

LOSALTOS HILLS



CALIFORNIA

Bay Area Air Quality Management District
Attn: Board Members
939 Ellis Street
San Francisco, CA 94109

CALIFORNIA REGIONAL WATER

MAY 24 2010

QUALITY CONTROL BOARD

May 21, 2010

County of Santa Clara, Board of Supervisors
County Govt. Center, E. Wing
70 W. Hedding St., 10th Fl.
San Jose, Calif. 95110

Brian Thompson, CEG, CHG
San Francisco Bay Regional Water Quality Control Board
1515 Clay St., Suite 1400
Oakland, CA 94612

Re: Request to the Agencies with Regulatory Authority over the Lehigh Hanson Quarry

Dear Members of the Bay Area Air Quality Management Board, Santa Clara County Supervisors, and the San Francisco Bay Regional Water Quality Control Board:

The Town of Los Altos Hills ("Town") appreciates this opportunity to comment on the current operation and possible permitting of the Lehigh Quarry and Cement Plant ("Lehigh"). The Town submits these comments on behalf of the Town's citizens to ensure that the Bay Area Air Quality Management District ("BAAQMD"), the County of Santa Clara Board of Supervisors ("County") and the San Francisco Regional Water Quality Control Board ("SFRWQCB") (collectively referred to as the "Regulatory Agencies") diligently exercise their regulatory authority and responsibility over Lehigh. The Town recognizes the need for aggregate production in the San Francisco Bay Area, however we urge the Regulatory Agencies to ensure that the health and welfare of the citizens of the region are fully taken into consideration when contemplating any future permitting of operations for Lehigh.

On March 10, 2010, The United States Environmental Protection Agency ("EPA") issued Lehigh a Notice of Violation ("NOV") regarding its current Title V operating permit. The NOV identifies increases in nitrous oxide and sulfur dioxide air emissions and production capacity resulting from its plant modifications. In addition, on March 26, 2010, the SFRWQCB issued Lehigh a Notice of Violation for failure to comply with stormwater protection requirements. Also, residents have recently presented the Town with lab results from independent monitoring of airborne dust generated from Lehigh's quarry pit. Those test results indicated that the dust contains levels of arsenic and lead that exceed established State health standards. Taken together, these developments are particularly concerning, as portions of the Town sit just over a mile from the quarry pit, and Lehigh is seeking extension of its operating permits.

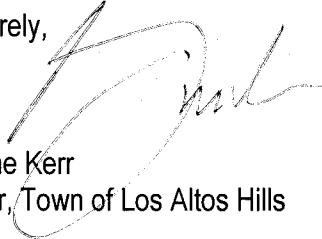
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BAAQMD; Santa Clara County Supervisors; SFRWQCB
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The Town's primary concern is that the Regulatory Agencies may not be using their regulatory authority in a manner that effectively monitors Lehigh's operations. Lehigh is now requesting a new Reclamation Plan and a new Title V permit to continue operations for the next twenty-five years. Through this letter, the Town is formally asking the Regulatory Agencies to fully consider the potential impacts that continued operation of Lehigh may have on the environment and the health of area residents. Further, the instances of violations suggest that attention and monitoring of Lehigh should be a priority of any regulatory actions. The Town requests the BAAQMD install a temporary monitoring station at Foothill College. Lastly, the Town requests formal notice of all further proceedings involving Lehigh.

Thank you for your consideration of the Town's comments.

Sincerely,



Breene Kerr
Mayor, Town of Los Altos Hills

cc: Jeffrey V. Smith, County Executive, County of Santa Clara

Jody Hall Essser, Director, Department of Planning and Development, County of Santa Clara

Jack Broadbent, Executive Officer/APCO, Bay Area Air Quality Management District