

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  
24001 Stevens Creek Boulevard, Cupertino, Santa Clara County

The California Regional Water Quality Control Board, San Francisco Bay Region (Water Board) Prosecution Team and Lehigh Southwest Cement Company have entered into a proposed Settlement Agreement and Stipulated Order. The proposed Settlement Agreement and Stipulated Order impose an administrative civil liability against the Lehigh Southwest Cement Company in the amount of \$10,000 for allegations of an unauthorized discharge of sediment-laden water to Permanente Creek in violation of the Clean Water Act and the Industrial Storm Water Permit.

The \$10,000 liability is based on an allegation that sediment-laden water was observed discharging to Permanente Creek on March 29, 2011, during a Regional Water Board inspection of the cement plant at 24001 Stevens Creek Boulevard, Cupertino. This liability is the maximum fine allowed under the California Water Code for the day the discharge was observed.

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. Comments must be received in writing no later than 5:00 p.m. on April 20, 2012. Please send comments to the attention of prosecution staff Brian Thompson. Prosecution staff will respond to comments received. Based on the comments received, the proposed Order may be adopted, modified, rejected, taken to a Board hearing for action, or retracted by the settling parties.

For additional information and updates, please contact the attorney for the prosecution, Julie Macedo at 916 323-6847 or [jmacedo@waterboards.ca.gov](mailto:jmacedo@waterboards.ca.gov), or check the Water Board website link cited above for documents and future developments associated with this matter.

Dated: March 20, 2012