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## San Francisco Bay Regional Water Quality Control Board

August 14, 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](mailto:ksaragusa@lehighcement.com)

**Subject: Transmittal of Settlement Agreement and Stipulation for Administrative Civil Liability Order No. R2-2017-1023 for Lehigh Southwest Cement Company, 24001 Stevens Creek Blvd., Cupertino, Santa Clara County**

Dear Mr. Saragusa:

Enclosed is Order No. R2-2017-1023, which imposes an administrative civil liability in the amount of **\$375,000** to Lehigh Southwest Cement Company (Lehigh) for discharges to waters of the United States in violation of NPDES permit effluent limits and Cease and Desist Order interim effluent limits. Lehigh is required to pay **\$180,000** of the total liability by **September 15, 2017**. Lehigh is also required to pay the remaining **\$195,000** for use towards the Supplemental Environmental Project Fund for the San Francisco Bay Regional Monitoring Program by **September 15, 2017**.

### Payment

The payment shall be remitted by check in the amount of **\$177,500** to the "State Water Pollution Cleanup and Abatement Account" and **\$2,500** to the "Waste Discharge Permit Fund" 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 Board's 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.

August 14, 2017

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

Sincerely,

Bruce H. Wolfe  
Executive Officer

Enclosures: ACL Order No. R2-2017-1023

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](mailto:John.Madigan@waterboards.ca.gov)  
Ken Greenberg, U.S. EPA, [Greenberg.Ken@epa.gov](mailto:Greenberg.Ken@epa.gov)  
Nicole E. Granquist, Downey Brand LLP, [ngranquist@downeybrand.com](mailto:ngranquist@downeybrand.com)  
Sam Barket, Lehigh's Environmental Manager, [Sam.Barket@lehighhanson.com](mailto:Sam.Barket@lehighhanson.com)