

Bay Area Air Quality Management District

939 Ellis Street

San Francisco, Ca. 94109

Attn: Jack P. Broadbent, Thu Bui

Citizens Comments Submitted Regarding Proposed Major Facility Review Permit issued to Lehigh Southwest Cement Company Facility #A0017

Comments Submitted by: Cathy Helgerson

20697 Dunbar Drive

Cupertino, Ca. 95014

Phone: 408-253-0490

Page 3 I. Standard Conditions A. Administrative Requirements States: The permit holder shall comply with all applicable requirements in the following regulations read information - Lehigh has been in violation of many laws and regulations with the NOV's and has not had to pay any fees or fines for noncompliance. The public would like to know why and would also like to have immediate penalties implemented and enforcement carried out by BAAQMD or the EPA. This enforcement should include closure of the facility until Lehigh complies with the violations and there should not be any failure to impose the proper penalties in order to protect the public from contamination from Air, Water and Soil pollution. There has been way too many allowances for Lehigh to conform to standards and the public has had to pay with health illnesses due to the ongoing pollution from Lehigh Southwest Cement and Quarry.

Comment: This is not taking place Lehigh has an NOV – Notice of Violation out against them for Air and one out for them for Water. They have also been just recently given an NOV for violation of their General Storm water Permit. They are also subject for another NOV's for releasing unauthorized waste water without a special permit for hazardous waste release. There has also been NOV's for failure to comply with two Reclamation Plans and it seems this has been going on for 10 years. The question should be in everyone's mind where were the agencies while all of this violations were and are taking place and why did the citizens have to be the ones to notify the EPA, State Water Board and Santa Clara County so that something could be done?

Where is the EPA New Rule Additions? They should be stated at the beginning of the Title V Permit and there is no indication that there are any additions being added can anyone tell me why?

Comment: There should be mention of the rules and how they are applied or will be applied.

Regulations Date 7/19/06, 6/15/05, 12/2/04, 12/21/04, 1/26/99, 1/26/99, 6/15/05 and 6/23/95

Comment: Why is their not more updated conditions it seems to me there should be more updated material or revisions to these regulations.

B. Conditions to Implement Regulation 2, Rule 6, Major Facility review

Comment: There should be a clause inserted here that the permit holder must comply with standards pertaining to environmental pollution for the air, water and soil. Failure to comply penalties and even closure of the facility will be imposed. This should cover NOV's and other noncompliance issues. The Bay Area Air Management District will impose fines and will also work with the EPA to close the plant when necessary in order to protect the public from environmental contamination.

Cont. 1 Standard Conditions

Comment: There are these conditions but they are not enforced the public needs assurances that the BAAQMD and the EPA will enforce the rules and regulations, pollution limits and, NOV's with urgency.

Item #4 States this permit maybe modified, revoked reopened and reissued or terminated for cause

Comment: This form of enforcement has never been implemented even thou there has been many occasions when it should have been. The Federal EPA has stated in their NOV that Lehigh is operating without a Title V Permit and has not used the Best Available Technology to keep the plant from violations.

Item #10 Potential to emit is an estimate there needs to be a more direct indication of exact emissions emitted and EPA requirements should be put on a report next to the Lehigh emitted levels. The Public wants to see a chart with max levels that have been imposed by the BAAQMD and a separate column that states what the EPA limit levels are just what is actually occurring. The calculation of the levels should also be explained in detail so that the citizens can understand what is going on.

Page 6 1. Standard Conditions

Comment: There is no mention of failure to comply and what will the EPA do to enforce Lehigh into compliance this needs to be added Title V Permit.

Page 6 1. Severability

Comment: Mention of what will invalidate the permit is not specified and should be. It seems that the EPA processing the NOV – Notice of Violation does not constitute any action by the BAAQMD. The EPA stating in the NOV that Lehigh is operating with no legal Title V Permit seems to hold no weight with the BAAQMD and they deny that it is the case. It looks like the Best Available Technology was not followed and the public has be subjected to all kinds of pollution that has caused health problems and even death to the population. The levels of the NOX and SO2 have been exceeded but the BAAQMD does not seem to be concerned about this and Lehigh is in violation nothing so far has been done about it. There should be indication in the permit about the PSD rules and how they are to follow them BAAQMD should also be aware of this and they should make sure Lehigh is under compliance. Failure to apply for the PSD permit for modification covering NOX and SO2 increase of emissions is illegal and should be grounds to close down the facility until they comply. Lehigh failed to install additional Best Available Technology even thou they are owned by a major corporation that is very familiar with the latest and the greatest technology. The public can only assume that Lehigh did not want to send the money in order to bring the facility up to new standards and regulations this lack of consideration is what the public has been talking about and complaining about all along. The facility is run down and polluted in every way and the powers that be are just not doing what is necessary to keep the public safe from pollution.

Note: The public continues to be at risk from the pollution and contamination from the Lehigh Southwest cement and quarry which is a violation of the Clean Air Act and the Clean Water Act. It would

also be implied that they are also in violation of the soil regulations as well because everything works in conjunction with the other.

Page 7 I Standard Conditions J. Miscellaneous Conditions

1. The maximum capacity etc. Table II A

Comment: Coal and Coke (added) it has been stated by Lehigh to the BAAQMD that they are no longer using coal to fuel their cement plant the Title V Permit seems to give them permission to do so and this is unacceptable. Petroleum Coke is being used and is a waste material of Petroleum which has radiation in it and the citizens believe that it is contaminating the public and putting human lives at risk. The Petroleum Coke storage location is not covered on all sides and the dust and the rain water run off is going into the pond near by on the Lehigh site. I had filed a complaint about this and was told that the Petroleum Coke pile would be moved to a concrete slab and I am not even sure now that that was done. The Petroleum Coke piles need to be contained on all sides and the runoff of rain when it rains should not be allowed to run off into the pond. The dust should also not be allowed to blow all over it should be contained. The coal pile if there is still a coal pile on site should also be contained and not allowed to run off into the pond but going even further there should be no coal at the site that would be burned to fuel the plant. The Petroleum Coke has emissions and no one is setting a level for these emissions to be burned and so the public is getting exposed to even more pollution. This is very similar to the Mercury levels that no one monitored at the site for decades. The Mercury levels still seem to be questionable and there has been no containment as yet due to the EPA new rules and the problems with law suites. The Lehigh Company has not given the public any proof that they have actually come down 25% with the Mercury emissions and we are all waiting to hear from the EPA. How can the public trust Lehigh or anyone else when we are asked to keep waiting for rules and regulations to be enforced. There is no way the public can wait years for the implementation of rules to be argued with in the courts while all that is happening we are continually being subjected to serious life threatening contaminated filth from Lehigh's Cement Plant and Quarry. The air, water and soil pollution that continues 24/7 has not end to it and each day the cumulative effect of this pollution is happening in our bodies with no end causing many health problems that include cancer.

Page 7 Exceedance:

Comment: Levels should be outlined and stated

Page 8 S-# 154 100 Precalciner Kiln Fuel Handling System new

Comment: What is the amount of fuel it is handling levels and what is the fuel?

Page 9 S-#171 Kiln Fuel Mill System Removed Coal from = Kiln Coal fuel mill system

Comment: Why? Explain

Page 9 S-# 172 Precalciner Coal Removed from Precalciner Coal Fuel Mill System

Comment: Why? Explain What Fuel is the plant using this information should be stated on all areas applicable?

Page 9 S-#172 & S-# 174 Was removed all together

Comment: Why? Explain

Page 9 S-# 201 Primary Crusher

Comment: There was a statement about the new crusher being added in the last go around of the Title V Permit about S605 the Jaw Crusher Lehigh I understand from Thu Bui that they withdrew the application to add this to the Title V Permit along with an emergency unit crusher or an emergency generator I would like to know why? I suspected that they will reapply with a new application after the Title V Permit is passed so that no one will object to the new and bigger Jaw Crusher now. I am very upset that Lehigh should be allowed to perform this deception by the BAAQMD and ask that this not be allowed to happen. If they wish to add this new equipment to the Title V Permit it should be done prior to the Title V Permit passing so as to inform the public in full of what is actually taking place at the Lehigh Plant. The additional emergency crusher if added to the permit was only going to be used for an emergency while the S605 was out of commission but I suspected and commented on the fact that they could use in along with the original S605 Jaw Crusher thus mining more rock and causing more pollution this should not happen. There are limits put on the amount of clinker that can be processed but who is going to watch to see that they are not in violation of the laws and rules? There needs to be limits imposed on the amount of rock that can be crushed per hr. and per day all needs to be highly regulated by the EPA and monitored. The fact that Lehigh policies itself if not what the public wants to see and I feel that no one is protected in this manor.

Page 9 S-#166,173,174, 204,205,206,207,208

Comment: No mention why they wee removed and there are other red line items taken out there should be some reason why they wee taken off.

Page 10 II. Equipment Table II A permitted Source

Comment: S-#209, 214, 215 taken out why?

Page 10 S-#231 & S-#240 Concrete Storage Silo

Comment: Taken off Looks like a replacement of the Bins how is the dust controlled?

Page 11 S-#360 BS – 51 Wet Aggregate Load Out System

Comment: Looks like 3 more were added why? Is the total then 1000 ton/hr for all 4?

Page 11 S-#440,441,442,443

Comments: Why were they taken out?

Page 11 S-#444Emergency Clinker Conveyor Custom Design 230 tons/Hr.

Comment: Why is this added I wonder if this will be used even when there is no emergency because of increase of production. Who will monitor this? I believe this will be used along with the new crusher and other equipment added later when the new application comes back around to add a new and heavier crusher. I am not happy about this and want statements made to inform the public if this is going to aid the new equipment that will be added due to the new application to add the new heavier duty crusher.

Page 11 S-#601, 602, 603 Added

Comment: These items go along with my thinking that this equipment will go along to support the new rock crusher and the application that was withdrawn and will be added later.

Page 11 S-#606, 607 Storage pile area 1 & 2

Comment: More Room for storage means more production which means more pollution how are these piles covered or contained? Dust blowing and no sprinkling of water to keep the dust down and monitoring of the moisture should be added. There needs to be someone monitoring that the polluted water does not get into the ground water that will pollute the Permanente Creek and other bodies of water.

Page 13 II. Equipment Table IIB – Abatement Devices

Comment: A #10 Ringlemann levels are changed increased to 1 this is not acceptable and it should be left at prior level. BAAQMD stated to me that EPA does not require anyone to have less than 1 so why should Lehigh not acceptable. BAAQMD has and can impose a stronger limit and the public and I would like it to remain as before.

Comment: Page 12, 13, 14, 15, 16, 17, 18, 19 + all Dust Collectors should be monitored closer because of the high level of dust they are releasing that is polluting the community. There needs to be a better way to contain the dust and this is just not happening. The dust and the particulate matter should be monitored at PM 2.5 not only at PM 10 the fine dust is causing serious health problems in the community that include cancer.

Visible inspections and a pressure dropping monitoring system are not enough to alleviate the problem and the public continues to be polluted.

Source Tests every 5 years not enough and Lehigh should not be allowed to police them selves as they do.

Condition #2786 taken out and no explanation provided why? There are many dust collectors added and I would like to know how the monitoring is conducted and how it is calculated in detail it must be very clear to the public on the Title V Permit how it is done and a sample given.

Broken Bag and Leak Detection should be added to all of the Dust Collector areas and there should be more frequent monitoring not source tests being conducted every 5 years it should be no less than every year or on going continuously in order to protect the public from pollution.

Page 17 Line Slurry Injection BAAQMD Cond. 603 Part II NESHAP Subpart LLL Limit (effective Sept. 9, 2013)

Comment: The citizens can not wait till 2013 to have any Best Avail. Technology implemented at Lehigh 2013 is to long a wait it should be started right now if in fact it is really able to do any good. I was previously under the impression by the BAAQMD that Lehigh had already started this process if they have it should be stated on the Title V Permit and there should be a report on it's progress. I would like to know what is going on can anyone inform me? There should also be some kind of write up of how the process works on the Title V Permit. I also do not see any mention of any carbon injection that may also be helpful will this be added later or is Lehigh using it now? These processes are still under experimentation and have not been used for many years by the industry so some write up should be added to the Title V Permit explaining the to date success story if there is any .

Page 25 Table II B Abatement Devices

A-# 300 Water Spray System Water flow enough to maintain surface moisture

Comment: This is a problem in the hot warmer months and it seems no one is spraying the areas that need to be sprayed. The monitoring of the moisture or dust emissions has been and continues to be a problem with no real solution by Lehigh or the BAAQMD and this must be taken care of immediately. The public is subject to the terrible dust flying all over the valley and into our homes dust it every place and we are breathing and eating the dust which is causing all kinds of health problems including cancer.

Page 34 Water Spray Units & any Dust Collectors

Comment: Why have they been removed there is no explanation the same with any Dust Collectors that are removed why no explanation.

Page 35 Table II C Exempt Sources

S#60 and S#62 Above Ground Diesel Storage Tank and Below Ground Diesel Storage Tank, Cold Cleaners are included.

Comment: Not happy about storing of Diesel Fuel any place at Lehigh and Hansen they have had leaks in their storage tanks and they have been allowed to continue with no correction. I am not happy about exceptions given to them.

Solvents

Comment: Items should have not received any exemptions they should be closely monitored no matter what the levels are.

Page 57 S-17 Clinker Transfer Abated By A-436 Dust Collector

6-311 General Operations

Comment: Every 5 years is not enough should be monitored each year or more frequently due to the dust that is being emitted out to the whole valley which is causing a great deal of health problems and other issues. This must stop the dust must be contained and it is not being contained.

6-401 & 6-601 Emissions should be monitored but most of all dust and particulate matter should be controlled completely so as to not harm human and animals alike. BAAQMD is not monitoring Lehigh specifically and they are only taking in the whole valley as a whole and that is not enough they should be taken in to account separately standing alone. The emission must be stopped and the gases and other pollutants must also be controlled completely the max. levels for NOX and SO2 are to high and they have been set so high knowing very well that Lehigh will never be threatened by these levels. The lower levels that they are emitting are a problem even at low levels if in fact those levels are correct which is very questionable especially when the facility monitors them selves and also calibrates their own equipment. The dust that attaches to the NOx, SO2, CO2 gas emissions is being disbursed over the whole valley polluting the Air, Water and Soil. The Petroleum coke and coal emissions are polluting as well and could also be mingling with gases that are causing a great many problems with the public health and this must be stopped.

Page 58 - Opacity is 10% that is not enough the visual can not determine how much pollution there really is and how much is affecting the public. The problem seems to be bigger than anyone is addressing and the public and I wonder why no one seems to understand the real picture. The dust all over the valley on our homes, cars, land in building air ducts & we are breathing this 24/7 and no one seems to get the understanding we can't keep this up we can not tolerate this pollution. The new pit will

make it impossible to live here in the valley our lives are at stake and there seems to be some lack of understanding on the part of the regulators and this must end.

Page 69

Comment: Redline not sure why they took out information Opacity should be monitored monthly the public calls the BAAQMD and complains constantly with not success nothing is ever done about the pollution coming from the cement kiln. If there was something to be found Lehigh would just pay a fine and go off and sin again paying fines does not seem to bother them. As of 1988 Lehigh and Hansen Permanente have paid in fines over \$158,000.00 dollars I calculated it myself and all they even mention these days is 25 or so violations this is not the case. The worst was one for \$12,000.00 dollars and this was for lost records they found out the records were lost when they had to start the next Title V application seems very strange to me. The records were said to have been lost well I for one think otherwise but who is to prove that there was some foul play taking place. Like I said they pay a fine and walk away and pollute another day.

Page 71 Clinker Storage Condition #18475

Comment: There does not seem to be any sprinkling of the Clinker any place and I wonder how the dust is kept down can anyone see what is going on there needs to be controls in place. The amount of Clinker measured is used to monitor the Mercury that the plant emits but this is not enough there needs to be a special monitor at the sight to monitor the Mercury coming from the kiln and other locations as well. I have a question why can't BAAQMD or the EPA install such monitors? The fact is there are many pollutants at the sight and it seems this is over looked and the public is subject to terrible pollution with no help to contain it and this must stop. I want to add here the fact that the new pit if they are allowed to mine for another 25 years and destroy 10,000 trees and displace many animals and other wild life from there homes is a terrible crime. The trees have acted as a buffer for 100 years and shall we not forget how many trees were destroyed in order to put the first pit. Another piece of information the quarry and the cement plant is right in the middle of 3 earthquake fault lines and I suspect that the new pit can and will cause the next major earth quake here in the valley and the SF Bay area and we can not allow this to happen.

Page 82 Conditions 24621 part 2 Perform Source Tests at least every 5 years

Comment: Performing a Source Test every 5 years at every point the Title V Permit and visual inspections are not enough due to the high levels of pollution emitted. The lack of containment of the pollution and dust emitted and cumulated day after day hour after hour is causing very serious health problems in the community and this needs to end. There should be a monitor at every point at all locations at the cement plant and any place else at the quarry if possible and if necessary to control the dust and the pollution. The trucks and vehicles are also causing a great deal of problems and that should also be addressed in order to stop the pollution.

Very important Note: The EPA Region 9 and the EPA Federal Division in Washington should be involved in regulating Lehigh Southwest Cement and Quarry for all of it's emitting from the Air and also should be regulating and investigating the Water and Soil pollution as well. The proof is every place with Notice of Violations at every turn but no enforcement is applied this is corrupt and against the law and this should be stopped. I do not approve of the EPA just saying they have no objections to the Title V Permit what I would like to see is that they sign off on the Title V Permit thus giving formal approval which means that they are in full agreement of what ever is in the permit as it should be. There should also be strong penalties and even jail imposed on the law violators and they should not be allowed to just pay a fee or

fine and walk away and violate again. The public needs to be protected and allowing a violator to continually violate does not protect the public from serious pollution to the environment.

Page 86 Table IV & Table VII – E S45, S46 & S47

Comment: 6-305 - Particulate Matter Sampling should be conducted at PM 2.5 not just at PM10 as the BAAQMD has been testing the Silicone Valley with their monitors and has not really singled out Lehigh Southwest Cement or the Quarry individually because if they had they would have to comply with stringent regulations. The dust is every place and I mean every place all over our homes and we are breathing in this dust and eating this dust 24/7 and no one is stopping this crime and I would like to know why? It seems that the EPA should be investigating this violation of the particulate matter and they have yet to demand that the BAAQMD stop the pollution. What do the people need to do to stop the pollution of their homes and how do they protect themselves and their families from the terrible health problem that are occurring because of this pollution can anyone tell me?

Not: Lehigh Southwest Cement and Quarry are allowed to police themselves and we are supposed to trust them well how can we do that with all of the pollution we are subjected to each day and night. I have been subjected to Cancer and had both my breasts removed and my husband also had cancer even my dog had cancer. There have been many health problems that my family and I have suffered and I can always talk to anyone about them later. The question is what is causing all of these problems and I am sure that Lehigh Southwest Cement and Quarry and I may add the Stevens Creek Quarry and the pollution are the problem and the reason why.

Page 88 Opacity

Comment: 10% how do we know this is enough the emissions are still coming from the plant and we are told that it is ok and that we can tolerate it. The dust is every place and the monitoring is not helping even at 10% so what is the BAAQMD and the EPA going to do about this. I understand that the emissions are not always visible and that it does not matter the emissions are still coming from the plant and these locations.

Page 89 Pressure gauge & Calibration

Comment: There needs to be more done to keep the dust down and contained maybe more water applied to dust collectors and there needs to be full containment of the dust. The equipment is calibrated by Lehigh and this is where the problem is there should be the EPA or someone else policing this and there is not.

Note: The development of monitoring plans should be imposed immediately in order to protect the public from the pollution to the environment and to the public.

Page 91 CAM Plan & 16109 Part 1 Visible Emission

Comment: Should be reported more than ever 6 month it should be at least every week to keep the dust and other pollution down and to make sure that there are no problems the Ringelmann viewing is not enough.

Page 92 PM 10

Comment: There needs to be more monitoring done on the PM 10 and the PM 2.5 at all locations including this one. There is not enough done at the bag house monitoring area and the dust is escaping and this needs to be stopped and there should be no dust escaping any time.

Page 93 Source Test Done every 5 years

Comment: The source test done every 5 years is not enough and that is why there are so many problems at Lehigh with the pollution there needs to be a policing agency involved and the BAAQMS is not doing their job and so we are subject to continues pollution.

Page 93 Cond. 24781 1 thru 11

Comment: The monitoring should be consistent all around and source test and record keeping should be done more frequently not just by the BAAQMD but by the EPA in order to insure that the public is fully protected and this is not being done.

Page 122 Dust collectors

Comment: It is very hard to believe that any of the Dust Collectors are working properly or at all with the amount of dust coming from the Cement Plant and the Quarry and lets include the road and the trucks. I would also assume that any type of digging equipment on sight is also emitting pollution and so we must include that. The BAAQMD and the EPA need to make sure there is no dust being emitted from the cement plant and the quarry and this is not being done and this becomes extremely clear with the Cal. Water Board and the NOV violations past and present that have come out with colored pictures showing the selenium gray dust pollution all over the cement plant and the quarry. This pollution is going into the Permanente Creek and into our water shed and no one in 100 years has done anything about it and the public would like to know why? The City of Cupertino's employees and the various departments are aware of the pollution and this pollution is going into our operating ground water wells and water is being drawn from the aquifer below. The water, air and soil is polluted and the powers that be and there are many of them need to clean up this mess with a Super Fund not a Reclamation plan and this needs to take place immediately.

Page 185 Table IV & Table VII-N Applicable Requirement - Hazardous Pollutants/Lead Daily limitation 15 lbs/day

Comment: The levels of lead emissions are not acceptable and the citizens can not tolerate these levels the regulations do not include cumulative levels that are cumulating in human bodies.

Page 188 60.1343(a) General Limit All gaseous, mercury, D/F

Comment: The Mercury emissions are not recorded correctly and their needs to be a policing agency getting information after the EPA or another policing agency has tested the Lehigh Cement Plant themselves. The public can not trust the BAAQMD or the Lehigh to monitor the Mercury themselves and it is necessary to bring in other parties that will record the correct levels. The public has been subjected to high levels of Mercury that cumulate in our bodies and are causing terrible on going health problems that include cancer and this must end. I would like to include other pollutants such as dioxin, lead, selenium and many others this needs to end. The public is not so sure that the Lime Injection System is going to do any good at all and want more proof.

Page 196 Mercury Monitoring Requirements Develop a plan

Comment: The Mercury Requirements via EPA new Rules must be applied and if Lehigh has a problem with keeping the regulations than the Lehigh Cement Plant should be shut down.

Page 197 Continuous Monitoring System Install, calibrate and monitor

Comment: I do not accept that Lehigh does their own calibration and monitoring of equipment and feel there needs to be a more secure system the public does not trust Lehigh to monitor themselves and the BAAQMD should not be the policing agency. I ask that the EPA have a policing agency to monitor the Lehigh Southwest Cement Plant and Quarry.

Page 200 Table IV & Table VII-N Part 1 thru 10

Comment: Coal and Coke are used the public continues to worry about the allowance of Coal to be used and would like that stopped and the Petroleum Coke has radio activity in it and no one seems to want to monitor that and I wonder why not. Hexavalent Chromium Emission limit 1.06 lbs per and consecutive 12 month period what is the plant emitting? The Source Tests for metals and Benzene, Hydrochloric Acid (HCL) and total hydrocarbon (THC) is not enough. Flow meter requirements have a problem because the information is not directly sent to the BAAQMD or the EPA it is information that is sent over by Lehigh. There needs to be a more non bias method there could be all kinds of tampering and so the public is not sure what is really happening.

The NOX and SO2 emissions have a high maximum level set by the BAAQMD which Lehigh will never reach and this is probably why these emissions max. levels are set so high so as not to interfere with the cement plant operation. The problem that has been brought to my attention just recently is that the NOX and SO2 gases coming from the Kiln some of which are being used to dry the Petroleum Coke and or Coal that has been allowed to become wet because it is not fully contained in containment units. The NOX and SO2 gases are being released by two pipes from the plant besides the Kiln area and these emissions have no monitor connected to them. There needs to be monitors connected to these locations and the level released from the Kiln should be monitored. This in my opinion has been a vehicle to release emissions of NOX and SO2 in great proportions which are not being regulated and it seems that this would keep the NOX and SO2 levels coming from the Kiln low so that Lehigh would always be coming in lower than the max. levels which is not acceptable. The other issue that could be happening is that the emissions are being released through the two pipes and that the emission from the Kiln of NOX and SO2 could be emitting even higher than the max. levels it would be very hard to really know what is going on. There is a great deal of speculation and I am afraid that maybe that is why there has been such low levels with the NOX and SO2 coming from the Kiln. I want this investigated with the EPA Region 9 and the EPA Federal in Washington and have written e-mails to get them to find out what is going on. Unfortunately the EPA Region 9 decided to send my e-mail to the BAAQMD and I am not happy at all about that and have not heard a word from anyone. I have gone to the EPA Federal Division Lisa P. Jackson's office and am trying to get some information about what they are going to do about this problem.

Page 208 Visible Particulate

Comment: There are many particulates and they are causing a great deal of dust and pollution it is not enough to view them there needs to be monitors set and containment fully at 100% the public can not tolerate the levels. Recording is annual of every 6 months this is not acceptable and it is not working the whole cement plant and the quarry are criminally emitting pollution and are in violation of the EPA

Clean Air Act and the EPA Clean Water Act and I am sure they are also in violation of the EPA regulations pertaining to soil.

Page 211 PM Limits

Comment: Waiting till 2013 is too long a wait and in the meantime we citizens are subjected to the pollution 24/7 days a week this is a terrible injustice. The other problem is you tell us we can live with the levels you set but there is no real proof to the fact so we the public are getting sick and suffering all kinds of illnesses and death. I would like to see some real proof but of course there is none so how could you provide it especially with the cumulative effect of these pollutants in our bodies the human race is in great trouble and if you the powers that be do not do something about it there is no hope. Taking source tests every 5 years will not cut it we need more monitoring but even with that as I said the cumulative effect is a killer. Opacity at 10% visual is not enough it seems that the real facts are being ignored all together the dust is killing us and no one seems to get the picture so the people must defend themselves with grass roots efforts to stop the pollution. Calibration is done by Lehigh and they are policing themselves this is a big problem because I do not believe they should be policing themselves.

Page 215 Clinker Levels

Comment: How do we really know if Lehigh is not exceeding the levels and even with knowing the Mercury levels are high and the monitoring is very questionable at best there needs to be a better way of monitoring the Clinker and the Mercury?

Page 230 S-167 Lime Bin

Comment: The monitoring of the Lime Bin should be on a monitor and this should be policed by a non bias organization like the EPA or some other policing agency. I am not sure if this lime injection system will help or not and so it is very important that there be strict compliance with the process and so how do we guarantee that this will take place if we are letting Lehigh police themselves. I have made suggestions in the past that a system be installed that would actually relay information right from what ever the source to the EPA and the BAAQMD via computer so that Lehigh could not tamper with any information at it would be real this is the only way I can see justice be done. The fact is we can not trust any company to do their own monitoring in any way and what is actually happening is the public is getting polluted to death.

Page 233 Trucks

Comment: Truck trips including Lime truck trips are too much not to mention the pollution these trucks are causing along the Stevens Creek Rd. and the Foothill Expressway there is no containment from the trucks and the product is falling on to the road you can see the white strip. The trucks themselves are a pollutant and no one seems to be able to do anything about that. These trucks are not the only trucks the Stevens Creek Quarry also has trucks coming and going from Foothill Expressway all the way up to Stevens Canyon Rd. this is also the same pollution going all over. The wear and tear on the roads is one thing and also the noise from the trucks is another. The Dust is every place all over the trees and the condos and houses right next door to the roads no one seems to care and want to do anything about it. The noise is a problem from the cement plant production and the trucks going back and forth and not to mention the safety hazard that these trucks could become. There seems to be no inspection of these trucks and the pollution that they bring and I for one would like to know why? Where is the EPA and the BAAQMD while all this is going on no one will take charge of this in any way why not?

Page 235 Kiln monitoring

Comment: This monitoring of fuel is a problem it does not seem to be doing the honest work that it should be I ask the EPA to come in and do an investigation of this system and also to see what is going on with the Petroleum Coke or Coal fuel they are using. The two pipes that are emitting Petroleum Coke or Coal are emitting pollution that the plant has used the NOX and SO2 Gases to dry out the Petroleum Coke and the Coal and there have been no monitors on these pipes which is very wrong. The levels of NOX and SO2 coming from the kiln have been kept low because of these gases being channeled through the pipes and so someone needs to close down the system and find out what is going on. I have reported this to EPA Region 9 and the Federal EPA who I believe have contacted the BAAQMD with my letter but the EPA needs to find out what is going on.

Page 236 Lead

Comment: Lead is a killer and we need to stop any lead from coming from the cement plant and the quarry no amount emitted should ever be allowed.

Page 238 Petroleum Coke and Coal Emissions

Comment: I do not think that this monitoring is sufficient Lehigh should not be using coal and the Petroleum Coke has radio activity in it. The site has left the Petroleum Coke and the Coal out in the open and the dust is flying all over. They have left it open to the elements and have also left the fuel on the ground instead of on a cement slab which I was told by SCC that they had moved it and now I understand they did not. The run off from the rain is running into the pond or ponds on the site and no one seems to know what pollution is in the ponds. The water from the ponds is running into the Permanente Creek and flowing into our water shed and the aquifer below. The Permanente Creek is also releasing pollution into the Steven Creek Creek and it is going into the operating ground water wells in Cupertino and the valley this needs to stop. I propose that the State Water Quality Board, BAAQMD, EPA Region 9 and the EPA Federal Departments do their jobs and close down the Lehigh Southwest Cement and Quarry and the Stevens Creek Quarry in order to stop the serious pollution in our communities.

Page 239 SO2 Emissions

Comment: I have mentioned the problems with the Max. Levels set by the BAAQMD that these levels are ridiculous and Lehigh will never reach these levels and that is why I believe they set them so high as to not to interfere with the Cement Plant operations. This needs to be reviewed by the EPA there is corruption and the BAAQMD can not look the other way any longer the citizens demand justice and a stop to this deception. There is a cumulative effect of the NOX and SO2 and all the other pollutants especially Mercury, Lead, Chromium and Vanadium at the plant and the quarry and this needs to be addressed and the pollution needs to end. The EMSA overburden or waste material is covering up the pollution from the buildings that used to manufacture weapons and were magnesium and aluminum plants housed their product nothing was ever done to clean up the pollution from these building. I have asked the EPA Superfund Region 9 Department to come in and do an investigation of this and am waiting to hear from them unfortunately I am not sure how long that will take. I also contacted the EPA Region 9 and the Federal EPA to let them know.

Page 250 Crushers S-201 & S-202

Comment: Lehigh Southwest Cement filed a application to add a new and heavier duty crusher this was noted in the prior Title V Permit and I complained about it. The BAAQMD stated to me that the

application had been withdrawn and no reason was given to me as to why they did. I presume that they pulled it back because I complained about it and they thought that it would interfere with the new Title V Permit going into effect. I mentioned to the BAAQMD that I was concerned that they would file the application later after the Title V Permit was approved and they said that Lehigh would probably put the application in later that is correct. I do not feel they should have the right to put the application in later and that this is a failure again of the powers that be to control the corruption with the Lehigh Company and the EPA and the BAAQMD should stop this right away. I for one can see the lies that have been told and the corruption that has taken place and I want justice so inform Lehigh that they can not put an application through at a later date for this new equipment.

Page 262 Broken Bag Leak

Comment: 70% allowable what are we thinking and everyone wonders where the dust is coming from this should in no way be allowed. The Dust Collectors should be working 100% and no dust should be emitted. I do not feel that the BAAQMD is doing their job and that the 32 stations that emit dust and they sure are continually and it is disbursed all over the valley needs to be stabilized and the function needs to be inspected. The Best Available Technology if even applicable at this facility for which I am very suspicious about is not at all working and I feel there needs to be much more done. I feel that there is no way to control the pollution and the Lehigh Southwest Cement and Quarry and the Stevens Creek Quarry need to shut down in order to protect the public from any further pollution and contamination.

Page 326 Broken Bag Leak

Comment: 60% allowable same as above Note: many of the issues are the same at all levels of the Title V Permit with different locations but the same issues.

Page 334 Aggregate Rock Piles Storage

Comment: The piles of aggregate are not contained and the dust is every place the water that they say they are spraying is minimal at best if at all and the dust is flying every place. I am very concerned about the problem and I have asked about an aggregate pile that is right next to the guard shack because I saw that the dust from this aggregate pile was blowing all over and I was told it was no problem and the dust could hurt no one. I am very confused by all this on the one hand the piles inside the plant are sprayed and on the other hand the one next to the guard shack is not can anyone tell me what is wrong with this picture? The spraying of piles is held to a very low minimum because of the water that may run off into the Permanente Creek and into our water shed so the piles dry up and we are subjected to dust contamination of all kinds. During the rainy season the piles are not enclosed or incased and they are not even on a concrete slab so the pollution from this aggregate rock is going into the ground below and it is also running off into the Permanente Creek and our water shed and aquifer. This is also spreading to the wells in the community and we the citizens are subjected to polluted water.

Page 348 Overburden

Comments: The overburden at the WMSA and the EMSA is not contained and so the dust is flying all over this is not acceptable. The EMSA has contamination under the location due to the manufacturing plants that manufactured weapons and used magnesium and aluminum in their processes. The site was never cleaned up and so the pollution continues to be washed into the ground continuously. The EMSA is covering up the pollution and it is also to close to the public street next to the site and this must be corrected. The SCC County is responsible for allowing these violations at the EMSA and this must be

corrected immediately. I ask and request that the EPA correct this violation of the Clean Air Act, Clean Water Act and the Waste material violations that have been violated at this site.

Page 351 Conveyor

Comment: The Conveyor does not contain the emissions and is wide open there is no containment house around it and so the public is subject to pollution from the dust to the air, water and soil this must end. I believe there is new technology that is on the market that could end this emission all together but the Lehigh plant will not implement this technology and the BAAQMD and the EPA will not make it a requirement. There are Hepa Filters of all kinds that could work together with all of the locations at the Cement plant and also all over the facility including the quarry but of course there are expensive and so the company will not implement them. There needs to be a total containment of all of the dust and pollution from the plant and it does not matter at what level this is evaluated it should include all levels and this should happen immediately.

Page 395 Kiln Dust Additive Bin

Comment: Cement Kiln Dust Shall not exceed 24,000 tons/a yr. the emissions from this dust is spreading all over the Silicone Valley and is polluting the community's 24,000 tons a yr. why is this allowed to happen? This dust violation should be controlled and it is not what is the EPA and the BAAQMD going to do about this violation of the clean air act?

Page 396 Source Test

Comment: Source Test every 5 years not acceptable there should be a lot more testing done weekly and this should be done by an enforcement agency not Lehigh or the BAAQMD. I have mentioned a monitor that is hooked up directly to the enforcement agency that can really keep an eye out on the plant for any and all violations.

Page 405 Finish Mill Building Conveyor

Comment: Tons 9,900 per yr. how do we know this is what is actually going on they police themselves? How was this amount 9,900 tons per year decided upon anyway so many tons per year what difference does it make it is still polluting at any yearly level. The pollution needs to stop and the EPA needs to do their job. These 900 hundred hours in a consecutive 12 month period who really keeps track and really knows if they are really exceeding this amount. How was 900 hundred hours decided upon what reports or math told the BAAQMD or what ever agency that this is acceptable?

Page 410 Clinker

Comment: Emergency conveyer should only be used in an emergency but if they are processing more rock as I suspect they are and will someone should make sure they are not using this equipment unlawfully. This conveyer should only be used in an emergency and I truly suspect it will be used for more than that. The application that Lehigh will submit to the BAAQMD for the new crusher and other equipment will be used to mine more rock and distribute more pollution to the citizens. They should submit this application or add this equipment now to the proposed Title V Permit but because they suspect there will be a problem they withdrew the application and will resubmit after the Title V Permit is approved this is unjust and should not be allowed.

Page 424 Quarry Blasting and Mobile Use

Comments: Public Nuisance there has always been a problem with Quarry Blasting, Cement Plant Operation and the trucks and no one seems to be able to stop these problems I think it is time someone did. It is stated that they should not emit emissions in sufficient quantities as to cause a public nuisance well what do they think has been going on all along they have absolutely been causing a serious public nuisance and they have been in violation of the Clean Air Act and the Clean Water Act and I am also sure they are violation of also soil pollution. The fact is it maybe in the Title V Permit about creating a Public Nuisance what good is it if no one is enforcing this regulation and I for one would love to know why no action has been taken against Lehigh can anyone tell me?

Page 432 Conveyor System Water Spray

Comment: The Water Spay is not enough and who is to say how often it is used again to stop the dust. The dust and fuel emissions coming from the trucks back and forth to from Lehigh is a great problem and no one seems to be doing anything about it.

Page 434 Storage Piles

Comment: Water Spray or Mobile Water Trucks the piles are not always sprayed or sprinkled and the moisture content is not tested or recorded this must be done by a non bias policing agency in order to make sure that the dust from the Storage Piles is keep down. The piles should be enclosed or incased and they are not. The piles should also be on a concrete slab as to not to contaminate the ground water which is exactly what they have been doing there is a great deal of contamination to the water shed and this needs to stop. Selenium is all over the whole facility it has contaminated the air, water and soil and the EPA, State Water Board and the BAAQMD need to put a stop to these violations and no one seems to be able to bring the criminals to justice.

Page 436 Lead

Comment: There is Lead all over the property quarry and cement plant and the public is subject to this lead exposure no one even really knows how much lead there really is being emitted or washed into the Permanente Creek this needs to be looked at and stopped. There are other pollutants as well and the cumulative effect of all of these pollutants is destroying the community and endangering the citizen's health and this must end. To say we can tolerate 15 lbs of lead per day is ridiculous how is this lead disbursed I would suspect it is in the air, water and soil and it accumulates on all surfaces this does not go away it just keeps piling up and in order to protect the citizens must be removed and that is not happening. There needs to be a Super Fund site set up at Lehigh Southwest Cement and Quarry and the Stevens Creek Quarry in order to clean up this catastrophe and it needs to happen right away. I have contacted the EPA Super Fund Department and they are evaluating the situation.

Page 437 Condition 603

Comment: Item 2 The owner/operator has to much leeway there has been mention that they are not using coal at the plant but the whole Title V Permit says otherwise so why is the BAAQMD telling everyone that they are not using coal? There needs to be tests run on the coal and the Petroleum coke to see what pollution content is in both of them and to have them stored properly. Question why have they removed the sentence that says use more than a total of (8) tons per hr. of petroleum coke combined in he Pre-calciner and Kiln? I would like to know if there is a limit to be set would this limit reduce the pollution in the air can anyone tell me? The max levels of coal and petroleum coke are set

but there is no mention of why and how they are set can you tell me why or give a reason in the Title V Permit. Item 3 & 4 Deleted PDS Analysis trigger level for lead why was it deleted? Item 5 Hexavalent chromium at 1.0 6 lbs per any consecutive 12 month period from Petroleum coke or coal who is measuring this it seems that there is evidence that a lot more is being released this should be evaluated. Item 6 Petroleum coke emissions should be sampled for sulfur and trace metal content why is this crossed out? It should also be tested for radioactivity for Petroleum coke has radioactive particles in it. The Petroleum coke and coal emissions are coming out of the Kiln and also out of the two pipes that are coming the emissions with NOX and SO2 emissions there is a great deal of harmful emissions not being recorded, monitored or contained and this must stop.

Page 444 VI Permit Conditions

Comment: NOX and SO2 max. limits set by the BAAQMD should be set at realistic levels and they should be monitored correctly by the EPA or a enforcement agency. There could be special monitors set that would report directly to the EPA and to the BAAQMD the levels that are being emitted. The monitoring of the levels should not be left up to Lehigh. The calibration of the equipment should also not be left to Lehigh and again a policing agency should be in charge. Lehigh is using the NOX and SO2 gases to dry out the Petroleum coke and coal this is not acceptable because they are funneling off the gases from the kiln and this is reducing the levels and therefore the levels monitored are incorrect. The two pipes that they are using to emit the Petroleum coke and coal emissions are not monitored so who knows what is coming out of the pipes this needs to be investigated immediately.

Page 447 IV Permit Conditions

Comment: PM 10 monitoring is not enough they should be also monitoring the PM 2.5 which they are not the small particles are more lethal and I wonder why both the PM 10 and the PM 2.5 are not monitored directly from the facility. The BAAQMD monitors the PM 10 of what is in the valley and not what is at the Lehigh Southwest Cement and Quarry facility which is wrong both the PM 10 and the PM 2.5 should be monitored directly from the facility and quarry.

Page 455 Overburden

Comment: Item 4 overburden limit 1,500,000 tons rolling 365 days how would anyone know for sure what is really going on who is checking? The overburden is not covered and is dumped at the WMSA and the EMSA piled up as high as can be with no restrictions of any kind and the dust is blowing all over the valley. There is also no one testing to see what pollution is in this overburden and the pollution is washing into the ground water and is eventually ending up in our water shed. The EMSA has also another problem what is under this overburden that has never been cleaned up I have asked the SCC about this on more than one occasion and no one can give me an answer. I have now contacted the EPA Superfund Department investigations division and have asked them to look into this matter and possibly make the Quarry and Cement plant and the whole Lehigh property a Super Fund Site so as to stop the pollution and clean up the area.

Page 457 Cond. 7252 Aggregate

Comment: Water flow over 4 piles I do not think this is happening and I have been told that there is nothing wrong with the Aggregate out in the open even thou it is blowing around. The example of one Aggregate pile next to the guard shack that is not being watered or sprinkled that is blowing all over the place polluting the community who will regulate that. What is the moisture content of these piles can anyone tell me?

Page 460 Nitrogen Oxide Item C & D

Comment: The total calculations should be stated not just how the totals are calculated I have done the calculations in the past myself and the max. levels should be stated as totals. The SO2 max. level should also be calculated and the total listed as a total on the Title V Permit. Again I have calculated this max level in the past myself and it should be stated. The problem with the max. levels is they are too high they are set by the BAAQMD at very high max levels and Lehigh will never reach these levels so one has to wonder why they are set so high. The proof that these levels should be set so high is also not available and the public is supposed to believe that these levels are ok and that we can tolerate them this assumption is wrong as health and wellbeing is being sacrificed in order to promote the manufacturing of cement. I would like to see a real policing agency EPA or otherwise to come in and get to the bottom of this cover up and expose the real truth and put the violators in jail.

Page 474 Bag Houses

Comment: The checking of the Bag Houses should be done at least every 3 months to insure that the public is protected from any pollution. There is also another alternative as I mentioned that a monitoring device be used that can go directly to a policing agency that could immediately stop the pollution in order to insure that the public is safe.

Page 480 Storage Piles Ringelmann

Comment: The question is how do we know what levels are correct and what we can stand no one seems to really know and so the public is subjected to pollution 24/7 days and it seems no one will stop the pollution. The Ringelmann viewing is only looking at dark or darker dust or gas viewing not the light white or blue emissions there are emissions even if they are no color and we are subjected to this pollution. The true story is that there should be more than viewing via Ringelmann viewing by the BAAQMD inspector who seems to always say there is nothing wrong even if he has concluded there were emissions. There seems to also be no one who knows what the brown or blue smoke means and I would suspect that someone should find out.

Page 576 Application 16867 Minor Revision

Comment: Increased allowable Petroleum coke use from 8 tons per to 20 tons per hr. I am not happy about that it shows that Lehigh will be mining more rock and therefore there will be more pollution being released out onto the environment. The citizens will not be able to live in this valley with the amount of pollution that will be spread over the entire valley and the threat to human and animal alike will become very evident to everyone. Stop the pollution no one should have to live like this.

