

# An uphill battle for cement plant opponents

**Patty Fisher, Bay Area News Group, 2-11-11**

The folks who worry about the impact of living near the Lehigh Cement plant in the Cupertino hills call it a "big, dirty secret."

"Lehigh has been polluting for years," says Hoi Yung Poon, a vocal member of the grass-roots group No Toxic Air. "And no one wants to talk about it."

I'd say Poon is two-thirds right. The sprawling quarry and cement-making operation off Stevens Creek Boulevard definitely are big. Lehigh produces more than 70 percent of the cement used in Santa Clara County and half the cement used in the Bay Area.

And the plant certainly is dirty, emitting dust and toxic metals such as mercury and arsenic into the air each day.

But secret? That's where Poon and her colleagues lose me. If you live in the South Bay, you can't miss the bright lights of the cement plant as you drive north on Interstate 280 from San Jose. Over the years, the pollution from the plant on the 3,500-acre property has spawned a series of grass-roots protests. Each time, the larger community has come to the same conclusion: The plant is necessary to the area's growth, and the levels of pollution are not high enough to pose a serious threat.

That didn't deter hundreds of residents of Cupertino, Los Altos Hills and the surrounding area who showed up this week at the Santa Clara County supervisors meeting to protest the Lehigh plant.

## **A show of strength**

The hearing wasn't about emissions, however. The topic was Lehigh's vested right to continue its quarry operations, and the supervisors voted unanimously in favor of Lehigh. But the protesters saw it as an opportunity to show their anger and strength to their elected officials.

"We're worried," said Poon, a San Jose mom whose first-grade son attends school in the Cupertino Union School District. She honed her grass-roots organizing skills last year during a campaign that raised \$2.2 million in eight weeks to help stave off teacher layoffs in the district. Now she has focused those skills -- and the parent community -- on cement. She's worried that mercury from the plant is causing autism and cancer, though there are no local studies yet to back her up. "It's hard to prove," she says. "We definitely need more community leaders from Silicon Valley to step up and do something about it. This is an urban area."

The problem is that the plant was here long before this was an urban area. The quarry operations date nearly to 1900 and the cement plant opened in 1937, before orchards gave way to housing tracts.

## **Years of ranting**

I remember a group called RANT -- Residents Against Noisy Trucks -- that ranted in

View Lehigh cement plant, Cupertino in a larger map

1993 about noise and dust from cement trucks going back and forth to the plant all night long.

Now the issue is mercury, a metal that is naturally concentrated in the ground here. Mercury mining was big business back in the 1800s. Why do you think this paper is called the Mercury News? (I know, you thought it was named for our fleet-footed paperboys of old.)

Mercury is a poison, but the Bay Area Air Quality Management District, which monitors the plant emissions, says they don't exceed what is considered safe. If the plant were to close, we would have to truck in cement from hundreds of miles, which would create even more pollution and wear-and-tear on our roads.

The EPA plans to impose new standards by 2013, and plant officials say they will be able to meet them, even though it will mean cutting mercury emissions more than 90 percent.

Tim Matz, Lehigh's director of environmental affairs, says he's confident the company will be able to meet the new EPA requirement with a technology that uses activated carbon to capture the mercury and remove it from the air.

"After our pilot study," he said, "we are pretty confident that we can meet the new standard."

Will that be enough for Poon and the other Cupertino parents? She would like to see the plant shuttered but knows she has her work cut out for her.

"I don't know if it's realistic to try to close the plant down," she told me. "Lehigh is powerful and they know how to play the game."

They do indeed. But now the neighbors are learning how to play, too.