



ROCK TALK

KENTUCKY CRUSHED STONE ASSOCIATION NEWSLETTER

- February 2009 -

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2009 Aggregates Forum & Expo

World of Asphalt, AGG1 and NSSGA Together!

More Info Please click on following link

[AGG1 Information](#)

Advantages

48 Classes that offer Peer to-Peer Education Sessions

Attendees to AGG1 have complete access to the World of Asphalt and the "People, Plants & Paving" education sessions offered by the asphalt industry, as well as any of the AGG1 Academy Classes.

Exhibitors offering new products and services so that the attendee can return to work with new products. 28,000 square feet of exhibit space

Networking with people from the industry facing similar challenges and problem solving.

Visit the website and sign up today!

www.agg1.org

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2009-2010 KHI Scholarship Information

The KHI Scholarship Committee co-chaired by Jim Wright, Hinkle Contracting Corporation and Les Gerald, Roger's Group, Inc. is proud to announce the continuance of our scholarship program for high school seniors and others enrolled or wanting to enroll in a Kentucky higher education institution.

Those eligible include students whose family member is employed by any member company of the KAHC, KCSA, and PAIKY. The member company employee is also eligible to participate.

Contact the KCSA office if you need further information. Deadline is March 31, 2009.

Download Application: <http://www.author-works.com/media/media-33064.pdf>

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KENTUCKY CRUSHED STONE ASSOCIATION PARTNERSHIP

WITH KENTUCKY HABITAT FOR HUMANITY IN THIRD YEAR

Frankfort, KY (February 3, 2009) - The Kentucky Crushed Stone Association (KCSA) announced today that producers within their association will donate over eight-thousand (8,000) tons of aggregates to Kentucky Habitat for Humanity (KYHFH) to assist the organization in providing safe, decent and affordable homes to Kentucky citizens in need. This donation has a monetary value of approximately \$70,000.

In December 2008, the KCSA board voted unanimously to continue their partnership with Kentucky's division of Habitat for Humanity for 2009. This will be the third year for KCSA and Kentucky Habitat for Humanity partnership.

"Kentucky Habitat for Humanity is a great organization and I am very proud of the membership of the Kentucky Crushed Stone Association for their continued support of this partnership," said Kentucky Crushed Stone Association Chairman David Harrod.

Kentucky Habitat for Humanity, Inc. state support organization is a non-profit organization that has been assisting Habitat affiliates throughout the Commonwealth in providing safe, decent and affordable housing to low-income working Kentucky families since 1993. Kentucky Habitat affiliates across the state have built over 1,600 homes, provided housing for more than 6,000 working Kentucky families and individuals and invested over \$88 million in affordable housing throughout the Commonwealth.

"Helping a family own a home is a wonderful gift. We are glad to have a great partner like Kentucky Habitat for Humanity to make those gifts real to the people who need it most.," said Ron Gray, executive director of KCSA.

KCSA is based in Frankfort, Kentucky and is comprised of over 100 members throughout the state. One-third of the members are stone, sand or gravel producers. The other two-thirds are associate members who furnish and supply equipment such as trucks and loaders; services such as banking and insurance; and supplies such as fuel, tires and explosives that are used within the industry. The non-profit organization promotes quality within the aggregates industry throughout the Commonwealth of Kentucky, while supporting its members with insurance programs, including health, life, disability, and workers' compensation.

For more information on the KCSA, visit www.kycsa.org.

For more information on Kentucky Habitat for Humanity, visit www.kyhfh.org

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Silica Bill – House Bill 205

<http://www.lrc.ky.gov/record/09RS/HB205.htm>

Will Restore Insurance Coverage for Crushed Stone Operators

Legislation DOES NOT Impact the Workers' Compensation System

This legislation only affects third party claimants and does not affect the workers' comp system.

What is Silicosis?

Silicosis is an ancient disease caused by inhalation of crystalline silica. Most processes in quarrying and the associated activities of rock drilling, blasting, stone cutting, rock crushing and aggregate manufacturing generate silica dust. The same applies to site formation, foundation, caisson and tunneling activities, as well as the handling of rock products in the construction industry.

Silicosis is Rare in the US

According to the CDC, Silicosis in the US is relatively rare. The incidence of Silicosis deaths declined in the US by 84% between 1968 and 1999. Many steps have been implemented in the industry to identify work-place activities that produce silica dust and then to eliminate or control the dust. Spraying areas where dust emanates with water and dry air filtering are common practices that are required by OSHA.

Silicosis is Different from Asbestosis

Silicosis is separate and distinct from asbestosis, which occurs after long-term, heavy exposure to asbestos. Sufferers of asbestosis are at an increased risk regarding several types of lung cancer.

Silica Claims Grow out of the Asbestos Model

The brazen response of the asbestos industry to legitimate lawsuits on behalf of those made seriously ill by breathing in asbestos led to hundreds of thousands of cases being filed, many with weak underpinnings. Most asbestos companies, who had tried to control research and suppress health findings opted for bankruptcy and set up funds to settle cases. As lawmakers and courts tried to reign in illegitimate asbestos claims, Silicosis litigation exploded.

Silica Class Actions bundle Legitimate Claimants with Frivolous Ones

In recent years, the model that was used to identify Asbestos claimants has been used to bundle legitimate claimants with those who have “manufactured” diagnosis. Often, plaintiffs from previously filed asbestos claims are brought into the new silica suit. The goal of these manufactured suits is to pressure the quarries named in the case into large settlements. The result is often to the detriment of the honest claimant and massive expense to the defendant.

Insurance Companies Now Refuse to Cover Companies for Silicosis

The expense associated with defending these unsubstantiated and frivolous claims has caused insurance companies to refuse to provide Kentucky quarry operators coverage for silicosis.

Legislation Needed to Protect Legitimate Claimants and Keep Owners from Operating Naked

Without legislation to ensure that only legitimate silicosis claims are made in Kentucky courts, the construction, stone, sand and gravel industries will be forced to operate “naked” or without insurance and exposed to significant financial peril. Legislation like that suggested by the Council of State Governments and passed by states like Ohio, Georgia, Florida, Texas, Kansas, South Carolina and Tennessee will bring insurance coverage back to Kentucky and allow legitimate claimants to receive compensation from the insured entity.

Model Legislation

- Prohibits silicosis claims unless the plaintiff can prove permanent impairment.
- Requires proof that silica or mixed dust exposure was a substantial contributing factor to the respiratory impairment.
- Clarifies requirements for proof of a silica or mixed dust claim.

Clarifies the liability of a premises owner for silicosis or mixed dust claims.

PLEASE CALL YOUR REPRESENTATIVE TODAY (502)564-8100 AND ASK THEM TO SUPPORT HOUSE BILL 205!

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WHAYNE SUPPLY OWNERSHIP TRANSFERRED TO BOYD COMPANY

(Louisville, Ky.) Whayne Supply Company, a Louisville headquartered Caterpillar dealer has merged with Boyd Company, LLC., a limited liability corporation wholly owned by Monty L. Boyd. The merger of ownership became effective on December 31, 2008.

Monty L. Boyd has been employed with Whayne for 24 years. He is currently serving as president and will remain in that capacity along with his recent appointment as Chairman of the Board. Whayne will continue as the Caterpillar dealer for Kentucky and Southern Indiana just as it has been. Boyd intends to operate the company under the Whayne name with the same employees, products and facilities.

“We are expending every effort to make this merger transparent to our employees and through our daily operations provide the highest level of quality service, parts and equipment that our customers have learned to expect. We look forward to continuing and expanding our existing relationships with our customers and suppliers with the same individual employees they are used to dealing with and are accustomed to seeing. Our commitment is to continue to be the best equipment dealer we can.”

Whayne Supply is a privately held company founded in 1913 by Roy C. Whayne, Sr. in Louisville Kentucky. Currently the company operates 15 facilities in 12 cities in Kentucky and southern Indiana. They employ approximately 1,400 employees and serve a variety of industries.

Whayne Supply Company and The CAT Rental Store is the dealer for Caterpillar Inc., Reedrill, Trail King, Thomas Built Buses, Challenger, Lexion, Sullair, Allmand, and other lines of construction, industrial, mining, paving and agricultural equipment. In addition to its home office in Louisville, Whayne has branches in Ashland, Bowling Green, Corbin, Dry Ridge, Hazard, Hopkinsville, Lexington, Paducah, and Pikeville, Kentucky and Evansville, Indiana.



Whayne Supply Company

Louisville , KY

Contact: Breese Watson, Marketing Mgr

502-774-4441

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2009 KCSA/MSHA Safety Seminar Presentations

[MSHA Southeast District](#)

[New Civil Penalty Provisions](#)

[Post Accident Investigations/ Tips for Working With MSHA](#)

[Contractor Responsibility](#)

[What to do When MSHA Comes a' Knockin'](#)

[Diesel Particulate Matter](#)

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Meeting Information

2009 KHI Convention	The Cove Atlantis Paradise Island Nassau, Bahamas February 22-28, 2009
KCSA Teachers' Workshop	June 17-18, 2009 Georgetown, Kentucky
2009 KCSA Summer Meeting	French Lick Resort Casino August 6-9, 2009

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Kentucky Crushed Stone Association

- If you would like for another employee to receive this newsletter, please forward the email address to info@kycsa.org.
- Let us know if your company has news to be included in the KCSA newsletter, info@kycsa.org.

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