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A Division of the WV State Building Trades, AFL-CIO | Chuck Parker, *President* | Dave Efaw, *Secretary-Treasurer* | Steve White, *Director*

# \$8B Atlantic Coast Pipeline Project is Canceled

The \$8 Billion Atlantic Coast Pipeline project has been canceled by the project developers Dominion Energy and Duke Energy.

The announcement came on July 5 after six years of planning.

Ironically the project had recently won a victory at the U.S. Supreme Court over permit challenges.

In the press release announcing the cancellation developers noted future legal challenges and uncertainties as reasons to abandon the effort.

“The loss of the ACP to our members livelihoods is huge and a big disappointment,” said Chuck Parker, Business Manager of Operating Engineers Local 132.

Laborers District Council Business Manager Craig Harvey had similar comments. “We have lots of people unemployed who were looking forward to a great job building the ACP,” said Harvey. “During difficult times this just makes things worse.”

The 600-mile pipeline stretching from Harrison County, WV to North Carolina would have employed thousands of union construction workers

and was covered by a Project Labor Agreement. The compressor and metering stations were not covered by a union agreement.

“We were anticipating hundreds of millions in wages and benefits which would have been a huge boost to West Virginia workers, their families and the communities they live in,” said Parker.

Parker notes that unemployment remains high in the state for construction workers in part because of significant permitting delays on highway projects.

The U.S. Supreme Court of Appeals had issued a favorable ruling to developers of the ACP on June 15.

At issue was a U.S. Forest Service permit allowing the pipeline to cross

under the hiking path known as the Appalachian Trail. Opposition to the pipeline claimed, and the 4th Circuit Court agreed, the agency lacked authority to grant the permit even though 55 pipelines already cross under the trail.

However, the U.S. Supreme Court disagreed and overturned the 4th Circuit ruling. ■



The Atlantic Coast Pipeline included 600 miles of pipe starting at Harrison County WV and ending in Virginia and North Carolina.

## Fake Construction Certifications Common

Fake documents such as fake electrician licenses and fake ID's are not all that plagues the construction industry. Fake OSHA training certificates are also a problem.

Recent investigations into fraudulent licensing in West Virginia has expanded to fake OSHA 10 documents. ACT won't reveal details about an ongoing investigation into

fake OSHA 10 cards but the problem is illustrated in a recent neighboring Ohio case.

According to a February press release by the U.S. Attorney's Office of Southern Ohio the owner of R&R Steel, LLC, Ron Craig Estes, “pleaded guilty to fraudulently obtaining employee safety training certificates” among other charges.

Court records show Estes devised a scheme in 2015 to skirt Occupational Safety and Health Administration (OSHA) requirements by buying fake employee training certifications needed for a contract to provide steel installation and other work for a project in Cincinnati.

Estes paid \$800 for 10 fake training certificates to avoid the costs and

time associated with ensuring company's employees had the appropriate safety training. R&R Steel received the \$450,000 contract to do the work.

Not only did Estes buy the fake documents, he never trained his employees about worksite safety and kept fraudulent documentation about employee training as part of

**Cont. on p. 4>>**

## Push by Economic Development Office

# Two Solar Project Initiatives Announced

Two announcements about commercial solar projects in West Virginia recently took place.

Raleigh Solar I, LLC filed an application at the state Public Service Commission (PSC) on June 12 for a proposed 90-megawatt solar field in Raleigh County.

The developer, Dakota Power Partners, is based in Denver, Colorado, and is in discussions with the Charleston Building Trades about using local union workers to build the project.

The project would cost approximately \$90 million, or \$1 million per megawatt.

According to the project website the project could be operational in late 2022 or early 2023.

The output is equal to the power needed to serve an equivalent of 16,000 homes.

Again, according to the website

the project will support 150-200 construction jobs and 3-5 long-term, full-time operational phase jobs.

An application for a siting certificate is pending before the PSC.

The project would use around 530 acres off Grandview Road in Beckley.

There already is a high voltage line which currently runs through the center of the proposed site and an adjacent substation.

Some of the solar panels will rotate to follow the sun, others where the terrain is steep are fixed.

The project is estimated to have a 30-year expected lifetime.

The Raleigh project is different from a separate announcement made by AEP on June 26 known as a "Request for Proposals" or RFP.

The AEP proposal was created by recent legislation, SB583, which was passed to promote solar power in West Virginia.

The bill allows both AEP and FirstEnergy to each build 200 megawatts of solar in 50 megawatt increments.

After one 50-megawatt facility is in place and 85 percent of the energy sold, another 50-megawatts can be built.

The idea is this will only add generation for new purchasers of solar and not take customers away from other facilities.

The AEP RFP asks developers to submit a proposal with site location by August 6 for 50 megawatts of solar and to handle all development issues including permits and transmission grid connections.

The selected project will have an expected commercial operation date of December, 2022.

According to the legislation the project must be located on a "site in this state that has been previously

used in electric generation, industrial, manufacturing or mining operations, including, but not limited to, brownfields, closed landfills, hazardous waste sites, former industrial sites, and former mining sites."

Driving the push for solar is a desire by the state Economic Development Office to have a solar option for prospective businesses.

Apparently, some companies like Amazon or Google won't look at locations in states without solar power.

"We support all methods of power generation and certainly want local union workers to get the jobs," said Dave Efaw, Secretary-Treasurer of the WV State Building Trades Council.

"The way the legislation is structured we don't think this takes away from existing coal, wind, hydro or proposed gas fired plants but adds solar for customers who want it." ■

# Parkersburg Area Labor Council Joins with P-M Building Trades to Hold Food Drive

The Parkersburg Area Labor Council AFL-CIO and the Parkersburg-Marietta Building Trades Council joined forces for a food drive on behalf of the Mid Town Family Resource Center, a Parkersburg organization that supports families in need.

The food drive was held on June 20, at the office of the Building Trades in Parkersburg and raised more than \$4270 plus a pile of nonperishable food.

According to Andrew Stump, President of the Parkersburg Area Labor Council and a member of Plumbers & Steamfitters Union Local 565, the food drive idea came up after having to cancel other events due to the COVID-19 pandemic.

"We decided to take some of the money we would have spent on a booth at Homecoming and give it to the Mid Town Family Resource Cen-

ter," said Stump.

"And then we figured why not do a food drive as well."

The Mid Town Family Resource Center in Parkersburg is one of many services offered by the Children's Home Society of WV.

In addition, Stump commented on what he believes to be the role of labor organizations in the community during times of emergency.

"At the end of the day, we represent all working families, both union and nonunion. We try to do as much good in the community as we can," Stump said.

Buddy Malone, Business Manager for the Parkersburg-Marietta Building Trades Council, agrees.

"We're always looking for ways to support the community, said Malone. "Instead of worrying about what we couldn't do we got creative and came up with something we could

pull off during the pandemic," said Malone. ■



Maddison Hager, the 2020 Mid-Ohio Valley Multicultural Festival Ambassador, drops off a donation for the Mid-Town Family Resource Center at the Parkersburg Marietta Building Trades office. Andrew Stump, President of the Labor Council and member of Fitters Local 565, led the effort and looks on.

# '20 Endorsements

**Bold** = Building Trades member

1st Congressional District

David McKinley (R)

Governor

Ben Salango (D)

State Treasurer

John Perdue (D)

Attorney General

Sam Petsonk (D)

Secretary of State

Natalie Tennant (D)

State Auditor

Mary Ann Claytor (D)

Agriculture Commissioner

Bob Beach (D)

**State Senate**

1st Randy Swartzmiller (D)

2nd Josh Gary (D)

3rd Robin Wilson (D)

4th \* No Action

5th Bob Plymale (D)

7th \* No Action

8th **Glenn Jeffries (D)**

9th David 'Bugs' Stover (R)

10th Bill Laird (D)

11th Denise Campbell (D)

12th Doug Facemire (D)

13th Mike Caputo (D)

14th David Childers (D)

16th Pete Dougherty (D)

17th Andrew Robinson (D)

**House of Delegates**

1st Pat McGeehan (R)

Jack Wood (D)

2nd **Phillip Diserio (D)**

3rd Shawn Fluharty (D)

Erikka Storch (R)

4th Christian Turak (D)

Lisa Zukoff (D)

5th Dave Pethtel (D)

8th Andrew Alvarez (D)

10th Vernon Criss (R)

Trish Pritchard (D)

Luke Winters (D)

11th Mark Pauley (D)

13th **Scott Brewer (D)**

14th Chris Yeager (D)

15th Tess Jackson (D)

16th Mark Bates (R)

Sean Hornbuckle (D)

17th Chad Lovejoy (D)

Matthew Rohrbach (R)

18th \* No Action

19th Ric Griffith (D)

David Thompson (D)

20th Nathan Brown (D)

21st Mark Dean (R)

22nd Joe Jeffries (R)

Zack Maynard (R)

23rd Rodney Miller (D)

24th Susan Perry (D)

Timothy Tomblin (D)

25th Tony Paynter (R)

26th Ed Evans (D)

27th Tina Russell (D)

28th Ryne Nahodi (D)

30th Mick Bates (D)

31st Chris Toney (R)

32nd Mark Hurt (D)

Margaret Staggers (D)

34th Brent Boggs (D)

35th Kathy Ferguson (D)

Doug Skaff Jr. (D)

Rusty Williams (D)

Kayla Young (D)

36th Jim Barach (D)

Amanda Estep-Burton (D)

Larry Rowe (D)

37th Mike Pushkin (D)

38th Nikki Ardman (D)

39th \* No Action

41st Duane Bragg (D)

42nd Cindy Lavender-Bowe (D)

Jeff Campbell (D)

43rd Bill Hartman (D)

Cody Thompson (D)

44th Robin Cutlip (D)

46th Bob Stoltz (D)

47th Ed Larry (D)

48th Ryan Deems (D)

Robert Garcia (D)

Richard Iaquinta (D)

Josh Maxwell (D)

49th Mike Mannypenny (D)

50th Michael Angelucci (D)

Joey Garcia (D)

\* No Action between Ron

Straight (D) & Guy Ward (R)

51st Barbara Fleischauer (D)

Evan Hansen (D)

Rodney Pyles (D)

Danielle Walker (D)

John Williams (D)

53rd Cory Chase (D)

55th Jarod Shockey (D)

58th George Miller (R)

60th Brad Noll (D)

61st Jason Barrett (D)

62nd Debi Carroll (D)

63rd Daniel Bennett (D)

65th Sammi Brown (D)

66th Storme Frame (D)

67th John Doyle (D)

**Explanation of the term 'No Action'**

The WV State Building Trades Council could not reach the two-thirds majority needed to endorse candidates in five races. This means both candidates have support and should get consideration for endorsement. The term 'No Action' is shorthand for 'two good candidates' and is entirely different than where no endorsement is made at all. As always, the endorsements are recommendations, each Local and Council may make an endorsement as they see fit.

No Action (names in alphabetic order)

**Senate 4th District** – parts of Gilmer, Jackson, Mason, & Putnam Counties  
**Bruce Ashworth (D)** and Amy Nicole Grady (R)

**Senate 7th District** – all of Boone, Lincoln, Logan and parts of Mingo and Wayne Counties

Rupie Phillips (R) and Ralph Rodighiero (D)

**House 18th District** – part of Cabell County

**John Paul Ross (D)** and Evan Worrell (R)

**House 39th** – part of Kanawha County

Dana Ferrell (R) and David 'Woody' Holmes (D)

**House 50th** – Marion County

Ron Straight (D) and Guy Ward (R)

The WV State Building Trades participates in the WV AFL-CIO COPE process of candidate questionnaires and interviews. There are times when the Trades don't agree with the results of COPE and will take a different position.

The endorsement process is based on work related issues like restoring prevailing wage, workplace safety, enforcing and strengthening licensing laws, opposing so-called Right-to-Work, etc.

In addition, candidates are assessed for their ability to run for office. Taken into consideration is if the candidate has a realistic view of the time it will take to win, if they have support from more than just labor groups, their ability to raise funds, and in general if the candidate has a reasonable chance of success.



Scott Brewer (right) candidate for the House of Delegates 13th District (Jackson, Mason, Putnam) is joined by Dave Martin, President of the Mason, Jackson, Roane Central Labor Council for a "Honk and Wave" in Ravenswood. Brewer, a member of the Carpenters, won the seat in 2016 only to lose by 100 votes in 2018 and is on the ballot this November.

# BEST Leads Volunteer Effort in Benwood

Renovations for a substance abuse program in Benwood, south of Wheeling, are nearing completion thanks to a major volunteer effort led by Project BEST.

The Unity Center, a nonprofit addiction recovery program, was started in 2005 in Wheeling and moved south to Benwood in 2017. Their mission is to meet the needs of the community struggling with many forms of addiction.

Almost a year ago the renovation project was taken on by Project BEST, a union construction labor-management group based in Wheeling.

According to Project BEST Co-Chair Bengy Swanson, who is also

the Business Manager for Iron Workers Local 549 in Wheeling, the undertaking has been a big challenge for the Trades, especially with the Covid-19 restrictions, but completion is within sight.

"We're about 80 percent complete and hope to have this done by Labor Day if not before," said Swanson. "The Covid-19 issue has slowed things done but we are getting back on track."

The second floor of the building is being completely renovated. Starting with some demolition work, volunteers added new walls, a new HVAC system, and new windows. A new metal stairway was also installed.

Volunteers came from the carpenters, iron workers, painters, laborers, operating engineers, electricians and fitters. Contractors JD&E Construction; Savage Construction; United Electric; Kucera Plumbing, Heating and Cooling; and L&M Construction also volunteered time and materials.

When renovations are complete The Unity Center will increase the

number of support meetings held at the center and expand services. The remodeled facility will include meeting rooms, treatment rooms and a children's education area.

"The Unity Center is important infrastructure for our community because of the needed services it brings, and we are happy to be a part of this project," said Swanson. ■

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(From left) Iron Workers Local 549 Wheeling apprentice Dakota Wilson, Apprentice Instructor Todd Hebb and apprentice Nikke Renner volunteer at the Unity Center renovations in Benwood as part of the Project BEST commitment to rehab the facility.

## Fake Certifications

**Continued from Page 1**

the OSHA recordkeeping requirements.

The case against Estes and his company R&R Steel had much more

than fake OSHA 10 documents. Estes was also charged with stealing from his employees 401(k) Plan.

Court documents also say Estes

embezzled approximately \$40,000 from the company's 401(k) retirement benefit plan established for the workers.

Estes completed distribution forms for workers who had left the company and forged the participant's signature on the distribution checks in order to cash the checks for his own benefit and use.

According to his plea agreement Estes "sought to take advantage of these workers, knowing that they were limited English proficiency or undocumented and unlikely to complain of being defrauded."

West Virginia has a state law requiring workers to have OSHA 10 training on most public works construction projects.

In addition, many private sector jobs require the OSHA 10.

Bill Woodward, President of the Iron Workers District Council of Southern Ohio and Vicinity (which includes Ashland Local 769 and Parkersburg Local 787) has been

tracking the case.

"Had it not been for a worker coming forward this company would never have been caught, enforcement on certifications is almost nonexistent," said Woodward.

"We face a similar problem with fake welding certifications and have been trying to get various state legislatures to do something."

Unfortunately, R&R Steel, LLC is still in business under a new person's name.

"We think Ron Estes is still calling the shots, but it's hard to prove," said Woodward.

At least the city of Cincinnati has debarred R&R Steel which means they can't bid on any city projects until September 26, 2021.

"I don't understand why companies like this are not debarred from all public projects," comment Woodward. "Companies who follow the rules are put at a competitive disadvantage and that's not the best use of our tax dollars." ■