



ALABAMA UTILITY CONTRACTORS ASSOCIATION

TIM AYERS, EXECUTIVE DIRECTOR
MAY 2015

Director's Comments:



As another month draws to a close, it's hard to believe that we are nearly halfway through the year. BBQ grills are heating up, schools are letting out for the Summer, and many families are beginning to take time off for much needed vacations.

However, there is still much work to be done. Despite nearing its conclusion, the 2015 Alabama Legislative Session has proven yet again that our state has a long way to go to get things back on track. Facing an expected \$250 Million General Fund deficit for the next fiscal year, and no clear solution as to how to fix it, further illustrates this point. However, these problems didn't happen overnight, nor will the fix for them.

It will take hard work, which is something our members know a lot about. You work extremely hard each day, and that is why I'm so proud to represent you all. After an incredibly rainy Spring, I hope that we can have some better weather soon for our members to get back to doing what they do best on a more consistent basis - working hard to get things done. Hopefully our legislators will take a page out of your book and do this as well.

Locally, we had meetings this month throughout the state that focused on Damage Prevention. Thanks again for all of our attendees, and our sponsor for helping to make these meetings a success. Our next meeting will be in Tuscaloosa on June 3rd, and focus on the results from a recent 3rd-party audit of the University of Alabama's Construction Payments and Procedures. Dr. Lynda Gilbert and members of her Construction Administration team will be on hand to speak with our group about their plans to correct the problems that were revealed in the audit. If you have previously worked, currently work, or desire to work on University projects, you will want to make plans to attend this meeting.

Tim

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Upcoming Events:

June 3, 2015 at 11:30 a.m. – Tuscaloosa Area Lunch Meeting
University of Alabama - Construction Payments and Procedures Update

*Guest Speaker: Dr. Lynda Gilbert - Vice President for Financial Affairs and
Treasurer for the University of Alabama*

June 17, 2015 - AUCA Board of Directors Meeting

October 15, 2015

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

*Lower Wetumpka Shotgun Sports Club
Montgomery, AL*

Scheduled Speaker:

Del Marsh - Senate President Pro Tem



June 17-19, 2015
Damage Prevention Summit
Montgomery, AL

Alabama Damage Prevention Alliance (ADPA) in conjunction with Alabama 811 will hold the 2nd Annual Damage Prevention Summit at the Embassy Suites in Montgomery on June 17-19, 2015. This event is for stakeholders from all aspects of the damage prevention industry.

Additional information about the Summit and registration information can be found at:

www.alabama.damagepreventionsummit.com

Mark your calendars today!

Recent AUCA Events:

**Mobile Area Lunch Meeting - May 18th
Damage Prevention - Presented by Alabama 811
Hosted and Sponsored by Thompson Tractor Company**



**Birmingham Area Lunch Meeting - May 20th
Damage Prevention - Presented by Alabama 811
Hosted and Sponsored by Thompson Tractor Company**



Recent AUCA Events:



**Huntsville Area Lunch Meeting
May 21st
Damage Prevention
Presented by Alabama 811**

**Hosted and Sponsored by
Thompson Tractor Company**

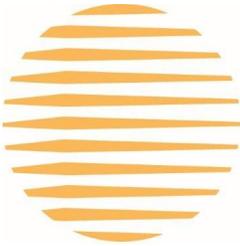


All Meetings Featured a HydroExcavation Demonstration at the Conclusion





AUCA MEMBER SPOTLIGHT:



SCHMIDT
ENVIRONMENTAL
CONSTRUCTION, INC
CONTRACTORS - ENGINEERS

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Schmidt Environmental Construction, Inc. is a general contracting firm specializing in the maintenance of, additions to, and the construction of water and wastewater treatment plants and transmission facilities. Our clients range from municipalities, industries, developers, and treatment plant operation and maintenance firms. Our home office is in Auburn, AL. We are currently licensed general contractors in Alabama and Georgia, and perform work throughout both states.

Our management team of professionals offer over 50 years of combined experience in the construction of water and wastewater projects and have experience in all aspects of treatment plant construction. This allows us to perform the majority of our work in-house which enables us to build cost-efficient on time projects safely with the highest quality workmanship in the industry.

For the work we do not self-perform, we subcontract to a body of very experienced subcontractors. We work closely with all subcontractors, coordinating construction activities to improve efficiency and ensure safety.



Water: We have experience in all aspects of water treatment plant construction and process equipment installation. Our previous projects include; upgrading Wheeler filter bottoms, sand filter construction, installing chemical storage and feed systems, installation of concrete structures and tankage, vertical turbine high service pump installations, pipe gallery upgrades, on-site chlorine generation systems, sludge removal systems, rapid mix structures and equipment, sedimentation basins, and building construction .

Wastewater: Our experience includes sludge dewatering, structural excavations over twenty feet, belt press and centrifuge installations, polymer systems, cast-in-place concrete structures, coarse and fine bubble diffuser installations, floating aerators, chlorine and UV systems, headwork structures, plant pump stations, clarifiers, digesters, thickeners, aeration basins, disk and sand filter installation, and building construction .

Transmission & Storage: Our experience on transmission and storage projects include; rehabilitation and construction of sewer lift stations, bypass pumping, booster pump stations for potable water systems, raw water pump stations, water storage tank painting and construction, and Trihalomethane Removal (THMR) systems.

Other: Schmidt Environmental Construction, Inc. has the resources to meet all other related construction projects, including; package treatment plants for developers, industrial pretreatment facilities, general plant maintenance, concrete restoration, and demolition.



Legislative News:

Alabama Update:

The 2015 Alabama Legislative Session is rapidly drawing to a close. As we come down to the final few days, the State's General Fund budget deficit continues to command most of the attention. To this point, everything has been proposed to solve the crisis – tax increases, budget cuts, legalized gambling, and a lottery. However, nothing has been able to be agreed upon. The reality of the Governor calling for a Special Session appears imminent. Ironically, the cost of a Special Session is estimated at \$100,000 per week for the State, which means we will sink further into debt by meeting for additional time to discuss how to get out of our current debt.

Updates on a few Bills of interest to the Construction Industry:

The Construction Craft Training Bill - SB170 was finally able to get back on the House calendar for a vote on the 26th legislative day. The vote passed with Amendments and the Senate has concurred. The Bill will now await the Governor's signature.

Senator Jabo Waggoner introduced SJR 76 to create the Alabama One-Call Notification System Study Commission. The first meeting of the commission will be called by the President of the Public Service Commission by July 1, 2015, and the resolution calls for a report to be issued by the commission by December 31, 2015. The commission is "created to study and make recommendations to the Legislature and Governor regarding: (1) The expedience and validity of only having a single One-Call notification system to serve the entire State of Alabama, including the appropriate governance, legislative oversight, and membership outreach practices of the organization; (2) the adequacy of the enforcement provisions of current law; and (3) other items related to the One-Call law that may increase the level of safety of its citizens." SJR 76 passed the Senate and has been sent to the House where it was referred to the House Rules Committee.

The Bills for the continuation of the General Contractors Licensing Board and the On-site Wastewater Board until 2019 have passed and been signed by the Governor.



Legislative News:

Continued from page 6

The white flag of surrender was finally waved for the Construction Manager/General Contractor legislation in 2015. Proponents had continued their efforts to pass the Bill, and had even introduced yet another substitute version applying only to projects at 4-year public institutions of higher learning. However, after realizing that the legislation stood no chance of passing, the Bill was withdrawn from the Senate Fiscal Responsibility and Economic Development Committee calendar vote.

The Bill pertaining to the General Contractors Licensing Board makeup passed and was signed into law by Governor Bentley and assigned Act No. 2015-190. This will now require at least one member of the Board as a larger part of his or her business to be a subcontractor.

The Birmingham Water Works Bill was passed and signed into law by the Governor and assigned Act No. 2015-164. This will now place the Water Works Board members under the thumb of the State Ethics Law, and makes them subject to the Alabama Open Meetings Act. This will hopefully cut down on some of the improprieties that are alleged to have occurred in the past.

If you have questions or concerns regarding the status of any bill, or would like to receive a copy of any of those listed below, please contact the AUCA office.

***Remember to check our weekly
"Legislative Pipeline" email report
for continuous legislative updates***



Clean Water Construction Coalition Report

Bob Briant—Chairman CWCC

House Transportation and Infrastructure Committee Democrats Plan to Introduce Clean Water Reauthorization Legislation

Through direct discussions with the Democratic side of the Subcommittee on Water Resources and Environment of the House Transportation and Infrastructure Committee (T&I), Coalition representatives are engaging the Committee staff in drafting a bill to reauthorize the Clean Water Act for introduction by Full Committee Ranking Member Peter DeFazio (OR-4) and Subcommittee Ranking Member Grace Napolitano (CA-32). In addition to reauthorizing the Clean Water SRF, the measure is expected to include sections on technical and management assistance, construction of treatment works, alternative water source projects, sewer overflow control grants, and research and development funding. The legislation will not include reauthorization of the Safe Drinking Water Act as it does not fall under the jurisdiction of the T&I Committee but rather the House Energy and Commerce Committee.

The bill is expected to be introduced in June, due to the recesses in May and other priorities before the Committee this month. During the Coalition Fly-In breakfast meeting last month in Washington, D.C., it was decided that the Coalition would request Congressman Bill Pascrell (D-NJ-9) to introduce a Clean Water and Safe Drinking Water SRF reauthorization bill. In April, Coalition members met with Congressman Pascrell who agreed to assist us in this effort. On May 4, the Coalition followed up with the Congressman via a letter and telephone conversation. Congressman Pascrell asked that the Coalition work with the Water Resources Subcommittee along with him on their effort. It was also requested that at the proper time, the Coalition must send a letter to T&I Committee in appreciation of, and support for, the bill.

We will continue update Coalition members relative to the progress of this legislation.

President's Federal Fiscal Year 2016 Budget

The Obama Administration released its proposed Budget for federal FY 2016. The President's targeted funding for the Clean Water SRF and the Drinking Water SRF are lower than the federal FY 2015 enacted levels. The Obama Administration is proposing \$1.115 billion (FY 15' - \$1.448 Billion) for the Clean Water Program while increasing the Drinking Water Program to \$1.186 billion (FY 15' - \$906 million). As the Clean Water Construction Coalition has done in the past few years, our efforts will focus on the Congress and specifically the Senate Appropriations Committee where the Coalition continues to succeed in having the funding increased for SRF programs.

For more information, visit www.cleanwaterconstructioncoalition.org



OSHA[®] FactSheet

Confined Spaces in Construction: Sewer Systems

Confined spaces can present conditions that are immediately dangerous to workers if such conditions are not properly identified, evaluated, tested, and controlled. This fact sheet highlights many of the confined space hazards associated with sewer systems and how employers can protect workers in these environments.

OSHA has developed a new construction standard for Confined Spaces (29 CFR 1926 Subpart AA)—any space that meets the following three criteria:

- Is large enough for a worker to enter it;
- Has limited means of entry or exit; and
- Is not designed for continuous occupancy.

A space may also be a **permit-required** confined space if it has a hazardous atmosphere, the potential for engulfment or suffocation, a layout that might trap a worker through converging walls or a sloped floor, or any other serious safety or health hazard.

Fatal Incidents

Confined space hazards in sewer systems have led to worker deaths. Several tragic incidents in sewers have included:

- A worker who lost consciousness and died when he climbed into a sewer vault to retrieve a tool. His co-worker also died when he attempted a rescue.
- While repairing a natural gas leak, a worker entered a drainage pipe to retrieve survey equipment. The natural gas ignited, killing the worker.

Training

The new Confined Spaces standard requires employers to ensure that their workers know about the existence, location, and dangers posed by each permit-required confined space, and that they may not enter such spaces without authorization.

Employers must train workers involved in permit-required confined space operations so that they can perform their duties safely and understand the hazards in permit spaces and the methods used to isolate, control or protect workers. Workers not authorized to perform entry rescues must be trained on the dangers of attempting such rescues.

Safe Entry Requirements

The new Confined Spaces standard includes several requirements for safe entry.

Preparation: Before workers can enter a confined space, employers must provide pre-entry planning. This includes:

- Having a competent person evaluate the work site for the presence of confined spaces, including permit-required confined spaces.
- Once the space is classified as a permit-required confined space, identifying the means of entry and exit, proper ventilation methods, and elimination or control of all potential hazards in the space.
- Ensuring that the air in a confined space is tested, before workers enter, for oxygen levels, flammable and toxic substances, and stratified atmospheres.
- If a permit is required for the space, removing or controlling hazards in the space and determining rescue procedures and necessary equipment.
- If the air in a space is not safe for workers, ventilating or using whatever controls or protections are necessary so that employees can safely work in the space.

Ongoing practices: After pre-entry planning, employers must ensure that the space is monitored for hazards, especially atmospheric hazards.

Effective communication is important because there can be multiple contractors operating on a site, each with its own workers needing to enter the confined space. Attendants outside confined spaces must make sure that unauthorized workers do not enter them. Rescue attempts by untrained personnel can lead to multiple deaths.

Confined Spaces in Sewer Systems

Types of sewer systems include sanitary (domestic sewage), storm (runoff), and combined (domestic sewage and runoff). Sewer systems are extensive

and include many different components that are considered confined spaces, including pipelines, manholes, wet wells, dry well vaults, and lift/pump stations. Therefore, employers conducting work in sewer systems will likely have workers who will encounter confined spaces.

Sewer systems also consist of wastewater treatment plants, where confined spaces include digestion and sedimentation tanks, floating covers over tanks, sodium hypochlorite tanks, and wastewater holding tanks, among others. Many of these components may also qualify as permit-required confined spaces.

Employers must take all necessary steps to keep workers safe in confined spaces, including following the OSHA Construction Confined Spaces standard. This standard applies to both new construction within an existing sewer and alterations and/or upgrades. For example:

- Installing or upgrading a manhole.
- Altering or upgrading sewer lines.
- Making nonstructural upgrades to joints, pipes, or manholes.
- Demolition work.
- Installing new or upgraded pump equipment, cables, wires, or junction boxes.

Construction work can create confined spaces, even if there are none at the start of a project. Changes to the entry/exit, the ease of exit, and air flow could produce a confined space or cause one to become confined or permit-required.

Hazards Associated with Sewer Systems

Sewer systems can present a host of confined space hazards, including:

- Atmospheric hazards (low oxygen, toxic or flammable gases).
- Chemicals in piping and from roadway runoff (may harm lungs, skin, or eyes).
- Engulfment and drowning.

- Electrocutation (e.g., using electrical equipment in wet working conditions).
- Slips, trips, and falls.
- Falling objects.
- High noise levels, low visibility, limits to communication, and long distances to exits.

Personal protective equipment: Employers should assess the work site to determine what personal protective equipment (PPE) is needed to protect workers. Employers should provide workers with the required PPE and proper training on its use and about any related hazards before the work starts.

How to Contact OSHA

For questions or to get information or advice, to find out how to contact OSHA's free on-site consultation program, order publications, report a fatality or severe injury, or to file a confidential complaint, visit www.osha.gov or call 1-800-321-OSHA (6742).

Additional Information

OSHA's Confined Spaces in Construction standard (29 CFR 1926 Subpart AA)

Confined Spaces: OSHA Construction Industry Topics by Standard

OSHA Fact Sheet: Procedures for Atmospheric Testing in Confined Spaces

Confined Spaces: NIOSH Workplace Safety and Health Topics Page

State Plan Guidance: States with OSHA-approved state plans may have additional requirements for confined space safety.

Help for Small and Medium-Sized Employers: OSHA's On-site Consultation Program offers free and confidential advice to businesses nationwide.

This is one in a series of informational fact sheets highlighting OSHA programs, policies or standards. It does not impose any new compliance requirements. For a comprehensive list of compliance requirements of OSHA standards or regulations, refer to Title 29 of the Code of Federal Regulations. This information will be made available to sensory-impaired individuals upon request. The voice phone is (202) 693-1999; teletypewriter (TTY) number: 1-877-889-5627.

For assistance, contact us. We can help. It's confidential.



www.osha.gov (800) 321-OSHA (6742)



U.S. Department of Labor

News & Notes:

OSHA Confined Space Rule Change

Confined spaces rule could protect nearly 800 construction workers a year from serious injuries and reduce life-threatening hazards

Construction protections now match those in manufacturing and general industry

On May 1st, the Occupational Safety and Health Administration (OSHA) issued a [final rule](#)* to increase protections for construction workers in [confined spaces](#).

Manholes, crawl spaces, tanks and other confined spaces are not intended for continuous occupancy. They are also difficult to exit in an emergency. People working in confined spaces face life-threatening hazards including toxic substances, electrocutions, explosions and asphyxiation.

Last year, two workers were asphyxiated while repairing leaks in a manhole, the second when he went down to save the first – which is not uncommon in cases of asphyxiation in confined spaces.

“In the construction industry, entering confined spaces is often necessary, but fatalities like these don’t have to happen,” said Secretary of Labor Thomas E. Perez. “This new rule will significantly improve the safety of construction workers who enter confined spaces. In fact, we estimate that it will prevent about 780 serious injuries every year.”

The rule will provide construction workers with protections similar to those manufacturing and general industry workers have had for more than two decades, with some differences tailored to the construction industry. These include requirements to ensure that multiple employers share vital safety information and to continuously monitor hazards – a safety option made possible by technological advances after the manufacturing and general industry standards were created.

“This rule will save lives of construction workers,” said Assistant Secretary of Labor for Occupational Safety and Health Dr. David Michaels. “Unlike most general industry worksites, construction sites are continually evolving, with the number and characteristics of confined spaces changing as work progresses. This rule emphasizes training, continuous worksite evaluation and communication requirements to further protect workers’ safety and health.”

Compliance assistance material and additional information on the new standard (29 CFR 1926 subpart AA) is available on OSHA’s [Confined Spaces in Construction](#) Web page.

The new Construction Standard for Confined Spaces will become effective on 8/3/2015



News & Notes:

City of Birmingham Business License Fees:

AUCA has continued to partner with other local construction industry trade associations in an effort to gain clarity and understanding on the new ordinance passed this month by the Birmingham City Council concerning Business License Fees for Contractors.

The new fee schedule, which takes effect in January 2016, will drastically increase the cost of doing business in the city of Birmingham for all construction companies, and even more so for those companies that are based within the city limits of Birmingham. Equally concerning is the prospect of similar ordinances being passed by other municipalities in order to generate revenue at the expense of contractors.

Birmingham City Officials have cancelled two different meetings that were scheduled with representatives from various local construction trade groups to discuss the new ordinance. AUCA will continue to partner with our fellow industry trade associations in an effort to meet with the City Officials, and to challenge the legality of this proposed ordinance.

AUCA Newest Member Companies:

Weeks Construction Company, Inc. - Tuscumbia, AL

Company Representative: Stacey Weeks

Special Thanks to Dennis Perry from HD Supply for Helping Recruit

Weeks Construction to AUCA

Southern Earth Moving, LLC - Grant, AL

Company Representative: Dale Johnson

Special Thanks to Dwight Swaim from Tractor & Equipment Company

for Helping Recruit Southern Earth Moving to AUCA



News & Notes:

Beer Made from Sewage? - Talk About a Bitter Beer Face...

Some companies boast of making beer with spring water from majestic mountains.

They won't be competing in the upcoming Pure Water Brew Challenge, in which an Oregon wastewater treatment operator has asked home brewers to make great-tasting beer from hops, barley, yeast and the key, not-so-secret ingredient: treated sewer water.

The point of the contest is not to find Portland's next trendy craft beer. Rather, it's an effort to get people talking about how a vital resource can be reused thanks to advanced water-filtration systems.

"We need to be judging water by its quality, and not by its history," said Mark Jockers, a spokesman for Clean Water Services, which runs four wastewater treatment plants in the Portland suburbs. "The water we're producing is significantly cleaner than what the safe drinking standards are for water that comes out of taps across the United States."

The utility plans to release 300 gallons of highly purified water in early June to roughly 20 home brewers from the Oregon Brew Crew, the state's oldest home-brewing club. A panel of experts will judge the beers in late July or early August. The victor wins \$100, five others will get \$50, and their kegs will be taken to an international water conference in Chicago. Though state regulators have approved the safety of the water, the beer won't be sold at stores or bars.

Its process for purifying the water for the beer contest includes ultrafiltration, reverse osmosis and advanced oxidation - terms that don't exactly fire the public's imagination.

Oregon Brewers Festival founder Art Larrance sits on the utility's advisory board. He figured if you want to get Oregonians talking about recycled water, you have to make beer. The contest was born.

Some water cleaned by the utility goes for irrigation, but most is discharged into the Tualatin River. Last year, Clean Water Services held a contest in which brewers used water drawn from the river. That batch contained 30 percent treated wastewater. This year's competition will be 100 percent "sewage brewage."



Reminders:



AUCA Address Change

When mailing registration forms, payments, or other correspondence, please make sure to send to the current AUCA mailing address:

***159 Highland Park Drive
Birmingham, AL 35242***

Also, if your company has any changes in address, phone #, personnel, etc., please make sure to provide us with this updated information.

2015 AUCA Membership Dues Renewal

If your company has failed to submit your 2015 membership dues renewal, your company is now considered delinquent, and may be removed from the AUCA membership roster per the Bylaws and discretion of the AUCA Board of Directors.

Should you have any questions, or wish to reinstate your membership, please contact the AUCA office at (205) 582-9436.

Before you renew your workers' compensation policy, ask your agent to get a quote from CompTrust. Make sure the agent mentions that you are an AUCA member. If you have questions, you or your agent may contact Terry Young from MRM at (256) 504-3288. MRM is the Third Party Administrator (TPA) for the CompTrust fund, and a valuable member of AUCA.

CompTrustAGC
Worker's Comp From People You Know.



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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***

Contact the Association Office for more information

Linked in™



@AlabamaUCA

