safety innovation for the plant



CalPortland rewarded their employees with custom made jackets to celebrate their safety award in the small aggregate category.

has been installing counterweight steps into the jaw crusher to perform maintenance and eliminate unsafe access. Assistant Plant Manager Kevin Greer accepted the award for his Atascadero colleagues.

For the industrial mineral award, the setting turned to the San Gabriel Mountains, where **Omya Inc.'s Sentinel Quarry** was recognized. The mine site was particularly recognized for overall transportation and maintenance safety improvements to the 7-mile winding road that climbs 3,000 feet from plant

to quarry, including communications and haul truck tire improvements. Robert VanDerWall, Mining Manager, accepted the award.

Moving from mining to concrete, **Syar Concrete LLC Vallejo** ready mixed concrete plant was awarded. It was particularly recognized for a rigorous process to upgrade a 30-year-old plant, through enhanced training for employees. This has triggered employees to install modern gates and railing at the plant, and improve the storage and movement of buckets

and chutes on mixer trucks. Robert Chavez, Plant Manager, accepted the award.

The Outstanding Safety Leadership Award category often provides poignant examples of safety leadership by line personnel, and this year was no exception.

**Ted Nicholas, Bradshaw Plant Superintendent for Granite Construction**, was recognized for being a stalwart of safety at the plant for 31 years. All that time, he has been a constant resource for employees



*Ted Nichols (middle), Superintendent of Granite Construction's Bradshaw Plant, with Foreman Alex (left) and Plant Operator Jackie (right).*



*Jason Stevenson, Safety Manager for 7/11 Materials, instructs on root-cause analysis and displays new software and apps.*

on safety, and for following-up on those requests. This has resulted in eliminating a hazardous ladder climb for the weighmaster each day to refill a ticket printer, creating a belt lifter for swapping conveyor rollers, and moving pond pumps from the water to land to facilitate maintenance.

**Jason Stevenson, Safety Manager for 7/11 Materials**, was recognized for leadership with mining and concrete operations throughout the Central Valley. The former firefighter brought a new look to 7/11, expanding training and introducing software to better track procedures, inspections, training, and communication. He has also created an extensive set of YouTube video trainings for line and management personnel.



*Ronnie Romiti, COVID-19 Safety & Compliance Manager for Central Concrete Supply Co., displays compliance signs and bio-hazard disinfection procedure.*



*Dana Bednarik, Safety Manager for Granite Construction's Coalinga Plant, initiated specialized craft employee safety training.*

Next, the judges presented a special award for leadership in COVID-19 compliance. The recipient was **Ronnie Romiti, COVID-19 Safety & Compliance Manager for Central Concrete Supply Co., Inc.** in San Jose. Despite lack of prior training, Ronnie eagerly and effectively led COVID-19 compliance for 3 dozen plant, yard, store, and office locations. This included measures to reduce paper handling for mixer drivers, procedures to keep the drivers in their trucks, coordinating with numerous contractor policies, and becoming certified in bio-hazard disease prevention and control.

The Safety Professional Award was also presented to **Dana Bednarik, Safety Manager, Granite Construction** in Coalinga. In 7 years, Dana has had a dramatic impact, turning around employee morale from fearing to embracing safety. Key initiatives include the "Craft Safety Connection" for training and the "motion matters" initiative to reduce repetitive motions. She has truly made a difference:

Each year, too, the awards recognize safety managers for exceptional efforts, and there were two recipients this year.

"I believe that Dana has really opened everyone's eyes to a progressive style of safety and accountability that has truly changed the mindset of every employee in our plant. We no longer see safety as an inconvenience, but as a necessity," said one employee of Dana.

Congratulations to all the 2020 recipients! ■

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# National Association News

## **INDUSTRIAL MATERIALS ASSOCIATION – NORTH AMERICA (IMA-NA)**

With the election results certified and the Georgia Senate runoffs settled, the nation is preparing for the start of President-Elect Biden’s Administration and a Democratically controlled House and Senate. While the margins in Congress are incredibly tight, Democratic control of the White House and Congress creates the opportunity for a more aggressive agenda, particularly as it relates to environmental issues. President-Elect Biden’s nominations to his Cabinet, and other key positions, offers some insight into what the mining industry can expect.

As expected the new Administration is planning to prioritize climate action but if the nominees are of any indication, the course of action will be influenced substantially by the Progressive wing of the Democratic Party. President-Elect Biden’s picks to run the Environmental Protection Agency, Council on Environmental Quality, and Department of Interior all have a strong background in environmental justice issues. Environmental justice will play a significant role in the approach to environmental policy and will amplify the new Administration’s stated commitment to racial and socioeconomic inequality. In addition, naming Gina McCarthy as the National Climate Advisor sends a strong message about the tone and tenor of environmental policy under President Biden’s Administration.

The push to enact climate change action, either legislatively or through Executive actions, will not be the only area of significant environmental change. There will

be tremendous pressure for the incoming Administration to rollback the majority of the environmental policy enacted over the last four years and with unified Democratic control of both Legislative Houses there are an array of tools at their disposal. Congress will be able to use the Congressional Review Act to remove some of the biggest environmental targets from the books while the EPA and CEQ can withdraw, repropose, and draft new regulations. The change in political landscape provides significant challenges but also opportunities to the mining industry. Now more than ever our elected officials and the general public are in need of an education around an industry that forms the foundation of our modern world.

## **NATIONAL ASPHALT PAVEMENT ASSOCIATION (NAPA)**

As the incoming Biden Administration makes clear their focus on mitigating climate change through cleaner energy sources and emphasizing environmental justice in communities near industrial sites – all while building back better modern infrastructure – the asphalt pavement industry, represented by the National Asphalt Pavement Association, is positioned to respond accordingly, focusing on these three initiatives:

- further reducing the carbon footprint of asphalt mix
- emphasizing operational excellence
- ensuring asphalt pavement materials have minimal impact on the environment

Asphalt pavement is one of the most recycled materials in the U.S. and new highway pavements

incorporate about 20 percent of reclaimed asphalt pavement (RAP), reducing millions of tons of upstream greenhouse gas (GHG) emissions every year.<sup>1</sup> Innovations in production processes and mix designs, including the increased use of bio-based materials, further move the needle toward carbon-neutral asphalt pavement materials. And we continue to review other recycled materials, like plastic and shingles, that can be incorporated into asphalt pavement mix.

The industry also has a track-record of encouraging operational excellence and open dialogue with stakeholders in the communities where we operate. Industry programs, like Diamond Achievement<sup>2</sup>, help asphalt plants operate sustainably. And our ongoing and long-standing environmental research efforts are focused on ensuring asphalt pavements have minimal impact on the environment.

The references below show how the asphalt pavement industry is positioned to address upcoming environmental scrutiny over the next few years, through its sustainability efforts<sup>3</sup>, operational excellence programs<sup>4</sup>, and stakeholder communication information<sup>5</sup>.

## **REFERENCES**

<sup>1</sup> <https://www.asphaltpavement.org/expertise/sustainability/sustainability-resources/recycling>

<sup>2</sup> <https://www.asphaltpavement.org/programs/napa-programs/diamond-program>

<sup>3</sup> <https://www.asphaltpavement.org/expertise/sustainability>

<sup>4</sup> <https://www.asphaltpavement.org/programs/napa-programs/internal-traffic-control-program>

<sup>5</sup> <https://www.asphaltpavement.org/uploads/documents/SR206-EnvironmentalImpact-web.pdf>

## **NATIONAL STONE, SAND & GRAVEL ASSOCIATION (NSSGA)**

Recently, several environmental regulations, supported by NSSGA, were finalized which should have a positive impact on members' operations in the coming years. Most importantly, the Environmental Protection Agency (EPA) finalized the National Ambient Air Quality Standard (NAAQS) for Particulate Matter (PM), retaining the current standard for both coarse PM (PM10) and fine PM (PM2.5). There is always pressure on EPA to reduce the PM standards. A reduction in the standard could limit production at operations, as state air permits have limits based on the NAAQS and tied to production. NSSGA has long advocated for the standard to be based on peer-reviewed science, which indicates that the current standard is protective.

The US Fish & Wildlife Service (FWS) finalized its Definition of Habitat. NSSGA submitted comments on this rule earlier this year. FWS agreed with NSSGA's comments and removed the confusing and open-ended phrase "have the capacity to"

from its final definition of habitat for use with new designations of critical habitat for endangered species. This streamlined definition should add clarity for members' compliance with the Endangered Species Act.

Additionally, EPA completed two important regulatory reform efforts involving the use of science in promulgating regulations. EPA's Air Benefit Cost Rule should add accuracy, consistency and transparency to the procedure of calculating costs and benefits by EPA during rulemaking. EPA's Transparency in Science rule establishes how EPA considers the data underlying pivotal science used in its significant regulatory. NSSGA submitted comments supporting these proposals during the rulemaking process. Please contact NSSGA if you have any questions about these updates.

## **PORTLAND CEMENT ASSOCIATION (PCA) & NATIONAL READY MIXED CONCRETE ASSOCIATION (NRMCA)**

Having turned the page on a challenging year, the cement and concrete industries see cause for optimism in 2021 as the country looks to emerge from its COVID-induced economic slowdown. As construction gains renewed momentum, there remains a distinct focus on sustainable development and the cement and

concrete industries are poised to play a critical role in achieving those aims.

In 2020, the Portland Cement Association announced its intention to achieve carbon neutrality across the concrete value chain by 2050. Concrete's prevalence as a building material means the impacts of this effort will be significant. The Portland Cement Association is developing the roadmap to achieve this important goal with input from the National Ready Mixed Concrete Association. This plan will provide a clear path to becoming carbon neutral, representing a major step on behalf of the industries to responsibly address this urgent issue.

The cement and concrete industries will enable the construction sector to rise and meet the challenges it faces. For many years, our industries have taken strides to improve our sustainability. With the use of new products, such as Portland Limestone Cement, and the adoption of emerging technologies, concrete will remain the building material of choice for 2021 and beyond. Sustainability remains our responsibility and the cement and concrete industries recognize and embrace the role we play in helping rebuild our communities, our cities and our country better than ever. ■

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# Kirk McDonald CalPortland's Vice President of Technical Services Retires

By Charley Rea, Director of Communications & Policy, CalCIMA

**T**rade associations succeed based on the volunteering and involvement of the individual members. In the case of construction materials, it means their first-hand experience and knowledge of operations, materials, and procedures are needed to help government officials understand how things work in a practical setting.

It puts a premium on industry representatives being credible and reliable sources of information for the industry as a whole. Arguably one the most important and constant areas of material suppliers' interaction with agencies is with Caltrans on developing their materials' specifications.

By those standards, Kirk McDonald, vice president of technical services for CalPortland, has been not only one of the longest serving, but most important and exemplary for the industry. As a key industry representative with Caltrans on concrete and cement technical issues for over 20 years, he has helped to greatly improve materials specifications and set a high standard for industry interaction.

He began participating in the Caltrans-industry Rock Products Committee in the late 1990's and has served as an industry lead on the Concrete Task Group since 2009. The task group oversees all facets of concrete and cement specifications, test methods, and policies.

"Working with Kirk on the Concrete Task Group has been a true pleasure. Kirk has been a true professional, with integrity and technical expertise," said Keith Hoffman, Chief, Office of Quality Assurance and Source Inspection

for Caltrans Materials and Engineering and Testing Services (METS).

"Kirk has spent many hours helping the Department and industry adopt innovative solutions, use materials with sensible, economical and practical engineering judgment. Kirk has invested many hours helping the Department and industry move forward to adopt sustainable material solutions, adopting Type IL cement, recycling and other solutions. His efforts on these committees have benefited Caltrans, industry partners and the taxpayers of California. We will miss him on the CTG," concluded Hoffman, who is the Caltrans chair for the Concrete Task Group.

A Southern California native, Kirk's education focused on technical subjects of quality, statistics and reliability. After a stint in the chemical laboratory for Kaiser Steel, Kirk moved over to the construction materials industry as a technician for Conrock in 1980. Although he worked with aggregates, too, his energies increasingly focused on designing concrete mixes. After a time with RMC/Lonestar, he went to work in cement technical services for California Portland Cement Company. He has been with the company for 38 years.

Growing to become a respected industry resource comes, in part, by being surrounded by good mentors. He credits Dean White, Jim McDowell, Bob West, and Jim Van Nest among mentors who instilled passion, mix design technology, decision-making authority, and work ethic. He leaned heavily on CalPortland chemists' Peter Hawkins and Sharon DeHayes to gain an appreciation for the complexity of cement and its effect on concrete products.



**Kirk McDonald, (left) VP of Technical Services for CalPortland and his wife Barbara.**

With 40 years in the business, Kirk has been a part of a lot of changes in materials production and specifications. When Griff Sparks and he started at CalPortland, Kirk reports there was something new around every corner for concrete and aggregates. "And, fly ash was just being introduced into our area. Fly ash and supplementary cementitious materials are common usage now," says McDonald.

In a testament to industry innovation, McDonald says "Strength levels have increased two-fold due to newer admixtures and mix technology. Sustainable technologies have been incorporated and continue to be refined."

For McDonald, though, his career has been guided by a strong sense of obligation to colleagues and customers. "Overall, it is the service aspect to the company, customer and industry that I am happiest about. To be able to provide a service that benefits our product and our product's benefit to society," says McDonald.

[ Continued on page 26 ]





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[ Continued from page 24 ]

He has particularly enjoyed working together with people in the industry to address challenges. “I have been fortunate to have the opportunity to interface with many different aspects of our industry from company, customer, associations and agencies. Throughout these interactions the common theme of better solutions

whether in testing, materials usage, mix design advances, or specifications, the people involved are key to success and it has been quite a pleasure to have been able to work with these people to achieve better solutions,” says McDonald.

Of late, Kirk has been at the forefront of introducing Type II, or Portland Limestone Cement (PLC), a significant development that

will lower the greenhouse impact of cement by 10%. He has been the industry lead with CalTrans in evaluating PLC for use in state projects through a research program with Oregon State University. It should be completed by Spring 2021.

While Kirk retired from CalPortland at the end of 2020, he will continue in a limited capacity to achieve the specification for Portland Limestone Cement. And, he will leave an enduring example of achievement, professionalism, and friendships in working with his colleagues and agencies.

“For the last 40 years, Kirk McDonald has established himself as an extraordinary leader for our industry. Kirk’s tireless work with organizations like Caltrans has provided a voice and resource for the industry that guided decision making, new technologies, industry relationships and common sense – benefiting all stakeholders! His work has proven that Caltrans and Industry can work together to provide innovative solutions to better both Caltrans and Industry,” said Mark Hill, Quality Control Manager for CEMEX, and a co-industry lead with Kirk on the Concrete Task Group with Caltrans.

“Personally, I want to thank Kirk for everything he has done for me. He has been a genuine mentor and a better friend. Like many before me, Kirk has been an integral influence in my professional development and his guidance will truly be missed. Thank you for everything, Kirk!” said Hill.

Kirk has many hobbies—motorcycling, photography, and woodworking, among them—to keep him busy while stepping down from his career in technical services, but he and wife Barbara will also keep busy traveling to see their three children and six grandchildren. We wish them the best! ■

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The Truck and Bus Regulation uses **ARB's TRUCRS** system for reporting. In January, fleets can report changes and **update compliance** options. Compliance reports are due on **January 31**. We help fleets understand the requirements and get **TRUCRS reporting done right**. The new **Advanced Clean Truck Regulation** has a one-time **reporting requirement** for fleets with **50 vehicles with GVWR ≥ 8501 pounds** due **April 1**.



The Off-road Diesel Regulation uses **ARB's DOORS** system for reporting. By the reporting deadline of **March 1** you should report changes to your off-road fleets, update compliance options and submit a signed ROAR form.

Our staff **customizes the compliance** options for your fleet and completes the reporting and ROAR form for you. We help fleets **understand the requirements**, get **DOORS reporting done right** and help you **plan for the future**.



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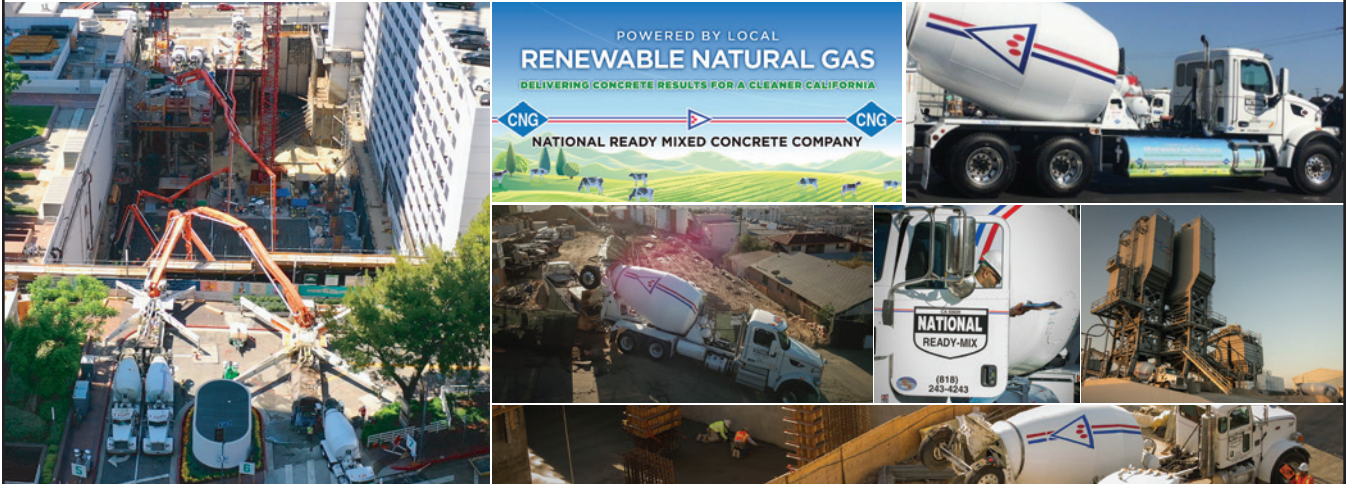
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