



ALABAMA UTILITY CONTRACTORS ASSOCIATION

TIM AYERS, EXECUTIVE DIRECTOR
JANUARY 2020

Director's Comments:



As the new year has kicked off, I have traveled to Montgomery on multiple occasions to attend the Board Meetings for the Alabama On-site Wastewater Board (AOWB), and the General Contractors Licensing Board. The reason stems from the AOWB's recent efforts to cite Contractors for working without an Advanced Level II License for Decentralized Onsite Wastewater Systems.

The AOWB maintains that "every aspect" of a Decentralized Wastewater System requires an Advanced Level II Installers License. The alleged "illegal" work performed that has been called into question was the installation of underground piping and force main in an easement or right-of-way. This scope of work was even performed as part of a separate contract awarded by the project Owner.

However, the AOWB maintains that the infrastructure to include underground piping and force main installed in the right-of-way connects to an Onsite System, and are therefore part of the Decentralized Wastewater System. As such, any Contractor doing utility line work could be required to hold an Advanced Level II Installers License, even if they are already licensed with a Municipal & Utility classification from the Alabama General Contractors Licensing Board.

We have serious concerns that the AOWB is overstepping their jurisdiction in a clear example of bureaucratic overreach. If allowed to continue, this interpretation could impact numerous other projects throughout the state. We will continue to vigorously fight to ensure that utility work performed "Offsite" is not wrongly determined to be "Onsite."

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Tim

Upcoming Events:

AUCA Local Lunch Meetings

Alabama 811 will be presenting on the new updates to the Alabama Damage Prevention Law at all meetings

Tuscaloosa Area Lunch Meeting - February 18, 2020

Huntsville Area Lunch Meeting - February 19, 2020

Birmingham Area Lunch Meeting - February 20, 2020

Mobile Area Lunch Meeting - March 18, 2020

AUCA Board of Directors Meeting

Wednesday, March 11, 2020

Montgomery, AL

***AUCA 2020 Spring General Meeting,
Golf Tournament and Shrimp & Crawfish Boil***

Thursday, May 7, 2020

Arrowhead Country Club - Montgomery, AL

***AUCA 2020 Fall General Meeting
& Sporting Clay Shoot***

Thursday, October 15, 2020

Lower Wetumpka Shotgun Sports Club - Montgomery, AL



Upcoming Events:

**Charge the Hill - Legislative Awareness Day
Wednesday, March 11, 2020**

**State House Building
11 South Union Street
Montgomery, AL 36130**



The 2020 Alabama Legislative Session kicks off on February 4th.

This is your opportunity as AUCA members to join together in a unified voice to help educate our Legislators on the concerns of the workforce that supplies, installs, and rehabilitates the infrastructure of water, sewer, gas, electrical, broadband, and other underground utility systems throughout Alabama.



News & Notes:

2020 AUCA Membership Dues Renewal

AUCA 2020 Membership Dues Notices will start going out in January. Please be on the lookout for the notice. We appreciate your past support of AUCA, and hope that your company will renew your membership with our group and help us continue to reach our goals in 2020.

We ask that you please return your dues promptly to ensure your listing in the upcoming Membership Directory, and to guarantee no disruption in member benefits. Should you have any questions, need another copy of the invoice sent to you, or wish to pay by credit card, please contact the AUCA office at (205) 582-9436.

AUCA Scholarship Program:

- AUCA will be awarding two (2) Scholarships worth \$1,500 each.
- Money will be paid directly to the College or Trade School of the applicant's choice.
- The Scholarship Committee will select the two winners from AUCA member company employees, or immediate family members that apply before the April 30th deadline.
- Applications are available on the AUCA website:

<http://www.aluca.org/scholarship-program.html>



Alabama 2020 Legislative Session Begins February 4th

The Alabama Legislative Session will start in Montgomery on Tuesday, February 4th. As always, we will be tracking all legislation introduced that could be of interest to our members, and will have our Lobbyist, B.T. Crowe down in Montgomery to keep his finger on the pulse throughout the session. If you have any questions or concerns involving any legislation, please contact us and let us know how we can help.

News & Notes:

2020 U.S. Census

In mid-March, every Alabama household address will receive an invitation to respond to the 2020 U.S. census. The census is used to determine the number of congressional seats each state has in the United States Congress. Alabama is potentially at risk of losing a seat, so it is imperative to make sure that everyone takes the time to accurately respond to the census.

Upcoming Primary Elections

The date for the statewide primary election is quickly approaching. Alabamians will go to the polls on March 3, 2020, and again on March 31st should a runoff be needed in any of the races. Included on the ballot will be Federal Offices of President, U.S. Senate, and U.S. House of Representatives.

OSHA "Protecting the American Workforce" Campaign

The U.S. Department of Labor's Occupational Safety and Health Administration (OSHA) will commemorate the 50th anniversary of the Occupational Safety and Health Act of 1970 (OSH Act) with a yearlong celebration of past achievements, current efforts, and future initiatives to protect the American workforce.

Signed into law by President Richard M. Nixon on December 29, 1970, the OSH Act was created "to assure safe and healthful working conditions for working men and women," laying the groundwork for the creation of OSHA the following spring. Following the establishment of the OSH Act, workplace fatalities were reduced approximately 65 percent.

From the adoption of the first national health standard, to the affirmation of the imminent danger provisions and whistleblower protection laws, to the creation of training institutes and education grants, OSHA remains focused on its mission to safeguard the health and safety of the American worker.

Under the Occupational Safety and Health Act of 1970, employers are responsible for providing safe and healthful workplaces for their employees. OSHA's role is to help ensure these conditions for America's working men and women by setting and enforcing standards, and providing training, education and assistance. For more information, visit www.osha.gov.



Clean Water Construction Coalition Report

From Bob Briant, Jr. - Chairman CWCC & Sante Esposito - Key Advocates

2020 FEDERAL INFRASTRUCTURE OUTLOOK

In one word: unclear. Sources are mixed on whether there is any chance for a broader infrastructure package pending the fallout from the impeachment process and of course, highly dependent on the November election.

A bright spot is that in the fall T&I Committee Chairman DeFazio briefed the House Democratic Caucus on his outline for an infrastructure package. The broad package of spending priorities includes, highways, transit, airports, water, clean water, dredging and other infrastructure priorities. No price tag or specific details were released. Other than that, no substantive activity other than for a few meetings USDOT had with OMB on its proposed outline of principals.

Key legislation being tracked for 2020 by Key Advocates and promoted for the CWCC include:

- S. 1932, "Drought Resiliency and Water Supply Infrastructure Act"
- H.R. 1162, the "Water Recycling Investment and Improvement Act"
- H.R. 2473, "Securing Access for the Central Valley and Enhancing (SAVE) Water Resources Act"
- H.R.1497, the "Water Quality Protection and Job Creation Act of 2019"
- Huffman Omnibus Water Bill
- H.R. 2741, the "Leading Infrastructure for Tomorrow's American Act" (the "Lift America Act")

TRUMP ADMINISTRATION PROPOSES REGULATIONS TO STREAMLINE IMPLEMENTATION OF NEPA

The National Environmental Policy Act ("NEPA") is a foundational environmental law enacted in 1970 with a mission to enhance the environment by requiring Federal agencies to evaluate environmental effects of proposed projects prior to construction. Rulemaking recently initiated by the White House Council on Environmental Quality ("CEQ") is the first significant revision of the NEPA regulations since the original regulations were promulgated in 1978. The proposal would refocus NEPA on its original intent – assessing environmental impacts of major projects and actions supported by the federal government – instead of being used as a mechanism for causing delays and uncertainty in planning and building projects.

According to the new proposal, its revisions would streamline the NEPA regulations and facilitate more efficient and timely NEPA reviews. The proposed changes to NEPA will result in moving construction project faster through the review process, without impacting existing environmental



Clean Water Construction Coalition Report

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standards. Projects that trigger NEPA reviews are not put out to bid until its processes (and any litigation) play out. Efforts to streamline and modernize NEPA are long overdue and welcome to the infrastructure construction industry.

As a reminder, CWCC added a policy position to encourage streamlining approvals for infrastructure projects in 2019. Although most water infrastructure projects do not trigger NEPA review, a lot of underground utility work critical to the economic outlook for our members comes alongside transportation projects. Associations engaged in advocacy for energy utility project work and flooding / hardening and/or coastal resiliency should pay close attention to this proposal.

CEQ has opened a public comment period on their proposal, ending Tuesday, March 10. CWCC will be submitting supportive comments and sharing them with key leaders in Congress in favor of this proposal. We urge your association and its members to consider doing the same.

We encourage you to “tell a story” of cost increases, delays and jobs lost because of NEPA issues and requirements. Please share with CWCC any project examples that we may be able to use to increase the impact of our comments. Opponents will be filling the docket and news stories with negative comments. It’s critical that we make our voices heard.



Health & Safety:

Provided by Centers for Disease Control & Prevention (CDC)

Healthy Habits to Help Prevent Flu

The single best way to prevent seasonal flu is to get vaccinated each year, but good health habits like covering your cough and washing your hands often can help stop the spread of germs and prevent respiratory illnesses like the flu. There also are flu antiviral drugs that can be used to treat and prevent flu. The tips and resources below will help you learn about steps you can take to protect yourself and others from flu and help stop the spread of germs.

Avoid close contact:

Avoid close contact with people who are sick. When you are sick, keep your distance from others to protect them from getting sick too.

Stay home when you are sick:

If possible, stay home from work, school, and errands when you are sick. This will help prevent spreading your illness to others.

Cover your mouth and nose:

Cover your mouth and nose with a tissue when coughing or sneezing. It may prevent those around you from getting sick. Flu and other serious respiratory illnesses, like respiratory syncytial virus (RSV), whooping cough, and severe acute respiratory syndrome (SARS), are spread by cough, sneezing, or unclean hands.

Clean your hands:

Washing your hands often will help protect you from germs. If soap and water are not available, use an alcohol-based hand rub.

Avoid touching your eyes, nose or mouth:

Germs are often spread when a person touches something that is contaminated with germs and then touches his or her eyes, nose, or mouth.

Practice other good health habits:

Clean and disinfect frequently touched surfaces at home, work or school, especially when someone is ill. Get plenty of sleep, be physically active, manage your stress, drink plenty of fluids, and eat nutritious food.



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**AUCA IS A MEMBER-DRIVEN, NEEDS
FOCUSED TRADE ASSOCIATION CREATED
SOLELY TO PROMOTE AND ADVANCE THE
UTILITY INDUSTRY IN THE STATE OF
ALABAMA.**

**We're on the Web !
www.aluca.org**

Please print out this newsletter to share with others in your company. And, if you are receiving this for the company owner, please print out a copy for him/her.

**Let AUCA Be Your Source For All Your
Training Needs**

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