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March 21, 2011

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

VIA CERTIFIED MAIL

**SUBJECT: COMMENTS ON REVISED PROPOSED TITLE V PERMIT  
RENEWAL FOR LEHIGH SOUTHWEST CEMENT COMPANY  
(PLANT NO. A0017; APPLICATION NO. 17947)**

Dear Ms. Bui:

On behalf of the City of Los Altos, California (the "City"), let me thank the Bay Area Air Quality Management District (the "District") for the kind reception and information provided to me and the representatives of Los Altos Hills during our recent visit on March 1, 2011. As discussed during that meeting, the District is in the process of reviewing the United States Environmental Protection Agency Title V permit renewal application for the Lehigh Southwest Cement Company's quarry operations (the "Quarry"), and asked for any comments we may have on that revised proposed permit. At the March 8, 2011 City Council meeting for the City directed me, as the Mayor, to submit the following comments for review by the District in connection with its evaluation of the Quarry's Title V permit renewal application.

1. In our March 1, 2011 meeting with the District, we understand that a sampling station to test the Quarry's air emissions was set up by the District in September of 2010 and was sited in Cupertino's Monte Vista Park, the Quarry's estimated location greatest impact of the Quarry's air emissions. We also understand that testing at the sampling station for a full year is needed to account for seasonal variations. In line with this requirement, the City is concerned that until a full year of testing has been completed at that site (i.e. until September of 2011), there will be insufficient data about the Quarry's emissions from which to thoroughly evaluate the Quarry's Title V permit renewal application and impose all necessary conditions and requirements on the Quarry's operations which affect air quality in the surrounding region. Accordingly, the City requests that the District delay the issuance of the Quarry's renewed Title V Permit until a full year of emissions data have been obtained from the Monte Vista Park sampling station (i.e. through September of 2011) and reviewed by the District.

2. At our March 1, 2011 meeting with the District, the District indicated that it does not have the funding to create (or even cost share) in a second sampling station within the City's territorial limits. The existence of only one air emissions sampling station in the geographic region surrounding the Quarry, and specifically the absence of an additional air emissions sampling station in the Los Altos area, is of concern to the City. Thus, the City requests that the District delay the issuance of the Quarry's renewed Title V Permit until (1) at least one additional sampling station is located within the City's territorial limits and (2) a full year of emissions data have been obtained from such additional sampling station. The City is willing to work with the District on both obtaining funding to set up this second sampling station and in identifying test configurations and selecting the specific site for its location.

3. During our March 1, 2011 meeting with the District, the District also informed us that the Quarry's estimated emissions increased significantly in the past few years, primarily due to a change in the estimation method. Previously, estimates were based only on measurements of smoke stack emissions. To be more conservative, the District now requires measurements to be based on the Quarry's "material balance" of air emissions (i.e. the total amount of materials that go into the process must therefore also be considered to go out of the Quarry's smoke stacks). The City is now concerned that the Quarry's estimated (and actual) emissions will increase yet again, due to the fact that the Quarry has indicated in its recent application to the County of Santa Clara to amend its current reclamation plan under the California Surface Mining and Reclamation Act ("SMARA")<sup>1</sup> that it is seeking to add an expansion area to the Quarry's operations with a new mine pit.<sup>2</sup> A new mine pit and expanded operations at the Quarry suggest that the Quarry's estimated (and actual) emissions will increase. Thus, as part of the District's comprehensive review of the Quarry's Title V permit renewal application, the City requests that the District evaluate the anticipated effects of the additional air emissions which will result from such expanded operations at the Quarry.

4. Lastly, as part of the District's comprehensive review of the Quarry's Title V permit renewal application, the City is concerned as to whether the air emissions data for the Quarry which the District is currently relying upon is completely accurate. To the extent that an independent, third party review of the air emissions data for the Quarry has not yet been conducted by appropriate experts, the City respectfully requests that the District order such a review to take place. The City further requests that the results obtained pursuant to such an independent, third party review of the air emissions data for the Quarry be evaluated by the District before any Title V permit is renewed for the Quarry's operations.

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<sup>1</sup> California Public Resources Code § 2710 *et seq.*

<sup>2</sup> The Quarry's reclamation plan amendment application was deemed complete by the County of Santa Clara on September 24, 2010, and a draft EIR which will include an analysis of the potential environmental impacts of the Quarry's new mine pit and expanded operations is anticipated to be circulated by the County in October of 2011.

Ms. Thu Bui  
Bay Area Air Quality Management District  
March 21, 2011  
Page 3

The City of Los Altos appreciates your time and attention to the foregoing comments. We would appreciate if you could keep each City informed of all developments relating to the District's review of the Quarry's Title V renewal permit application, and please do not hesitate to contact me should you have any questions in regard to the City's comments.

Very Truly Yours,

A handwritten signature in blue ink, appearing to read "Ron D. Packard", with a long, sweeping horizontal line extending to the right.

Ron D. Packard  
Mayor of Los Altos

cc: Los Altos City Council