Attachment 1
February 10, 2010
Inspection Findings, Violations, and Corrective Actions

Industrial Storm Water Inspection Report

Permittee: Lehigh Southwest Cement, Co. (formerly Hanson Permanente Cement)	WDID No. **2 43I006267**	Date: 2/10/2010
Facility: Lehigh Southwest Cement, Co.	SIC Code: 3241 – Cement, Hydraulic	Receiving Water: Permanente Creek
Facility Address: 24001 Stevens Creek Boulevard; Cupertino (Santa Clara County), California		
Facility Representative(s)/Title(s): Scott Renfrew (Environmental Manager, Lehigh Southwest Cement, Co.), Wilbur Green (Environmental Engineer, Lehigh Southwest Cement, Co.), Henrik Wesseling (Plant Manager, Lehigh Southwest Cement, Co.)		
Additional persons present: None	Inspector(s): Scott Coulson (PG Environmental, LLC)	

Inspection Findings, Violations, and Corrective Actions

On February 10, 2010, a U.S. Environmental Protection Agency (EPA) contractor, PG Environmental, LLC (hereafter, EPA Contract Inspector) conducted an industrial storm water inspection of the above-referenced facility (hereafter, the Facility). The EPA Contract Inspector held a closing conference at the conclusion of the inspection. During the closing conference, the EPA Contract Inspector reviewed the preliminary inspection findings with the Facility Representatives. Pursuant to all provisions of the California State Water Resources Control Board (SWRCB) Order No. 97-03-DWQ, National Pollutant Discharge Elimination System (NPDES), General Permit No. CAS000001 for Discharges of Storm Water Associated with Industrial Activities (the Permit), the findings listed below must be corrected.

The inspection results were forwarded to the San Francisco Bay Regional Water Quality Control Board for its staff to consider and act upon; Water Board staff has edited this inspection report to specifically call out violations, corrective actions, and due dates. Please note that Water Board staff has left the findings of the Contract Inspector, described below, intact.

Records Review

Section A.1 of the Permit requires all dischargers to develop and implement a Storm Water Pollution Prevention Plan (SWPPP). Per Section A.10.c of the Permit, the SWPPP must be revised and implemented prior to changes in industrial activities that

- May significantly increase the quantities of pollutants in storm water discharge,
- Cause a new area of industrial activity at the facility to be exposed to storm water, or
- Begin an industrial activity which would introduce a new pollutant source at the facility.

VIOLATION
Inadequate site map

REQUIRED CORRECTIVE ACTION
By April 15, 2010, update site maps to clearly identify all structural control measures, authorized non-storm water discharges, and run-on.

Provide a paper and electronic copy to the Regional Water Board.

1. A copy of the SWPPP, last revised in June 2009 and denoted SWPPP 14, was retained onsite as required by Section A.10.a of the Permit. The SWPPP was reviewed during the inspection and found to be inadequate for the following reason:

The Site Map did not clearly identify all structural control measures that affect storm water discharges, authorized non-storm water discharges, and run-on, as required by Section A.4.b of the Permit. SWPPP 14 states "Figure 3 shows the main drainage areas,

flow patterns within drainage areas, settlement ponds, and discharge locations into the Permanente Creek within the Lehigh Southwest Cement Company property boundary."

However, none of the SWPPP 14 Site Maps (denoted Figures 1—6 of SWPPP 14) include the structural control measures or drainage collection and conveyance system associated with the reuse of onsite storm water runoff and non-storm water sources in the eastern portion of the site. During the inspection, Mr. Scott Renfrew (hereafter, the Environmental Manager) explained the current conditions of the eastern portion to include the following:

- A closed system of water recycling allows water to be reused in the industrial process (e.g., gas conditioning tower, washing aggregate, dust suppression, etc.).
- Drainage inlets and overland flow in the eastern portion of the site are directed to a lift station referred to as "Pearl Harbor" (see attached Photographs 2 and 3), which pumps the water to a man-made pond referred to as the "Lake" (see attached Photographs 4 and 5), which gravity feeds a de-commissioned thickener unit that is used as a holding tank for recycled water (see attached Photograph 6).
- The recycled water system is operated to use water in the dry season, draw down the level of the "Lake," and create capacity for winter storms.

Because none of the SWPPP 14 Site Maps (denoted Figures 1—6) include the structural control measures associated with the recycled water system, the Facility is in violation. To come into compliance, the Facility must update the Site Map to clearly identify all structural control measures that affect storm water discharges.

VIOLATION
Inadequate and non-representative sampling locations

REQUIRED CORRECTIVE ACTIONS
By May 15, 2010, complete a water balance survey of all existing plumbing and drainage flows at the Facility, and update the engineering plans and documents to depict the current plumbing systems and drainage flows on the Facility property. The water balance survey and documentation must address all water onsite, including storm water, process water, and waste water.

Provide a paper and electronic copy of the water balance survey to the Regional Water Board.

Based on the results of the above-described survey, revise storm water sampling locations, and update Facility maps and monitoring plan accordingly. Provide a paper and electronic copy of all related documents to the Regional Water Board.

2. The Permittee's Monitoring Program was not in accordance with the sampling location requirements specified by Section B.7 of the Permit. Specifically, the sample collection location denoted SL-21-PD at the outlet of Pond 17 was not representative of the quality and quantity of the facility's storm water discharges from Pond 17.

Rather than collecting the sample at the outfall pipe to Permanente Creek (see attached Photograph 16), Figure 4 of SWPPP 14, Storm water Sampling Locations, indicates that the SL-21-PD sample is collected at the outlet of Pond 17 (see attached Photograph 12). Due to the existence of a complex plumbing configuration down-gradient of the Pond 17 outlet, the SL-21-PD sample collection location was not representative of the quality and quantity of the discharge from Pond 17.

The plumbing configuration down-gradient of the Pond 17 outlet includes an open vault with a sump pump (see attached Photograph 15), and several pipes (see attached Photographs 14 and 16). The Environmental Manager could not explain what the pipes and sump pump are used for. However, the sump pump had the ability to affect the quantity of the facility's storm water discharges from Pond 17. As

a result, the SL-21-PD sample collection location did not meet the requirements specified in Section B.7 of the Permit. The Permittee must identify and collect samples from locations that represent all drainage areas, and the quality and quantity of the facility's storm water discharges.

Facility Inspection

All Best Management Practices (BMPs) mentioned in the following findings must be selected, installed, implemented and maintained according to Best Available Technology Economically Achievable (BAT) and Best Conventional Pollutant Control Technology (BCT) to reduce or prevent pollutants associated with industrial activity in storm water discharges as required by Effluent Limitation B.3 of the Permit.

VIOLATION
Observed discharge of pollutants to waters of the state

REQUIRED CORRECTIVE ACTIONS
By April 15, 2010, select, install, implement, and maintain BMPs to meet BAT and BCT to eliminate discharge of pollutants from Pond 17 into Permanente Creek.

In order to come into compliance, you may need to implement temporary BMPs and later come back in and implement more permanent measures.

Revise the Facility's SWPPP to document updates, and submit a paper and electronic copy to the Regional Water Board.

3. A visible discharge of pollutants (i.e., sediment and/or other pollutants) into Permanente Creek was observed during the inspection, as described below. Adequate BMPs were not implemented to prevent the discharge of pollutants from Pond 17 located in the southeast portion of the site, down-gradient of the Rock Plant.

Pollutants were being actively conveyed from the Rock Plant (see attached Photographs 7 and 8) to the Pond 17 inlet. Pollutant accumulation was present along the entire inlet portion of Pond 17, including evidence of a high flow event that had caused the inlet check dams to breach (see attached Photograph 9).

Moreover, pollutant-laden flow was observed passing over the outlet weir section (see attached Photographs 10 and 11) and through the outlet pipe (see attached Photographs 12 and 13). As specified in Figure 2 of SWPPP 14, the Pond 17 outlet is connected to an outfall to Permanente Creek below Dinky Shed Basin. The Pond 17 outlet flows to a drainage vault (see attached Photographs 14 and 15), which then discharges at the outfall to Permanente Creek. Pollutant-laden flow was observed at the outfall (see attached Photograph 16), and in the Permanente Creek receiving water (see attached Photograph 17 through 19).

As a result, there was an active pollutant-laden discharge during the inspection. Because Pond 17 was not functioning as an adequate BMP for pollutant removal, either the pond must be modified to provide additional filtering and settling of pollutants, or adequate BMPs must be implemented for the pollutant generating sources at the Rock Plant to reduce pollutant conveyance to the pond, and prevent the subsequent discharge of pollutants to Permanente Creek.

VIOLATION
Potential discharge of pollutants to waters of the state

REQUIRED CORRECTIVE ACTIONS
By April 15, 2010, select, install, implement, and maintain BMPs to meet BAT and BCT to eliminate discharge of pollutants from Drainage Area D and Pond 9 into Permanente Creek.

Please note that restrictions imposed by regulatory agencies for the dredging of these or other ponds does not prevent the facility from selecting, implementing, and maintaining appropriate and effective BMPs. In order to come into compliance, you may need to implement temporary BMPs and later come back in and implement more permanent measures.

Revise the Facility's SWPPP to document updates, and submit a paper and electronic copy to the Regional Water Board.

4. The EPA Contract Inspector observed, during the inspection, that the Pond 9 BMP was not adequately inspected and maintained to prevent the discharge of sediment from the up-gradient sediment generating sources in Drainage Area D to Permanente Creek. Table 6-1 of SWPPP 14 shows that the contributing area for Pond 9 is Drainage Area D, which includes the Rock Plant Road.

Sediment accumulation was present at the southwestern inlet to Pond 9, and sediment was being actively conveyed from the Rock Plant Road to the southwestern inlet to Pond 9 (see attached Photographs 20 and 21). Sediment-laden water was present in Pond 9, and erosion was observed at the northeastern inlet which lacked flow dissipation BMPs (see attached Photograph 22). As specified in Figure 2 of SWPPP 14, the Pond 9 outlet is connected to an outfall to Permanente Creek, denoted as the SL-17 PD sample collection location (see attached Photographs 23 and 24).

The Environmental Manager explained that maintenance of Pond 9 had been restricted by regulatory agency actions in the past, but maintenance of Pond 9 was re-instituted in 2007. As a result of the sediment accumulation and sediment-laden water present in Pond 9, there was a potential for the discharge of sediment to Permanente Creek. BMPs must be adequately inspected and maintained to reduce sediment conveyance to the pond from the sediment generating sources in Drainage Area D, and prevent the subsequent discharge of sediment to Permanente Creek.

VIOLATION
Inadequate source control BMPs; slope erosion

REQUIRED CORRECTIVE ACTIONS
By April 15, 2010, select, install, implement, and maintain BMPs to meet BAT and BCT to provide sufficient source control in Drainage Area D. In order to come into compliance, you may need to implement temporary BMPs and later come back in and implement more permanent measures.

Revise the Facility's SWPPP to document updates, and submit a paper and electronic copy to the Regional Water Board.

5. The EPA Contract Inspector observed, during the inspection, that BMPs were not adequately inspected and maintained to prevent the discharge of sediment from a series of sediment traps located along Rock Plant Road. Table 6-1 and Figure 3 of SWPPP 14 shows that this portion of the Rock Plant Road is located in Drainage Area D, which drains to Pond 9.

Evidence of slope erosion was observed at an area known as the Rock Pile, including gulley formation on the Rock Pile slope (see attached Photograph 26). Sediment accumulation in the sediment trap at the

base of the Rock Pile was nearing the capacity of the BMP (see attached Photograph 27). Subsequent down-gradient sediment traps along Rock Plant Road were also nearing capacity due to sediment accumulation (see attached Photographs 28 and 29). Sediment-laden flow was observed bypassing the sediment trap BMPs and flowing down the roadway (see attached Photograph 29), potentially contributing to the sediment loading in Pond 9 (as described in Finding 4, above).

The Environmental Manager indicated that the Permittee does not have a structured schedule for inspection and maintenance of structural BMPs such as Pond 9 and the sediment traps. Because the sediment trap BMPs and Pond 9 had not been adequately inspected and maintained, there was a potential for the discharge of sediment beyond Pond 9 to Permanente Creek. BMPs must be adequately selected, installed, inspected, and maintained to reduce sediment conveyance to the pond from the sediment generating sources in Drainage Area D, and prevent the subsequent discharge of sediment to Permanente Creek.

VIOLATION
Inadequate source control BMPs; slope erosion

REQUIRED CORRECTIVE ACTIONS
By April 15, 2010, select, install, implement, and maintain BMPs to meet BAT and BCT to provide sufficient source control on slope northwest of Pond 13B.

In order to come into compliance, you may need to implement temporary BMPs and later come back in and implement more permanent measures.

Revise the Facility's SWPPP to document updates, and submit a paper and electronic copy to the Regional Water Board.

6. The EPA Contract Inspector observed, during the inspection, that adequate BMPs were not implemented to prevent the discharge of sediment from a disturbed slope located northwest of Pond 13B. Evidence of slope erosion and concentrated flow was observed northwest of Pond 13B, including gulley formation (see attached Photographs 30 and 31). A shelf at the toe of the slope would prevent flow from entering Pond 13B; instead directing flow events toward Pond 13, an instream sediment control pond (see attached Photographs 30 through 33).

As specified in Figure 2 of SWPPP 14, a drainage conveyance is installed on this slope with the intent of directing flow from the Primary Crusher area to Pond 13A, which is located further northeast of the subject ponds. The gulley formation on the disturbed slope indicates that flow had bypassed the intended route along the drainage conveyance. The Environmental Manager indicated that this drainage conveyance was in need of repairs.

As a result, there was a potential for concentrated flow from the disturbed slope to be conveyed along the shelf at the toe of the slope, and the subsequent discharge of sediment to Permanente Creek at the instream sediment control pond denoted Pond 13 (see attached Photograph 34). Adequate BMPs must be implemented to prevent the discharge of sediment from the disturbed slope to Permanente Creek at the instream sediment control pond denoted Pond 13.

VIOLATION
Inadequate Material Handling and Storage BMPs at vehicle and equipment maintenance shop in northeast corner of Rock Plant

REQUIRED CORRECTIVE ACTIONS
By April 15, 2010, select, implement, and maintain adequate material handling and storage BMPs.
Identify all non-storm water discharges.
Eliminate prohibited non-storm water discharges.

Revise the Facility's SWPPP to document updates, and submit a paper and electronic copy to the Regional Water Board.

Implement BMPs as described in revised SWPPP.

7. The EPA Contract Inspector observed, during the inspection, that adequate Material Handling and Storage BMPs were not implemented to minimize exposure of significant materials to storm water at the vehicle and equipment maintenance shop located in the northeast corner of the Rock Plant (see attached Photograph 35). Automotive lubricants and other chemicals were stored in standing water at the chemical storage area (see attached Photographs 36 through 39).

Standing water has the potential to increase storm water contact with pollutants, particularly during loading and unloading operations. As a result, there was a potential for the contribution of pollutants to storm water. Section A.8.a.iv of the Permit requires Facility operators to consider implementation of material handling and storage BMPs to minimize exposure of significant materials to storm water. Adequate BMPs must be implemented to minimize exposure of pollutants to storm water at the vehicle and equipment maintenance shop located at the Rock Plant.

VIOLATIONS
Inadequate Material Handling and Storage BMPs at vehicle and equipment wash bay;
Discharge of prohibited non-storm water discharges;
Failure to identify non-storm water discharges;
Failure to implement SWPPP

REQUIRED CORRECTIVE ACTIONS
By April 15, 2010, select, implement, and maintain adequate material handling and storage BMPs.
Identify all non-storm water discharges.
Eliminate prohibited non-storm water discharges.

Revise the Facility's SWPPP to document updates, and submit a paper and electronic copy to the Regional Water Board.

Implement SWPPP as updated per above-stated corrective actions.

8. The EPA Contract Inspector observed, during the inspection, that adequate Material Handling and Storage BMPs were not implemented to minimize exposure of significant materials to storm water and non-storm water sources at the vehicle and equipment wash bay located in the northeast corner of the Rock Plant. Vehicle and equipment wash water and associated pollutants were actively flowing into an oil skimmer unit located outside the wash bay (see attached Photographs 35 and 41).

In an e-mail dated February 24, 2010, The Environmental Manager stated that "the SOP to keep the area free of oily residue will allow for water to be discharged after inspection for oil sheen or other contaminants…water will be filtered prior to discharge" (see attached Exhibits 1 and 2). However, non-storm water discharges that do not meet the conditions provided in Special Conditions D.1 of the Permit (e.g., vehicle and equipment wash water) are prohibited under Discharge Prohibition A.1 of the Permit. Furthermore, Section A.6.a.v of the Permit requires the investigation and identification of all non-storm water discharges and their sources.

Section 4.4 of SWPPP 14 did not identify the vehicle and equipment wash bay as a potential non-storm water pollutant source. Table 5-2 of SWPPP 14 specifies "do not permit wash water to…runoff onto ground surface…recycle wash water," but this BMP had not been adequately implemented onsite (see attached Photographs 35 and 41). Oily residues were present throughout the area adjacent to the skimmer (see attached Photographs 42 through 44).

As a result of the Permittee's SOP described in an e-mail dated February 24, 2010, there was a potential for wash water and associated pollutants "to be discharged after inspection for oil sheen or other contaminants." The SWPPP must be updated to identify the wash bay as a potential non-storm water pollutant source. Moreover, non-storm water discharges that do not meet the conditions provided in Special Conditions D are prohibited under Section A.6.a.v of the Permit. If the discharge of wash water occurs as indicated in the Permittee's SOP (described in the e-mail dated February 24, 2010), the unauthorized non-storm water discharge must either be eliminated or a separate permit must be obtained.

VIOLATION
Inadequate Material Handling and Storage BMPs for containment of cleaning materials at vehicle and equipment washing area near Pearl Harbor Lift Station

REQUIRED CORRECTIVE ACTIONS
By April 15, 2010, select, implement, and maintain adequate material handling and storage BMPs.

Revise the Facility's SWPPP to document updates, and submit a paper and electronic copy to the Regional Water Board.

9. The EPA Contract Inspector observed, during the inspection, that adequate Material Handling and Storage BMPs were not implemented to minimize exposure of cleaning materials to storm water and non-storm water sources at the vehicle and equipment washing area located near the Pearl Harbor lift station in the eastern portion of the cement plant (see attached Photograph 45).

The Environmental Manager indicated that the area is used for washing equipment such as trucks and street sweepers, and the wash water drains to the Pearl Harbor lift station. This drainage connection was not confirmed during the inspection. A drum of acidic descaler was stored in standing water at the vehicle and equipment washing area (see attached Photographs 46 and 47). Standing water has the potential to increase storm water contact with pollutants.

Additionally, a second drum containing acidic descaler residues was stored without the drum bung intact (see attached Photographs 46 and 48). As a result, there was a potential for the contribution of pollutants to storm water. Section A.8.a.iv requires Facility operators to consider implementation of material handling and storage BMPs to minimize exposure of materials to storm water. Adequate BMPs must be implemented to minimize exposure of pollutants to storm water at the vehicle and equipment washing area located in the eastern portion of the cement plant.

VIOLATION
Inadequate Material Handling and Storage BMPs at heavy equipment maintenance pad east of active quarry pit

REQUIRED CORRECTIVE ACTIONS
By April 15, 2010, select, implement, and maintain adequate material handling and storage BMPs.

Revise the Facility's SWPPP to document updates, and submit a paper and electronic copy to the Regional Water Board.

10. The EPA Contract Inspector observed, during the inspection, that adequate Material Handling and Storage BMPs were not implemented to minimize exposure of significant materials to storm water at the heavy equipment maintenance pad located east of the active quarry pit near the Quarry Office (see attached Photograph 49).

In an e-mail dated February 24, 2010, The Environmental Manager stated that "the SOP to keep the area free of oily residue will allow for water to be discharged after inspection for oil sheen or other contaminants…water will be filtered prior to discharge" (see attached Exhibits 1 and 2). However, standing water was present on the concrete maintenance pad and the pad was nearing capacity (see attached Photographs 49 and 55). Standing water has the potential to increase storm water contact with pollutants, particularly after maintenance activities occurring on the concrete pad.

Full drums of petroleum-based automotive lubricants were stored in standing water at the concrete pad (see attached Photographs 50 through 52). In addition, an open waste container used for hazardous wastes (e.g., oil soaked rags, etc.) had accumulated standing water inside (see attached Photographs 53 and 54). As a result of these material storage practices and the standing water near the capacity of the concrete pad (see attached Photographs 49 and 55), there was a potential for the contribution of pollutants to storm water and the subsequent release of pollutants from the concrete pad.

Section A.8.a.ii of the Permit requires Facility operators to consider implementation of preventative maintenance BMPs for regular inspection and maintenance of structural storm water controls (e.g., concrete maintenance pads). Adequate BMPs must be implemented to minimize exposure of pollutants to storm water at the concrete maintenance pad located east of the active quarry pit near the Quarry Office.

VIOLATION
Incorrectly installed and maintained dirt road and active erosion located approximately 0.5 miles southeast of West Material Storage Area

REQUIRED CORRECTIVE ACTIONS
By April 15, 2010, install erosion control BMPs to protect road and associated cut and fill slopes from erosion. In order to come into compliance, you may need to implement temporary BMPs and later come back in and implement more permanent measures.

Revise the Facility's SWPPP to document updates, and submit a paper and electronic copy to the Regional Water Board.

11. The EPA Contract Inspector observed, during the inspection, that adequate BMPs were not implemented to prevent the discharge of sediment from the unstabilized Upper Quarry Road, roadway shoulder, and associated cut and fill slopes located approximately 0.5 miles southeast of the West Material Storage Area (see attached Photograph 56).

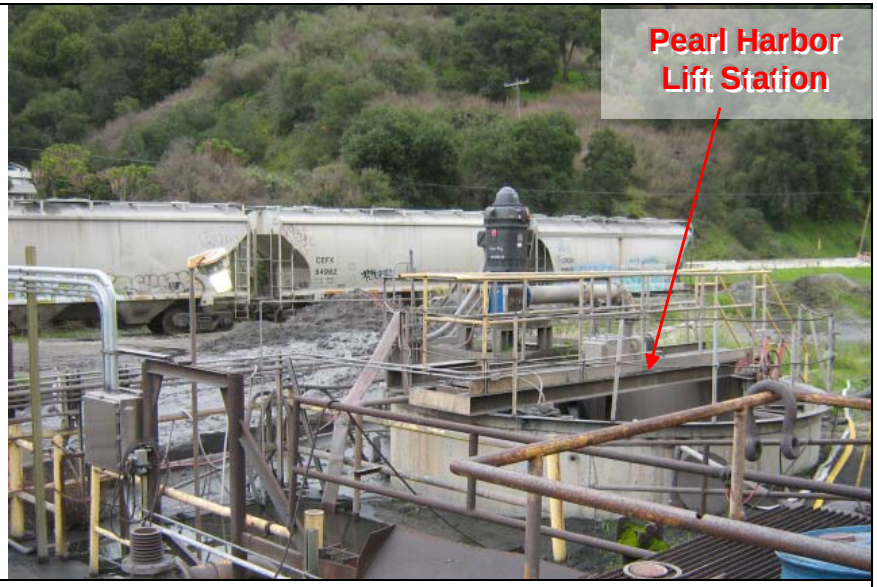
The slope near the intersection of Upper Quarry Road and an access road leading northeast, showed erosion, including gulley formation (see attached Photographs 56 and 57), fine sediment accumulation at the toe of the slope (see attached Photograph 58), and slope failure (see attached Photograph 59).

In addition, flow dissipation BMPs had not been implemented in the roadway drainage ditches, and erosive flow was observed running down the surface of Upper Quarry Road without proper grade to direct flows into the drainage ditches (see attached Photographs 60 through 62). As a result, there was a potential for the discharge of sediment to the active Quarry Pit. Furthermore, the unstabilized Upper Quarry Road, roadway shoulder, and associated cut and fill slopes are a potential source of the elevated total suspended solids results (47,200 mg/L) at the SL-6-RD sample location on January 18, 2010. Adequate BMPs must be implemented to prevent the discharge of sediment from the unstabilized Upper Quarry Road, roadway shoulder, and associated cut and fill slopes to the active Quarry Pit.

Attachment 2
February 10, 2010
Inspection Photo Log

Site Photographs	Lehigh Southwest Cement, Co. Lehigh Southwest Cement, Co. Santa Clara County California	Photograph date: 2/10/2010

Photograph 1 – Facility entrance sign.



Photograph 2 – Lift station referred to as "Pearl Harbor."

Photograph 3 – View of collected water in the Pearl Harbor lift station.

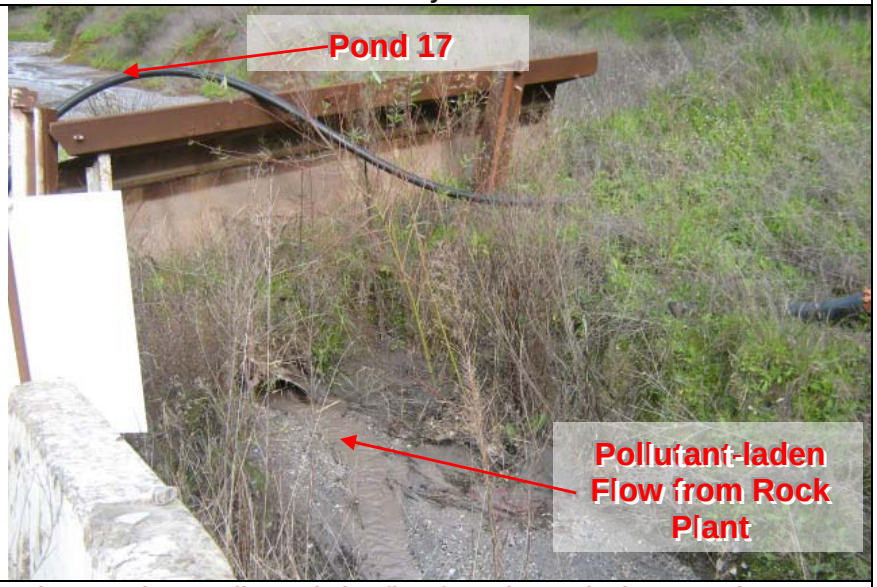
Photograph 4 – Man-made pond referred to as the "Lake."

Site Photographs	Lehigh Southwest Cement, Co. Lehigh Southwest Cement, Co. Santa Clara County California	Photograph date: 2/10/2010

Photograph 5 – View of the "Lake" showing influent line from Pearl Harbor lift station.

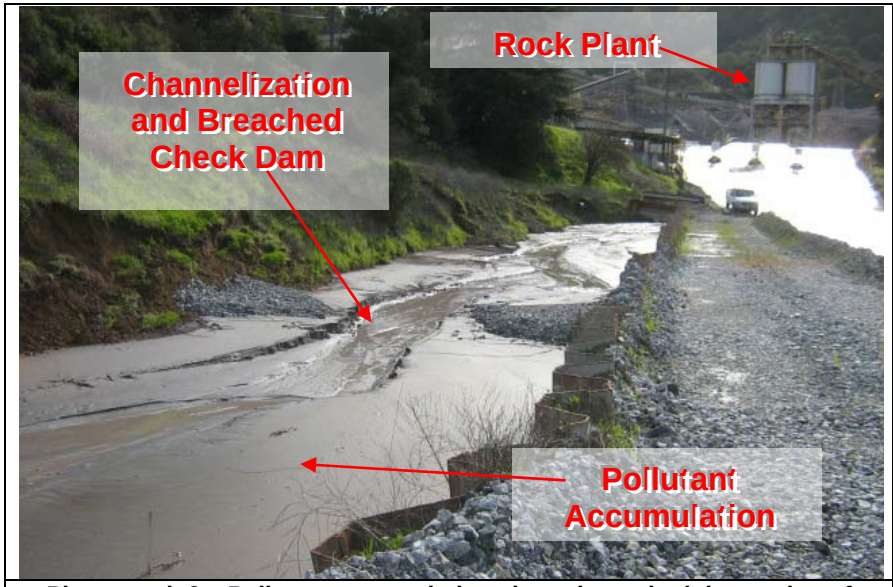
Photograph 6 – De-commissioned thickener unit that is used as a holding tank for recycled water.

Photograph 7 – View of Rock Plant, contributing area to Pond 17.

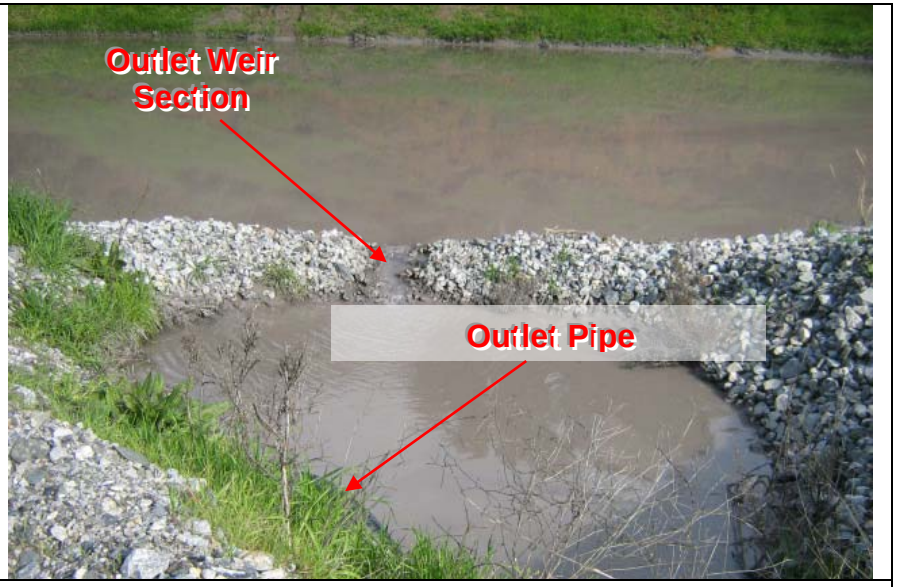


Photograph 8 – Pollutant-laden flow from the Rock Plant near the SL-20-RD sampling point.

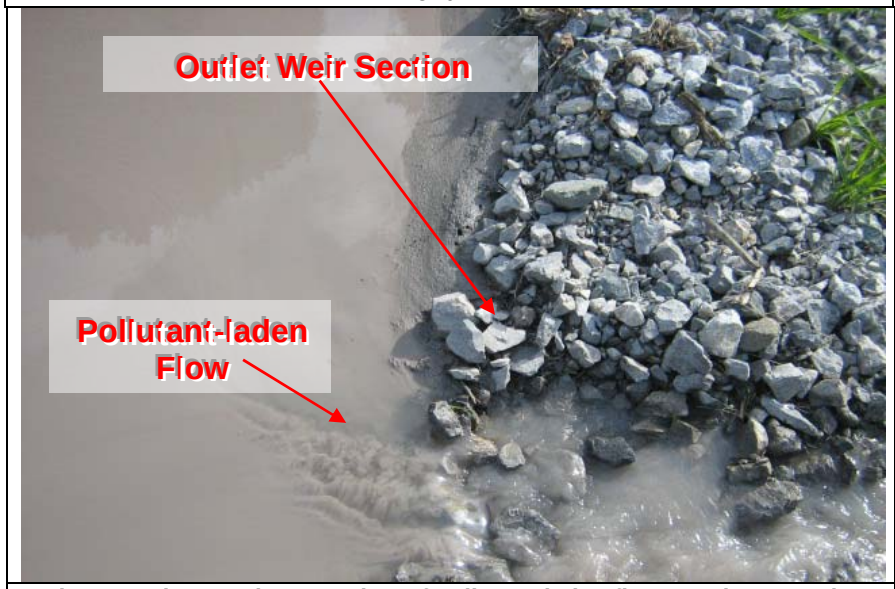
Site Photographs	Lehigh Southwest Cement, Co. Lehigh Southwest Cement, Co. Santa Clara County California	Photograph date: 2/10/2010



Photograph 9 – Pollutant accumulation along the entire inlet portion of Pond 17.



Photograph 10 – Pollutant-laden water in Pond 17.

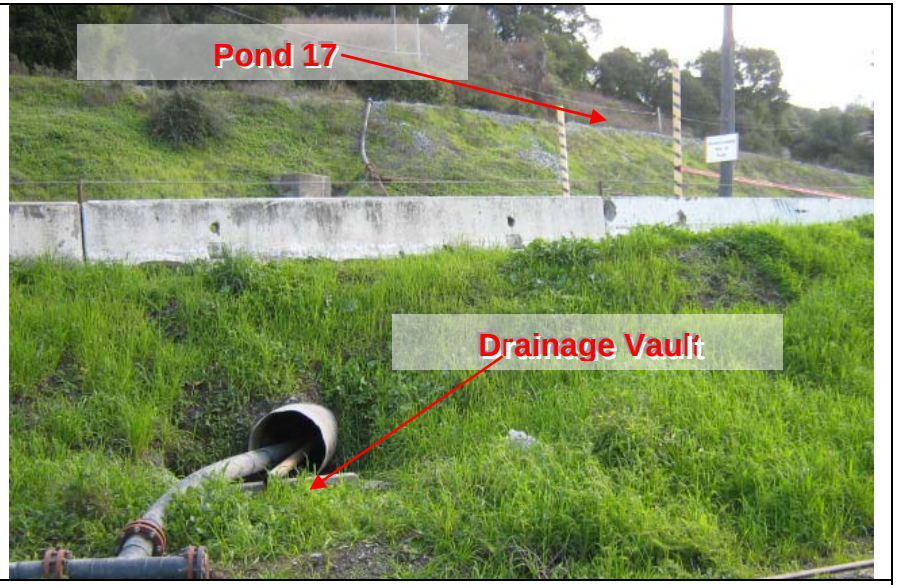


Photograph 11 – Close-up view of pollutant-laden flow passing over the weir.

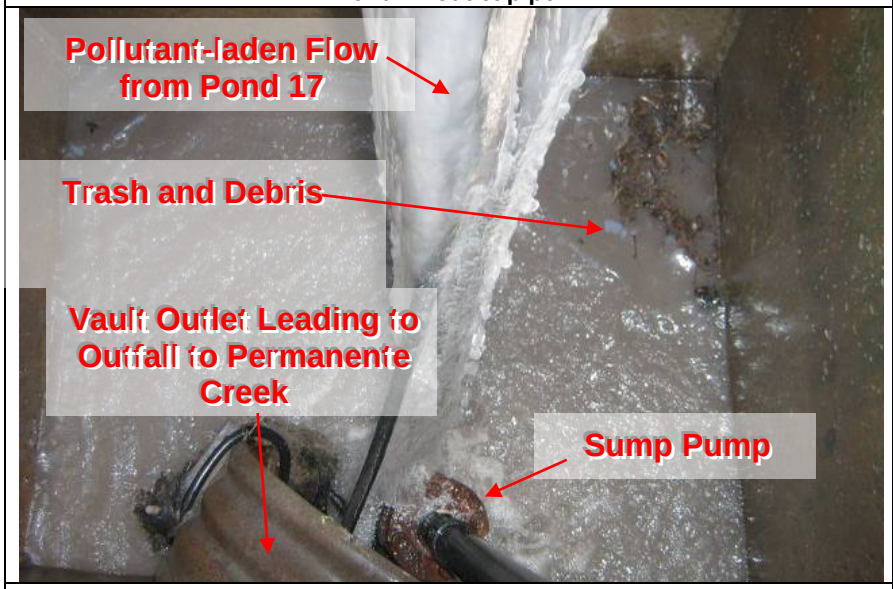
Photograph 12 – Pollutant-laden flow passing through the Pond 17 outlet pipe.

Site Photographs	Lehigh Southwest Cement, Co. Lehigh Southwest Cement, Co. Santa Clara County California	Photograph date: 2/10/2010

Photograph 13 – Close-up view of pollutant-laden flow passing through the Pond 17 outlet pipe.



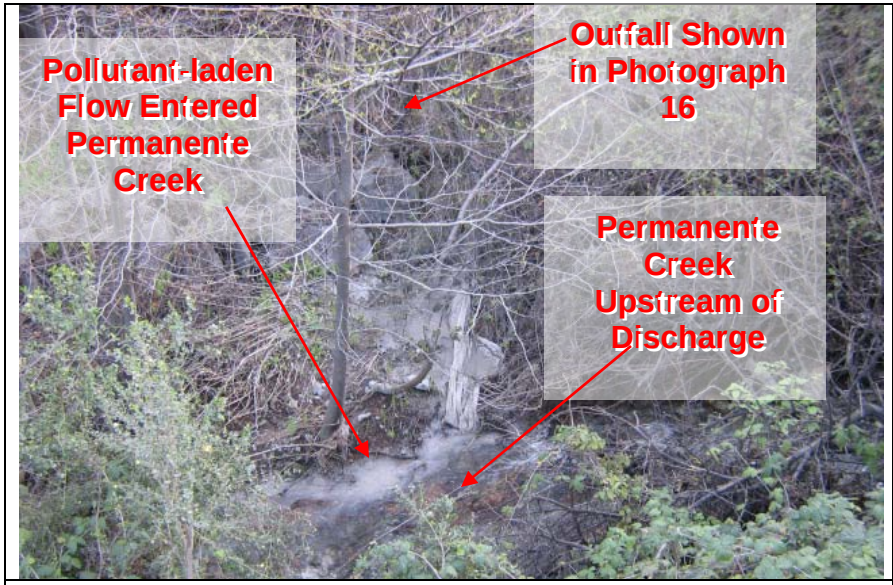
Photograph 14 – The Pond 17 outlet flows to a drainage vault at the toe of the slope.



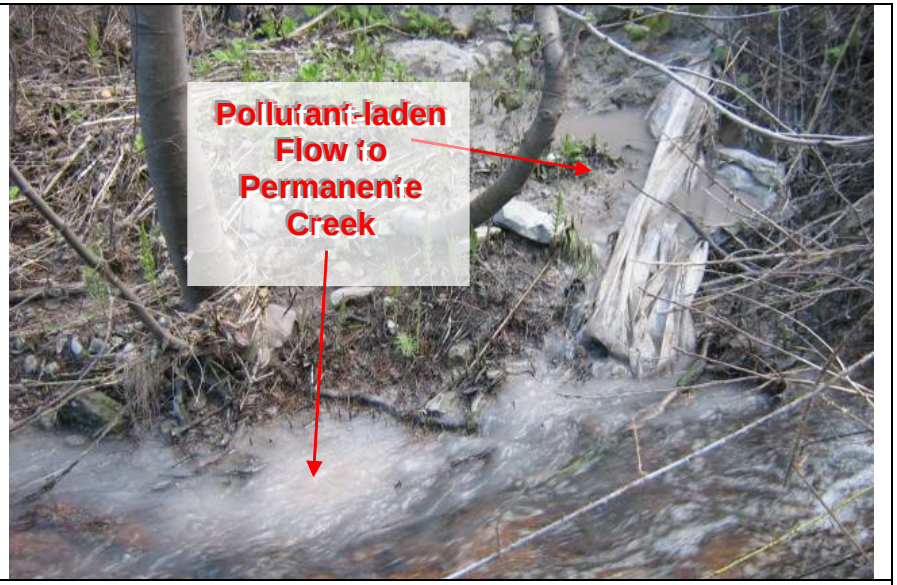
Photograph 15 – Drainage vault at the toe of the slope.

Photograph 16 – Outfall to Permanente Creek, down-gradient of vault and Pond 17.

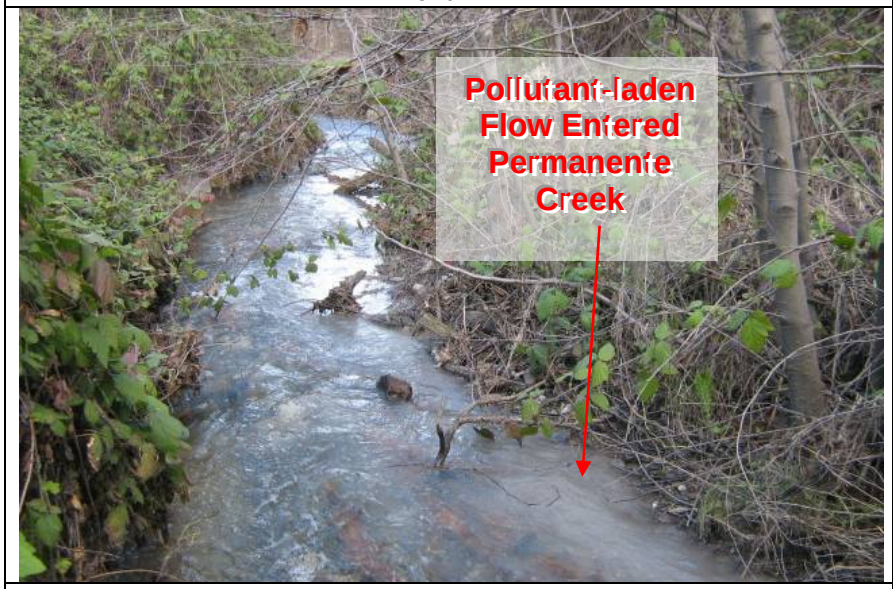
Site Photographs	Lehigh Southwest Cement, Co. Lehigh Southwest Cement, Co. Santa Clara County California	Photograph date: 2/10/2010



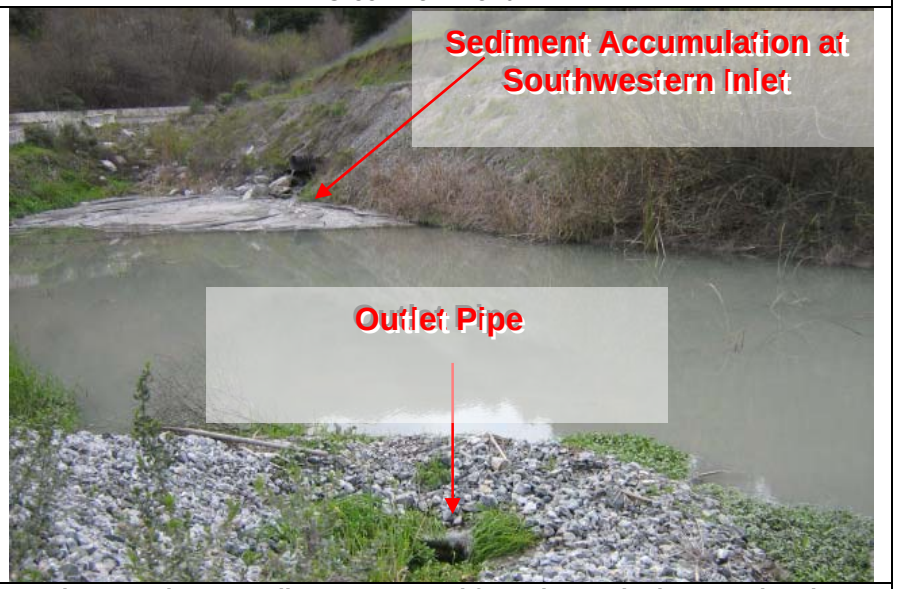
Photograph 17 – Pollutant-laden discharge to Permanente Creek from Pond 17.



Photograph 18 – Close-up view of pollutant-laden discharge to Permanente Creek from Pond 17.

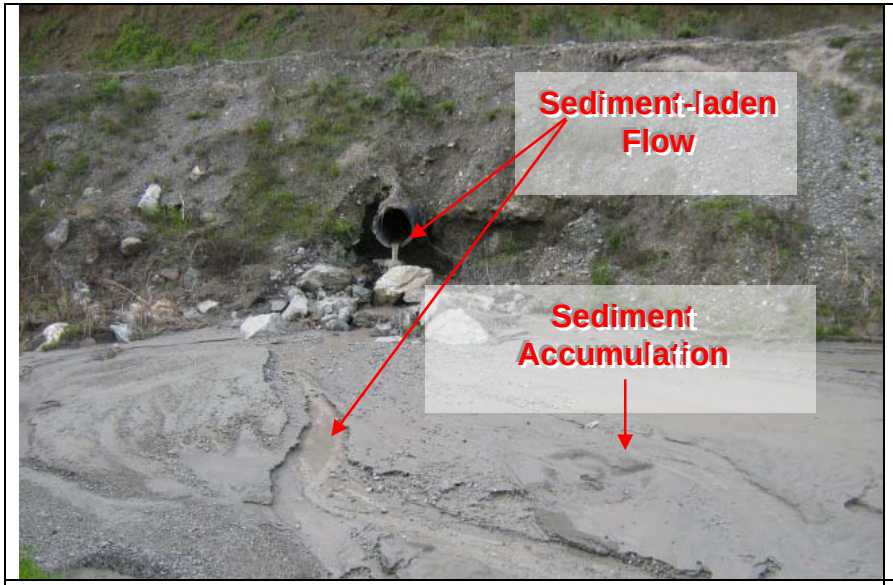


Photograph 19 – View downstream along Permanente Creek.

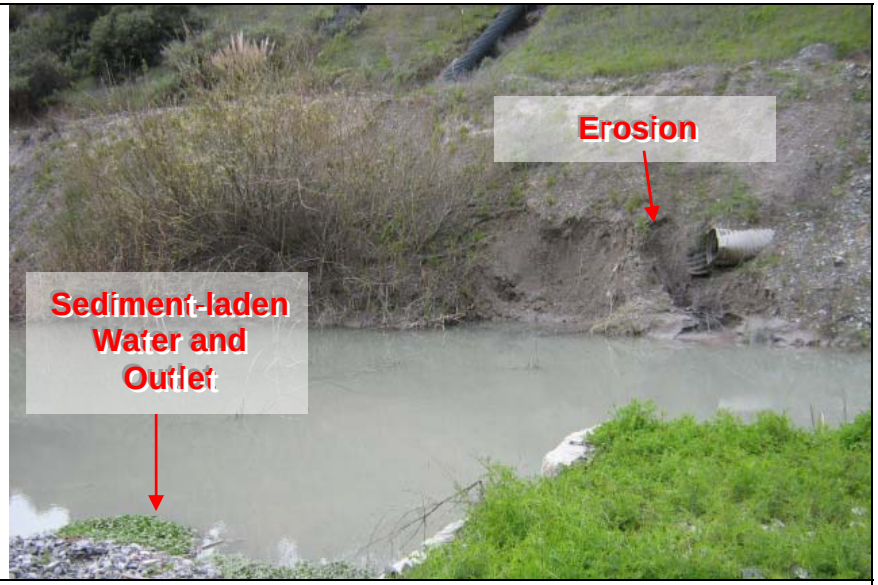


Photograph 20 – Sediment conveyed from the Rock Plant Road to the southwestern inlet to Pond 9.

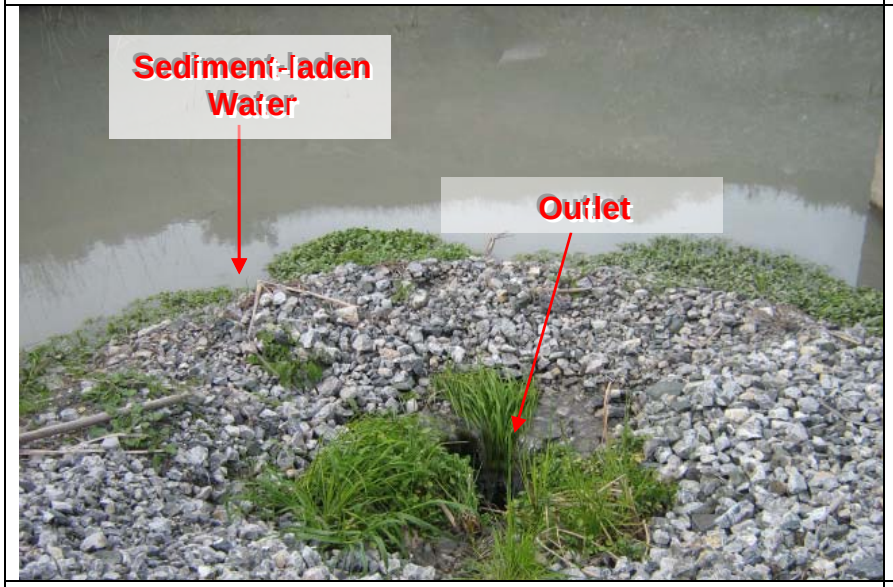
Site Photographs	Lehigh Southwest Cement, Co. Lehigh Southwest Cement, Co. Santa Clara County California	Photograph date: 2/10/2010



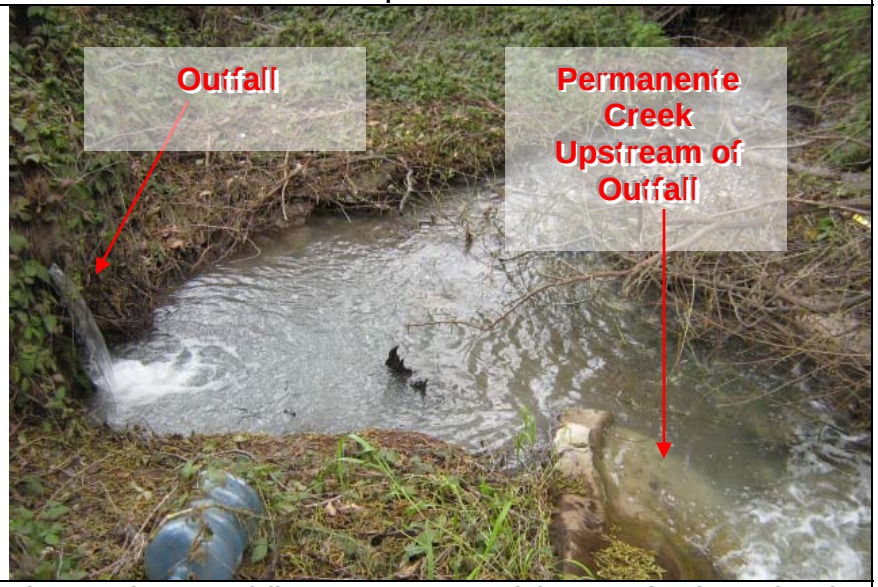
Photograph 21 – Close-up view of sediment conveyed from the Rock Plant Road to the southwestern inlet to Pond 9.



Photograph 22 – Erosion at the northeastern inlet which lacked flow dissipation BMPs.

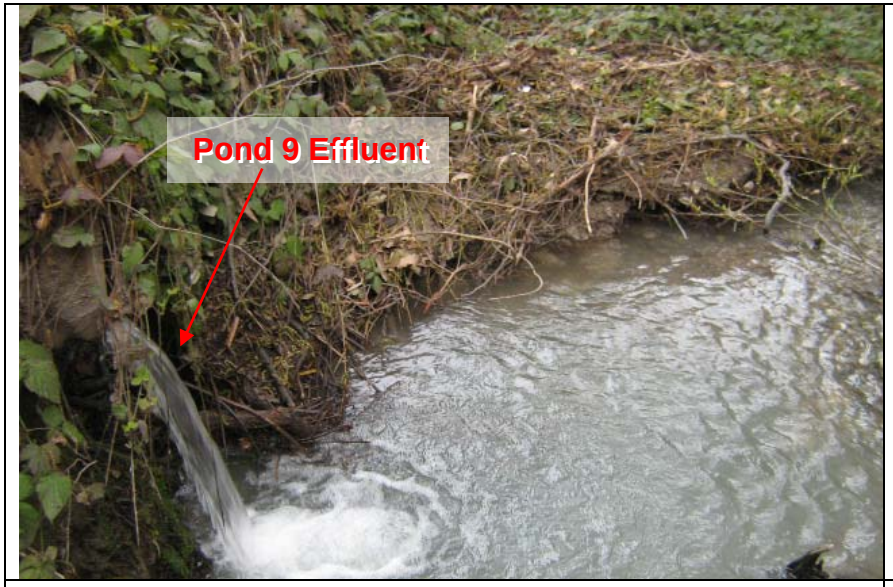


Photograph 23 – Close-up view of Pond 9 outlet.

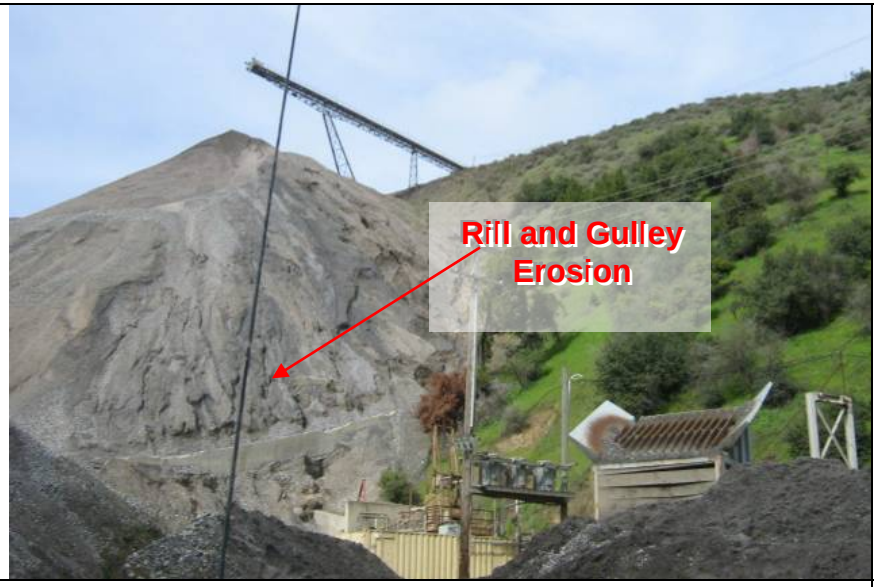


Photograph 24 – Outfall to Permanente Creek from Pond 9, denoted as the SL-17 PD sample collection location.

Site Photographs	Lehigh Southwest Cement, Co. Lehigh Southwest Cement, Co. Santa Clara County California	Photograph date: 2/10/2010



Photograph 25 – Close-up view of outfall from Pond 9.

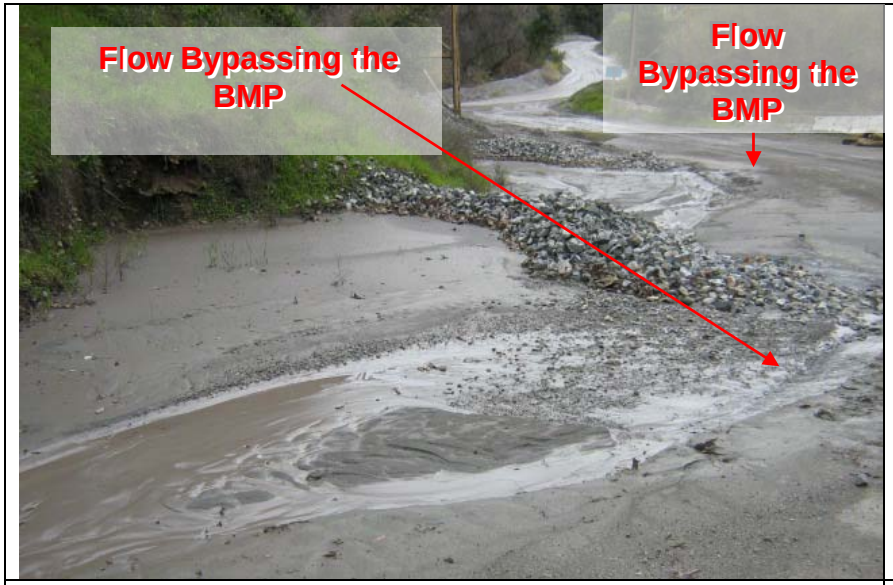


Photograph 26 – Area known as the Rock Pile along Rock Plant Road.

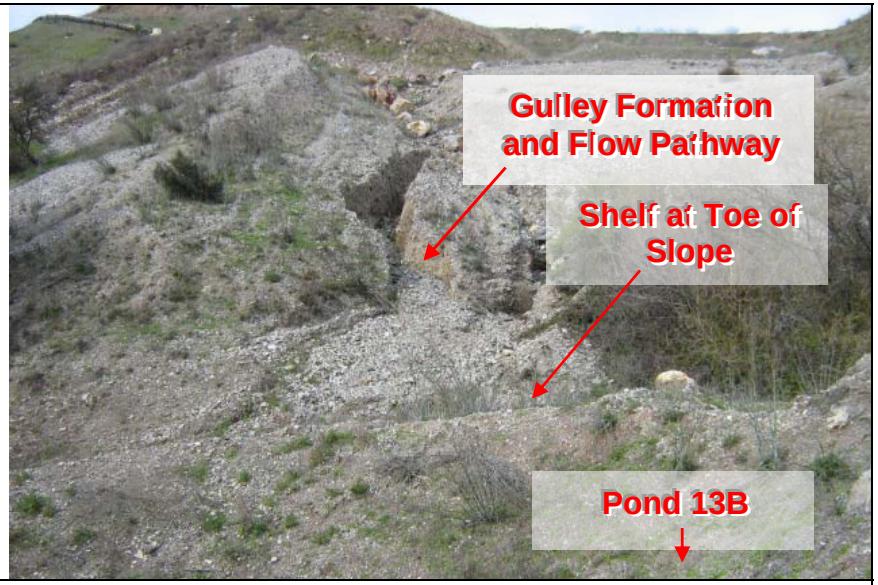
Photograph 27 – Sediment trap BMP at the base of the Rock Pile along Rock Plant Road.

Photograph 28 – Subsequent down-gradient sediment traps along Rock Plant Road, nearing capacity due to sediment accumulation.

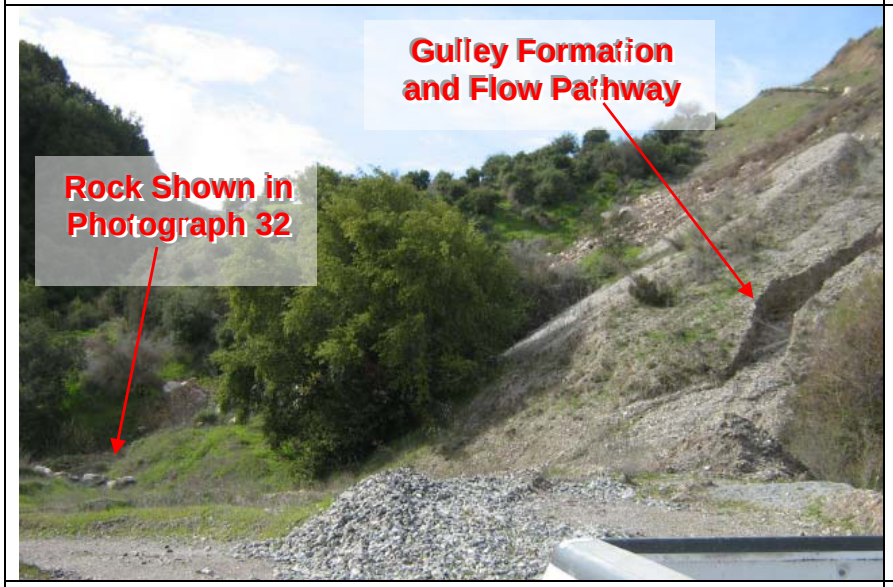
Site Photographs	Lehigh Southwest Cement, Co. Lehigh Southwest Cement, Co. Santa Clara County California	Photograph date: 2/10/2010



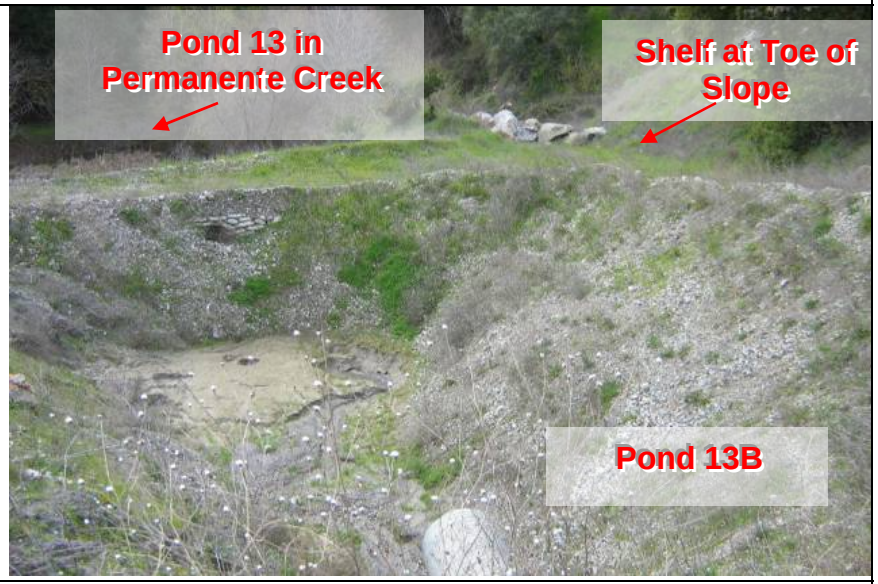
Photograph 29 – Close-up view of sediment traps shown in Photograph 28.



Photograph 30 – Slope erosion northwest of Pond 13B.

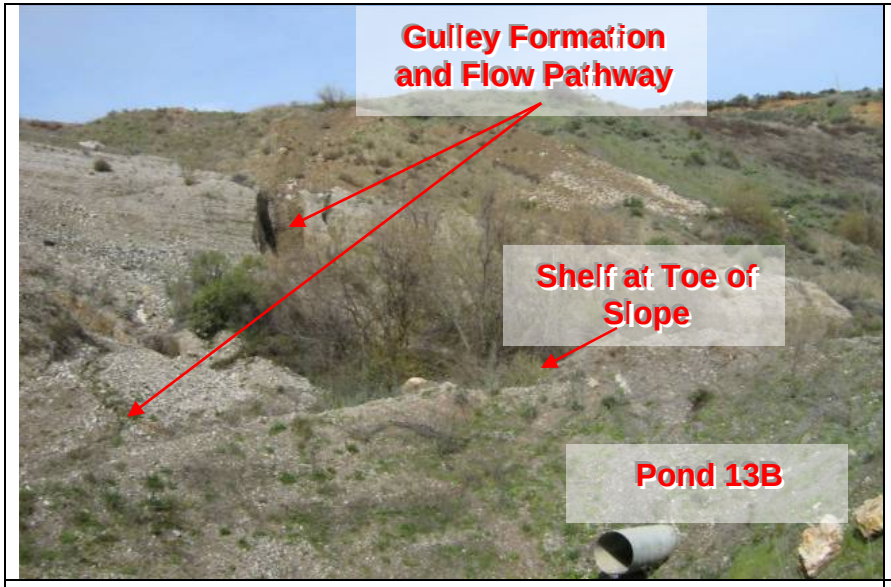


Photograph 31 – Slope erosion northwest of Pond 13B.

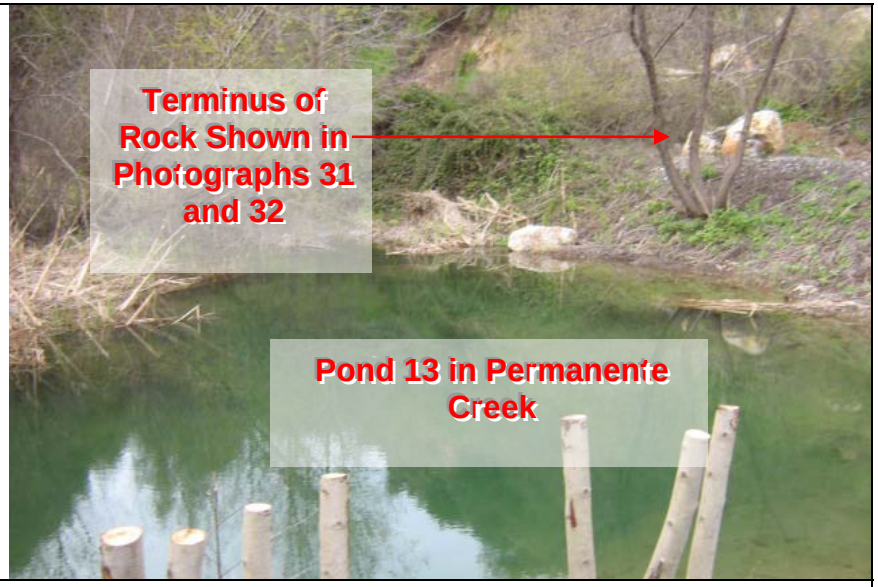


Photograph 32 – View down-gradient of slope erosion.

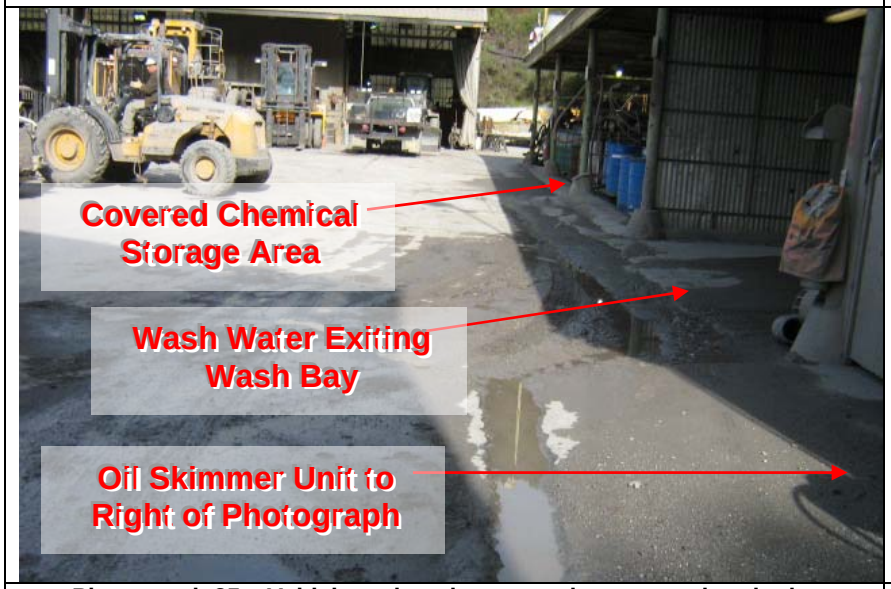
Site Photographs	Lehigh Southwest Cement, Co. Lehigh Southwest Cement, Co. Santa Clara County California	Photograph date: 2/10/2010



Photograph 33 – Different view of slope erosion northwest of Pond 13B.



Photograph 34 – Instream sediment control pond denoted Pond 13.

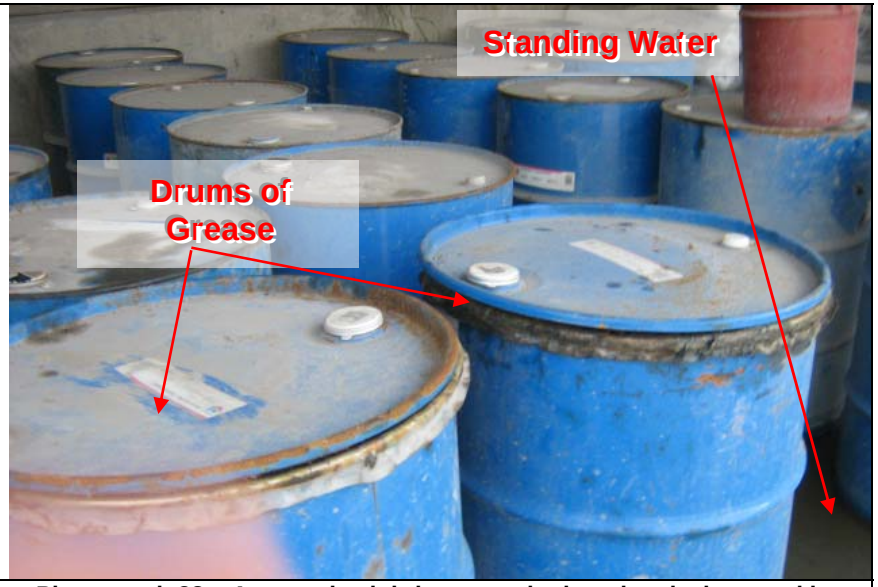


Photograph 35 – Vehicle and equipment maintenance shop in the northeast corner of the Rock Plant.

Photograph 36 – View of standing water present in chemical storage area.

Site Photographs	Lehigh Southwest Cement, Co. Lehigh Southwest Cement, Co. Santa Clara County California	Photograph date: 2/10/2010

Photograph 37 – Automotive lubricants and other chemicals stored in standing water.



Photograph 38 – Automotive lubricants and other chemicals stored in standing water.

Photograph 39 – View of drum contents shown in Photograph 38.

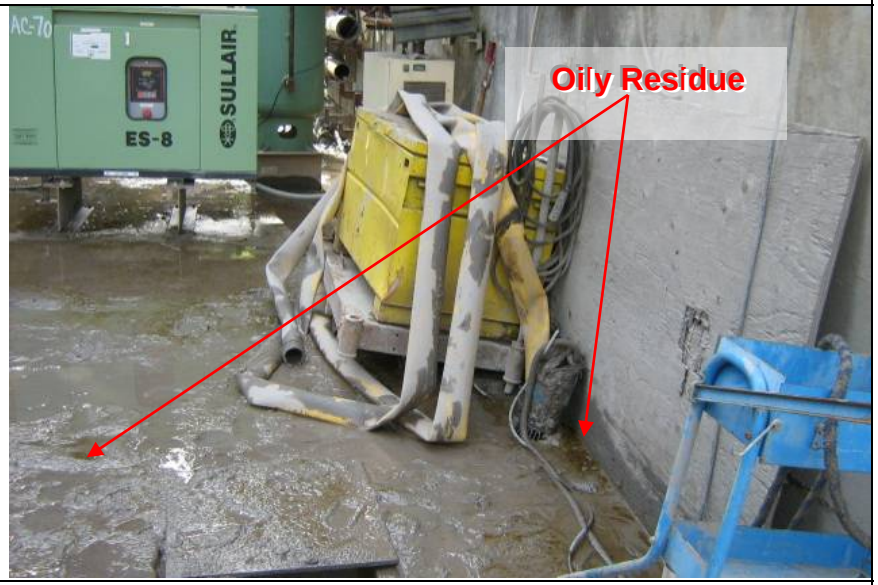
Photograph 40 – Wash bay signage indicates that wash bay is to be kept clean.

Site Photographs	Lehigh Southwest Cement, Co. Lehigh Southwest Cement, Co. Santa Clara County California	Photograph date: 2/10/2010

Photograph 41 – Vehicle and equipment wash water was actively flowing into an oil skimmer unit located outside the wash bay.

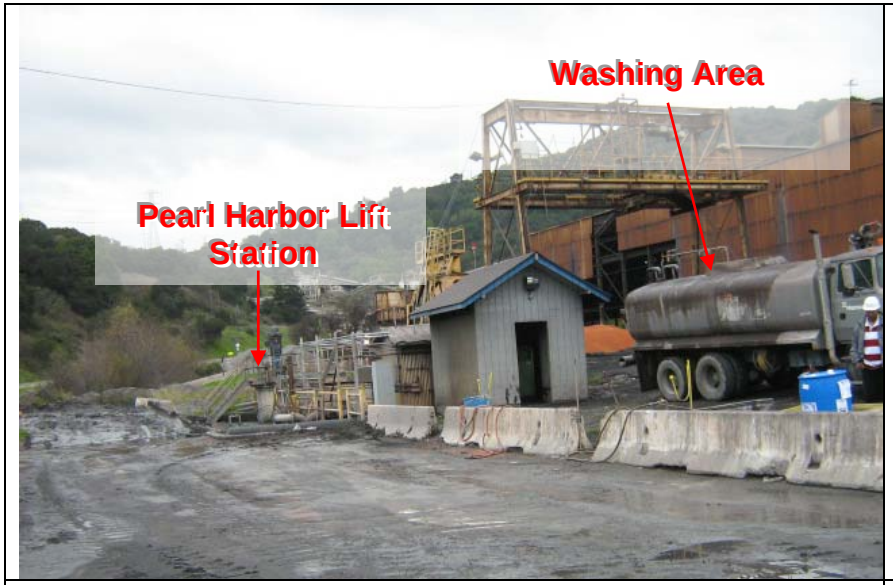
Photograph 42 – View of oily residues near the skimmer unit.

Photograph 43 – View of oily residues near the skimmer unit.



Photograph 44 – View of oily residues near the skimmer unit.

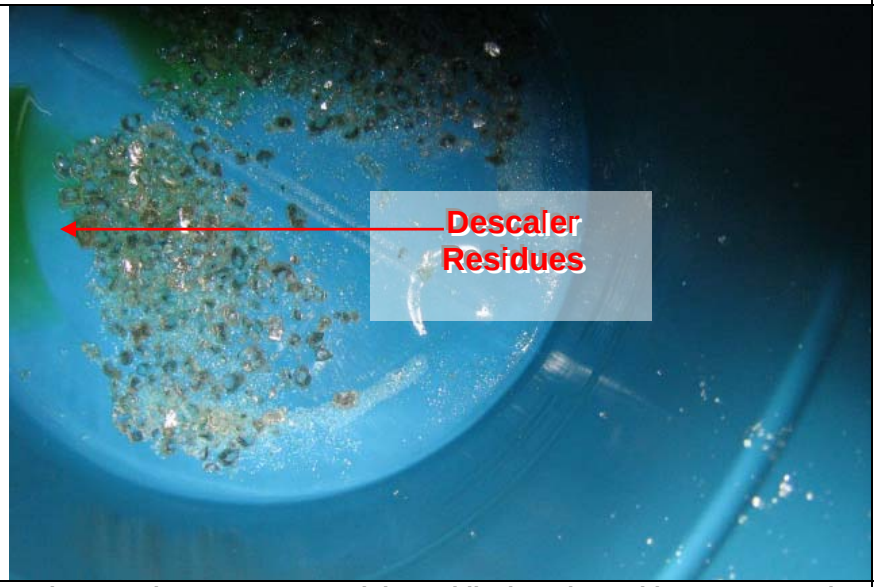
Site Photographs	Lehigh Southwest Cement, Co. Lehigh Southwest Cement, Co. Santa Clara County California	Photograph date: 2/10/2010



Photograph 45 – Vehicle and equipment washing area located near the Pearl Harbor lift station in the eastern portion of the cement plant.

Photograph 46 – View of acidic descaler drums.

Photograph 47 – Drum of acidic descaler stored in standing water.

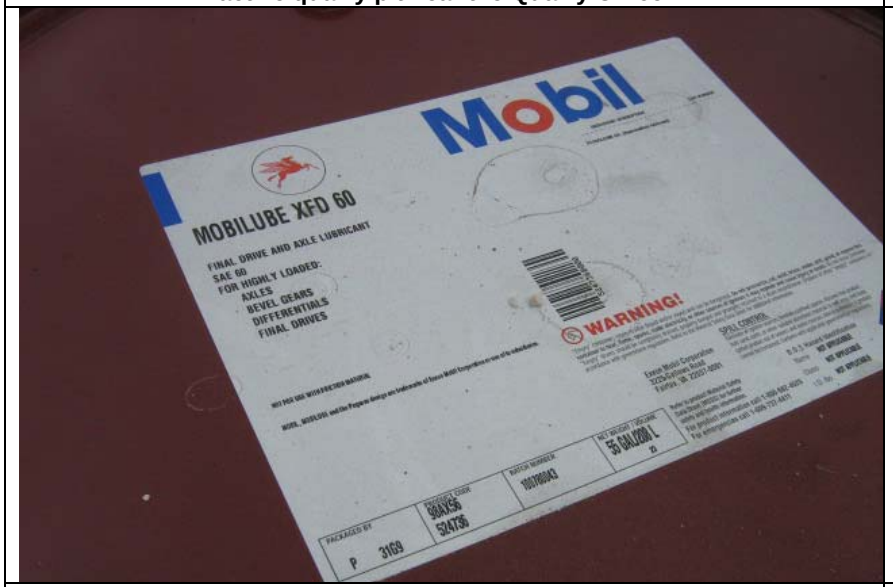


Photograph 48 – Drum containing acidic descaler residues was stored without the drum bung intact.

Site Photographs	Lehigh Southwest Cement, Co. Lehigh Southwest Cement, Co. Santa Clara County California	Photograph date: 2/10/2010

Photograph 49 – Heavy equipment maintenance pad located east of the active quarry pit near the Quarry Office.

Photograph 50 – Petroleum-based automotive lubricants and other chemicals stored in standing water.



Photograph 51 – View of label on full drums shown in Photograph 50.

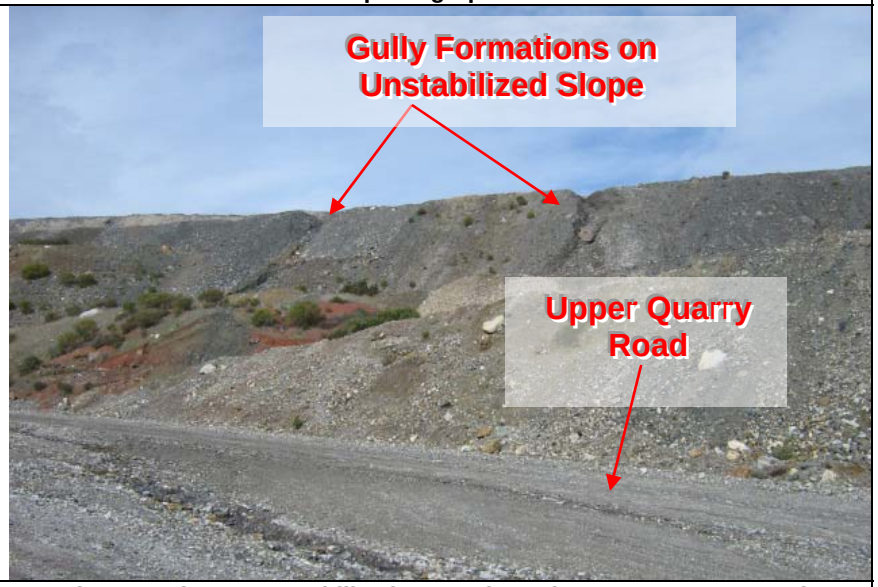
Photograph 52 – Standing water on heavy equipment maintenance pad.

Site Photographs	Lehigh Southwest Cement, Co. Lehigh Southwest Cement, Co. Santa Clara County California	Photograph date: 2/10/2010

Photograph 53 – Open waste container for hazardous wastes (e.g., oil soaked rags).

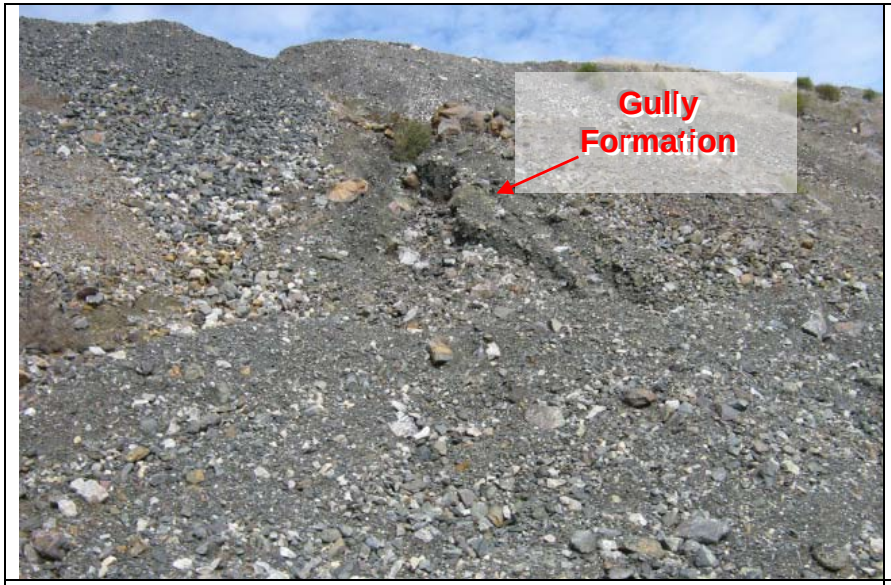
Photograph 54 – View inside waste container shown in previous photograph.

Photograph 55 – Standing water near the capacity of the concrete pad.



Photograph 56 – Unstabilized areas along the Upper Quarry Road approximately 0.5 miles southeast of the West Material Storage Area.

Site Photographs	Lehigh Southwest Cement, Co. Lehigh Southwest Cement, Co. Santa Clara County California	Photograph date: 2/10/2010



Photograph 57 – Close-up view of a gully formation on unstabilized slope shown in Photograph 56.

Photograph 58 – View of fine sediment accumulation at toe of unstabilized slope shown in Photographs 56 and 57.

Photograph 59 – View of slope failure at intersection of access road and Upper Quarry Road.

Photograph 60 – Erosive flow running down the surface of Upper Quarry Road.

Site Photographs	Lehigh Southwest Cement, Co. Lehigh Southwest Cement, Co. Santa Clara County California	Photograph date: 2/10/2010

Photograph 61 – Erosive flow in drainage ditch lacking flow dissipation BMPs.

Photograph 62 – Erosive flow not directed to drainage ditch.

Attachment 3
February 10, 2010
Inspection Exhibit Log

02/24/10
SC

Scott Coulson

From:	Renfrew, Scott (Cupertino) NA [Scott.Renfrew@hanson.biz]
Sent:	Wednesday, February 24, 2010 6:14 PM
To:	scott.coulson@pgenv.com
Cc:	Green, Wilbur S. (Cupertino) NAM; Wesseling, Henrik (Cupertino) NA; murphy.ann@epa.gov
Subject:	SWPPP audit of Lehigh Southwest Cement Company - Permanente Plant
Attachments:	2008_9 training..pdf; COC 217803_01182010.pdf; Procedure for pH and conductivity measurements during Stormwater Sampling.htm

Mr. Coulson:

On Feb 10, 2010, you working for PG Environmental, LLC conducted a stormwater systems audit of the Lehigh Hanson – Permanente cement plant, rock plant and quarry as per instructions provided by Ann Murphy of US EPA Region 9. The information requested during the audit was, and the status of these request are noted

- 2008/2009 Annual Stormwater Report
    - Annual compliance evaluation report – completed and submitted during site visit.
    - Visual observation records – completed and submitted during site visit.
- Stormwater monitoring records
    - Chain of custody and report – see enclosure
    - Sample hold time, ph and temp of samples – see enclosure
- SWPPP
    - Written monitoring plan – completed and submitted during site visit.
    - Training records – see enclosure. Please note that SWPPP training conducted in 2008 and 2009 was in context Managerial Environmental Awareness Training (2008) and Title 22 training as part of the SPCC plan
- Confirmation of current version of SWPPP (version 14, 6/19/09) – SWPPP version 14 is the most current plan. The Lehigh is planning on submitting SWPPP 15 shortly (end of February 2010) to RWQCB
- Site Map - Identifying stormwater inputs and sedimentation pond system – completed and submitted during site visit.
- Most recent stormwater sample results
    - Chain of custody – see enclosure
    - Raw data if report is not available – completed and submitted during site visit.
    - Sample hold time, ph and temp of samples – see enclosure
- Standards, methods, procedures or BMPs for building roads in the Quarry - Included in Appendix G and H in the 2008-2009 SWPPP and 2009 Annual Storm Water Report, submitted during site visit.
- Erosion control plan and BMPs for the Quarry – Included in Appendix G and H in the 2008-2009 SWPPP and 2009 Annual Storm Water Report, submitted during site visit.

1

Exhibit 1: Page 1 of e-mail dated February 24, 2010 in response to information request by EPA Contract Inspector.

SC 02/04/10

- Garage area - provide information on where the water is pumped that is in secondary containment around oil skimmer – This water will be transferred to a separator tank, the separated hydrocarbon will be sent offsite for disposal as a non-RCRA California Haz Waste. The SOP to keep the area free of oily residue will allow for water to be discharged after inspection for oil sheen or other contaminants. Water will be filtered prior to discharge.
- Quarry shallow secondary containment area of equipment repair area - provide information on where this water will be pumped – This water will be transferred to a separator tank, the separated hydrocarbon will be sent offsite for disposal as a non-RCRA California Haz Waste. The SOP to keep the area free of oily residue will allow for water to be discharged after inspection for oil sheen or other contaminants. Water will be filtered prior to discharge.
- Hillside above ponds 13A and 13B - provide information on when the half culvert running from top of the hillside will be repaired – scheduled dry season 2010.
- Pond 17 - when will repairs be made to limestone barriers - – initiated on Monday, February 16th and completed Thursday, February 18, 2010.
- Sediment traps along lower quarry road - when will they be cleaned out (all were full) – initiated on Monday, February 16th and completed Thursday, February 18, 2010.
- Pearl Harbor/equipment wash area - why were empty poly drums being stored there and why was the housekeeping in the area deficient – The operator who delivered the new wash aid did not immediately and properly dispose of empty container.

Thank you,

Scott A Renfrew
Environmental Manager

Lehigh Southwest Cement Company
Permanente Plant
24001 Stevens Creek Blvd.
Cupertino, CA 95014
Tel: 408-996-4262
Fax: 408-725-1104
scott.renfrew@lehighhanson.com

Exhibit 2: Page 2 of e-mail dated February 24, 2010 in response to information request by EPA Contract Inspector.