
San Francisco Bay Regional Water Quality Control Board

January 12, 2017
CW-273205

Certified Mail No.
Return Receipt Requested

Lehigh Hanson West Region
Attn: Mr. Kari Saragusa, President, West Region Lehigh
3000 Executive Parkway, Suite 240
San Ramon, CA 94583

Also sent via email: ksaragusa@lehighcement.com

Subject: Transmittal of Settlement Agreement and Stipulation for Administrative Civil Liability Order No. R2-2017-1001 for Lehigh Southwest Cement Company, 24001 Stevens Creek Blvd, Cupertino, Santa Clara County

Dear Mr. Saragusa:

Enclosed is Order No. R2-2017-1001, which imposes an administrative civil liability in the amount of **\$465,500** to Lehigh Southwest Cement Company (Lehigh) for discharges in violation of NPDES permit effluent limits and Cease and Desist Order interim effluent limits to waters of the United States. Lehigh is required to pay **\$225,250** of the total liability by **February 13, 2017**. Lehigh is also required to pay the remaining **\$240,250** for use towards the Supplemental Environmental Project Fund for the San Francisco Bay Regional Monitoring Program by **February 13, 2017**.

Payment

The payment shall be remitted by check **\$141,250** to the "Waste Discharge Permit Fund" and **\$84,000** to the "State Water Pollution Cleanup and Abatement Account" as set forth in the Order. We will endeavor to send an invoice for payment in advance of the payment due date. However, any failure by us to send an invoice does not absolve Lehigh of its obligation to comply with the Order or provide payment by the above due date.

If the payment deadline set forth herein is not met, the Board's prosecution staff may allow a 15-day period to cure any non-payment. Following the 15th day of non-payment, prosecution staff may enforce the terms of the Order and seek the immediate payment of the remaining balance. Alternatively, the Assistant Executive Officer may refer the matter to the California Attorney General's Office to obtain payment in compliance with the terms of the Order or take other appropriate actions.

January 12, 2017

If you have any questions, please contact Habte Kifle of my staff at (510) 622-2371 or Habte.Kifle@waterboards.ca.gov.

Sincerely,

Bruce H. Wolfe
Executive Officer

Enclosures: ACL Order No. R2-2017-1001

Copy to (via email only):

Regional Water Board Lyris Enforcement email list
Regional Water Board Advisory and Prosecution Teams
Cris Carrigan, State Water Board, Office of Enforcement
John Madigan, Regional Water Board, John.Madigan@waterboards.ca.gov
Ken Greenberg, U.S. EPA, Greenberg.Ken@epa.gov
Nicole E. Granquist, Downey Brand LLP, ngranquist@sdowneybrand.com
Sam Barket, Lehigh's Environmental Manager, Sam.Barket@lehighhanson.com