

ACPA Annual Meeting: Sustainability, Resiliency and Environmental Leadership Committee Key Points to Membership Presentation.

Version 2; after EPA Labeling Web Meeting and WAP Data Input Meeting Today

3-6-2024

As presented by Bill Washabaugh, SREL Committee Chair, at the ACPA's 2024 Annual Meeting:

1. We are currently trying to collect EPD BASELINE information from a statistical size minimum number of our members as selected by our Consultant WAP. We are trying to, because we NEED to, establish a National Baseline and 6 Regional Baselines that all EPDs will be measured against for all our products. If we don't start getting this information very soon, we will be reaching out to those members who were not on the first list. This is critical; you can't wait until the last minute to try to comply with this. I can tell you that Northern Concrete Pipe already has about 80 personnel hours into this project, not including the advantage I have by being so involved in this project. We are far from ready to submit our numbers. You trust and depend on the ACPA to protect you in competitive and governmental actions. We can NOT accomplish that if we don't get all the data we are soliciting!
2. We have hired a Grant Writer who helped us solicit available United States Grant Funding to cover some of the expense we all incur by having to develop these EPDs per the Federal Law that requires us to do so. We are teamed up with PCI and the NPCA, since there are only a very limited number of grants available and we were advised to increase our chances by joining common forces. This grant is for close to one-third of the \$10 million dollar request. Chairman Hawkins used his association relationships and worked very diligently to assure we were equal partners in this and he reached out to the other two Associations while keeping ACPA risks to a minimum. If awarded to us, some of the grant funds will go to the ACPA for its significant expenses of about \$50,000 paid and another \$74,000 committed so far, on behalf of the members, to cover some known immediate future costs. The rest will be shared with those participating members who joined in on this effort to help with their costs. If you chose to go with some other Association, or the brand new on the web GENERIC EPD program by Global Cement and Concrete Association, that you can cheaply buy into, you will not be included in this grant fund sharing opportunity.
3. SRLEC Staff Liasson Trygve Hoff is our explorer and expert on this topic. He is participating in Federal Agency and State DOT meetings to keep us as informed as he can with this effort. We are also educating our users groups as our members need it too. Fortunately for all of us, he believes in at least some of this, and his approach is purely professional to keep us in alignment as best we can be. We are using our Lobbyists and in particular, Tammy Lindenberg from that team, is keeping on top of all Federal and State legislation. The volume of

documentation that we must read and consider is absolutely painful, based on the amount of time we have committed to this. I estimate that they have time measured in MONTHS committed to our complying with this regulation.

4. States have the autonomy to do what they want in regard to this mandated program plus there are many varying programs getting started out there. 15 States are engaged with their own program and at least 4 others are getting going. Michigan DOT intends to avoid doing any of this as long as they can. That won't affect the Private work that is already trying to use the system. WE dare NOT wait for this to happen to us. We MUST develop our program, and then educate our DOTs, municipalities and our customers to the facts of; this is what we have, and this is what you should use. We can NOT sit and wait for them to establish how this is going to be for us. We have Marketing Committee Chair Jennifer Schaff and Government Relations Committee Chair John Susong participating so their committees can help us promote our position and message when the appropriate time comes.
5. I would like to remind you that our SREL Committee Mission Statement clearly states that we will NOT reduce the quality of our products to comply with environmental regulation. We must be out front to maintain this essential stand.
6. Here is an example of how this is being used in Australia already. We learned this at the International Summit that was had at Pipe School. If you were not there to participate, you missed a very eye-opening event. Plus WAP put on a very informative class for the small number that chose to come and listen. Thank you to Mr. Mario Pfender from MBK who introduced us to what they are doing in Germany. Also, thank you to Mr. Bob Mahoney who chased this information down with them. Also, to Steve Hawkins and Trygve who organized this first of its kind event for our industry. Just to show how contagious this is, the State of New Jersey is already developing their program along these lines. We had to fight this approach in California back in 2017, before we even were concerned with this effort. Canada, and many European Nations are 10 years ahead of us in this process. Please do not expect that the ACPA has the human resources to chase down and challenge all the many different programs that the different States and Municipalities are going to develop! We have been participating with local members in Colorado, where this took effect first (July 25, 2023). We are keeping them happy, but we have learned that they are anxiously awaiting our EPD certification results and they are truly keeping a very close eye on what is going on. We believe we must write a new Product Category Rule, or PCR. This will be very time consuming and expensive. Its in our budget plans and in our Grant request. Colorado is watching to see when that effort becomes official. PLEASE STOP BY OUR INFORMATION TABLE AND SEE SOME OF THE INFORMATION AND TOOLS WE HAVE FOR YOU TO LOOK AT.

Trygve; Show the video please:

In addition to this, the Engineering Community, the engineering firms that are doing the design work for many DOTs and Municipalities are in a very significant way, turning much of their business promotion and marketing efforts to going GREEN. We have got to be involved and driving this broad change from the ways things have been done prior to this. Even with a political change in the next election, much of this is too far along, and too well supported by the public, to just sit and wait with our heads buried in the sand, hoping it will just go away. It will not! You do not have to be scared of this, but you certainly better stop watching with such disregard! For example; recently, the magazine Scientific American published an article: ENVIRONMENTAL PROTECTION DOES NOT KILL JOBS! I can share it with you if you like.

7. We have recently re-negotiated the Contract with WAP by adding a new Addendum; trying to continue to adjust to what our actual use of and participation with them really is.
8. We continue to work with WAP to modify their EPD program to fit our product lines.
9. Labeling is part of the program. Yes, labels defining our EPDs on each of our products. The EPA calls it PROGRAMS TO LABEL CLEANER CONSTRUCTION MATERIALS! The EPA and FHWA are both working on what this will turn out to be. To make lemonade from lemons, we are considering taking some of what we are learning from the Research Committees efforts to pass Fire and Flooding new ASTM Standards in ASTM E60 Committee, and we just learned about something called; the FIRE DANGER INDEX. What a great thing it could turn out to be, if we can convince the Feds to ADD this FIRE DANGER INDEX to the label on every pipe type.
10. No, EPDs are not to be used to compare various pipe types against each other. Right now, it is intended to compare concrete product to concrete product for example. We all know that claim by the EPA will not last forever. Our plastic competition is already saying their EPDs are better than ours because they know that once the EPA and FHWA finally get to Cradle to Grave, rather than the current Cradle to Gate, we WIN! Our International Friends at our International Summit had their documents already proving that, and it is based on science, not marketing propaganda.
11. Type 1L Cement continues to cause significant grief for most of our members. Many members who are struggling or at a minimum, accepting adaptations to using top of the ASTM allowed 15% replacement range, or those who are receiving product with continual variation in the percentage blend being supplied to them. We have an ASTM C13 TG and an ACPA TG working on this because it significantly distorts our EPD results while enhancing those EPDs of the Cement Industry. We will be having a meeting with our cement in-Plant users' experts and the materials experts from the cement industry, to help our members better understand how to use this product, especially as more regional areas convert over to it. Then, we will be arranging a meeting with the management of the Cement Industry, to have them share with us what their future plans for cement are. Government is forcing continual greening of cement

and that is not good for us until we work together with our suppliers to understand how we can adapt to using it and what this means to us from both sides! No, this is not directly part of the SRELC Mission, but it in a significant way, controls what the SRELC was developed to do. Please participate when asked to do so on this very important to your survival topic. Engineers, admix companies, and other associations are all trying to educate people on this in their own ways. To get answers, we are going to work to organize that in such a way that we have to be the size of group required to gain the attention of the cement industry.

12. By the way, I'd like to suggest that you start NOW, to include the requirements to abide by this regulation and work to continually improve your Company's ability to comply with this concept in your Employee Handbook. I recently asked Northern's labor attorney to write our new Policy for this.
13. There's too much here to cover in 15 minutes. This has been the heart of the current action items.
14. The ACPA Board approved this action on behalf of the ACPA membership. PLEASE, do your part in support to this necessary action. So far, we only have very few of the responses that we have requested. Please accept this homework, and assign some of your staff to get this started for us. Thank you.
15. There is a Handout of the Notes I took on a recent EPA Meeting on Labeling. This is not good if we just let it happen. We are working on an EPA Survey now for Labeling and they just released a second one for writing new PRCs, so they can force the inclusion of labeling in these new PCR's.
16. Now the rest of the story; last week we held a meeting with our consultant because we have ACPA members struggling to use the data collection documentation they have provided us. We included our person from Northern who has the most experience trying to use the system. That call did not go as planned! Trygve, Luke and I were on the web meeting with WAP so Luke could explain his issues with their process. We learned that WAP is not at all on the same page as us, and what they told us at the ACPA to start, is not what they are doing. What they are doing, they did for redi-mix and paving. It can't possibly work for our industry! However, they got their way to work in Canada and in Colorado means that there is concerning accuracy or consistency in their process. Their guy gave up on listening to my reasoning. He may be a pro at doing programming, but he has no expertise or understanding for analyzing statistics with variables like our various products have. The way they are doing it right now, most plants will not have the same process or other variables and therefore the baseline is of little value. Doing it right like we are trying to do, will be compared to those that are just winging it! No way in hell that ends up fair for the purpose the Feds have intended. This is incredibly frustrating. I used 48" products as an example. A 48" MH has 8# per foot or less of reinforcing. A 48" C-76-IV pipe has around

81#/ft of reinforcing. Both these products are B wall so they have the exact same weight per foot. A 120" C-76-IV has over 180#/ft plus stirrups made of steel. A big box culvert might have over a ton per foot of reinforcing. Both our Baselines and our PCR MUST reflect these variations in products and manufacturing processes. Northern is assembling 9 different product types in 26 different processes of manufacture to try to show them why we must do it differently that they have it set up. We also showed them a number of improvements they can use to improve the in-put process. Fortunately, the Engineer that we had here a year ago to introduce this program at our Annual Meeting understood what we need, she just needs to learn more about our products. So, we will get there, but this cuts int the time we need to educate our users groups. Please, please; when we give the green light, get your people to finish the process. The time to be gathering your basic data is NOW! They want us to get a group of members together to agree on some basic TYPICAL products base list of averages for our baseline and I WILL NOT support their intentions! I will never tell our employees to just do it CLOSE ENOUGH!

17. Here is some of what we will be facing:

- a) The Feds will be launching access to a Federal Registry of Certified Materials and Providers!
- b) "The EPA intends to be the one providing support of Technical Assistance for contractors using EPDs.....we better be educating our customers FIRST!
- c) It is obvious that comparing materials is eventually going to be allowed....WE must stop this.
- d) "The EPA plans to use a variety of metrics to track program progress, ensure goals are met, and ensure continuous improvement of the program."
- e) In the back of the room is a Handout with more of their intentions.....perhaps after reviewing that, our members will be willing to help us now?
- f) We need 50 of our Plants Minimum. Not all new plants or highly efficient only Plants, we need a good representative sample of our industry.

18. On top of that, WAP told Trygve last week that they are now hired by the Feds to help the Feds analyze the survey for PCR's that just came out from the EPA last week. We have to write a new PCR for our industry. I proved that to them a few months ago.

19. Questions please?....if time permits.

20. Thank you for being here!