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Jack P. Broadbent
EXECUTIVE OFFICER/APCO

November 24, 2009

Dr. Deborah Jordan
Director, Air Division
United States Environmental Protection Agency, Region IX
75 Hawthorne Street
San Francisco, CA 94105-3901

Re: Lehigh Southwest Cement Company Title V Permit Renewal

Dear Dr. Jordan:

On July 30, 2009, the District initiated a public comment period for the proposed renewal of the Major Facility Review (Title V) Permit for the Lehigh Southwest Cement Company, located in unincorporated Cupertino. A public hearing on this issue was held on September 17, 2009, and written comments were accepted through October 1, 2009. EPA provided comments on the permit in a letter dated September 25, 2009, but did not indicate an objection to the permit renewal.

The public notice issued for this proposed permit renewal indicated that the public may petition EPA to reconsider its decision to not object to the permit within 60 days after the end of the EPA review period. The notice directed interested individuals to the Region IX website for the dates of the beginning and end of EPA's review period.

Members of the public have recently requested additional time to decide whether to file a petition with EPA on the proposed Lehigh permit. Since the District is still actively involved in the process of evaluating and responding to the many public comments received on this permit, we believe that this request is reasonable. Since we are unaware of any provisions for extending the period for filing petitions, we are instead with this letter resubmitting the proposed permit to EPA (not revised from the version initially submitted) and restarting the 45-day review period. The deadline for submittal of petitions will therefore be 60 days after the end of this new 45-day EPA review period.

We have also enclosed for your review the response provided by the applicant to the comments provided by EPA with respect to Compliance Assurance Monitoring (CAM) requirements. We would appreciate any feedback that EPA could provide on this issue.

If you have any questions regarding this letter, please contact Brian Bateman, Director of Engineering, at (415) 749-4653.

Sincerely,

Jack P. Broadbent
Executive Officer/APCO

Enclosure

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