ENVIRONMENTAL STEWARDSHIP AGREEMENT
BETWEEN
THE NATIONAL READY MIXED CONCRETE ASSOCIATION
AND
THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY, REGION III

IN SUPPORT OF THE GREEN HIGHWAYS PARTNERSHIP
AND THE US EPA REGION III HEALTHY WATERS PRIORITY

The National Ready Mixed Concrete Association and the Green Highways Partnership (GHP), with leadership support from the US EPA Region III enter into this Memorandum of Agreement (MOA) to further the principles of environmental stewardship embraced by the GHP and the Region III Healthy Waters Priority.

WHEREAS, the GHP, a voluntary initiative, was created by the Federal Highway Administration (FHWA) and the Mid-Atlantic Region of the United States Environmental Protection Agency (EPA) and developed as a regional and national network of industry, trade, & environmental organizations, private sector (consultants & contractors), academic and government (local, state, & federal) partners dedicated to fostering collaboration among transportation and environmental entities to recognize and implement successful, sustainable approaches to meeting transportation needs and improving the natural, built and social environment so that all are “better than before.”

WHEREAS, the Region III Healthy Waters Priority is designed to accelerate the pace of restoration and protection of surface and ground waters in the Mid-Atlantic and to work closely with the transportation, development, and other sectors to accomplish this.

WHEREAS, the following Guiding Principles were developed by the GHP as building blocks for its collective focus and actions to:

- Achieve goals through voluntary participation and public/private partnerships.
- Utilize market-based approaches and economic incentives.
- Provide and support communication, outreach, research, education, and training to avoid duplication, enable technology transfer and help streamline business practices and processes among those organizations supporting and enabling the “Green Highways” philosophy.
- Promote conservation, green infrastructure and integrated watershed management.
• Promote watershed-driven innovative stormwater protection approaches.
• Promote reuse and recycling of materials.
• Promote enhanced compliance with environmental requirements.
• Promote economically efficient and effective environmental measures
• Promote self-initiated, voluntary programs and practices for fostering environmental improvement and conservation throughout North America for the well-being of present and future generations
• Promote clean and efficient energy use and practices.

WHEREAS, EPA has established a national priority for Clean Water Act compliance by ready mixed concrete facilities and this Agreement is intended to promote NRMCA’s voluntary efforts to assist its members’ in their efforts to comply with Clean Water Act obligations.

WHEREAS, woven throughout the GHP mission is recognition that those practices and processes are preferred which achieve environmental results that are not only “better than before” but are “beyond compliance.”

WHEREAS, NRMCA and EPA are seeking solutions which yield greater energy efficiency, use of clean and renewable energy sources, and promotes a reduction of greenhouse gas emissions.

WHEREAS, The NRMCA Green-Star™ Certification Program is also recognized and supported through this Agreement as an innovative vehicle through which to strive to achieve, if not exceed, these compliance and stewardship principles for management, operations and conduct.

IT IS THEREFORE AGREED, that:

In recognition of existing compliance obligations as set forth by environmental law and in the spirit of environmental stewardship, sustainable communities, and cooperative and voluntary participation, this Agreement encourages implementation of the following voluntary principles of Environmental Stewardship by NRMCA as a representative of the ready mixed concrete industry throughout the United States, consistent with applicable environmental laws and regulations.

Voluntary Environmental Stewardship Principles

Top Management Commitment: Make substantive top management commitments to sustainable development and improved environmental performance through policies and programs that emphasize watershed-based innovations and practices, eco-system conservation, energy efficiency, recycling and reuse of key industrial by-products, adherence to appropriate standards and environmental leadership that ensures inter-industry and public communications outreach supporting industry wide adoption.
Compliance Assurance: Implement environmental auditing, assessment and improvement programs to identify and correct current and potential compliance problems and work for the development of innovative measures to improve overall environmental performance.

Compliance Assistance Through Enabling Systems/ NRMCA Green-Star™ Certification Program: Through open and inclusive processes, develop and foster implementation of environmental management systems (EMS) which provide a framework for ensuring day-to-day compliance in process operations, pollution prevention, energy efficiency, and improved environmental performance and regulatory streamlining. Encourage the use of environmental audits, preventative assessments, and employee training and involvement as integral parts of the industry/corporate cultures.

Measurement and Continuous Improvement: Develop measures of environmental performance to evaluate adherence to these Principles. Periodically assess the progress toward meeting the organizations environmental goals and tie results to actions in improving environmental performance.

Public Communications: Make available to the public, information on the organizations environmental performances, as well as, the performance of its environmental management system relative to these Principles, based on established objectives and targets; and voluntarily provide avenues for receiving suggestions from and establishing dialogue with the agencies and public about environmental performance.

Industry Leadership: Work with other companies operating in the same region or industry sub-sector to improve industry-wide environmental compliance, pollution prevention practices, energy efficiency, and overall environmental performance. For example, explore cooperative strategies such as by-product synergy, joint industry sub-sector efforts, or technical assistance to smaller enterprises, including in the implementation of environmental audits.

Community Environmental Stewardship: Promote and give support to environmental stewardship and sustainable development in the community in which the organization operates, for example through investments in local environmental infrastructure, health, education, and improving public environmental awareness.

Awareness, Outreach: Work cooperatively to ensure that increased awareness is achieved through proactive outreach and communications initiatives. That the partners incorporate processes and knowledge systems that are implementable through new and existing Federal, State, and local partnerships along with NRMCA and its state affiliates and other industry programs allowing for broad-based outreach and communication activity for information dissemination.

Training and Development: Identify key training requirements and develop and support programs by representative subject matter experts from the respective quarters of the partnership. That EPA/GHP and NRMCA plan to provide related training programs, materials and expertise as may be required to support and develop an informed approach
to sustainable development, context sensitive and low impact "best practices" programs for achieving "beyond compliance" goals.

Research and Demonstration: Coordinate and conduct key research and development initiatives to increase innovation and solutions and verify performance results on products, processes for use in conjunction with cooperative demonstration and pilot projects. Work in conjunction with GH partners to verify and implement innovative practices related to overall GHP objectives. Include the address of climate change through reductions of greenhouse gas emissions – with specific focus on applying products and processes with definable performance metrics.

NRMCA Vision 2010

NRMCA has developed the following 2010 goals as a means to voluntarily implement and measure success of their environmental stewardship efforts:

- 1000 environmental managers certified.
- NRMCA Green-Star™ Certification is referenced in model specifications and 30% of national account specifications.
- Establish pervious concrete as a major application in storm water management best practices by national accounts.
- Achieve 20% increase in the use of green roof technology.
- Achieve a 20% increase in the use of concrete as a recognized practice for reducing heat island effects.
- Benchmark improvement of industry operations by 50% in fuel usage and plant productivity.
- Establish a voluntary NRMCA Environmental Excellence program
- 85% of member companies have an EMS.
- 35% of member companies will have certified NRMCA Green-Star™ Plants
- 15% of member plants will be Sustainable Ready Mixed Concrete Plant certified.
- Increase environmental award program participants by 50%.

EPA intends to assist NRMCA, where appropriate, with compliance and technical assistance, outreach, and training.

Effective Term and Reporting

This Agreement shall be in effect for a period of three years and may be extended by mutual agreement between EPA and NRMCA. For each twelve month period of this agreement, the parties intend to prepare a summary of the activities to support this Agreement and any relevant work products.

This Agreement may be terminated by any party upon a 90-day written notice to the other parties.
Limitations

All commitments made by EPA in this MOA are subject to the availability of appropriated funds and Agency budget priorities. Nothing in this MOA obligates EPA to expend appropriations or to enter into any contract, assistance agreement, interagency agreement, or incur other financial obligations. NRMCA agrees not to submit a claim for compensation for services rendered to the Environmental Protection Agency in connection with any activities it carries out in furtherance of this MOA.

EPA does not endorse the purchase or sale of commercial products or services. NRMCA agrees not to make statements that indicate that the Environmental Protection Agency endorses the purchase or sale of NRMCA products or services, or to use the EPA logo for any purposes. The mention or depiction of trade names or commercial products or logos by any of the Parties hereto does not constitute endorsement or recommendation for use.

All Parties may provide the public with information regarding the terms of this MOA and advise the public that NRMCA is cooperating in efforts to protect human health and the environment. This MOA does not create any right or benefit, substantive or procedural, enforceable by law or equity against NRMCA, or any of its members, officers, employees or other representatives, or EPA, their officers or employees, or any other person. This MOA does not direct or apply to any person outside NRMCA or EPA.

EPA reserves any rights and remedies available to it under all federal laws or regulations for which EPA has jurisdiction. EPA also reserves the right to commence an action against any person in response to any condition which EPA determines may present an imminent and substantial endangerment to the public health, public welfare, or the environment.
THIS AGREEMENT IS APPROVED THIS 9\textsuperscript{TH} DAY OF MARCH, 2008:

Elizabeth Twohy, Chairman
National Ready Mixed Concrete Association

Donald S. Welsh, Regional Administrator
United States Environmental Protection Agency, Region III

Robert A. Garbin, P.E., President
National Ready Mixed Concrete Association

Jon M. Capacasa, Director
Water Protection Division, EPA Region III