

OHIO



HOT-MIX ASPHALT



VOL. 12 NO. 3

CURRENT NEWS

November, 2003

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TEA 21 Re-authorization Update

TEA 21 expired September 30, 2003. A new 6-year transportation authorization act is needed to replace it. Congress has been unable to come to agreement on the scope of the bill; and, consequently, passed a 5-month extension of the current act to keep some transportation funding available to the states through February 29, 2004. The President signed Public Law 108-88 into law on September 30, 2003.

However, the temporary extension is not without cost to the transportation program. AASHTO has issued a report titled: "TEA 21 Impacts of Delay: \$2.1 Billion in Projects Delayed, 90,000 Jobs Lost". According to the report, states reported that a short-term extension will compound state budget problems, result in \$2.1 billion in delayed projects and 90,000 lost jobs for consulting firms and construction contractors. The full report can be found at AASHTO's website www.transportation.org

Ohio has a great stake in the eventual resolution of federal funding for transportation. The Governor and the ODOT Director have been lobbying for what they call "Ethanol and Equity" which seeks increased federal funding through easing of the ethanol fuel tax subsidy and the return of a higher percentage of federal fuel taxes that Ohioans pay. This is a potentially large amount for Ohio. A return of 95% of Ohio's gas tax would mean an additional \$56 million per year for ODOT. The ethanol penalty is even bigger. Increasing the tax on ethanol to the level of the federal gas tax and putting all of that money in the highway trust fund could bring an additional \$160 million per year to Ohio.

An increase in federal funding is essential to the \$5 billion "Jobs and Progress" Plan announced by the Governor last August. About half the money for the plan was raised by the increase in the state gas tax passed by the legislature in early 2003. The other half of the money needed for the plan would need to come from increased federal funding. For details of the "Jobs and Progress" plan see ODOT's website www.dot.state.oh.us

The conflicts that resulted in the inability of congress to pass a new 6-year act continue unabated. Many congressional leaders have acknowledged the need for a substantially higher level of funding for transportation. Rep. Young (R-AK), Chairman of the house Infrastructure Committee, continues to seek support for a funding level of \$375 billion and an increase in user fees to fund it. However, Majority Leader Tom Delay (R-TX) and the Bush administration are opposed to any increase in taxes and generally support a funding level of \$245 billion for the six-year act.

Then there is Fair vs. Share. Seventeen donor states, including Ohio, have formed a coalition to lobby for a minimum return of 95 % of their federal transportation taxes. The coalition calls itself "Share" for States' Highway Alliance for Real Equity. This group is opposed by a coalition of 6 recipient states that want to maintain their receipt of more federal funding than they pay in taxes. They call themselves the Fair Alliance for Intermodal Reinvestment or FAIR for short.

The other issue for which Ohio officials have been campaigning is relief from the ethanol fuel subsidy. A measure to return the ethanol fuel tax to the highway trust fund was dropped from the 5-month extension plan. There appears to be some support for eliminating the ethanol penalty, but it too is caught up in the debate over the source of revenues to support the transportation act.

It remains to be seen whether Ohio will receive any increased federal funding from Ethanol, Equity or even expanded federal transportation funding. Industry support is needed. The Transportation Construction Coalition (TCC) is planning another fly-in to Washington D.C. for February 23, 2004. Mark your calendars and watch ARTBA's website www.artba.org for details.

[Pavement Selection Advisory Council Continues Work](#)

Since its first formal meeting on July 10, 2003 the Pavement Selection Advisory Council (PSAC) has been vigorously pursuing its mission. The PSAC selected ARA/ERES as its neutral third party (NTP) consultant to review its proposed pavement selection process "Pavement Selection the ODOT Way".

Allegations of bias leveled against the ODOT by the concrete pavement lobby were laid to rest with the investigation of the State Inspector General who found no wrongdoing on the part of the Department.

Discussion of the investigation and a link to the Inspector General's report can be found on Flexible Pavements of Ohio's website www.flexiblepavements.org

Since then the work of the NTP has proceeded. The NTP has conducted interviews of the ODOT and the associations representing both pavement industries. For complete transcripts of those interviews see the PSAC website referenced below. After the interviews and a presentation by the NTP to the PSAC at the September 16th meeting, ODOT submitted a letter dated October 3, 2003 directly to the PSAC discussing its position with respect to 5 issues that had been raised. The letter is available on the PSAC website.

The Council and the NTP also selected 10 other states to review for comparison procedures. Interviews with the DOT's and associations in those states are being conducted. As of the October 14th PSAC meeting, the NTP had completed interviews with Indiana, Maryland, Minnesota, New York, Ontario and Washington. The other states to be interviewed are Michigan, Illinois, Pennsylvania and Wisconsin.

The schedule for the review calls for the NTP to submit a draft report to the PSAC at its meeting on November 6, 2003. After a 30-day comment period, a final report is to be completed by December 16, 2003. ODOT is required by the law to consider changes to its pavement selection process based on the report of the NTP.

"Pavement Selection the ODOT Way" and current information on the PSAC is available on the website www.ohiopavementselection.org

Don McLean Passes

Donald K. McLean passed away October 12, 2003 at the age of 74. Don and his brother Fred built-up and expanded the McLean equipment company. Don was a star athlete at Columbia University and a decorated Marine Corps veteran of the Korean War. Flexible Pavements extends our condolences to the McLean family.

Jurgensen Elected NAPA State Director

James Jurgensen, Valley Asphalt, Cincinnati, Ohio has been elected by members from Ohio to serve a three-year term as voting state director on NAPA's Board of Directors. Flexible Pavements of Ohio wishes to express its appreciation for Jim's serving the Ohio hot-mix industry in this important capacity.

Ohio Sparkles with Diamond Award Winning Asphalt Plants

On October 27 the National Asphalt Pavement Association (NAPA) announced that **Barrett Paving Materials'** Moraine, Ohio, Plant #141, had received its first Diamond Achievement Commendation. The National Asphalt Paving Association's "Diamond Achievement Commendation" is awarded for excellence in plant and site operations, including: appearance, operations, environmental practices, safety, permitting and compliance, and community relations.

According to NAPA, four Flexible Pavements of Ohio member companies presently have a total of 12 National Asphalt Pavement Association (NAPA) Diamond Award winning Plants.

Barrett Paving Materials, Inc. has won Diamond awards for its Fairborn, Moraine and Sidney plants. **The Osterland Company** has its Diamond for the Cuyahoga Road Products Downtown (Cleveland) plant.

Shelly and Sands has awards for its Mar-Zane plants #'s 2 and 29, located in Marietta and Mansfield. And,

Valley Asphalt Corporation has diamonds for 6 of its plants located in the greater Cincinnati and Dayton areas.

Shelly and Sands won the 2002 NAPA Ecological Award for its 2 Mar-Zane plants which tied for first place in the competition.

Flexible Pavements of Ohio salutes these four companies for their outstanding commitment to environmental stewardship.

Another Perpetual Pavement on I-77

Flexible Pavements of Ohio understands that an \$18 million, ODOT Project, number 467-02, Summit I-77, section 12.76 will be constructed as a perpetual pavement. We are informed that District 4, the Ruhlin Company and Northstar Asphalt have agreed to a change order to make this section a perpetual pavement, similar to what was done on an adjacent section of I-77 last year. That project included an asphalt rich, fatigue-resistant bottom layer, perpetual pavement design. For information on perpetual pavements visit the website www.asphaltalliance.com

John R. Jurgensen Company Wins NAPA Work Zone Safety Award

The John R. Jurgensen Co. of Cincinnati, Ohio, won NAPA's 2002 Work Zone Safety award for its various efforts to improve worker safety. The company requires workers to wear high-visibility vests, which stand out in a work zone dominated by orange barrels, cones, and signs. The company also employs many different means to slow motorists in work zones. The company has received media attention for its use of non-standard highway construction signs: "Slow Down, My Mommy Works Here," and "Slow Down, My Daddy Works Here." Flexible Pavements of Ohio congratulates the John R. Jurgensen Company for their receipt of this prestigious award.

Noise Controversy Reaches Ohio.

Flexible Pavements of Ohio has watched with concern as the issue of pavement noise has been argued in our neighboring states, Pennsylvania, Kentucky and Michigan. We knew it was just a matter of time before pavement noise became an issue in Ohio. This year, after I-76 near Tallmadge was reconstructed with concrete pavement, residents began complaining to ODOT and writing to the local newspaper about the increase in noise. The ODOT has data that shows that concrete pavements are substantially noisier than asphalt pavements. And, that the difference is enough that motorists and nearby residents can tell the difference. Quieting a noisy concrete pavement can be an expensive proposition for an owner agency.

The least expensive solutions usually involve diamond grinding or overlaying the concrete pavement. The most expensive solution is the construction of noise walls. We'll wait to see how this controversy plays out in Ohio.

Porous Asphalt Pavements

As a result of EPA Phase II Storm Water Regulations being extended to more urban areas, there is an increased interest in using porous asphalt pavements to control storm water run-off. Where underlying soils are sufficiently permeable to permit percolation of storm water, the use of a porous pavement can be an economical control measure. An excellent article on the subject is available on-line at http://www.forester.net/sw_0305_porous.html A similar article appeared in the September/October, 2003 issue of HMAT, the magazine of the National Asphalt Pavement association. Edmund Thelen and L. Fielding Howe published a design manual for porous pavements (Porous Pavement, the Franklin Institute Press, 1978, now out of print). NAPA will soon be publishing a design guide of its own. If an agency has an application for a porous pavement, Flexible Pavements of Ohio can assist in developing a thickness design and mixture specifications for the asphalt materials.

Asphalt Plant Permit Process To Be Streamlined

It's no secret that the process of permitting of Hot-Mix Asphalt plants has been dysfunctional for some time. As a result of lengthy negotiation, the Ohio EPA has recently started rule making to authorize the issuance of a general permit for the installation and operation of asphalt plants. A general permit should go a long way toward making the permit process and standards uniform across the state. The association is looking forward to working with the OEPA in developing specific language for the asphalt plant general permit. Also, for information on the environmental aspects of HMA production remember to visit the website www.beyondroads.com

New FHWA Websites

We're the government and we're here to help you. In this case it's not another cruel joke. They really mean it. The Federal Highway Administration has established two new websites with valuable information for the Hot-Mix industry.

All highway construction specifications from the 50 states, District of Columbia and Puerto Rico can be found at the National Highway Specifications website <http://www.specs.fhwa.dot.gov> The site is a collaborative between FHWA and AASHTO. Users can search, cross-reference and download current specifications and other related documents. The site also features discussion forums and links to specification related sites of others.

The other website contains information on "Warm Mix Asphalt" technology. Warm mix technology may be an important process that will reduce the future energy requirements of producing HMA. The site address is <http://www.fhwa.dot.gov/pavement/wma.htm>

District 2 Applying the Latest Asphalt Technology

ODOT District 2 continues to lead the way with recent projects that utilize new (for Ohio) asphalt pavement technologies. District 2 commonly uses Stone Mastic Asphalt (SMA) for their heavy traffic routes. On one project they are placing the first SMA pavement to be designed using the Superpave gyratory compactor. On another, they are testing an alternative polymer modifier, DuPont's Elvaloy[®]. They are also using joint sealant on their cold longitudinal joints and using a 9.5mm Superpave surface on their lighter traffic routes.

With 2 steel plants nearby, US 20 Alt. through Delta in Fulton County endures many heavy trucks. When District 2 decided to resurface this route, they chose to place 2 courses of SMA to ensure against rutting. On project 184 (03) they are placing the first SMA in Ohio designed using ODOT's revised supplemental Specification 856 which requires the use of the Superpave (item 442) mix design method. The project includes 9692 tons of SMA surface and intermediate courses. The material requires the use of an SBS polymer-modified, PG 76-22M, binder and cellulose fibers. The material was bid at \$87 per cubic yard.

On project 151 (03) on SR 163 in Ottawa County District 2 is trying approximately 400 tons of HMA using DuPont's Elvaloy[®] polymer modified binder. The polymer-modified binder is incorporated in an item 442, (Superpave) 9.5mm, type A, surface course. Elvaloy[®] is a polymer that can be post-blended into the asphalt mix at an asphalt plant similar to SBR and may have other production advantages as well. The performance advantages of SBS and SBR polymer-modified asphalt are well known. If the performance of Elvaloy[®] proves to be similar to that of SBS and SBR, which are the only forms of polymer modification presently permitted by ODOT, The Department may accept it as another form of polymer modification. For more information on Elvaloy[®] see DuPont's website www.dupont.com/asphalt/

Both of these projects are being produced by Gerken Paving and were placed early in October, 2003. Information for this article was provided by Randy Fry of ODOT District 2 and Jan Creque of Gerken Paving's quality control lab.

High Stress Asphalt Performing Well

A recent visit to the Harrison Pike project in Hamilton County showed that the rut-resistant asphalt placed on the demonstration project is performing well. The project was reported in the "Ohio Hot-Mix Asphalt Current News" issue of October, 2002, HMA vs. UTW, pages 10-11, see www.flexiblepavements.org/newsletter.html The project placed 4 inches of ODOT type 1H with a PG 76-22M SBS polymer modified binder to resist rutting on an uphill grade traveled by heavy trucks. After one year (two summers) of service there is no rutting. The ultra thin whitetopping placed adjacent to the high-stress asphalt has developed some fine cracking; but, it has not affected serviceability. The project clearly demonstrates that rutting can be economically prevented by the selection of an appropriate treatment, type of hot-mix asphalt and grade of binder. For more information on rut-resistant asphalt for high-stress applications contact Flexible Pavements of Ohio.

Smoothseal™

Flexible Pavements of Ohio has initiated the process to register "Smoothseal™" as a trademark for our thin-lift, long-lasting, preventive maintenance surface course material. While nothing about the production of Smoothseal™ is proprietary (it can be produced by any HMA producer to an ODOT specification, SS 854), the trademarking of the term, Smoothseal™, will protect the use of the term to describe this material. For information on Smoothseal™ see the FPO Technical Bulletin available on the Technical Documents page of the Flexible Pavements of Ohio website or contact Flexible Pavements of Ohio.

Mark your Calendars

There are a number of important HMA educational events coming up:

February 9-13, 2004, Seminar, "Comprehensive Asphalt Mix Design", FPO/ODOT, Columbus Ohio. Required for ODOT Bituminous Concrete Technician level II approval.

February 18, 2004 - Ohio Asphalt Paving Conference - Columbus, Ohio - this is the "must attend" annual pavement conference for public agency and industry personnel.

March 2 and 3, 2004 - Seminar, "Quality Asphalt Paving". OCAPE is again presenting Jim Scherocman's popular seminar on construction of quality asphalt pavements. This seminar will be held in conjunction with the Flexible Pavements of Ohio Annual Meeting and Equipment Exhibition, Columbus, Ohio.

March 3 and 4, 2004 - Flexible Pavements of Ohio, Annual Meeting and Equipment Exhibition - Columbus Ohio.

Watch www.flexiblepavements.org for programs, details and registration forms for these events.

On the national level there are NAPA's Annual Convention, January 16-22, 2004 in Phoenix; the World of Asphalt, March 15-16, 2004 at Nashville and the First International Symposium on Design and Construction of Long Lasting Pavements, June 7-9, 2004 at Auburn, Alabama. The conference is by the International Society for Asphalt Pavements (ISAP) and hosted by NCAT. Links to URL's for more information on these events can also be found on Flexible Pavements of Ohio's website.

Quote for the Year That Was

"The way to build a good pavement is to keep the water out of the base and the politics out of the surface."

This quote has been attributed to George Edison of the Eaton Asphalt Company in the 1960's. Some things never seem to change, but we keep trying.

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Flexible Pavements of Ohio only publishes Ohio Hot-Mix Asphalt Current News, electronically to the Flexible Pavements of Ohio website

www.flexiblepavements.org

and for distribution by e-mail. For those who opt for direct distribution, we will send an e-mail notification of the newsletter availability with a link to the site or send the newsletter as an attachment as you prefer.

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