

LAH City Council could monitor quarry

Elliott Burr, Los Altos Town Crier, 11-30-10

The longstanding controversy surrounding nearby Lehigh Southwest Cement Plant and its allegedly harmful emissions made its way to the Los Altos Hills City Council last month.

Los Altos Hills Councilman Jean Mordo suggested that Los Altos Hills hire its own consultant to measure plant emissions before voting on whether to formally oppose the plant. The council agreed Nov. 18 to defer a decision until more substantive information is available.

“There are people who say, ‘We don’t trust (Lehigh),’ and (Lehigh) says they’ve done analyses certified by the state of California,” Mordo said. “My solution is, let’s hire our own consultants. ... We can figure out once and for all if ... they’re monitoring in the areas we’re concerned about.”

The more than 3,000-acre plant (618 acres are active in mining and cement production) has come under fire from other local governments, including Cupertino and Los Altos, concerned that its emission of mercury, benzene and chromium 6 could harm residents.

Lehigh Plant Manager Henrik Wesseling, who touts the company’s recent 25 percent reduction in mercury emissions, urged councilmembers at the November meeting to postpone any decisions until they acquire “unbiased” information.

The Bay Area Air Quality Management District, one of the plant’s 17 regional, state and federal regulators, conducted “numerous studies,” Wesseling said, citing air district assessments of Lehigh-hired consultant AMEC Geomatrix emission measurements. “Their conclusion is that this facility is operating at health-risk-level zero. This includes all emissions.”

Lehigh, which has made cement in Cupertino for more than 70 years, has a legal nonconforming use permit for its facility, but the company plans to apply for renewal of the 20-year use permit from the Santa Clara County Board of Supervisors. A public hearing originally scheduled Nov. 23 has been postponed to early next year.

Lehigh data, confirmed by company officials, indicate the plant emits 337 pounds of mercury annually, a reduction from its 2005 level of 582 pounds per year. At that time, the Environmental Protection Agency pegged Lehigh as the fourth-highest polluting facility in the country.

Brian Bateman, director of engineering at the air district, said Lehigh is operating below a reference exposure level of 1, which mitigates the need to notify the public of the content of the emissions from their smokestacks. If a facility earns a value between 1 and 10, it must release that information to the public; above 10, it’s required to take steps to reduce emissions.

Bateman said the air district derives its indices from the Office of Environmental Health Hazard Assessment. The organization also implements California Proposition 65, which mandates that facilities like Lehigh notify nearby residents of emissions when they exceed a certain threshold. Still, opponents are wary.

Los Altos Hills resident Bill Almon hired a lawyer on behalf of his approximately 500-member watchdog group, QuarryNo, alleging in October that the plant has violated Proposition 65 since 2007. If the claim is found accurate, the plant could face fines dating back three years and be required to notify nearby schools, hospitals and homes of toxins emitted in the area.

A Lehigh representative said the company couldn’t comment on pending or active lawsuits.

Regarding potential adverse health effects any amount of emissions could have, “Unfortunately, the answer for that is not known,” Bateman said.

In approximately two months, Lehigh is scheduled to complete its latest health-risk assessment, according to Bateman.

At a Nov. 9 Los Altos City Council meeting, Dr. Shymali Singhal, surgical oncologist at El Camino Hospital, suggested that the compounding effect of multiple chemicals could lead to “synergistic toxicity,” and increase the likelihood of cancer.

“We need more information about synergistic toxicity from the quarry,” she said.