



ROCK TALK

KENTUCKY CRUSHED STONE ASSOCIATION NEWSLETTER

- November 2009 -

News Articles

- [Workers' Comp Fund Freezes Rates for 2010](#)
- [Kentucky Aggregate Technician Program Deadlines Approaching](#)
- [Representative Chandler Supports Aggregates Industry With Letter To Joe Main](#)
- [Dividends are Approved](#)
- [KHI Convention Information](#)
- [Safety Seminar for Underground Mines](#)
- [New Members](#)
- [Meeting Information](#)
- [Contact Information](#)

Workers' Comp Fund Freezes Rates for 2010

After analyzing and considering a multitude of statistical data, as well as anticipated future market conditions, the Kentucky AGC/SIF's Board of Trustees, at its regularly held Board meeting on October 27, 2009, voted to maintain the Fund's current (2009) manual rates for the upcoming 2010 year. In other words, there will be **NO RATE CHANGE** for the 2010 year.

[Return the Top](#)

KENTUCKY AGGREGATE TECHNICIAN PROGRAM

Deadlines:

Sampling & Aggregate Technicians Deadline: **Friday, December 18, 2009**

Please click on the link below to download an application:

[2010 KATP Program Information and Course Registration](#)

[Return the Top](#)

BEN CHANDLER
MEMBER OF CONGRESS
SIXTH DISTRICT, KENTUCKY

COMMITTEE ON APPROPRIATIONS
SUBCOMMITTEE ON INTERIOR, ENVIRONMENT,
AND RELATED AGENCIES

SUBCOMMITTEE ON STATE, FOREIGN
OPERATIONS, AND RELATED PROGRAMS

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October 29, 2009

The Honorable Joseph A. Main
Assistant Secretary
Mine Safety and Health Administration (MSHA)
200 Constitution Avenue, NW
Washington, DC 20210

Assistant Secretary Main:

I would like to commend you on your confirmation as Assistant Secretary of Labor for Mine Safety and Health. The dedication you have shown over the years to the defense of the health and safety of our country's miners is second to none.

I write to bring to your attention an issue of concern regarding the application of health and safety regulations. I was proud to support the Mine Improvement and New Emergency Response (MINER) Act of 2006. Hailing from a state with a significant number of mines, I believe the MINER Act was a necessary reform that has improved the safety and health of our miners across the country.

As you know, the MINER Act applies to all varieties of mining operations including aggregates— stone, sand and gravel. I am proud of the aggregate producers in my congressional district who endorse the "safety first" value upheld by MSHA. In fact, in 2008, the aggregates industry nationwide achieved its eighth consecutive year of reduced injury incidents.

Despite the industry's success in realizing eight consecutive years of reduced injuries, there has been a confusing trend of increases in MSHA penalties and citations. For instance, while the aggregate industry has improved its safety record over the past two years, citations and penalties issued by the MSHA have increased 140%. It is my understanding that there are many instances in which inspectors make no comment on a particular practice for years, only to suddenly issue a citation or penalty, though there has been no change in the relevant regulation. Certainly, consistency and an even application of the law are of utmost importance.

Underground aggregates facilities are unique. They deal with much more stable mineral formations, do not contain flammable gases, and their extraction methods allow for massive open spaces, through which large mobile equipment can gain access, either

vertically or horizontally. As a result, the safety and health issues affecting aggregates differ significantly from those affecting other sectors of the mining industry.

The aggregates industry plays a fundamental role throughout the built environment including roads, schools, and housing. I encourage MSHA to review the rate of citations and penalties and determine if they match the intended policy goals.

I wish you success as you work with Secretary Solis to address the many challenges our country faces.

Sincerely,



Ben Chandler
Member of Congress

BC/jc

[Return the Top](#)

DIVIDENDS ARE APPROVED

\$7.96 MILLION IN DIVIDENDS TO BE PAID TO KENTUCKY AGC/SIF MEMBERS

At its regularly held Board Meeting on October 27, 2009, the Kentucky AGC/SIF Board of Trustees approved the release of \$7,957,615 in dividends and \$716,185 in Special Fund tax to be paid in March of 2010. This payment marks the 16th consecutive year that the Kentucky AGC/SIF has returned premium dollars to its members.

After the dividends and Special Fund tax are released in March of 2010, the total dividends and Special Fund tax that have been returned to Fund members since 1994 will be over \$87.8 MILLION DOLLARS!

In March of 2010, dividends will be released that represent a 12.4% return of total premiums paid in for the 2005 Fund year as of October 31, 2009.

What are the chances that your company will receive a dividend? Historically, 94-95% of members have qualified for a dividend check. As of November 3, 2009, 96% of members who were in the Fund in 2005 and who remain in the Fund are eligible for a 2010 dividend check.

Here is how your company can qualify:

- \$ Have a Loss Ratio of less than 100% for the year in which the dividend is being paid (2005 year).
- \$ Have been a member in the year for which the dividend is being paid (2005 year).
- \$ Be a CURRENT member at the time of the dividend payment (2010 year).
- \$ Be current in all payment obligations to the Fund and to its participating Trade Associations.

Now available on the Kentucky AGC/SIF's website (www.kyagcsif.com). members and agents can access **ESTIMATED** dividend returns that will be issued in March of 2010. Registered users can log in, go to the reports menu and select "Estimated Dividend Report." If you are not currently a registered user, simply go to the website home-page and click on "Need to Register" in the upper right hand corner. Again, please note that the amounts shown are **ESTIMATES** only.

If you have any question whether your company may be eligible for a dividend paid in 2010, please contact the Fund Office at (502) 245-2007.

[Return the Top](#)

KHI CONVENTION INFORMATION

El Conquistador Golf Resort & Casino

Fajardo, Puerto Rico

January 29 – February 5, 2010

[Return the Top](#)

SAFETY SEMINAR FOR UNDERGROUND STONE MINES

December 8-9, 2009

Fern Valley Hotel
Louisville, Kentucky

Sponsored by

National Institute for Occupational Safety
and Health
Mine Safety and Health Administration
National Stone, Sand and Gravel
Association
Kentucky Crushed Stone Association

Download Registration form:
[2009 Safety Seminar for Underground Mines](#)

[Return the Top](#)

New Members

Mine Equipment & Design, LLC

[Return the Top](#)

Meeting Information

2010 KHI Winter Convention

El Conquistador, Puerto Rico
January 29- February 5, 2010

- If you would like for an 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.

[Return to Top](#)

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