

BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT
SINCE 1955

March 5, 2010

David W. Knapp
City Manager
City of Cupertino
10300 Torre Avenue
Cupertino, CA 95014-3255

Re: Response to your letter of January 21, 2010

Dear Mr. Knapp,


Thank you for your follow-up communication regarding the Lehigh Cement plant study session and thank you again for inviting me to participate in the study session with city council members. My intent was to clarify the Air District's role with regard to the Lehigh Cement plant and plans for future work by the Air District with respect to the plant. We understand and appreciate the City of Cupertino's interest in the proper operation of the Lehigh Cement Plant.

As you know, our staff is currently working with city staff to find and develop a suitable location for ambient air monitoring to take place. The location of this new station must conform to federal EPA criteria and be conducive to providing air quality data that is representative of the community. The timeline for making the station operational will depend on finding a suitable site with available power and security. If the District is required to build power infrastructure for the site, the startup time will be longer. Once the site is operational, the air monitoring data from the site will be viewable on the Air District's real-time air quality web page at <http://gate1.baaqmd.gov/aqmet/aq.aspx>.

In response to your inquiry regarding whether a "councilmember [can] accompany BAAQMD staff on a site inspection of the Lehigh Cement plant," I must reply that the Air District's authority to go on site during an inspection does not extend to anyone who is not District staff or there to assist in some official compliance capacity. The decision to allow access to a councilmember rests with Lehigh Cement.

We look forward to further opportunities to work with you and city officials, community members as we move forward with the new air monitoring station and as we protect air quality and public health in Cupertino.

Sincerely,


Jack Broadbent
Executive Officer / Air Pollution Control Officer
Bay Area Air Quality Management District

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