



# California Regional Water Quality Control Board

## San Diego Region




Linda S. Adams  
Secretary for  
Environmental Protection

Over 50 Years Serving San Diego, Orange, and Riverside Counties  
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9174 Sky Park Court, Suite 100, San Diego, California 92123-4353  
(858) 467-2952 • Fax (858) 571-6972  
<http://www.waterboards.ca.gov/sandiego>

**TO:** Distribution List (Designated Parties and Interested Persons)

**FROM:**   
David King, Presiding Officer for Prehearing Proceedings  
Tentative Cleanup and Abatement Order No. R9-2005-0126  
**SAN DIEGO REGIONAL WATER QUALITY CONTROL BOARD**

**DATE:** March 20, 2009

**SUBJECT:** ORDER EXTENDING STAY OF SCHEDULE FOR PROCEEDINGS  
DURING MEDIATION  
TENTATIVE CLEANUP AND ABATEMENT ORDER NO. R9-2005-0126

By Order dated June 9, 2008, the Presiding Officer referred the proceedings related to Tentative Cleanup and Abatement Order No. R9-2005-0126 to mediation. The referral was pursuant to Government Code section 14420.10(a)(1) and followed a joint request from most parties. No party objected to the mediation. The June 9 Order stayed the schedule of proceedings contained in the Second Amended Order of Proceedings for a period of ninety days. By Order dated September 5, 2008, at the request of the mediator and with no objection by any party, the Presiding Officer extended the mediation period for an additional ninety days. By Order dated December 8, 2008, the mediation was extended through March 31, 2009.

The mediator has requested a further extension of time in which to mediate the matter and represents that no party objects. The Presiding Officer is satisfied with the progress of the settlement negotiations as represented by the mediator. For good cause, the Presiding Officer has agreed to extend the time for mediation, staying the schedule of proceedings in the Second Amended Order of Proceedings until June 1, 2009, subject to further modification by the Presiding Officer. The mediator shall provide weekly status updates to the Presiding Officer during this time. Also during this time, the Regional Board Advisory Team, currently dedicating efforts to preparing for resumption of the administrative proceeding can devote efforts to other Regional Board matter.

Accordingly, subject to further modification by the Presiding Officer, the schedule of proceedings in the Second Amended Order of Proceedings is hereby stayed until the close of business on June 1, 2009. At such time as it appears that the settlement

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negotiations are no longer progressing, the Presiding Officer will issue a new order setting dates for continuation of the administrative proceeding.

DAK

