

Answers to Unanswered Questions from **2/28/19 Lehigh Public Meeting**

Regional Water Quality Control Board:

Which of the two creeks (Stevens Creek and Permanente) is cleaner?

Overall the Water Board has identified a number of water quality problems in both creeks, but Stevens Creek has slightly better water quality. In the vicinity of the quarries, both creeks are impaired for water toxicity. Stevens Creek is also impaired for temperature which affects salmonid growth and survival, and Permanente Creek is also impaired for selenium, which was a major driving factor for the Water Board to require water treatment at Lehigh. In the past 15 years, water toxicity was more severe in Permanente Creek. In addition, metal concentrations have been higher in Permanente compared to Stevens Creek. Metals are toxic to aquatic life or humans and may bioaccumulate in the food web. We are seeing reductions in metals and water toxicity in Permanente Creek due to Lehigh's wastewater treatment.

What could Lehigh do to reduce your agency's oversight?

We have no plans to reduce our oversight of the Lehigh facility, regardless of Lehigh's actions.

What happens to the waste generated by the water treatment facilities?

Lehigh treats stormwater (runoff generated by rain) that runs across all parts of the facility to remove pollutants the stormwater encounters. Typical pollutants include selenium and other metals that occur naturally and are released from rock during quarry operations. They also treat wastewater from cement processing. Once these two sources of water are treated to acceptable levels, as set by permit requirements, they are discharged to Permanente Creek. The wastewater treatment processes themselves generate non-hazardous waste, such as spent activated carbon removed from bio-reactors and air filters. These wastes are shipped offsite for regeneration or disposal. Treatment membranes are cleaned in place, and the resulting liquid is sent to the sanitary wastewater treatment system.

Where does thalium come from at Lehigh?

Thalium is a naturally occurring metal found in rock and soil at the quarry (and elsewhere).

How does the Water Board select which pollutants it looks for?

The Water Board selects pollutants for which water quality objectives have been established to protect beneficial uses, such as aquatic life and drinking water resources. Specifically, we look at pollutants listed in our Basin Plan, the “priority pollutants” listed in the California Toxics Rule, and the pollutants for which maximum contaminant levels (MCLs) have been established (legal levels safe for humans to drink). We also look at pollutants that serve as good indicators of the performance of Lehigh’s treatment systems and settling ponds (e.g., solids). The Water Board is investigating the cause or causes of water toxicity in Stevens and Permanente Creeks by sampling for water toxicity, metals, and common pesticides. In streams and creeks across the Bay Area, the Water Board has monitored toxicity, pesticides, polychlorinated biphenyls, polycyclic aromatic hydrocarbons, metals, nutrients, temperature, dissolved oxygen, bacteria, biological condition, and physical habitat condition. We monitor for pollutants in both sediment and water and compare results to appropriate environmental thresholds. Within these watershed studies, we choose to monitor for specific pollutants based on past water quality conditions, complaints or concerns, and we look for pollutants that are commonly associated with local land uses or substantial discharges.

Can the NPDES permit that is pending be based on drinking water standards with continuous monitoring?

The NPDES permit will continue to reflect drinking water standards. The permit includes requirements to meet these standards for constituents that are likely to be generated by facility operations and then discharged to Permanente Creek (based on “reasonable potential” studies). The permit is unlikely to require continuous monitoring, however, because that would be impractical and unnecessary. The permit will require sufficient monitoring to ensure that discharges maintain levels of required constituents at or below the set limits. If discharges exceed set limits, the permit will require accelerated monitoring until compliance is demonstrated. Water downstream of the quarries used for drinking water (which comes from groundwater) is treated to make sure it is safe to drink before it is delivered to households or other facilities where people may drink water.

What is your greatest concern about water pollution at Lehigh?

As long as Lehigh complies with its permits, we are not concerned about water pollution at Lehigh. For example, the NPDES permit requires Lehigh to route wastewater that needs treatment to its wastewater treatment plants prior to discharge. At other locations, it may only discharge stormwater that does not need further treatment. The permit imposes stringent limits on selenium discharges to ensure that selenium does not bioaccumulate within the Permanente Creek food web and harm wildlife. Moreover, the permit imposes limits on solids (e.g., settleable matter, suspended solids) to ensure that the treatment systems and settling ponds perform well. Many pollutants are known to adhere to solids; therefore, solids removal is a key treatment strategy. We are not concerned about drinking water pollution because shallow groundwater at the site does not appear to be connected to the deeper aquifer used to supply drinking water, and the permit discharge limits were established taking drinking water standards into account. Thus far, monitoring at drinking water wells confirms this. We continue to require monitoring of treated water and stormwater discharged to Permanente Creek and monitoring in the creek to evaluate the effectiveness of our programs and to identify any potential water pollution concerns not sufficiently controlled. We are looking forward to implementation of creek restoration to reestablish and enhance habitat and streamflow following historic discharges of waste products, sediment and polluted runoff to the creek.

How much municipal water is Lehigh using and why?

This information is not tracked by the Regional Board.

Valley Water (formerly: Santa Clara Valley Water District):

How do we know Stevens Creek Reservoir is not being polluted with mercury from the Stevens Creek Quarry?

Stevens Creek Quarry is a bluestone mining operation. There are no professional papers that indicate that mercury of any significance exists in the rock being quarried. The location of what once was mercury-rich rock in Santa Clara County is primarily near the Guadalupe Mine, the Almaden Quicksilver Mine and a few locations in the Santa Teresa Hills.

Water quality testing shows that Stevens Creek Reservoir is impacted by mercury, most likely from airborne sources. Mercury under low oxygen conditions can be converted to methylmercury, which is a more toxic form that accumulates in the food web. To

reduce this potential, the Santa Clara Valley Water District operates an oxygenation system which injects pure oxygen into the bottom water layer of the reservoir during the summer.

How much municipal water is Lehigh using and why?

The Santa Clara Valley Water District is a water wholesaler and groundwater management agency, and does not have municipal water use information for Lehigh. In any case, we do not share water use data for individual customers.

Bay Area Air Quality Management District:

Why does the Title V permit not include CO2 emission records as the non-vehicular source fees filed each year, reporting CO2 emission records in tons and the fees each company including Lehigh needs to pay? The ARB does this.

The Air District tracks and maintains greenhouse gas (GHG) emissions, including CO2, as part of the facility's annual permit renewal. For each emitted GHG, the carbon dioxide equivalent (CDE) emissions are determined by multiplying the annual GHG emissions by the applicable Global Warming Potential (GWP) value. The GHG fee for each facility is calculated in accordance with Schedule T of Air District Regulation 3, Fees.

Title V permits are federal operating permits for facilities that have the potential to emit air pollution exceeding specific thresholds. A Title V permit describes how a facility must comply with air pollution rules and regulations. Typically, a Title V permit contains a list of permitted sources as well as terms and conditions such as emissions limitations and standards for all applicable federal requirements, monitoring and related recordkeeping and reporting requirements. However, emission records and fees are not required to be included in the Title V permit.

Is coal also being used as fuel? If so how much fuel is coal versus pet coke?

Although Lehigh is permitted to use coal as fuel, Lehigh uses 100% petroleum coke.

Why has the formal Title V permit not been issued?

A Title V permit to operate for the Lehigh facility was issued in 2013. However, a Title V permit is required to be renewed every five years and Lehigh's Title V permit is in a renewal cycle. Until the Air District issues a renewed permit, the existing Title V permit and all applicable requirements still apply.

As part of the renewal cycle, the Air District is required to notify the public and hold a public comment period. The Air District conducted one such public comment period that ended on October 15, 2018. However, to allow for more public participation from interested parties surrounding the community, the Air District will hold a second public comment period. Once the comment period is closed, the Air District will consider all comments received and make any necessary changes to the permit in response to comments. Afterwards, the permit and a statement of basis identifying changes, and the rationale for the changes made to the existing permit will be submitted to the United States Environmental Protection Agency (EPA) for a 45-day review period. After EPA's review and incorporating any necessary changes resulting from EPA's review, a final renewed Title V permit will be issued.

Why have you stopped having stakeholder meetings in Cupertino?

The Air District is open to having additional stakeholder meetings and anticipates scheduling another meeting to discuss Lehigh's updated Fugitive Dust Control Plan once the Title V permit is renewed. The updated plan outlines Lehigh's commitment to address dust emissions from quarry blasting.

When there is a strong coal odor in the air, should we not exercise? This tends to happen when there is still air and an inversion.

You will have to make that judgment call. If you suspect an odor may be harmful, it's probably best to postpone your outdoor activities until the odor dissipates. Without a definitive identification of the odor and its chemical constituents, Air District staff are not able to provide any further guidance. Lehigh does not use coal for a fuel source currently.

To report an odor complaint to the Air District, call (800) 334-ODOR (6367) or go to our website at www.baaqmd.gov. An Air District inspector will conduct an investigation and try to identify the odor source.

What could Lehigh do to reduce your agency's oversight?

Lehigh is a major facility with significant emissions and as such requires considerable oversight by the Air District to ensure compliance with air quality regulations. Although the Air District does not plan on reducing its oversight of the facility, inspector visits could be reduced if there were a reduction in the number of air pollution complaints received by the Air District.

When is the District going to test the air again in West Cupertino (Monta Vista)?

The Air District has no plans to set up another special air monitoring station in Cupertino at this time. From September 2010 – December 2013, the Air District collected air monitoring data from a special purpose air monitoring station located at Monta Vista Park approximately 1 mile from the Lehigh facility. The monitoring station was installed to determine if Cupertino residents were exposed to high pollution levels that may not reach other Bay Area monitoring stations. Based on the results, the air monitoring station was shut down on December 31, 2013. More information on the Cupertino Air Monitoring Project and its results can be found at:

<http://www.baaqmd.gov/about-air-quality/special-air-monitoring-projects/cupertino>.

Is air pollution control equipment run 24 hours a day/7 days a week?

Yes. Emissions from operations at Lehigh are abated by air pollution control equipment whenever the plant is operating. To ensure the air pollution control equipment is operating, both Air District and Federal regulations require all major sources of emissions to be continuously monitored. These continuous emission monitors (CEMs) ensure that emissions are always routed to air pollution control equipment. CEMs data is checked on a regular basis by Air District staff.

What happens to the waste generated by the air treatment machinery?

Air District staff are not sure what is meant by “the air treatment machinery”, but we’ll assume the question refers to what happens to the dust collected by baghouses at Lehigh. Baghouses are air pollution control equipment that remove particulates from an air or gas stream in a commercial process such as the manufacturing of Portland Cement. Most of the dust collected by Lehigh’s baghouses are routed or recycled back to its cement kiln along with raw feed materials, while a small portion is used in the final cement formula. There is no waste.

What is being done to reduce particulate matter from blasting? From all sources?

Although minimizing dust from quarry blasts has proved a difficult challenge, the Air District has urged Lehigh to do more. On the regulatory front, a best management practice outlined in Regulation 9, Rule 13, Nitrogen Oxides, Particulate Matter, and Toxic Air Contaminants from Portland Cement Manufacturing, prohibits blasting if hourly averaged wind speeds are 25 miles per hour or greater. Quarry blast emissions are also regulated by the Air District through application of the visible emissions standards outlined in Regulation 6, Rule 1, Particulate Matter, General Requirements.

As of the effective date of the revised Major Facility Review Permit (Title V Operating Permit), which is currently in review, the amended fugitive dust control plan will have a provision that Lehigh research and trial methods which minimize fugitive dust generated during blasting and implement any APCO approved measures that are safe, economic and technologically feasible. The trial period is 3-years.

Particulate matter from other sources is reduced through permitting that requires Best Available Control Technologies (BACT) and rigorous enforcement of the Air District's dust rules and Portland Cement Manufacturing rule.

What about the dust flying off the trucks when they leave Lehigh?

The Air District controls dust pollution from trucks leaving the Lehigh facility by requiring HEPA filter vacuuming of spilled cement powder during cement bulk loading operations and mandatory washing of aggregate trucks. Once on public roadways, California vehicle code infractions are enforced by the Santa Clara County Sheriff's Office or California Highway Patrol.

What are your greatest concerns about air pollution at Lehigh?

Although Lehigh is currently in compliance with all regulatory requirements, the Air District will continue its oversight efforts to ensure compliance with visible emissions standards, especially with regards to fugitive dust and occasional visible plume formation above the main stack. In addition, Lehigh will be going through the toxic Health Risk Analysis requirement of the newly adopted Regulation 11, Rule 18, [Reduction of Risk from Air Toxic Emissions at Existing Facilities](#) in the near future. The rule seeks to ensure that emissions of toxic air contaminants from existing facilities do not pose an unacceptable health risk to people living and working nearby using the latest risk management guidelines.

City of Cupertino:

Could we ban trucks or limit them to ½ ton on Stevens Creek/Foothill?

It is not possible for the City to place such a restriction on public roads.

The end of Stevens Creek Road has a big pothole.

This has been reported to the City of Cupertino Street Maintenance Division for follow up. Any future items that may require attention here or elsewhere in the City can be reported to <https://www.cupertino.org/our-city/advanced-components/cupertino-311>

What can the City do to ensure the Snyder-Hammond House does not fall into disrepair?

City ordinances 9.22 Property Maintenance & 16.56 Uniform Building Code Adopted may apply. These ordinance may be reviewed at http://www.amlegal.com/codes/client/cupertino_ca/. If violations are occurring, the City of Cupertino Community Development Department may be reached at code@cupertino.org or 408.777.3182.

What can the City do to remediate Lehigh's remove of at least 35 trees in Cupertino's jurisdiction?

The City will follow ordinance 14.12 Protected Trees. This ordinance may be reviewed at http://www.amlegal.com/codes/client/cupertino_ca/.

Planning:

Why was Lehigh allowed to move unprocessed rock from Lehigh to Stevens Creek to process?

The County is still evaluating the permit requirements for Lehigh to sell unprocessed overburden (greenstone) to Stevens Creek Quarry, specifically with respect to Lehigh Permanente Quarry's Vested rights. This was addressed in the draft incomplete letter from the County responding to Lehigh's Reclamation Plan Amendment for a new internal haul road between Lehigh and Stevens Creek Quarry submitted in November 2018. This Reclamation Plan Amendment was withdrawn by Lehigh in February 2019. Separately, the County has issued a Notice of Violation to Stevens Creek Quarry regarding the importation and crushing of unprocessed rock.

Could we ban trucks or limit them to ½ ton on Stevens Creek/Foothill?

The County is not aware of any mechanism or regulation that would ban Quarry truck traffic on Stevens Creek or Foothill Boulevard. The approved haul routes for Lehigh and Stevens Creek Quarry separately acknowledge that the Quarries may use these roads to transport material. Both of these roads are under the jurisdiction of the City of Cupertino who can establish traffic rules regarding use of these roads.

How much material is left at Lehigh?

The amount of limestone resources at Lehigh is unknown, and the mineral deposits mapped with California Geological Survey (CGS) is not enough detail to have an accurate estimate. The 2012 Reclamation Plan estimates mining to cease in the Quarry Pit in 2020. The rate of mineral extraction is dependent on market conditions, so the rate of depletion will depend on market demands and conditions in the field. As of February 2018, Lehigh continues to mine the quarry pit.

When will reclamation be done and what will it consist of?

Reclamation of the quarry will take place in three phases in accordance with the approved reclamation plan and is complete by July 2032. Lehigh is currently in Phase I (2012-2021). The East Material Storage Area (EMSA) final grades for the finished slopes were completed in 2015, and the non-limestone material cover put in place. The EMSA will be planted in accordance with the approved revegetation plan as soon as testing concludes that the cover is preventing increased selenium levels in stormwater runoff. Monitoring to ensure vegetation growth occurs as prescribed by the Plan will occur until the quarry is determined by the State and County to be fully reclaimed. As such, the EMSA will be reclaimed by 2032 or sooner.

Is Lehigh putting funds away to accomplish reclamation?

As required under the Surface Mining and Reclamation Act, Lehigh must post a Financial Assurance that provides funding for the reclamation of the Quarry. The Current Financial Assurance for reclamation of the Lehigh Quarry is approximately \$54 million dollars.

When will the creek restoration project begin and how long will it take?

The County is currently reviewing the Grading Application submitted by Lehigh Quarry to the County for restoration of Permanente creek. The application was deemed incomplete by the County and California Department of Fish and Wildlife on February 14th, 2019 and the County is waiting for Lehigh to resubmit the application. The Creek Restoration project will require a preparation of an Environmental Impact Report which typically requires 6 months to complete. Based on this, the earliest the Creek Restoration would begin would be in 2020. The restoration project would likely take several years to complete.

Has the County made a completeness determination on the grading permit for the creek restoration project and what is the status of the CEQA review?

The application was deemed incomplete by the County and California Department of Fish and Wildlife on February 14th, 2019 and the County is waiting for Lehigh to resubmit the application. The Creek Restoration project will require a preparation of an Environmental Impact Report which typically requires 6 months to complete.

How long had Stevens Creek been processing the imported materials before the County discovered it?

The County first became aware of the internal haul road and the importation of materials from Lehigh onto Stevens Creek in the Summer of 2018.

What could Lehigh do to reduce your agency's oversight?

If the Quarry ceased operation and was reclaimed, the County's oversight would be reduced.

Could the quarry collapse due to the rain? How would it be cleaned up?

Hillsides undergoing quarrying activity are subject to landslides, which may be caused by a variety of factors, including oversaturation of hillside areas due to rain. The quarry slopes at Lehigh Quarry have been evaluated for stability by a certified engineering geologist that evaluates many factors that may cause landslides, and the mining and reclamation plan follows the recommendations of the geologist. If a landslide of active quarry slopes was to occur within the Quarry, Lehigh would be responsible to re-stabilize and reclaim the landslide area, in accordance with the Surface Mining and Reclamation Act.

Vegetation doesn't seem to be surviving in the reclaimed areas at the quarries. What is the County doing?

The County continues to monitor the revegetation of the reclaimed areas and will continue to require Lehigh to install vegetation that meets the re-vegetation standards within the Reclamation Plan. The Quarry would not be deemed "Reclaimed" until it meets the Revegetation standards of success outlined in the Reclamation Plan.

Does Lehigh need to be in compliance with all the agencies before they can be allowed to expand?

The County would evaluate and consider any existing violations in considering any proposal for an expansion in mining operations. Factors such as the type of violation

and the existence of any approved plan or program that requires a correction of the violation would be factors considered by the County in this instance.

Why did the County not insist on access to the utility haul road when Leigh first denied it?

Once it was observed by County Inspection Staff, the staff requested and obtained access to view the haul road once it was determined safe for County staff to access.

When will reclamation begin on Stevens Creek Parcel A?

The current Reclamation Plan for Stevens Creek Quarry, approved in 2009, encompasses both Parcel A and Parcel B and requires the Quarry to reclaim the quarry at the end of mining. As mining activity is still occurring within the Reclamation Plan area, on Parcel B, the Quarry is not yet required to reclaim the site, which would start once mining ceases, encompassing both Parcel A and B

Is the County looking at the small dams at Stevens Creek Quarry, if not, who is? DWR is responsible for the 55-foot dam.

The County in combination with the Regional Water Quality Control Board would have regulatory oversight over any instream dams at Stevens Creek Quarry. Dams that impact wetlands or creeks could also be subject to permitting by the U.S. Army Corps of Engineers, the U.S. Fish and Wildlife Service and the California Department of Fish and Wildlife.

What protocols are in place to ensure the integrity of any dams at either of the quarries? How Many Are There? How Big Are They? Are they permitted?

Any dams installed of a certain size fall under the responsibility of the Department of Water Resources (DWR) and would be required to obtain permits from that agency, which evaluates the integrity and safety of the dam. Dams smaller than that size are subject to County grading requirements which establishes design parameters and standards to ensure the grading would not have any health safety, or welfare impacts, including evaluating the integrity of dams.

The County is not aware of any dams at Lehigh Quarry

At Stevens Creek Quarry, there are several known dams, including the dams for the upper, middle, and lower settling basins. These dams are 55, 8, and 6 feet in height, respectively. DWR evaluated all three dams in 2016-2017 for conformance with state

permitting requirements. DWR determined that the middle and lower settling basins had dams that were not subject to DWR permitting. DWR determined that the dam on the upper settling basin was a low hazard risk.

County Counsel:

How do the notices of violation (NOV) affect the two quarries? It seems like the County only punishes the quarry after they have violated the NOV.

The notice of violation the County issued to Lehigh Quarry resulted in it ceasing use of an internal haul road. The notice of violation the County issued to Stevens Creek Quarry resulted in it ceasing importation of materials from Lehigh Quarry. Neither quarry has violated these notices of violation.

Environmental Health:

Why did the City of Cupertino need to finance their own study which correctly identified noise exceedances whereas two county studies and one Lehigh study found no exceedances?

The City of Cupertino made a decision to finance and embark on an independent noise study in the month of October 2016. Noise readings did not exceed noise limits set forth in the Santa Clara County Ordinance Code. Please contact the City of Cupertino for additional information. Since 2016, Department of Environmental Health (DEH) has been conducting noise monitoring sessions in the neighborhood adjacent to the Lehigh Cement Plant. Three notices of violation have been issued by DEH on May 5, 2016, February 16, 2017 and May 16, 2017. Information on noise monitoring and violations of the SCC Noise Ordinance are available in DEH Quarterly Monitoring Reports which are posted on the SCC Department of Planning and Development website:

<https://www.sccgov.org/sites/dpd/Programs/SMARA/PermanenteQuarry/Pages/PermanenteMain.aspx>

Miscellaneous/Other:

Stevens Canyon Road needs a bike lane, sidewalk, widening.

This comment was shared with the County Department of Roads and Airports.

What revenues does Lehigh Hansen Cement bring to Santa Clara County, both through sales tax, property tax, and other fees or levies?

	*Property Tax: County share of 1% Property Tax and Debt Levy [Note 1]	*Property Tax: County's Special Assessment Levy [Note 2]	*Measure A Transaction and Use Tax [Note 3]	*Total
FY 2017-18	\$ 359,000	\$ 1,300	\$ 17,000	\$ 377,300
FY 2018-19	\$ 365,000	\$ 700	\$ 14,000	\$ 379,700

Source: Assessor’s Office for the assessed valuation, parcel number and tax rate area information. The Controller-Treasurer Department used this information to calculate the County’s share in Property Tax columns. The information in the Measure A column was provided by the County’s sales tax consultant, HdL Companies.

[*These are estimated amounts with rounding; actual will differ.]

Note 1: County's 1% property tax share is calculated based on the assessed valuation provided by the Assessor's Office; The Debt Levy includes County Retirement Levy, County Hospital Facility Bond and County Housing Bond.

Note 2: The balance represents Special Assessments for Vector Control and Weed Abatement (which are County programs).

Note 3: The balance represents Measure A Transaction and Use Tax. Per the County's sale tax consultant, Lehigh generates no sales tax paid to the County.

What is the assessed value of Lehigh Hansen Cement?

Assessed Valuation

FY 2017-18	\$ 200,987,441
FY 2018-19	\$ 208,353,536

Source: Assessor's Office

Can we have a public information meeting for Stevens Creek?

Questions relating to Stevens Creek Quarry were accepted at this meeting and responses have been provided. There will be a series of public hearings held in conjunction with the review of Stevens Creek Quarry’s applications for an updated use permit and amendment to its reclamation plan.

Who is responsible for monitoring the quarry activities and violation?

Different government agencies monitor different aspects of Lehigh's operations. Generally, whichever entity issued a violation, is responsible for ensuring the correction.

What is the intentional goal of the process? To ensure/secure regulatory compliance or to shut down the quarry and cement plants, and if so, what year?

The goal of the public meeting is to share information with the public, particularly as it relates to the oversight activities the various regulatory agencies are engaged in.

Lehigh: These are questions were answered by Lehigh Southwest Cement.

What percentage of pit water is treated at the upper elevation facility?

All water from the quarry is treated before being discharged through the Final Water Treatment Systems (FTS), which includes both the Upper and Lower systems. Until recently, all of the water from the quarry was treated by the Upper system; the Lower system is currently in start-up mode. Based on the NPDES discharge permit issued for the facility, until Lehigh commences the Permanente Creek restoration project, when discharging treated quarry water, during the dry season (May 1, through October 31), the first 450 gallons per minute will be discharged from the Upper system discharge location (Discharge Point 001); after that, flows can be discharged from the Lower system discharge location (Discharge Point 007). The actual percentage of water that will be treated at the Upper and Lower systems once this threshold is satisfied depends on the availability of the equipment, maintenance, and operational need.

Why did Lehigh move unprocessed rock to Stevens Creek Quarry when they can process it themselves and have done so in the past?

Lehigh sells aggregate materials according to its customers' specifications. The Stevens Creek Quarry sought to purchase unprocessed aggregate, and Lehigh sold this material in the ordinary stream of commerce. Lehigh will continue selling aggregate (processed onsite and unprocessed) in the future.

How much material is left at Lehigh?

This question is not specific as to which material the County seeks information about, but if it refers to reserves for producing cement and aggregates, Lehigh's reserves are extensive and there are many years of suitable rock at current production rates.

Where is Lehigh planning to expand?

A reclamation plan amendment application is being prepared and anticipated for submittal in the Spring of 2019. The planned mining must occur where the minerals occur. Lehigh's plans are focused on parcels where mining is already allowed.

Why does Lehigh want to expand their existing reclamation plan for more land besides the land used for the illegal haul road?

Lehigh currently operates on less than one third of the property on which it is allowed to mine. The California Surface Mining and Reclamation Act requires that any surfaces affected by mining must be encompassed by the reclamation plan. Lehigh applied to amend its reclamation plan boundaries solely in response to Santa Clara County's directives, not to expand any operations. The RPA submitted on March 26, 2019 includes, at the County's request, the Utility Road that provides Lehigh and PG&E access to the Southwestern portion of the property (1.3 acres of disturbance area). The amended boundary also includes an additional 61.7 acres at the request of planning staff to include maintenance roads that are west of SQC and Plant Quarry Roads that were constructed in 1939 to transport materials between the Quarry and the Rock Plant. This boundary change will not include reclamation closure requirements because when the roads are no longer needed for mining and production purposes, they will be used for service access.

Is coal also being used as fuel? If so, how much fuel is coal versus pet coke?

The cement plant does not currently utilize coal. The operating permit issued by the BAAQMD allows for the use of coal as a fuel in the pyro-processing system.

How much municipal water is Lehigh using and why?

In 2018, 250 acre-feet of Municipal Water was purchased from San Jose Water Company. Lehigh recycles and reuses as much water as possible on-site; however, most of the processes that use water on-site are evaporative. Thus, there is a need to augment water authorized for reuse onsite. When there is not enough water available to meet the Cement Plant's water needs, the plant uses municipal water to make up the difference. The company is also investigating the potential to use treated water for this purpose.