

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
CEASE AND DESIST ORDER VIOLATIONS, UNAUTHORIZED DISCHARGES,
AND MANDATORY MINIMUM PENALTIES FOR NPDES PERMIT EFFLUENT
LIMITS VIOLATIONS
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 \$301,000 (i.e., \$250,000 discretionary penalties and \$51,000 mandatory minimum penalties) for alleged discharges in violation of CDO, unauthorized discharges, and NPDES permit effluent limits to waters of the United States.

This proposed liability is based on allegations that the Discharger violated CDO interim effluent limits, unauthorized discharges, and permit effluent limits in 2017.

The proposed settlement would allow \$158,000 to be suspended pending a Supplemental Environmental Project to fund the San Francisco Bay Regional Monitoring Program, specifically for Lower South Bay sediment transport monitoring.

The proposed Settlement Agreement and Stipulated Order are available at 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 July 23, 2018.

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

Dated: June 21, 2018