



OFFICE OF THE MAYOR
CITY HALL
10300 TORRE AVENUE • CUPERTINO, CA 95014-3255
(408) 777-3212 • FAX (408) 777-3366

February 7, 2012

Jack Broadbent, Director
BAAQMD
939 Ellis Street
San Francisco, CA 94109

Dear Director Broadbent,

We understand that the Bay Area Air Quality Management District (BAAQMD) is considering adoption of Regulation 9, Rule 13 to achieve the maximum feasible, cost effective emissions reductions of Oxides of Nitrogen (NOx) and Particulate Matter (PM). We support them in their efforts to ensure that the Lehigh facility complies with current and future emission limits for toxic air contaminants (TACs) consistent with the federal National Emission Standard for Hazardous Air Pollutants (NESHAP). This Council agrees with BAAQMD's objective in order to protect the health of our citizens.

Many of our citizens complain and are concerned about detrimental health effects from the emissions from the plant. The Bay Area is in "non-attainment" for ambient levels of ozone and PM. Because NOx contributes to the formation of ozone, and SO2 and PM contribute to increased levels of PM, reducing emissions of these pollutants would help the Bay Area achieve attainment status. This would make the air we breathe healthier for everyone.

It is the opinion of the Council that maximum feasible, cost effective emission limits can be found in the EPA's new source performance standards for new and modified existing cement plants. Regardless of whether Lehigh meets the legal definition of a modified existing plant, it is in a densely populated area. Thus, this Council strongly requests that the Bay Area Air Quality Management District adopt the more stringent new and modified standards for Portland cement manufacturing facilities.

Air pollution drives up health care costs as well as human suffering. By applying the emission limits found in the new source performance standards to Lehigh, we believe these impacts to our citizens would be reduced.

On behalf of the Cupertino City Council, I wish to express our city's support for BAAQMD to apply the highest possible regulatory standards to the Lehigh cement plant that is immediately adjacent to our community.

The support and ongoing work of the District and its staff is greatly appreciated.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Mark Santoro', with a long horizontal flourish extending to the right.

Mark Santoro
Mayor