

California Environmental Quality Act (CEQA)

NOTICE OF EXEMPTION

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**TO:** Santa Clara County  
Clerk-Recorder  
70 West Hedding Street  
San Jose, CA 95110

**FROM:** Bay Area Air Quality Management District  
375 Beale Street, Suite 600  
San Francisco, CA 94105

**SUBJECT:** FILING OF NOTICE OF EXEMPTION PURSUANT TO CEQA § 21152(b) AND CEQA GUIDELINES § 15062.

**PROJECT TITLE:** Lehigh Southwest Cement – Issuance of a Modification to the Permit to Operate Rock Plant #3 Storage Piles (S-300) and the shutdown of Rock Plant #1 Storage Piles (S-176) (Air District Application 709175).

**Public Agency Approving Project (Lead Agency):** Bay Area Air Quality Management District (Air District), 375 Beale Street, Suite 600, San Francisco, CA 94105. Contact Person: Eric Grulke, Senior Air Quality Engineer, Telephone: (415) 749-8672; Email [EGrulke@baaqmd.gov](mailto:EGrulke@baaqmd.gov)

**Project Applicant and Entity carrying out Project:** Lehigh Southwest Cement Company (Lehigh).

**Project Applicant Mailing Address:** 24001 Stevens Creek Blvd, Cupertino, Santa Clara, CA 95014.

**Project Applicant Contact Person:** Sanjeet Sen, Senior Environmental Manager, Lehigh, 24001 Stevens Creek Blvd, Cupertino, CA 95014. Telephone: (408) 996-4249, Email: [sanjeet.sen@heidelbergmaterials.com](mailto:sanjeet.sen@heidelbergmaterials.com)

**Project Location:** 24001 Stevens Creek Blvd, Cupertino, Santa Clara County, CA 95014.  
Nearest Cross Street: Ridgeway Drive.

**Project Description:**

The Air District's permit action is the issuance of a modification to the Permit to Operate for S-300 (Rock Plant #3 Storage Piles) and the shutdown of S-176 (Rock Plant #1 Storage Piles). In this application, Lehigh proposed to modify S-300 to account for fugitive emissions associated with hauling material from the quarry to the Portable Rock Plant as part of the Permanente Creek Restoration Project (PCRP). Per the PCRP, Lehigh must remove the material from the existing rock pile permitted as S-176 and restore portions of the current Portable Rock Plant's haul route with natural vegetation. Lehigh currently uses a facility-wide water spray system equipped with water lines, water spray nozzles, and water trucks to control particulate matter emissions from S-300, so Best Available Control Technology is satisfied.

**Finding of Exemption:**

The Air District has determined that this approval is exempt from CEQA per the following:

This project is categorically exempt per the Class 1 Alteration (also known as “No or Negligible Expansion of Existing Use” or “Minor Alterations to existing facilities”) per CEQA Guidelines Section 15301.

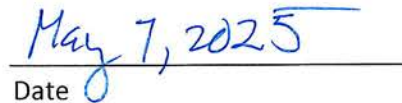
**Basis for Exemption:**

This permit application is categorically exempt from CEQA. CEQA Guidelines, Section 15301, exempts projects that involve negligible or no expansion of use. To ensure all fugitive dust emissions associated with the Portable Rock Plant are permitted upon the implementation of the PCR, Lehigh proposes to modify S-300 to include the road dust entrainment and drop point emissions previously associated with S-176. There will be no changes to the storage piles associated with S-300. S-300 continues to have the same operating schedule, and the throughput rates remain the same. The application did not involve any changes resulting in capacity increases, or changes to upstream or downstream equipment that would result in any increases in capacities or emissions (other than fugitive component emissions at S-300).

The modification will not expand the facility’s normal operation and will result in no increase or only a negligible increase in use of the facility. Further, based on the review of the permit application materials, including Appendix H, environmental information form, the project will not have any significant environmental impacts, and cumulative impacts from successive projects of the same type in the same place will not result in significant environmental impacts. The changes did not result in increased capacities or emissions from any source, except fugitive emissions from S-300. These additional fugitive emissions do not debottleneck S-300 or any other source at this facility. Accordingly, approval of Application 709175 is not subject to CEQA review.



Pamela J. Leong  
Director of Engineering  
Bay Area Air Quality Management District



Date