

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 \$375,000 (i.e., \$315,000 discretionary penalties and \$60,000 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 improperly discharged stormwater in violation of its permit and violated permit effluent limits and CDO interim effluent limits on multiple occasions in 2016.

The proposed settlement would allow \$195,000 to be put towards a Supplemental Environmental Project (SEP). The beneficiary of the SEP would be the San Francisco Bay Regional Monitoring Program, specifically for Harmful algae Bloom Investigation in San Francisco Bay.

The proposed Settlement Agreement and Stipulated Order are available at [http://www.waterboards.ca.gov/sanfranciscobay/public\\_notices/pending\\_enforcement.shtml](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 August 11, 2017.

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

Dated: July 12, 2017