September 16, 2013
CIWQS Place ID: 273205 (DP)

Lehigh Southwest Cement Company
24001 Stevens Creek Blvd
Cupertino, CA 95014

Sent via email
ngranquist@DowneyBrand.com

c/o Downey Brand Attorneys LLP
Attn: Nicole E. Granquist

Subject: Comments on Background Monitoring Report dated March 22, 2013, Lehigh Southwest Cement Company, 24001 Stevens Creek Blvd, Santa Clara County.

Dear Ms. Granquist:

We do not concur with the recommendations in the Background Monitoring Report that Lehigh Southwest Cement Company (Lehigh) submitted in response to Order No. R2-2013-1005 (amended as R2-2013-1005-A1 (Order)). While the recommendations rely on sampling results for some trace metals and general water chemistry parameters that were "not detected", the analytical laboratory reporting limits are higher than acceptable. At least one more sampling event is required to comply with Directive 6 of the Order, substituting the 2013 calendar dates with 2014 calendar dates.

Attached to this letter are two tables that may assist Lehigh in achieving acceptable reporting limits (RLs) for trace metals (Table 1) and general water quality parameters (Table 2). The tables compare Lehigh's practical quantification limits (PQLs) to the reporting limits used for the Surface Water Ambient Monitoring Program (SWAMP) and, for some analytes, other applicable requirements. Lehigh should work with its analytical laboratory to achieve reporting limits for the next sampling event as follows (in order of preference):

(1) Use analytical methods and RLs specified for SWAMP

(2) If not specified for SWAMP, use an analytical method to achieve RLs consistent with the most stringent available in the State Implementation Policy (SIP). If not specified in the SIP, then use detection limits that can achieve, at a minimum, applicable water quality objectives (WQOs) or thresholds, or that the reported concentrations are low enough to characterize water quality in the creek (detect pollutant concentrations at lowest detection limit that can be achieved), whichever is lower.

(3) Recommend an alternative analytical method to achieve the desired RLs.

(4) Report concentrations as estimated values, between the RLs and the detection limits for the analytical method.

After we receive the results for the next sampling event, we will evaluate the need for additional sampling and whether Wild Violet Creek is a suitable location for monitoring background water quality. If you have any questions regarding this letter, please contact Brian Thompson at phone number (510) 622-2422 or by email at brthompson@waterboards.ca.gov.

Sincerely,

Dyan C. Whyte
Assistant Executive Officer

Attachments: Table 1: Summary of Trace Metal Reporting Expectations
Table 2: Summary of General Water Chemistry Reporting Expectations

Copy to: Lehigh Interested Parties List

Table 1. Summary of Trace Metal Reporting Limits

Analytes	Lehigh's Methods	Lehigh's PQLs (µg/L)	SWAMP RLs (µg/L)	SIP (µg/L)	WQOs /Threshold (µg/L)
Antimony	EPA 6010	20	NA	0.5[1]	
Arsenic	EPA 7060	2	0.3		
Barium	EPA 6010	10[2]	NA	NA	
Beryllium	EPA 6010	10	NA	0.5[1]	
Cadmium	EPA 6010	10	0.01		
Chromium	EPA 6010	50	0.1		
Cobalt	EPA 6010	20	NA		
Copper	EPA 6010	100	0.01		
Lead	EPA 6010	50	0.01		
Mercury (ultra clean)	EPA 1631E	0.5 ng/L	0.002 ng/L		
Molybdenum	EPA 6010	500	NA	NA	10[3] (Agricultural Supply threshold)
Nickel	EPA 6010	100	0.02		
Selenium	EPA 7740	5	0.3		
Silver	EPA 6010	10	0.02		
Thallium	EPA 6010	400	NA	1[1]	
Vanadium	EPA 6010	500	NA	NA	100[3] (Agricultural Supply threshold)
Zinc	EPA 6010	100	0.1		

Footnotes:

[1] These are the lowest levels for determining compliance with effluent limits/water quality objectives, based on available testing methods around 1998. If these levels are not low enough to detect concentrations in the creeks, Lehigh shall propose best available methods that provide lower detection limits.

[2] For Barium, Lehigh's method seems to be adequate to detect concentrations in the creeks.

[3] Lehigh shall use the best available testing methods that either have detection limits below these thresholds, or be able to detect ambient concentrations, whichever is lower.

Table 2. Summary of General Water Chemistry Reporting Limits

Analyte	Lehigh's Methods	Lehigh's PQLs (µg/L)	SWAMP RLs (µg/L)
Bicarbonate	SM2320B	5	NA
Biochemical Oxygen Demand (BOD)	SM5210B	5	2
Carbonate	SM2320B	5	NA
Chemical Oxygen Demand (COD)	SM5220D	50	5 (titrametric)
Oil and Grease	EPA 1664	5	1.4 (HEM)
Total Dissolved Solids	SM2540C	10	10
Total Suspended Solids	SM2540D	1.0	0.5 (103-105 °C)
Turbidity	SM2130B	0.1	0.5
Bicarbonate Alkalinity as CaCO3	SM2320B	5	NA
Carbonate Alkalinity as CaCO3	SM2320B	5	NA
Hydroxide Alkalinity as CaCO3	SM2320B	5	NA
Total Alkalinity as CaCO3	SM2320B	5	1
Ammonia as NH3	SM4500NH3C	0.5	0.1
Total Kjeldahl Nitrogen	SM4500-NH3	1.0	0.5
Total Nitrogen	SM4500-N	1.0	NA
Hardness, total	SM2340B	5	1
Phosphorus, total	SM4500-P	0.1	NA
Total Settleable Solids	SM2540F	0.1	NA
Total Organic Carbon	SM5310C	0.3	0.6
Nitrate as NO3	EPA 300	1.0	NA
Chloride	EPA 300	0.5	0.25
Fluoride	EPA 300	0.1	0.123
Nitrate as N	EPA 300	0.2	0.01
Nitrite as N	EPA 300	0.2	0.01
Sulfate as SO4	EPA 300	0.5	1.0
Calcium	EPA 200.7	1.0	0.05
Magnesium	EPA 200.7	1.0	0.02
Manganese	EPA 200.7	0.02	0.01
Potassium	EPA 200.7	1.0	0.1
Sodium	EPA 200.7	1.0	0.1