

**Legislation Targets  
Blasting**

A small residential community located in Augusta continues to push for more stringent regulation of gravel pits and quarries. Increased activity at a long existing well established pit and quarry has is one of the primary focuses of "Concept Legislation" introduced by Senator Elizabeth Mitchell of Kennebec. Senator Mitchell's bill, LD 895 An Act Concerning Blasting Near Residential Areas, proposes no specific language but request the Legislature to amend the current law concerning blasting and the use of explosives to break up or otherwise aid in the extraction or removal of a rock or other consolidated natural formation near residential areas. Specifically, the bill proposes to change the peak particle velocity standards in urban compact areas to protect residential housing developments from excessive continuous blasting. Further, the bill

**BLASTING BILL SET FOR  
PUBLIC HEARING**

**When: 1:00 PM , March 20,  
2004**

**Where: Natural Resources  
Committee Room 214, Cross  
State Office Building(287-  
4149)**

proposes to require a natural buffer between gravel pits and residential areas.

Currently the Quarry Performance Standards for blasting include a 100 foot undisturbed natural buffer from the edge of the quarry to the property line. In addition, Section 490-Z (14)(I) limits the maximum peak particle velocity at inhabitable structures not owned or controlled by the developer to not exceed the levels established by the United States Department of the Interior in Bureau of Mines. This is a nationally recognized standard that has withstood the test of time and is well supported by case law. The standard is listed in "Bureau of Mine Report of Investigations 8507," Appendix B, Figure B-1, which limits allow ground vibration levels to no greater than 2 inches per second on undeveloped property not owned or controlled by the applicant.

Ironically, according to Mitchell Green ....



Maine Aggregate Association members, which includes the state largest and most experienced blasting companies, is supporting LD 597, Resolve, to Regulate Blasting Operators. This legislation is also sponsored by Senator Elizabeth Mitchell, but unlike LD 895, this Resolve does not include changes to the Quarry Performance Standards. Instead, LD 597 proposed to regulate blasters as a professional class and requires the State Fire Marshall to adopt rules to regulate companies and individuals that conduct blasting operations. According to Larry Grondin, MAA President, LD 597 has 5 goals: to register blasters, development standards to annually certify the competency of registered blasters; ensure blasters have adequate financial capacity, assign responsibility for any mishaps or damage to the blasters, and finally, adopt performance standards for all blasting activity consistence with the standards in the Quarry Laws (38 MRSA §490-Z). LD 597 has been rweferred to the Legislatures Joint Standing Committee on Business Regulation and Economic Development. As of the printing of this document, no hearing date has been set.

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## MAA BOARD OF DIRECTORS

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*All Directors are elected for one year terms that expire June 30, 2006. New directors will be elected at the Annual Meeting on April 25, 2007*

## 14th Annual MAA Membership Banquet

April 25, 2007 is the date for the Maine Aggregate Association 14th Annual Membership Meeting & Banquet at the Harbors Edge on Custom House Warf in Portland. Annual election of a Directors and Officers top the business agenda, followed by a special evening program.

Molly Zogby, from the DEP Mining Unit will provide a summary of inspections and industry compliance. MAA Lobbyist Ted Johnston of Resource Policy Group will provide an overview of issues and legislation of interest to the aggregate industry.

The Annual Meeting is more than just business. Good friends meet and old acquaintances are renewed during the Reception. And this year, we will enjoy very special entertainment provided by Portland's Comedy Club.

All MAA members are invited. Look for the advance registration inserted with this newsletter.

See you there!



## Emission Observer Training Scheduled

Training and Certification of EPA Method 9 Visible Emissions Observer is scheduled in April. Visible emission training is an important program to assist aggregate processing facilities maintain compliance and improve environmental operations and performance.

Morrison Environmental Engineering is offering training & certification on behalf of the Maine DEP in three locations.

- ◆ Bangor - April 10, 2007 at the DEP Eastern Maine Regional Office, 106 Hogan Road
- ◆ Portland - April 12, 2007 at the DEP Southern Maine Regional Office, 312 Canco Road
- ◆ Augusta - April 24, 2007 at the Pine Tree State Arboretum, 153 Hospital Street.

First time observers must attend classroom sessions beginning at 9:00 AM on the scheduled date of each session followed by field sessions beginning at 10:00 AM. For recertification, participants do not need to attend classroom session, although the class is recommended as a refresher every three years.

*For more information contact: Morrison Environmental Engineering, 16 Pine Meadows Lane, North Yarmouth, ME 04097 or (207) 846-9897 or email [mee-inc@maine.rr.com](mailto:mee-inc@maine.rr.com)*



### Visit Maine Aggregate Association Website

## [www.maineaggregate.org](http://www.maineaggregate.org)

**Members, want a link to your business on the MAA website or got an interesting story?**

**Email us at: [info@maineaggregate.org](mailto:info@maineaggregate.org)**

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## **Sand & Gravel News**

Sand & Gravel News is a periodic publication of the Maine Aggregate Association and is available free as a service to its membership. For a membership application or to read the newsletter visit us online at:

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(207) 793-8615**

**[www.maineaggregate.org](http://www.maineaggregate.org)**



## Maine Aggregate Association

Maine Aggregate Association is a statewide, member-based group of businesses and individuals involved with the gravel and rock industries. Established in 1994, MAA has become an effective and respected voice for the industry.

MAA membership includes gravel pit owners, quarry operators, aggregate processors and truckers as well as equipment dealers, banks, insurance agencies and consulting firms that serve the aggregate industry. 44 percent of MAA membership is comprised of companies with less than 5 employees, another 34% of our member companies have less than

35 employees, and the remaining 22% have 36 or more employees. Only a handful has more than 100 employees.

MAA led the drive to reform the gravel pit regulations, helped write the new laws, and then lobbied hard to get them passed. Today MAA continues its advocacy on behalf of the aggregate industry. Ensuring the rules regulating gravel and rock extraction remain effective and practical is a top priority (see related stories on pages 1 & 5).

Other issues include truck weights, transportation and highway issues, and environmental and land use regulations. Air emission license and compliance requirements for rock crushers and regulation of air emissions diesel engine are also issues of concern.

MAA also works with the rest of the Business Community to help control the rising costs of workers compensation, which like state spending and taxes continue to rise out of control.

The MAA Board of Directors, elected annually at the Annual Membership Meeting, slated for April 20, 2005 at Verrillo's Restaurant in Westbrook, stays on top of issues by maintaining a full-time lobbyist in Augusta. In addition, many of the directors serve on various volunteer state boards and task forces focused on the issues that affect us all.

For more information, contact any of the Directors listed on page 2 of this newsletter, or visit us online at:

[www.maineaggregate.org](http://www.maineaggregate.org)

# Sand & Gravel NEWS

**MAINE AGGREGATE ASSOCIATION**

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