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NUCA OF NM NEWS

July 2007

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President's Message



Happy Independence Day to you. I hope that your celebration of this national holiday meant more than just an extra day off from work, or an opportunity to set off fireworks. Hopefully it included gathering with family and friends to celebrate with a barbecue, or picnic or other fun soiree. It is also my hope that you took time to reflect on the importance of the Fourth of July, a day we celebrate our rights and our

freedom.

It is the day we celebrate the 1776 adoption of the Declaration of Independence, which among other things set the groundwork for independent statehoods across our Nation. In January 1912, nearly 136 years after the signing of the Declaration of Independence, New Mexico was admitted to the Union as the 47th state. Today, the independence of our Land of Enchantment is legislated by 42 State Senators and 70 State Representatives. These legislators are busy as was evidenced in the past legislative session when nearly 3,000 pieces of legislation were introduced.

As you know, for the first time in our Association's history, NUCA of NM retained the services of a Legislative Monitor, Carla Sonntag, who kept us up-to-date and informed about the legislative session. She went above and beyond her duties as a Monitor to benefit the interests of our industry. Carla's contract is up for renewal this month. The contract will involve re-defining Carla's role and responsibilities and will involve a compensation adjustment. This was a tough issue for your NUCA of NM Board of Directors to tackle. While all agreed that the services provided by Carla were invaluable, all agreed that the needs of our Association go beyond the limitations of a Monitor, instead extending to the necessary services of a Lobbyist.

Carla has the skills, political experience and will to dedicate the

extra time needed to serve as our Lobbyist. However, the Board further recognized this increased level of services would result in increased costs. As a Board we agreed these services to be important enough to go forward with insuring Carla's position as our future Lobbyist. We will look for fund-raising opportunities to supplement our budget in support of this much-needed resource. Therefore, I am pleased to tell you that for the first time ever, NUCA of NM will have a Legislative Lobbyist! Your membership dues will provide a greater benefit to you and your company because you will have an advocate in the legislative process specifically dedicated to addressing your needs and concerns.

Please keep in mind that as our Lobbyist, Carla needs to hear from each of us and when she calls upon us for support, we must step up and get involved if we are to realize any benefit from this investment. Just as our founding fathers had a vision for a government by the people, it is up to us to keep that democracy in place. Happy Independence Day to you!

Featured Product



TRANSPORTING CONSTRUCTION EQUIPMENT DVD

Do your current practices comply with the new DOT regulations?

New federal regulations regarding tie-down devices and procedures adopted in June 2006 affect everyone transporting construction equipment whether it's across country or across town.

To help you determine the answer to that question, the National Utility Contractors Association (NUCA) has released a new 34- minute DVD that visually illustrates the Department of Transportation's Federal Motor Carrier Safety Administration regulation 49CFR, Part 393 as it applies to the transport of construction equipment. The information has been segmented by major topic to facilitate review and/or clarification:

- Introduction
- The Trailer Loading
- Equipment Securement Points
- Understanding Tie-down Equipment
- Tie-down Procedures
- On the Road
- Conclusion

\$195 for NUCA Members - You must sign in on the NUCA Web Page to receive the Member's Price. If you don't have your own user name and password, call NUCA at 703 358 9300

Order Here

Stakeholder Review Draft 20.11.20 NMAC

The Air Quality Division is proposing to amend the Air Quality Control Board regulation, 20.11.20 NMAC, Fugitive Dust Control. Interested persons may obtain a copy of the "Stakeholder Review Draft, 6/6/07" showing the proposed regulation amendments, at the Albuquerque Environmental

Health Department Office, One Civic Plaza NW, PO Box 1293, Albuquerque, NM 87103, or by contacting Mr. Neal Butt electronically at NButt@cabq.gov or by phone (505) 768- 2660.

Or Click the link below to View and Download the PDF document containing all proposed changes.

Written comments should be sent to Mr. Butt at the same address by COB, July 9, 2007.

These proposed amendments were developed in response to the requirement of 20.11.20.2 (C) NMAC, which states:

"20.11.20.2 SCOPE:

C. Exempt for three years: The following eight sources of fugitive dust in Bernalillo County shall be exempt from the requirements of this part for three years from the effective date of this part. Before the three-year exemption expires, the board shall hold a hearing that includes a review of an emissions inventory of the eight sources and other significant sources of fugitive dust in Bernalillo County and decide if the exemptions shall be continued. If one or more of the three-year exemptions expire, the board shall also review the fugitive dust control fees to determine if they are adequate to support the fugitive dust control program.

- (1) Areas zoned for agriculture and used for growing a crop; and
- (2) bicycle trails, hiking paths, and pedestrian paths, horse trails or similar paths used exclusively for purposes other than travel by motor vehicles; and
- (3) unpaved roadways serving six residential dwellings or fewer; and
- (4) unpaved roadways less than one- quarter mile in length that are not short-cuts; and
- (5) unpaved roadways on private easements serving residential uses that are in existence at the time this part becomes effective; and
- (6) unpaved roadways on United States department of agriculture forest service or United States department of interior park service lands if the roadways are more than one-quarter of a mile from an occupied residence; and
- (7) lots occupied by dwellings used solely for residential purposes or solely for non- commercial livestock operations smaller than three quarters of an acre, not including lots smaller than three-quarters of acre used for other purposes; and
- (8) unpaved roadways within properties used for ranching and unpaved roadways within properties owned or controlled by the United States department of energy or department of defense. However, this exemption only applies if the public does not have motor vehicle access to the roadways".

The Air Quality Control Board has extended their deadline to hold a hearing and reach a decision on whether or not to continue the aforementioned exemptions. A summary of proposed amendments to 20.11.20 NMAC, Fugitive Dust Control, follows:

Major Proposed Changes

The eight, three-year exemptions were changed to six "conditionally exempt sources" and are subject to 20.11.20 NMAC only if the Department determines the fugitive dust emitted will adversely affect the safety of an individual.

Unpaved roads serving six or fewer residential dwellings and unpaved roads less than ¼ mile in length that are not short cuts - are no longer exempt.

All lots smaller than ¾ acre used for any purpose are conditionally exempt

Proposed New Definitions

"Business Day"

"Greenwaste"

"Stockpile"

Proposed Modifications to Current Definitions

"Fugitive Dust Control Permit" to "Fugitive Dust Control Construction Permit"

"High Wind Event" (remove the 5 minute - 30 mph average and add new language with input from meteorologist)

"Silt" (New ASTM citation from city testing lab document)

"Stabilized" (includes tie-in to an exceedance of a standard, not just violation)

"Visible Fugitive Dust" (removed anthropogenic and inserted airborne)

"Visible Fugitive Dust Detection Method" (corrected the section citation)

Proposed Clarification to Current Definitions

"Disturbed Surface Area"

"Earth Moving Activity"

"Fugitive Dust"

"Fugitive Dust Control Plan"

"Large Area Disturbance"

"Permittee"

"Programmatic Permit"

"Reasonably Available Control Measures"

"Responsible Person"

"Short Cut"

"Track-Out"

Proposed Repeal of Definitions

"High Wind Event Threshold Level" (no longer applicable to high wind event situation)

Proposed Elimination of Language No Longer Applicable or Redundant

Fugitive dust control permits in existence prior to March 2004 Large Scale Interim Status Permits
Observer breaks during visible fugitive dust detection method Repetitive statements concerning
>3/4 acre to 25 acres ; and >25 acre requirements for permits
'Hearing before the Board' language removed because the Board has recently adopted 20.11.81
NMAC, Adjudicatory Procedures - Air Quality Control Board
Method for determining soil moisture content in the field for high wind event affirmative defense

Proposed New Language

Stockpile RACM

Non-Refundable filing and review fees

Project signs for all permits issued

Filing and review fee requirement for demolition greater than 75,000 cubic feet Greenwaste
control instead of mechanical leaf blower control

Re-application or other control for long term native grass seeding that fails Specify manager,
supervisor, scientist, field operations officer or health specialist as signature authorities for permits
issued in lieu of authorized Department representative Requirements for active operations during
an announced high wind event

Soil moisture standards for high wind event affirmative defense

Use of local regulation, 20.11.7 NMAC, Variance Procedure in lieu of State Act variance
procedure.

Immediate contact of a responsible person by an observer during a visual determination of fugitive
dust if danger to health or safety is evident.

Proposed Rewording of General Language
(Clarification And Modification)

Consolidate operator under owner (will mainly be specific in the permit application to eliminate an
extra signature section) Separate sections for programmatic permits and construction permits
High wind event

Continuance or re-initiation of active operations during a declared high wind event Requirements

for staff to be certified for visual determination of fugitive dust (by Method 9 ground school at a minimum) Scope, Objective, and General Provisions Enforcement terms
Re-align paragraphs for permits, permit application processing, and enforcement under each appropriate heading Streamlined and clarified minimum application requirements for fugitive dust control construction permits
Informal review meeting possible during permit application process Informal review meeting possible upon issuance of an administrative compliance order
Public outreach & Training

Proposed Additional Requirements Necessary
Amend 20.11.2 NMAC, Fees, in order to correct programmatic fee charges, and to add demolition fee charge on facilities larger than 75,000 cubic feet
Develop new application forms for fugitive dust control permits

View and Download PDF Here

AUI 2007 Platinum Sponsor



Thank you AUI Inc. for your 2007 Platinum Sponsorship.

2007 Sponsors

2007 Sponsors:

- | Cone Construction
- | Hydro-Systems Inc.
- | New Concepts
- | Tom Growney Equipment
- | Western Summit of NM
- | AMEC
- | Albuquerque Asphalt
- | HD Supply
- | PCL Construction of NM
- | Wagner Equipment

July Dates

- | 07/10/07 - Wrap-up Mid Year Planning
- | 07/11/07 - Safety Committee 8am
- | 07/12/07 - Planning Committee 8am
- | 07/12/07 - Last Ditch Open Planning 8am
- | 07/12/07 - Education Committee 11:30am
- | 07/13/07 - Bilingual OSHA 10 Training [Regis ter](#)
- | 07/13/07 New Mexico Regional Common Ground Alliance (NMRCGA) Regular Meeting
9am Call for location.
- | 07/16/07 NMRCGA 2008 EXPO Planning meeting - interested in helping with Planning?
please call 505 888 0752
- | 07/23/07 Board Meeting

If you would like more information on the Committees please call the Association office at 505 888 0752 or email nucanm@nucanm.org

Visit the NUCA of NM Quick View Calendar

NUCA FOUNDATION AWARDS COLLEGE SCHOLARSHIPS



During the Washington Summit in May, the NUCA Foundation for Education and Research selected the winners of its five annual

scholarships. Recipients must be the sons/daughters of parents/legal guardians employed by NUCA member companies, student employees (including part-time) of NUCA member companies, or dependents of NUCA chapter executive directors. Additionally, applicants must be entering (as a freshman) a two- or four-year college or university in the fall.

[Click here to see Award Winners](#)

June Committees

NUCA of NM

June 2007 Committee Summary

Planning:

- | NMVIC will be the recipient of Hard Hats for Heroes funds this year. It was suggested that an email be sent out to anyone interested in planning the Hard Hats program for 2007, and that they determine the level and scope of an event.
- | The next membership meeting will be at the Albuquerque Country Club. The speaker will either be regarding Job Site Theft or John Stomp.
- | Winterfest has been tentatively booked at Sandia for November 17th; the contract must first be approved by the Tribal Council. The Planning Committee should determine the theme and entertainment of the event. (Usually will be choice of incoming NUCA of NM President)

Last Ditch Open Committee:

- | A "Mark your Calendar" magnet will be sent out for Last Ditch Open. The Committee is still working on the call tree for sponsors.
- | Harley Davidson has agreed to bring a bike to the tournament to display for the Hole in One Competition.

Safety:-

- | A new Details Summary form is being utilized by the Safety Committee which finalizes and communicates details of upcoming training from location to trainer schedule.
- | The OSHA 10 class for July 10th has been finalized
- | Woody Norwood would like to hold an official signing of the new OSHA Alliance with press releases and media present. The Committee will look over the existing contract and make recommendations, if any. Should be available to sign by no later than August 1st.
- | L.D. Alexander announced that NUCA will not be renewing their partnership with OSHA because the local chapter alliances are not recognized within the contract.
- | The Committee discussed the format for the Las Cruces visit. It was determined that it would be a double sided event where members could show available training to workers, and owners, and to also have more information on the association.
- | C&E will assist in rounding up companies to attend the event. Jane Jernigan will supply them with contact information for area companies.

Last Ditch Open



It's not too early to start thinking about Last Ditch Open, especially if you would like to be a sponsor this year.

We have a committee working on the tournament right now to make this year's golf outing one of the best ever for you!

Sign up for sponsorship now so that you can get your name on all outgoing marketing materials for the event.

Last Ditch Open 2007
September 21, 2007
Isleta Eagle Golf Course

Sponsorship Opportunities

Corporate Sponsor - \$5000

- | Logo and company name included on ALL advertising and marketing for event (if commitment made by no later than June 15, 2007)
- | Provide company giveaways with your logo/info to be contributed to players at check-in.
- | Hole in One Sponsor (valued at no less than \$25,000 insured by association)
- | 4 Players
- | Sign on prize hole (Closest to Pin/Longest Drive)
- | Recognition presentation at post tournament reception
- | Check-in/Reception area banner
- | Recognition in newsletter, web-page, and program

Post Tournament Reception Sponsor - \$2500

- | Logo and company name included on ALL advertising and marketing for event (if commitment made by no later than June 15, 2007)
- | Check-in/Reception area banner
- | 4 players
- | Sign on prize hole (Closest to Pin/Longest Drive)
- | Recognition presentation at post tournament reception.
- | Recognition in newsletter, web-page, and program

Shirt or Hat Sponsor \$2500 --

*Shirt Sponsor SOLD - Thank you **Tom Growney Equipment Inc***

- | Company logo on shirt or hat with association logo
- | Recognition at post tournament reception.
- | Recognition in newsletter, web-page, and program

On-Course Beverage and boxed Lunch Sponsor - \$1500

- | Logo and company name on drink tickets distributed at check in.
- | Recognition at post tournament reception
- | Sponsor sign at check-in/reception area
- | Business size compliments card on boxed lunch with logo and company info.

Hole Sponsor \$500

- | Name on one of 18 holes on professionally designed sign.
- | Recognition at post tournament reception
- | Recognition in newsletter, web-page, and program

Door Prize --Value of \$250 and above no logos please but will receive recognition of donation.

Sponsors

Highway Supply
Tom Growney Equipment
AUI Inc.
Cone Construction
Western Summit of New Mexico
New Concepts
Hydro-Systems

Training

Bilingual OSHA 10 Training - July 13, 2007
Next Step - Hobbs, NM August 24, 2007
49 CFR Hazmat Handlers DOT Certification

Certified Highway Watch program - this program will follow the Hazmat 49 CFR Training and gives you a certification from Homeland Security

New Mexico is proud to have three NUCA Certified Trainers! If you are interested in NUCA Certified Training such as Excavation or Confined Space training, call the Association at 888-0752.

[Register or Request More Information Here](#)

NUCA Safety Director's Forum

So how does a company evolve from a written safety program to an enduring safety culture? That's the question we'll focus on at this year's Safety Directors Forum- how to put safety theory into practice.

First we will examine theory in sessions like "Safety Culture," "Behavior-based Safety" and "Incentive Programs That Work." Then we'll explore practice in specific areas like "Mechanic Shop Safety," "Fleet Safety Requirements," "Damage Prevention from the "Excavator's Perspective" and "Plug Safety". As always, we will conclude with an open forum where attendees will have an opportunity to discuss their own company challenges and share successful safety solutions.

The Safety Directors Forum is an enjoyable and rewarding experience that appeals to all safety professionals. Those of you who attend regularly can vouch for the knowledge acquired and the relationships gained from having attended a forum.

Topics

- | Safety Culture
- | Behavior Based Safety
- | Incentive Programs that Work - panel discussion
- | Mechanic Shop Safety
- | Fleet Safety Requirements
- | Damage Prevention from the Excavator's Perspective
- | Plug Safety
- | Open Forum- Discussion open to topics brought to the forum by attendees. This is a time to ask question, share new ideas, get answers to problems, etc

"What I learned through the classes and open discussion forum has proved to be invaluable to my company and its safety program." - Dan East, Cone Construction, Inc.

"Anytime you can learn from professionals ready and willing to lend their expertise and offer advice in matters related to safety and safety management, it's time well spent." - Jeff Blomgren, AJ Johns Inc.

NUCA of NM will be drawing a name and paying the registration fee for one person to attend the Safety Directors Forum. If you plan to attend, contact the association office so that your name can be added to the draw.

*** Must be a NUCA and NUCA of NM Member in good standing to receive this benefit.

[Click here for registration forms](#)



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phone: 505 888 0752
web: <http://www.nucanm.org>

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