



Concrete Paving to be Featured in Virginia Municipal League Statewide Magazine

The VRMCA has joined the Virginia Municipal League (VML) in Richmond for the introduction, education, and promotional of ready-mixed concrete products. The Virginia Municipal League is a statewide, nonprofit, nonpartisan association of city, town and county governments established in 1905 to improve and assist local governments through legislative advocacy, research, education and other services. The VML membership includes all 39 cities in the state, 156 towns, and 10 counties. The Virginia Municipal League publishes a monthly magazine each month for information to the elected and appointed officials throughout the Commonwealth. The VRMCA article for Pervious Concrete and Stormwater Management will be in the July issue.

Pervious Concrete Paving: Ideal for Municipal Storm Water Management

Storm water runoff is the single largest contributing pollutant to waterways. Impervious pavements -- parking lots, streets and roads -- collect oil, anti-freeze, and other automobile fluids that can be washed into streams, lakes, and oceans after it rains. The Virginia Department of Conservation and Recreation recognized the need to address storm water runoff, and, in the fall of 2011, introduced regulations requiring some municipalities to adopt new storm water regulations protecting property and aquatic resources from storm water runoff. Under the new rules, governments will be required to do more than just show proof of their storm water management program to the state; reporting requirements and inspections will be initiated.

The Virginia Ready-Mixed Concrete Association (VRMCA) is demonstrating to municipalities a more effective and compliant way to approach storm water management: pervious concrete paving. When rain hits a pervious or porous concrete surface, it travels through material that resembles stacked rice cakes,

“Under the new rules, governments will be required to do more than just show proof of their storm water management program to the state.”

and eventually seeps into the ground; any harmful contaminants are naturally filtered in the process. The initiative is part of the VRMCA’s Streets and Local Roads program, a collaboration of the National Ready Mixed Concrete Association (NRMCA), the American Concrete Paving Association (ACPA) and the Portland Cement Association (PCA).

Members of the VRMCA’s Streets and Local Roads committee helped convince Prime Outlets shopping center, one of the top 10 shopping centers in the outlet industry, to feature a pervious concrete parking lot in Williamsburg, VA. The result is the largest pervious parking lot in the country -- an environmental feat that helps sustain the surrounding

landscape while offering over 800 added parking spaces.

A mixture of coarse aggregate, Portland cement, water and little to no sand, pervious concrete has a unique void structure allowing 8-10 gallons of water to pass through each square foot per minute. After passing through the concrete layer, the water is filtered into an underlying stone reservoir, or in the Prime Outlets’ case, piped to an underground field of plastic crates that collect, store and eventually release water over time. The filtered rainwater, at the Williamsburg site, is harvested to

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Richmond	November 13, 14, 15
Harrisonburg	November 27, 28, 29
Roanoke	December 4, 5, 6

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VML *continued from page 1*

irrigate surrounding trees, shrubs and flowers.

The decision to construct a street, road or parking lot includes much more than the location and anticipated motor vehicle activity on the pavement surface. Choosing pervious concrete for these projects is a benefit to the environment by lowering the heat island effect, reducing storm water runoff and pollution.

The VRMCA, formed in 1949 of ready-mixed concrete producers and suppliers throughout the Commonwealth of Virginia, is a leading resource of information for the latest technologies and innovations in the concrete industry. The association offers guidance and support to municipalities and local governments and their design professionals on specifications, compliance, education and certification. The VRMCA and your local concrete producer can provide information and assistance on compliance regarding the Virginia Department of Conservation and Recreation storm water management regulations that will create environmental benefits and add value to your community.

The VRMCA has three Directors of Industry Services for the Association: J. Keith Beazley, Eastern Virginia; Bob Nablo, Western Virginia; and Hessam Nabavi, Northern Virginia. They may be contacted at 434/977-3716 or online at www.vrmca.com. 

The VRMCA wishes to thank the Roanoke Cement Company for the sponsorship of the professional publicist for help in the design and information for the statewide article. The VRMCA with the elected officials will help create an understanding and bond for the education of concrete construction. Our industry is a large part of local business on a statewide basis.

First Green Alley Projects in the District Using Pervious Concrete



**By Hessam Nabavi,
Director of Industry Services**


Green Alley projects are being used across the U.S. as an effective and innovative way to manage storm water runoff and pollution. Most alleys do not have stormwater controls, such as water quality catch basins or grate inlets. They mostly contain a large amount of impervious surface. To mitigate this, green alleys use Low Impact Development (LID) techniques such as various pervious pavement systems to allow rain water to percolate through the pavement and into the ground, providing natural drainage. This method reduces environmental impacts to the storm sewer system and controls the amount of stormwater and pollutants entering the sewer system by increasing water infiltration and treatment on site. Chicago has been on the forefront of this initiative. More than 80 green alleys have been successfully completed in Chicago in the past few years.

Washington DC has now turned 3 of their alley ways to pervious concrete, and there are plans to complete the 4th alley way by Mid-August. The District of Columbia's Green Alley Projects, following Chicago's initiative, are also designed to reduce the quantity and improve the quality of stormwater within the city's right-of-way. They will reduce urban

heat island effect, promote recycling and conserve energy. The Green Alley Program raises the bar with a more comprehensive strategy to implement environmentally friendly solutions to DC's infrastructure problems. The DC pilot program has the following main focus points: using permeable pavements (in this case pervious concrete) to reduce stormwater runoff, incorporating high albedo pavements to reduce urban heat island effect, and using recycled material such as fly ash in the mix design. These projects are becoming a reality based on a partnership between The District Department of Transportation (DDOT) and the District Department of the Environment (DDOE). The funding is being provided from the American Recovery and Reinvestment Act of 2009.

The following three of the green alley projects are already completed;

- Alley between 54th Street, Blaine Street, 55th Street and Clay Street
- Alley between 56th Street, Eads Street and 57th Street
- Alley between 58th Street, Dix Street, 59th Street and Clay Street

Once the fourth alley project is completed, DDOT is planning to monitor these four sites to determine the effectiveness and durability of the pervious concrete, and to use the data for the future green alley projects. 

VDOT Moves the U.S. Route 460 Project to a High-Priority Corridor Status and Bidding in 2012

By J. Keith Beazley,
Director of Industry Services

The U.S. Route 460 Corridor Improvement project has been designated a high priority project by the Virginia Department of Highways with construction planned to begin in 2013. The project will be developed as a PPTA project in which VDOT will enter into a partnership with a private partner to design, build, and finance the new facility. It is anticipated that the project will be a tolled facility with the funds being collected and used to pay for project costs. State, Federal, and private funding sources will be utilized to fund the project. VDOT plans to sign an agreement in late 2012 with one of the three teams submitting Public-Private project proposals to build the roadway.

The project will include new construction of approximately 55 miles of four-lane divided limited access highway between Petersburg and Suffolk, Virginia. The project will extend from the existing Route 460 near its interchange with Interstate 295 in Prince George County to the Route 58 bypass in Suffolk. The Final Environmental Impact Study and Record of Decision have been approved by the Federal Highway Administration.

The improvements for the new Route 460 will increase traffic safety, generate jobs and economic development, accommodate greater freight traffic for the Port of Virginia, expand westbound hurricane evacuation routes, and enhance connections among the region's military installations. Route 460, a two-lane highway was built between Suffolk and Petersburg in the 1930's to parallel the Norfolk and Petersburg Railway now Norfolk-Southern which was constructed in the 1890s. The road



“The project will include new construction of approximately 55 miles of four-lane divided limited access highway between Petersburg and Suffolk, VA.”

was widened to four lanes in the 1950s. There are no medians, shoulders or divided sections on the highway.

VDOT plans to sign an agreement in late 2012 with one of the three teams that have submitted a project proposal so construction can begin in 2013. The construction teams are Cintra Infrastructure, 460 Partners, and Multimodal Solutions. The current schedule calls for the new road to open in 2018. VDOT has committed \$500 million and the Virginia Port Authority up to \$250 million as the state's share of this public-private partnership. All three groups submitting proposals have estimated the costs to design and build the project to be between \$1.5 billion and \$2.2 billion. The new U.S. Route 460 will be tolled and part of the multi-state E-Z Pass system, a fully electronic open-road tolling collection system used throughout the mid-Atlantic region.

VDOT Commissioner Greg Whirley stated in the VRMCA Spring Convention the Route 460 project is a critical project for the Commonwealth and an addendum was created regarding the

financial structure so the project could move forward in the most cost efficient way to build the project. Key components are VDOT controlling and setting the toll rates reduce the concession contract length and maintaining the toll facility. Also, the private sector would design and build the project at a fixed cost and fixed date. The private section would put a financial proposal together for funding with VDOT to bridge the gap between the cost of the project and the public subsidy. The detailed proposals are due later this year with a final contract scheduled to be reached by the end of 2012 with construction beginning in the year 2013.

VDOT estimates the project will create more than 4,000 jobs during construction and more than 13,000 long-term jobs from the economic benefits of the roadway when the new road opens. The VRMCA is promoting the roadway construction to be concrete pavements for long-term service life and cost of construction which is very important to the cost of the project to the Commonwealth. 🚧



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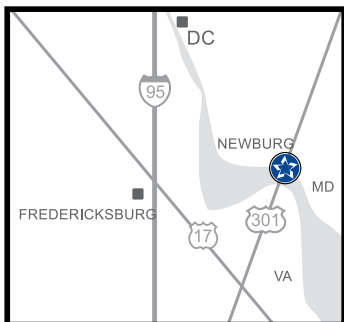
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2012 Mixer Truck Rodeo Lassos Up Some Fun

The 2012 Mixer Truck Rodeo was held Monday, June 11 at the Shippers Choice truck driving school located in Chester and was a tremendous success! A total of 17 drivers participated in the competitions and over 30 total attendees helped set-up, judge and score.


Our First Place winner was Sam Britt with Vulcan Materials! Sam received a \$500 cash prize, a 1st place Award and will receive a trip to the VRMCA Fall Convention taking place at The Virginia Beach Hilton Oceanfront Hotel!

The Second Place winner was William Harris with Lynchburg Ready Mix! Richard won a cash prize of \$350.

A very special THANK YOU to:

- All the Volunteers who helped judge and set-up the course!
- Shippers Choice in Chester for hosting the event this year!
- Vulcan for providing the mixer trucks!

We would not have been able to pull off such a successful event without your support.

Also, special THANKS to our event sponsors who helped make the day possible. Gold Level Sponsors: Continental Mixers of Virginia, a Trans-Authority Company. Silver Level Sponsors: Advantage Environmental Consultants, Capital Concrete, Chandler Concrete, Essroc & Lynchburg Ready Mix Concrete. 



Drivers and volunteers.



Inspection begins.



First Place winner Sam Britt from Vulcan Materials.

The Results Are In (winners in order by placement)



Sam Britt, Vulcan Materials

William Harris, Lynchburg Ready Mix

David Dillon, Chandler Concrete

Ritchie Faltz, Titan America

Paul Heller, Essroc Ready Mix

Monte Darlington, Essroc Ready Mix

Morey Duncan, Boxley Materials

Ralin Chergarov, Vulcan Materials

Eugene Thomas, Vulcan Materials

Bert Bergan, Capital Concrete

Davis Hill, Rowe Materials

Ricky Marshall, Chandler Concrete

Thomas Edmunds, Powhatan Ready Mix

Lewis Thompson, Rowe Materials

Harold Lewis, S.B. Cox

Sylvester Wallace, Titan America



Second place winner William Harris from Lynchburg Ready Mix.

Virginia Ready Mixed Concrete Association

2012 Mixer Truck

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PCA Chair Stresses the Need for Resilience at Rio+20

PCA Chairman of the Board Aris Papadopoulos called on the business leaders of the world to include resilient construction into public policy at the Rio+20 Corporate Sustainability Forum in Rio de Janeiro.

Papadopoulos, CEO of Titan America, said that just building 'green' was not enough to protect human lives and business investment. "To me the conversation on sustainability was missing one element—resilience. Urbanization investment over the next 20 to 30 years will exceed all such investment made so far in human history. It's very important that this investment is resilient so we don't have to build it twice," he said.


In the last 12 years, natural disasters such as floods, earthquakes and hurricanes have caused \$1.3 trillion in damages worldwide. Speaking at the session "A Changing World: Business as Unusual," Papadopoulos was joined by other business leaders seeking to build a consensus on a more sustainable course for the world.

Papadopoulos stressed that there is now a call for making enhanced resilience of a structure to natural and man-made disasters the first consideration of a green building. Improved



disaster resistance results in the need for less energy and resources for repair, removal, disposal, and replacement of building materials and contents due to routine maintenance and operations, as well as disasters.

"My passion is disaster risk reduction. Disaster losses can take back 20 years of development progress. It is a tremendously important issue," he said.

The four-day Corporate Sustainability Forum, organized by the United Nation's (UN) Global Compact, is designed to bring greater scale and quality to corporate sustainability practices. As a showcase for innovation and collaboration, the Forum gives businesses and investors an opportunity to meet with governments, local authorities and UN entities. 



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Feds' Data Shows Fly Ash Far From Hazardous

An ACAA-sponsored report analyzing the most up-to-date U.S. Geological Survey (USGS) information available concerning coal ash constituents concludes that the concentrations of metals in the material, with few exceptions, are below environmental screening levels for residential soils and similar in concentration to common dirt.

"Coal Ash Material Safety—A Health Risk-Based Evaluation of USGS Coal Ash Data from Five US Power Plants" uses scientific methods to demonstrate that coal ash does not qualify as a hazardous substance based on its composition and should not be classified as hazardous on a human health risk basis. That finding is contrary to claims of environmentalists lobbying for stringent Environmental Protection Agency oversight of coal ash handling and storage.

"Anti-coal environmental activists consistently refer to coal ash as 'highly toxic' and 'hazardous to your health' with no regard for how those unsupported descriptions damage the environmentally beneficial recycling of the material," says ACAA Executive Director Thomas Adams. "This scientific



"This scientific analysis, taken with other reports, conclusively shows that coal ash is safe and comparable to other common materials. Its use as a recycled material should be encouraged, not disparaged."

analysis, taken with other reports, conclusively shows that coal ash is safe and comparable to other common materials. Its use as a recycled material should be encouraged, not disparaged."

The report utilizes recently published USGS data on the constituents of coal ash collected from power plants

in Alaska, Indiana, New Mexico, Ohio, and Wyoming—representing a broad spectrum of coal types and environmental conditions. The data showing what metals are present in coal ash were then evaluated using scientifically accepted methods for determining human health risks and compared to EPA-established residential soil screening levels.

That comparison method, notes Lisa Bradley, Ph.D., report author and senior toxicologist/risk assessor with engineering giant AECOM, "is the most environmentally conservative approach possible. This analysis estimates exposure to children who live on top of a coal ash pile 24 hours a day. Even under these unrealistic conditions, the metals contained in coal ash do not rise to a level that warrants more than a screening level evaluation using U.S. EPA established guidelines."

Her report assesses coal ash from each of the five power plants for which new government data is available. Comparisons are made to the levels of metals in background soils based on previous USGS data the Electric Power Research Institute compiled in 2010. 🚚

Article courtesy of concreteproducts.com.

F&R Acquires Penniman & Browne, Inc.

Richmond, Virginia-based Froehling & Robertson, Inc. (F&R) has purchased the Baltimore, Maryland-based engineering firm Penniman & Browne, Inc. (P&B). With this acquisition, F&R grows to over 400 employees, and expands its effective coverage area from southern Pennsylvania to Columbia, South Carolina.

Similar to F&R in many ways – including the fact that both businesses are family-owned engineering companies that have been serving clients throughout the Mid-Atlantic for well over 100 years – the synergistic acquisition of P&B will strengthen F&R's already robust position in the Maryland marketplace.

"Froehling & Robertson, Inc. has been looking to expand our operations in the Old Line State for some time now," said F&R CEO Sam Proctor. "P&B possesses the integrity and quality staff that will allow F&R to effectively provide professional services to our customers in Maryland and beyond."

As part of this acquisition, all of P&B's physical assets and personnel will be moved to a new location in Cockeysville, Maryland. Thomas Simon, PE, formerly the Vice President of Engineering for P&B, will be the new Branch Manager. Louis Wittenberg will oversee business development and client relations activities for the office.

With this acquisition, F&R's total personnel in the Capital Region now exceeds 100 people. 🚚

EEOC Issues Guidance on Criminal Background Checks

By John G. Kruchko and
Kathleen A. Talty

A common screening device used by employers during the selection process is the criminal background check. However, an employer's use of criminal record information during its selection process may violate Title VII. This point was recently reinforced by the Equal Employment Opportunity Commission ("EEOC"), the agency that enforces federal laws prohibiting employment discrimination.

This spring, the EEOC issued updated Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions under Title VII of the Civil Rights Act of 1964. As stated by the EEOC Chair Jacqueline A. Berrien when the agency issued the Guidance, "the new guidance clarifies and updates the EEOC's longstanding policy concerning the use of arrest and conviction records in employment, which will assist job seekers, employees, employers, and many other agency stakeholders." In light of the EEOC's Guidance on the use of arrest and conviction records, employers should carefully evaluate their policies and procedures in this area.

The Guidance addressed both arrest records and convictions and distinguishes the way that employers can use these types of records. The use of arrest records as a bar to employment will always be viewed with suspicion by the EEOC. This is because the EEOC believes that arrests are not reliable evidence that a person has actually committed a crime. An employer may, however, deny employment based on conduct underlying an arrest where that conduct indicates that the applicant would be unfit for the position in question.

Employer screening devices that contain provisions for the automatic exclusion of applicants because of arrest or conviction records may disproportionately exclude African-Americans and Hispanics, thereby creating a disparate impact on those



minority groups. In such cases, the EEOC will find that the employer's policy is in violation of Title VII.

This was the situation in which Pepsi Beverages ("Pepsi") recently found itself. Based on its investigation, the EEOC found reasonable cause to believe that the criminal background policy used by Pepsi discriminated against African-Americans in violation of Title VII. To resolve the matter, Pepsi agreed to pay \$3.13 million to resolve a charge of race discrimination based on a criminal background check policy that disproportionately excluded black applicants from employment.

Under Pepsi's policy, job applicants who had been arrested pending prosecution were not hired for a permanent job even if they had never been convicted of any offense. Pepsi also denied employment to applicants for

employment who had been arrested or convicted of certain minor offenses.

In addition to the monetary relief, Pepsi will offer employment opportunities to victims of the former criminal background check policy who still want jobs at Pepsi and are qualified for available positions. The company will supply the EEOC with reports on its hiring practices under its revised background check policy. Pepsi will also conduct Title VII training for its hiring personnel and all of its managers.

When an employer's criminal background policy is challenged, the employer must be able to "demonstrate that the challenged [policy] is job related for the position in question and consistent with business necessity." The Guidance describes two circumstances in which the EEOC believes employers will consistently

meet the “job related and consistent with business necessity” defense. One is validation of the criminal background policy pursuant to the EEOC’s Uniform Guidelines on Employee Selection Procedures. The second way is by developing a targeted screen that considers at least the nature of the crime, the time elapsed, and the nature of the job. In addition, the employer’s policy must provide an opportunity for an individualized assessment of the situation. The individualized assessment would include notification to the individual that he/she may be excluded from consideration because of past criminal conviction, an opportunity for the individual to demonstrate that the exclusion does not properly apply to him/her and then consideration whether, based on the new information provided by the individual, the policy as it applies to the individual is still job-related and consistent with business necessity.

In addition to policies that have a disparate impact on protected groups, an employer’s criminal background policy may also be found to be in violation of Title VII on the basis of disparate treatment. For example, there is Title VII disparate treatment liability where the evidence shows that an employer rejected an African-American applicant based on his/her criminal record but hired a similarly-situated white applicant with a comparable criminal record. According to the EEOC’s recently issued Guidance, there are different types of evidence that can be used to establish that race, national origin, or other protected characteristics influenced or motivated an employer’s use of criminal records in a selection decision. This kind of evidence can include: biased statements that express group-related

stereotypes about criminality or inconsistencies in the hiring process, which can be found when background checks are requested more often for individuals with certain racial or ethnic backgrounds.


The EEOC Guidance recommends the following “Employer Best Practices” for employers considering criminal record information when making employment decisions.

General considerations:

1. Eliminate policies or practices that exclude people from employment based on any criminal record.
2. Train managers, hiring officials, and decision-makers about Title VII and its prohibitions on employment discrimination.

Developing a Policy:

1. Develop a narrowly-tailored written policy and procedures for screening criminal records. Identify essential job requirements and the actual circumstances under which the jobs are performed.
2. Determine specific offenses that may demonstrate unfitness for performing such jobs. Identify criminal offenses on all available evidence.
3. Determine the duration of exclusions for criminal conduct based on all available evidence. Include an individualized assessment.
4. Record the justification for the policy and procedures.

An employer’s implementation of these EEOC-recommended “Employer Best Practices” should serve to minimize an employer’s liability in this area. 

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On the Horizon Calendar of Upcoming Events

JULY 9, 2012

SWCAC Streets & Local Roads

12 NOON - 1 PM

Roanoke, VA

JULY 12, 2012

NVCAC Business Meeting

7:30 AM - 9:00 AM

Manassas, VA

JULY 18, 2012

SWCAC Business Meeting

8 AM - 9:30 AM

Roanoker Restaurant

Roanoke, VA

JULY 17-19, 2012

ACI Concrete Field Testing Seminar and Examination*

Crowne Plaza Hampton Marina

700 Settlers Landing Road

Hampton, VA

*PRE-REGISTRATION REQUIRED

JULY 31-AUGUST 2

ACI Concrete Field Testing Seminar and Examination*

Chandler Concrete of Virginia

614 Norfolk Ave SW

Roanoke, VA

*PRE-REGISTRATION REQUIRED

AUGUST 7-9, 2012

ACI Concrete Field Testing Seminar and Examination*

Virginia Society of Certified Public

Accountants

4309 Cox Road

Glen Allen, VA

*PRE-REGISTRATION REQUIRED

AUGUST 28-30, 2012

ACI Concrete Field Testing Seminar and Examination*

Clarion Inn Fredericksburg

564 Warrenton Road

Fredericksburg, VA

*PRE-REGISTRATION REQUIRED

Please visit the online calendar
for an up-to-date list of events.
www.VRMCA.com/calendar

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The Smart Road bridge, at 175 feet tall, is Virginia's tallest bridge. Approximately 9,647 cubic yards of high-strength concrete were used to construct the 2,000-foot long bridge.

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