

Los Altos Hills Council Says It Wants Stricter Air Standards for Lehigh Cement

Pam Marino, Cupertino Patch, 2-24-12

Taking a cue from Cupertino, the Los Altos Hills Town Council voted unanimously to send a letter to the Bay Area Air Quality Management District (BAAQMD) supporting stricter standards for the Lehigh Southwest Cement Plant and Quarry.

“What we’re really trying to do is send a political message that says you’re under a lot more scrutiny than you were before, please don’t screw it up,” Councilmember Gary Waldeck said during the council’s discussion on Thursday, Feb. 16.

The letter from Los Altos Hills Mayor Rich Larsen is nearly identical to the one crafted by the Cupertino City Council in January, in collaboration with local Sierra Club leader Gary Latshaw. Waldeck distributed the Cupertino letter during the town council meeting, suggesting Larsen use it as a template.

The letter spells out for the BAAQMD why officials think the district should classify Lehigh’s operations as a “modified existing” cement plant, which would require following stricter air quality standards.

Currently the air district is evaluating the federal Regulation 9, Rule 13, meant to achieve the “maximum feasible, cost effective emissions reductions” of oxides of nitrogen (NOx) and particulate matter from Portland cement manufacturing like occurs at the Lehigh plant just outside Cupertino.

The goal is to bring the Lehigh operations into compliance with limits for toxic air contaminants, as laid out in the National Emission Standard for Hazardous Air Pollutants.

A BAAQMD official, Robert Cave, told Patch in December that Lehigh “is the single largest source of NOx in the Bay Area that does not have a modern add-on control device.”

However, air district officials have also said that they cannot apply stricter standards if the business in question does not meet the legal definition of a “modified existing” plant. They argue Lehigh is an “existing” plant only, while local activists from Quarry No, Bay Area Clean Environment and the Sierra Club argue the plant has undergone modifications and therefore should be classified as such.

“Regardless of whether Lehigh meets the legal definition of a modified existing plant, it is in a densely populated area. Thus, the Council strongly urges the BAAQMD Board to adopt the more stringent new and modified standards for Portland cement manufacturing facilities,” Larsen’s letter says.

During the meeting Larsen asked if the council should take additional action on the Lehigh issue, but Waldeck advised waiting to see what happens with the BAAQMD.

In addition to recommending the letter, Waldeck reported that a joint Los Altos/Los Altos Hills committee on Lehigh is now moving into a “dormant” phase for six to nine months. The committee recently presented findings of a consulting firm it hired to review documents and study a water sample from Permanente Creek.

In a written report to council, Waldeck and his fellow committee members, Los Altos council members David Casas and Ron Packard, said, “there is no evidence that the quarry is significantly out of compliance with the current health and safety standards, even though those standards are still evolving and probably will become

stricter over time.”

Waldeck said the committee will continue to collect documents on its website, the South Bay Quarry Library. Members will meet at a later date to consider whether it should disband or pursue alternatives.