AGGREGATE PRODUCERS of WISCONSIN

QUARTERLY NEWS

November 2014

Producers of Crushed Stone, Sand and Gravel

Message from the President

Adam Tegelman

As the 2014 construction season draws near to a close, we as an industry can look back on a year filled with challenges & successes. With 2015 right around the corner, the industry can look forward with hopes of another productive season due to success of some of our state legislators along with a major success in protecting the state transportation fund.

First, a couple of acknowledgements regarding the 2014 elections:

Congratulations to Craig Thompson and his staff at the Wisconsin Transportation Development Association (WTDA) for spearheading the effort to get the state constitution amended to protect the transportation fund; getting 80% support on any political question these days is no minor feat. I would also like to extend my appreciation to APW members and several other organizations for their support in getting this done.

Congratulations to Governor Walker for being elected three times in four years, and for getting right back to work the next morning.

Congratulations to all of the candidates for state office, win or lose. Our state policymakers are only as good as the people who are willing to put their name on a ballot and compete for our votes—and anybody that is willing to do that deserves our gratitude and respect.

Congratulations to Majority Leader Senator Fitzgerald and Speaker Vos for leading their respective teams to impressive victories in maintaining and building on their majority position in each house. We look forward to working with the governor and the entire Legislature in the coming session.

I would also like to take this opportunity to encourage you to attend the upcoming APW Annual Convention and look forward to seeing you in Stevens Point on December 4. This event will give you the opportunity to learn about a wide range of topics crucial to the aggregate industry, while also networking with some of the most important equipment and production personnel in our industry.

Adam Tegelman
APW President

Message from the President 1

Legislative & Regulatory Report

2014 State Election Results 3

Wisconsin Voters Vote Yes for Transportation 3

Legislative Leaders Elected for the 2015-16 Session 5

Governor Walker and 2015 Legislature Start Off with a Challenging State Budget 5

Dump Truck Owner/Operators Forming New Association 6

Buffalo County Entertains Zoning Ordinance Restricting Truck Travel on State Highway 35 6

Legislative Fiscal Bureau Details History of Transfers in and out of the Segregated Transportation Fund 6

Wisconsin Supreme Court Issues Split Decision Resulting in Loss for Manufacturer 7

NSSGA

Small Producers Meet to Discuss Mutual Concerns 8

U.S. Small Business Advocacy Office Tells EPA to Withdraw CWA Rule 8

House T&I Committee Releases Public Private Partnerships Report 9

Energy Equipment and Infrastructure Alliance Releases Landmark Study 9

House Demands EPA Stop Waters Rules 9

Aggregates Production Increases in Second Quarter 11

NSSGA Submits Comments on Silica Rulemaking 11

Member News 14

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2014 State Election Results

It was a big night for Republicans in Wisconsin, and throughout the country. After months of neck and neck polling, Governor Walker pulled it out in the end with a 52% to 47% victory over challenger Mary Burke.

Other statewide races mostly followed suit with the top of the ticket. Republican Brad Schimel was elected Attorney General defeating Democrat Susan Happ by a margin of 52% to 45%. State Treasurer candidate Matt Adamczyk (R) defeated David Sartori (D) (49%-45%) while incumbent Secretary of State, Doug La Follette (D) held on (50%-46%) over Julian Bradley (R) as the lone Democrat elected to statewide office.

In the State Senate, Republicans expanded their current 18-15 majority to 19-14 next session by winning every contested open seat and picking up a net gain of one in the Racine area. Key races featured Republican wins in Senate Districts 17, 19, and 21.

In the 17th District, Howard Marklein (R) defeated Pat Bomhack (D) (55%-45%) in an open seat formerly held by Dale Schultz; a seat in southwestern Wisconsin that many political observers considered the most vulnerable open seat for Republicans to hold onto this cycle.

In the 19th Senate District, Roger Roth (R) finished strong with a 57% to 43% win over Penny Bernard Schaber (D) after trailing in earlier polling for the Fox Valley open seat vacated by Senator Mike Ellis (R).

In the 21st Senate District, Van Wanggaard (R) defeated Randy Bryce (D) to regain the Racine area seat he lost to John Lehman in a 2012 Senate recall election; Lehman vacated the seat to run for Lieutenant Governor on the Burke ticket and chose not to run for Senate re-election in a seat most observers conceded was the Republicans to win based on re-districting.

As expected the State Assembly maintained its strong Republican Majority but frankly exceeded expectations. Unofficial results put the Republicans at 63-36 seats, a net gain of three seats over their current 60-39 majority (pending two likely recounts in the 51st and 85th Assembly Districts). Republicans held all of their incumbent seats, won all of the open seats formerly held by Republicans (pending a recount in the 51st AD) and defeated three Democrat incumbents (pending a likely recount in the 85th AD).

In the swing races: Republican challenger Romaine Quinn defeated incumbent Stephen Smith in the 75th AD (55%-45%); Republican challenger Nancy Vander Meer defeated incumbent Amy Sue Vruwink (53%-47%), and; Republican challenger Dave Heaton has an 86-vote lead with 100% of precincts reporting in his bid to unseat incumbent Mandy Wright in the 85th AD. The only other undecided race has Todd Novak (R) leading Dick Cates, Jr (D) in the 51st AD by 59 votes with 100% of precincts reporting.

Wisconsin Voters Vote Yes for Transportation

A resounding 80% of the roughly 2.4 million people who voted in the November 4 election supported adoption of a constitutional amendment to protect the segregated transportation fund from being used for other than transportation purposes. The successful result is a culmination of over four years of effort spearheaded by Craig Thompson of the Wisconsin Transportation Development Association (WTDA). Thompson built a strong coalition of supporters, which included APW and multiple other statewide labor, tourism, and business groups that recognize the importance of a strong transportation infrastructure to the state's economy.

While raids on the transportation fund to support the general fund have not occurred in the last four years under Governor Walker, the four-year march to get the amendment on the statewide ballot was initiated in response to the roughly $1.4 billion in transportation revenue that was shifted to the general fund between 2003 and 2011. (See related article in this edition under *Legislative Fiscal Bureau Details Transfers In and Out of the Segregated Transportation Fund.*)

Passage of the amendment results in constitutional protection for the fund and guarantees that revenue raised for transportation will be used for transportation projects and programs into the future. It may also soften traditional opposition to raising certain transportation based revenue this coming budget, at least among some highway user organizations that have previously balked at paying higher fees that could potentially be siphoned off for non-transportation purposes.

How much real impact the 80% vote has on paving the way for a funding increase in transportation revenue sources—such as gas tax, registration, and licensing fees—remains to be seen. While voters overwhelmingly supported the revenue protection amendment, recent statewide polling indicates that increasing any of the traditional funding sources does not generate majority support among the same electorate.

Statewide support for the segregated transportation fund is loud and clear—generic support from Governor Walker and legislative leaders for a more sustainable transportation program is also clear going into next session. How to specifically fund any increase in the transportation budget, let alone the $680 million DOT estimates is needed next session to keep the system on track, remains cloudy. As with most major budget issues, the governor's leadership and what he proposes in his original budget bill will set the stage and be a key factor in how transportation funding issues are addressed next session.

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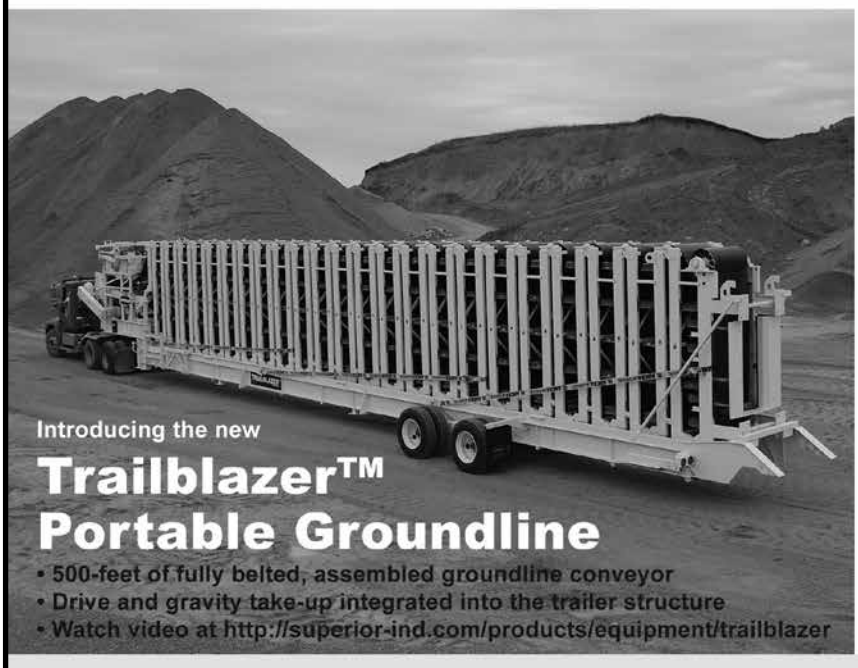

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Legislative Leaders Elected for the 2015-16 Session

In November, Republican and Democrat Caucuses met to elect their leadership for the coming session. Elected to the top positions are:

Senate Republicans: Majority Leader, Sen. Scott Fitzgerald (Beaver Dam); Senate President, Sen. Mary Lazich (New Berlin); President Pro Tempore, Sen. Rick Gudex (Fond du Lac); Assistant Majority Leader, Sen. Paul Farrow (Pewaukee).

Senate Democrats: Sen. Jennifer Shilling (La Crosse), Minority Leader; Sen. Dave Hansen (Green Bay), Asst. Minority Leader; Sen. Kathleen Vinehout (Alma), Caucus Chair.

Assembly Republicans: Speaker, Rep. Robin Vos (Rochester); Majority Leader, Rep. Jim Steineke (Kaukauna); Speaker Pro Tempore, Rep. Tyler August (Lake Geneva); Assistant Majority Leader, Rep. Dan Knodl (Germantown).

Assembly Democrats: Minority Leader, Rep. Peter Barca (Kenosha); Asst. Minority Leader, Rep. Katrina Shankland (Stevens Point); Caucus Chair, Rep. Andy Jorgensen (Milton); Caucus Vice Chair, JoCasta Zamarripa (Milwaukee).

Sen. Alberta Darling and Rep. Nygren will likely be re-appointed the Co-Chairs of the Joint Finance Committee (JFC). All other standing committee assignments, including other appointments to JFC, are still pending in both houses and both parties. Based on tradition and majority party status, Republicans will hold a 12-4 majority on the Joint Finance Committee with six majority and two minority members serving from each house.

Governor Walker and 2015 Legislature Start Off with a Challenging State Budget

The first six months of every two-year legislative cycle is largely devoted to debate and passage of the biennial budget bill. This coming session is expected to be no exception and the governor and the returning Republican-controlled Legislature will have some challenging budget issues to work out between now and June 2015. That work is already underway and the governor's proposal will be officially introduced around late January 2015.

Budget Challenges include the following:

State Financial Condition: The state's financial condition is solid, but not as good as the fiscal condition going into the last biennium. Going into the 2013-15 biennium the state, for the first time in over 20 years, began the budget process with no structural deficit and a relatively high $760 million surplus. The surplus is gone and was essentially used to lower income taxes and provide property tax relief after funding increases in less discretionary programs and state expenditures. The current structural deficit going into the next budget (2015-17) was recently revised by the Legislative Fiscal Bureau and went from a previous $642 million estimated deficit in mid-2014 to the current $1.8 billion estimated deficit. The revision was precipitated by a shortfall of $281 million in actual revenue collection in FY 14 compared to budget estimates. The ultimate starting position for the next budget will depend on whether revenue collection and/or expenditures are higher or lower than budgeted through the end of this fiscal year (FY 15), which ends June 30, 2015. To put the structural deficit in perspective, a $642 million deficit would be the second best starting position in over 20 years and a $1.8 billion deficit would be the third worst in over 20 years, with most budgets starting out in the $1.4 to $1.7 billion range.

Tax Reduction and Property Tax Relief: Tax reduction has been a budget priority the last couple of sessions, and will likely be a top priority in the Legislature next session. According to the non-partisan Legislative Fiscal Bureau (LFB April 30, 2014 report), tax law changes that have passed since Governor Walker took office in January 2011, have resulted in a net savings to taxpayers of $1.94 billion over the last four years.

Individual and franchise taxes were reduced by a total of $1.39 billion, which includes a total of $746 million associated with lowering income tax rates. Property taxes were reduced by $536 million, with the bulk of that savings coming in the form of enhanced aid ($406 million) to the Wisconsin Technical College System as an offset against local property taxes.

While these tax changes are good news for Wisconsin taxpayers, they certainly have an impact on the amount of revenue the state will have available for the 2015-17 budget.

Transportation Infrastructure Funding: In early April 2014, DOT Secretary Mark Gottlieb publicly announced that the state is facing a $600–$700 million shortfall in the next state budget to maintain the current transportation program and services. He warned that, absent new revenues, current major projects like the Zoo Interchange and I-39/90 from Madison to the Illinois state line could be delayed. If the shortfall were to be addressed by cutting back on infrastructure improvements, it could mean as much as a 30% reduction in the highway program. The governor and legislative leaders have already indicated a level of support for dealing with long-term transportation funding next session and, while that is encouraging, there remains considerable debate on how best to shore up transportation funding. If policymakers are unwilling to raise the gas tax and/or other typical segregated revenue sources for the transportation fund, they may look to supplemental GPR support, which again puts transportation into the general purpose funding mix.

Medicaid Program Funding: The Medicaid program was facing earlier projected shortfalls of as much as $93 million GPR but the Department of Health Services (DHS) recently reported they are now on track to be balanced by the end of the biennium. The budget challenge for next session relates to the amount of GPR the department estimates will be needed to cover the cost-to-continue for the existing program over the 2015-17 biennium. In the agency budget request submitted to DOA in September, DHS Secretary Kitty Rhoades identified that the agency will need an additional $760 million GPR to fund the current Medicaid program in the next biennium.

The current Medicaid program is budgeted at $4.8 billion GPR for the biennium ($16.3 billion All Funds). It is the second largest GPR expenditure in the budget and now comprises roughly 15% of the $30.6 total GPR appropriations.

K-12 Public School Funding: The single largest GPR appropriation in the state budget is for Elementary and Secondary School Aids. State aid to public schools accounts for $10.1 billion or 33.1% of the total, current GPR budget. While it is too early to predict what level of spending will be proposed or adopted in this area—the sheer size of the appropriation makes it a key GPR budget issue each cycle.

In summary, the state is in a relatively good financial condition going into the 2015-17 biennium, but not nearly as good as two years ago. The current financial condition and re-occurring budget demands looming in major program areas (such as Medicaid, Transportation and School Funding) will put considerable pressure on the allocation of available GPR in the next budget. How much GPR will be available for these budget demands will likely continue to be weighed against the priority that a number of legislators put on funding additional tax relief. These are not particularly unique budget dynamics for the governor and the Legislature to deal with, but it does provide a preview of some of the big ticket challenges confronting policymakers next session.

LEGISLATIVE & REGULATORY REPORT

Dump Truck Owner/Operators Forming New Association

A new state association called the United Dump Truck Association of Wisconsin has recently formed and is organized around the issue of truck rental rates. The group has initially focused on restoring a state prevailing wage rate for owner/operators, which was in place prior to repeal under 1995 WI Act 215.

Before the law change in 1995, truck owner/operators were paid a minimum truck rental rate for work on state highway projects as determined by the Department of Industry, Labor & Human Relations (DILHR) now the Department of Workforce Development (DWD). Act 215 eliminated the determination of truck rental rates (rendering the truck rate open to negotiation) and specified that an owner/operator must be paid separately for the driver's wages (which remained subject to prevailing wage determination) and the amount for truck rental.

APW will be monitoring any progress on this issue as it has various impacts on APW members. Some producer members also operate trucks for hire, while others are strict purchasers of trucking services or maintain their own fleet for all or part of their aggregate trucking.

Buffalo County Entertains Zoning Ordinance Restricting Truck Travel on State Highway 35

On October 15, 2014, the Buffalo County Zoning Committee held a public hearing and subsequently voted to recommend adoption of a zoning ordinance restricting truck travel on State Highway 35 (a.k.a. The Great River Road/National Scenic Byway).

Under the proposed ordinance, all permitted uses and conditional uses permitted under zoning would be allowed provided they did not generate fifty (50) or more truck trips a day. The ordinance defines "truck trips" as a truck with a gross vehicle weight in excess of 50,000 pounds traveling on State Highway 35 in Buffalo County.

Prior to the zoning committee action, the Wisconsin Department of Transportation sent a strongly worded letter to Buffalo County Corporation Counsel setting forth their position. DOT Chief Legal Counsel, Rebecca Roeker, stated that *"Given WisDOT's obligation to maintain the statewide highway network, local municipalities may not regulate state highways." (emphasis added).* She cited state statutes and pointed out that the proposed ordinance was in direct conflict with the state policy of creating uniform statewide traffic regulations on state highways. She concluded by indicating "*… the Proposed Ordinance would be void and unenforceable if approved and enacted by Buffalo County.*

Whether the Buffalo County Board of Supervisors agrees with DOT's position remains to be seen, but it appears they are at least weighing their options. According to the public notice, the County Board was scheduled to consider adoption of the proposed ordinance on October 27th. The ordinance was not taken up at the October 27th Board meeting and is essentially on hold until such time as the Board Chair determines whether to schedule it for a subsequent meeting.

Legislative Fiscal Bureau Details History of Transfers in and out of the Segregated Transportation Fund

Legislative Fiscal Bureau Director, Bob Lang, sent the Legislature a memo in October, which identified various transfers between the segregated transportation fund and the state's general fund over the last 12 years (six biennial budgets).

The LFB analysis uses the 2003-05 biennium as the starting point since it marked the budget in which the first major transfers occurred.

In 2003-05, $683 million was transferred from the transportation fund to the general fund to pay for non-transportation general expenditures. Under Governor Doyle's four budgets (2003-05 through 2009-11) a total of $1.4 billion was transferred out of the transportation fund and sent to the general fund. That amount was partially offset in those same four budgets by using the general fund to support the debt service on bonds that were let to raise capital for transportation projects. General Fund Supported Bonds for transportation totaled a net $1.02 billion over those eight years. In total, there was a net loss of $376 million to the transportation fund over this eight-year period.

The trend reversed over the last four years under Governor Walker. In his first two budgets (2011-13 and 2013-15), there were no transfers out of the transportation fund. On the plus side for the transportation fund, GPR supported borrowing totaled $315 million with an additional $374 million in general fund dollars that were transferred back to the transportation fund. In total, there was a net gain of $689 million to the transportation fund over the last four years.

The LFB memo illustrates that while $1.4 billion was taken out of the transportation fund to support the general fund (primarily in the 2003-05 and 2005-07 budgets), those transfers have since been made up through general fund supported borrowing and cash transfers back to the transportation fund. According to the LFB, the bottom line analysis of net loss/gain shows the transportation fund with a net gain of $313.6 million GPR over the last 12 years (six budgets).

Wisconsin Supreme Court Issues Split Decision Resulting in Loss for Manufacturer

On October 7 the Wisconsin Supreme Court issued a split decision which resulted in a loss for Sohn Manufacturing in a workers' compensation case. The issue before the Court was whether the federal Occupational Safety and Health Act (OSHA) preempts the State of Wisconsin from imposing penalties for safety violations under Wisconsin laws.

In a 3-3 decision, Chief Justice Abrahamson, Justice Bradley, and Justice Crooks voted to affirm the court of Appeals' decision in favor of the employee. Justices Roggensack, Ziegler, and Gableman voted to reverse the Court of Appeals' decision. Justice Prosser did not participate, leading to the split decision. The case is Sohn Manufacturing v. Labor and Industry Review Commission, 2014 WI 112.

Background: An employee (Tonya Wetor) was injured on the job while working at Sohn Manufacturing. Wetor was cleaning a machine when her hand was pulled into the machine, causing severe injuries. Sohn Manufacturing's practice at the time was to clean the machines while they were running. The state investigated the accident and determined that Sohn Manufacturing had not complied with OSHA standards and Wisconsin's Safe Place Statute (Wis. Stat. § 101.11).

During the workers' compensation hearing, the issue was whether Sohn Manufacturing was liable for a penalty payment under Wis. Stat. § 102.57, which provides an extra 15 percent of the damages award, capped at $15,000, when an employee's workplace injuries are caused by their employer's safety violations.

The administrative law judge determined that the injury was caused by Sohn Manufacturing's violations of the OSHA standard and Wisconsin Safe Place Statute and therefore ordered the company to pay the 15 percent payment penalty. The case was appealed to the Court of Appeals, which affirmed the administrative law judge's decision.

Arguments before the Supreme Court: The Court heard oral arguments on September 23, 2014. The main issue was whether the State of Wisconsin may use OSHA standards or the Wisconsin Safe Place Statute (Wis. Stat. § 101.11) to inspect private workplaces and impose penalties under Wis. Stat. § 102.57. Specifically, Sohn Manufacturing argued that the federal law (OSHA) preempted both § 102.57 and the Wisconsin Safe Place Statute and therefore the State of Wisconsin did not have authority to issue the 15 percent payment penalty under § 102.57.

According to Sohn Manufacturing, OSHA preempts Wis. Stat. § 102.57 because the alleged violation of the state statute is predicated on the violation of an OSHA standard. The company argued that states may regulate occupational health and safety only by submitting state plans to OSHA for approval, or by limiting the state regulation to areas in which no OSHA standard exists.

Wisconsin has not submitted any such plan to OSHA. In addition, the lower courts determined that Sohn Manufacturing violated an OSHA standard relating to the control of hazardous electrical energy. Therefore, Sohn Manufacturing argued that state enforcement of Wisconsin Stat. § 102.57 has crossed into the federal government's regulatory space and therefore is preempted.

Wisconsin Supreme Court Evenly Splits, Court of Appeals' Decision is Upheld and Adopted: Because the Supreme Court split 3-3, the Court of Appeals' decision is affirmed in favor of the employee. The Supreme Court provided no analysis of the decision, but instead adopted the Court of Appeals' decision, Sohn Manufacturing v. Labor and Industry Review Commission, 2013 WI App 112.

NSSGA News

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Small Producers Meet to Discuss Mutual Concerns

Chief executives of small aggregates producers met October 6 at the NSSGA Board Meeting in Santa Barbara to discuss operational, regulatory and legislative issues of concern. The operators were briefed on key issues such as:

1. The ongoing push for Congress to fix the Highway Trust Fund before the end of the year;
2. Environmental issues, e.g., the importance of commenting on the Waters of the U.S., or WOTUS rule; and
3. MSHA enforcement issues as the civil penalties rule proposal. NSSGA President Michael Johnson took the opportunity to remind attendees of the critical role their companies play in both near-and long-term NSSGA advocacy success. "With so much riding on NSSGA advocacy efforts, the association is committed to doing more to secure the voices of small operators for effective advocacy on key issues central to small operator profitability," Johnson said. (NSSGA 10/16/14)

U.S. Small Business Advocacy Office Tells EPA to Withdraw CWA Rule

The U.S. Small Business Advocacy Office is recommending that EPA withdraw its Proposed Jurisdictional Rule that would assert Clean Water Act jurisdiction over many previously unregulated areas. According to SBA's October 1 letter, EPA violated the Small Business Regulatory Enforcement Fairness Act by not fully considering the economic impact on small businesses. When a rule is expected to have a significant economic impact on a substantial number of small entities, agencies must evaluate the impact, consider less burdensome alternatives and, in the case of EPA, convene a Small Business Advocacy Review panel. Because of EPA's failure to do so, SBA is recommending that EPA withdraw the rule. While the SBA does not have authority over EPA, its letter suggesting withdrawal adds a voice from the federal government joining industry, members of Congress, and state and local government opposing this rule. (NSSG 10/8/14)

NSSGA News

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House T&I Committee Releases Public Private Partnerships Report

Public-private partnerships (P3s) should play a more prominent role in paying for the next surface transportation reauthorization bill, according to a report released by a special panel of the House Transportation and Infrastructure Committee. Bipartisan support for "P3s," which combine state and federal grant money and bonds with Wall Street equity and debt financing, was evident during a news conference September 17 with many of the panel's participants. Committee Vice Chairman John J. Duncan, R-Tenn., was appointed to lead the 11-member panel when it was formed in January; Rep. Michael Capuano, D-Mass., served as ranking member.

Members on both sides of the aisle agree that P3s deserve stronger consideration in the next highway bill, but all who spoke at the news conference were clear that funding—not financing—is still the overriding issue to resolve. Without increased federal investment in the near future, there will be nothing to "finance." House T&I chairman Bill Shuster, R-Pa., said he will use them as a resource when the full committee drafts new legislation. (NSSGA 9/24/14)

Energy Equipment and Infrastructure Alliance Releases Landmark Study

The Energy Equipment and Infrastructure Alliance, of which NSSGA is a member, is committed to advocating for the interests of the shale energy supply chain. EEIA has released a landmark study, prepared for the alliance by IHS Global, titled "Supplying the Unconventional Revolution: Sizing the Unconventional Oil and Gas Supply Chain."

The report is the first to measure the full scope of job creation and dollar output generated by companies that is directly attributable to supplying construction, equipment, materials, services and logistics to shale oil and gas related operations. The study finds that energy-related supply chain jobs would grow from 524,000 in 2012 to 757,000 in 2025. The dollar output would grow from $145 billion to $206 billion over the same period. The study covers every state and 56 industries. The report is expected to be an invaluable tool in advocacy efforts, at both the federal and state level, to advance energy policy that drives the markets served by the aggregates industry and related business sectors.

The report was released by IHS September 23. It can be downloaded at www.ihs.com/shalesupplychain. (NSSGA 9/24/14).

House Demands EPA Stop Waters Rule

H.R.5078, the Waters of the United States Regulatory Overreach Protection Act, passed September 9 by a vote of 262 yeas to 152 nays, with more than 30 Democrats supporting the bill. The bill would force the U.S. Environmental Protection Agency and Army Corps of Engineers to withdraw the proposed rule expanding jurisdiction over Waters of the United States, and require consultation with the states. The results of this federal state consultation would be sent back to Congress, which would then decide whether to proceed with a rulemaking.

NSSGA has actively supported H.R.5078 along with many other associations in the Waters Advocacy Coalition. In addition to key voting H.R.5078, NSSGA also activated its grassroots, and had 130 separate NSSGA members contact their member of Congress urging a "yes" vote. NSSGA is pleased to see such a strong vote of opposition to EPA's attempts to radically expand their jurisdiction. The strong bipartisan vote in the House is significant but with the election looming the bill faces significant hurdles in the Senate. (NSSGA 9/10/14)

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NSSGA News

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Aggregates Production Increases in Second Quarter

The U.S. Geological Survey has released figures based on its quarterly sample survey and shows that an estimated 592 million metric tons of crushed stone, construction sand and gravel was produced in the United States in the second quarter of 2014. This is an increase of eight percent compared with that of the second quarter 2013. The estimated production for consumption in the first six months of 2014 was 961 mmt, an increase of seven percent compared with the same period 2013.

The agency estimates, based on information reported voluntarily by a limited number of producing companies, that 346 mmt of crushed stone was produced in the United States in the second quarter 2014, an increase of eight percent compared with the same period in 2013. The estimate for the first six months of 2014 was 567 mmt, an increase of seven percent compared with the first six months in 2013.

USGS estimates 246 mmt of construction sand and gravel was produced in the second quarter 2014. Compared with that of the second quarter 2013, this is an increase of eight percent. Production in the first six months of 2014 was estimated at 394 mmt, an increase of eight percent compared with that of the same period 2013.

The latest release of the quarterly Mineral Industry Surveys contains the most recent estimated totals and supersedes previously published reports. (NSGA 9/10/14)

NSSGA Submits Comments on Silica Rulemaking

The National Stone, Sand and Gravel Association filed its latest set of comments with the U.S. Occupational Safety and Health Administration on the agency's proposed rule on occupational exposure to respirable crystalline silica August 15.

OSHA's proposal is important to aggregates producers because some operations are under OSHA jurisdiction. However, most producers are under the jurisdiction of the U.S. Mine Safety and Health Administration, and MSHA is likely to propose a silica standard for the mining industry at a later date.

NSSGA's comments reiterate its earlier written and oral testimony to OSHA while expanding on a critical issue: the inability of some commercial labs to provide the consistently accurate data that employers need to determine compliance. (NSSGA 8/20/14)

Annual Convention

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- **Trucking—Axle Weights and Bridge Restrictions**
- **WI Transportation Budget**
- **Trials and Tribulations of Mine Permitting**
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MEMBER NEWS

APW ANNUAL CONVENTION

December 4, Holiday Inn, Stevens Point

A full day of sessions addressing the current issues such as:

- NSSGA National Perspective of the Industry
- Tire Care and Maintenance
- Trucking Issues—Axle Weights and Bridge Restrictions
- Future of the WI Transportation Budget
- Trials and Tribulations of Mine Permitting
- Police Powers Panel
- Casino Night after Reception

Luncheon & Guest Speaker - Governor Walker, invited.

There are still opportunities to exhibit, be a sponsor, or donate a prize for Casino Night.

Go to our website for agenda and exhibitor/sponsor/attendee registration form—www.aggregateproducers.org

WELCOME NEW MEMBERS

Advanced Detection Systems, Milwaukee, WI

ECCO Fab, Rockford, IL

McCourt & Sons Equipment, Menonomie, WI

Northwest Asphalt Products, Milwaukee, WI

Dues renewals for 2015 have been sent—please make sure to make your company changes on your company's renewal form and send to the APW office. These changes will be used to update the 2015 Membership Directory.

If your company would like to advertise in our Quarterly Newsletters, please contact the APW office at (608) 283-2595 or email basllc@chorus.net for details.

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