



# California Regional Water Quality Control Board

## San Francisco Bay Region



Linda S. Adams  
Acting Secretary for  
Environmental Protection

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Edmund G. Brown, Jr.  
Governor

April 8, 2011  
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Distributed by e-mail

Lehigh Southwest Cement Company  
Attn. Henrik Wesseling, Plant Manager, Permanente Plant  
24001 Stevens Creek Boulevard  
Cupertino, CA 95014

**SUBJECT: Extension to deadlines from February 18, 2011, Notice of Violation; Lehigh waiting for Water Board direction before implementing required actions**

Dear Mr. Wesseling:

The February 18, 2011, Notice of Violation required Lehigh to

- Apply for coverage under the Sand and Gravel Permit by April 30, 2011,
- Complete a 2-week intensive sampling event by April 15, 2011, and
- Submit sampling results from the event to the Water Board by April 30, 2011.

We indicated in the February 18, 2011, Notice of Violation that Water Board staff would determine sampling locations before giving Lehigh the go-ahead to begin sampling. That process has been longer and more involved than we anticipated. This letter is to acknowledge that we will be giving extensions to the above-mentioned deadlines once we have finalized the sampling requirements.

We will be finalizing the sampling locations, frequency, and constituents approximately the week of April 25, 2011. We will send Lehigh an official extension letter at that time. Furthermore, because Lehigh shuts down operations the month of April, sampling must be delayed until the plant is at normal function. Thus, sampling is likely to occur in the May to June timeframe, and the extension letter will reflect those dates.

The following table documents the process we have gone through these past several weeks towards establishing the monitoring requirements:

Date	In office meeting or Inspection	Topic(s) covered
Wednesday, 3/9/11	Inspection	West Materials Storage Area, Quarry Pit, Pond 4 discharge
Tuesday, 3/15/11	Meeting	Overview discussion of NOV and moving forward to a new permit

Date	In office meeting or Inspection	Topic(s) covered
Wednesday, 3/16/11	Meeting	Map and sampling location review
Friday, 3/18/11	Inspection	Pond 13 and upstream of Pond 13, looking for rock crusher sampling locations; Road from Pond 13 to Rock Plant
Wednesday, 3/23/11	Meeting	Map and sampling location review
Friday, 3/25/11	Inspection	Rock Crusher, Rock Plant
Tuesday, 3/29/11	Inspection	Middle plant area, rail road tracks, pipe discharging unidentified non-stormwater
Monday, 4/4/11	Meeting	Summary of sampling locations noted to date, review of plumbing maps to understand source of unidentified non-stormwater
Thursday, 4/7/11	Inspection	Unidentified non-storm water discharge—confirmation of source; downstream and upstream sampling locations, Pond 4 discharge, East Materials Storage Area

We will document our inspection findings in the letter to be sent the week of April 25, 2011. This letter is to acknowledge that Lehigh is waiting on the Water Board before it can move forward with meeting the requirements of the February 18, 2011, Notice of Violation letter. If you have questions, please contact me. My phone number is (510) 622-2346, and my e-mail address is [cboschen@waterboards.ca.gov](mailto:cboschen@waterboards.ca.gov)

Sincerely,

Christine Boschen, MS  
Section Leader  
Watershed Management Division