



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

San Francisco Bay Regional Water Quality Control Board

June 27, 2013

CIWQS Place ID 780728 (BJT)
WDID 2 4310062677

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

c/o: Downey Brand, LLP
Attn: Ms. Nicole Granquist
621 Capitol Mall, 18th Floor
Sacramento, CA 95814

sent electronically via email:
ngranquist@DowneyBrand.com

Dear Ms. Granquist:

We have amended Investigative Order R2-2013-0005 to be consistent with the April 24, 2013, Consent Decree between Lehigh Southwest Cement Company (Lehigh) and the Sierra Club, filed in United States District Court for the Northern District of California. The Order now includes requirements to collect information that will aid Lehigh and the Sierra Club in implementing the Consent Decree. More specifically, we have modified the requirements to account for the installation of treatment systems for selenium and other constituents, creek restoration work, and remediation activities.

Please note that issuance of this amended Order does not affect Lehigh's ongoing obligation to comply with the deadlines contained in the original Investigative Order (R2-2013-0005). Except where modified, the existing requirements and legal enforceability of R2-2013-0005 are not superseded or affected by issuance of this amended Order

We are encouraged that Lehigh has agreed to perform extensive creek restoration in Permanente Creek and improve the quality of its wastewater discharge, including the treatment of selenium, as part of the Consent Decree.

If you have any questions or comments, please contact Brian Thompson at brthompson@waterboards.ca.gov or 510 622-2422.

Sincerely,

for: Dyan Whyte
Assistant Executive Officer

JOHN MULLER, CHAIR | BRUCE H. WOLFE, EXECUTIVE OFFICER

1515 Clay St., Suite 1400, Oakland, CA 94612 | www.waterboards.ca.gov/sanfranciscobay

- Enclosures:
- 13267 Investigative Order No. R2-2013-0005-A1
 - Fact Sheet – Requirements for Submitting Technical Reports Under Section 13267 of the Water Code
 - Interested Party Mailing List