

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
UNAUTHORIZED CHLORINATED WATER DISCHARGE
CUPERTINO, 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 proposed Settlement Agreement and Stipulated Order (proposed settlement order). The proposed settlement order imposes an administrative civil liability against the Discharger in the amount of \$60,000, for alleged two separate unauthorized discharges of chlorinated water to waters of the United States.

The proposed liability is based on allegations that the Discharger violated California Water Code section 13376 and Federal Clean Water Act section 301 in March 2020 and January 2021.

The proposed settlement includes that the Discharger agrees to implement a *Selenium Fish Tissue Monitoring Study* for Guadalupe Creek and a second creek (either Calabazas Creek or Stevens Creek) in Santa Clara County.

The proposed settlement order is available at https://www.waterboards.ca.gov/sanfranciscobay/public_notices/pending_enforcement.html#ACL. Persons may comment on the proposed settlement order by submitting written comments no later than 5:00 p.m. on April 28, 2021.

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

Dated: March 29, 2021