

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

NOTICE OF PROPOSED SETTLEMENT AGREEMENT AND STIPULATED ORDER
in the matter of
LEHIGH SOUTHWEST CEMENT COMPANY
DISCHARGES IN VIOLATION OF NPDES PERMIT EFFLUENT LIMITS AND
CEASE AND DESIST ORDER INTERIM EFFLUENT LIMITS
SANTA CLARA COUNTY

The California Regional Water Quality Control Board, San Francisco Bay Region (Water Board) Prosecution Team and Lehigh Southwest Cement Company (Discharger) have entered into a Settlement Agreement and Stipulated Order (proposed settlement). The proposed settlement would impose an administrative civil liability against the Discharger in the amount of \$465,500 (i.e., \$282,500 discretionary penalties and \$183,000 mandatory minimum penalties) for alleged discharges in violation of NPDES permit effluent limits and CDO interim effluent limits to waters of the United States.

This proposed liability is based on allegations that the Discharger violated permit effluent limits and CDO interim effluent limits on multiple occasions between August 2014 and December 2015.

The proposed settlement would allow \$240,250 to be suspended pending a Supplemental Environmental Project to fund the San Francisco Bay Regional Monitoring Program, specifically for the hydrodynamic and water quality model calibration and application in San Francisco Bay and Lower South Bay.

The proposed Settlement Agreement and Stipulated Order are available at http://www.waterboards.ca.gov/sanfranciscobay/public_notices/pending_enforcement_shtml. Persons may comment on the proposed Settlement Agreement and Stipulated Order by submitting written comments no later than 5:00 p.m. on December 15, 2016.

For additional information and updates, please contact prosecution staff Habte Kifle at (510) 622-2371 or hkifle@waterboards.ca.gov or check the website link cited above for documents and future developments associated with this matter.

Dated: November 15, 2016