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**Subject:** RE: Tsar Nicoulai Cavair: Request to Deny Continuance  
**Date:** Tuesday, June 11, 2013 4:34:22 PM

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The Chair of the Central Valley Water Board has made a ruling on Tsar Nicoulai LLC's (Discharger) request for a continuance. As described below, the Discharger's request for a continuance is denied. The hearing for ACL Complaint No. R5-2010-0541 will remain on the calendar as scheduled for 25/26 July 2013. Also described below is a change in the composition of the Advisory Team.

#### Request for Continuance

The Discharger's request for continuance dated 22 May 2013 is denied. The Discharger sought a 90-day continuance on the stated basis that it needed additional time to sort through legal issues that it recently learned about. The Discharger has had sufficient time to prepare for the hearing, as the alleged violations were originally brought to the Discharger's attention in September 2010. Furthermore, it is unclear how the recent legal issues pertain to the alleged violations. The request is denied because the Discharger has not established good cause that the hearing should be continued.

#### Advisory Team Substitution

Assistant Executive Officer Ken Landau has replaced Assistant Executive Officer Clay Rodgers on the Advisory Team. All further correspondence that previously would have been sent to Mr. Rodgers should now be sent to Ken Landau. The contact information for Mr. Landau is as follows:

Kenneth Landau  
11020 Sun Center Drive, Suite 200, Rancho Cordova, CA 95670.  
(916) 464-4726  
[klandau@waterboards.ca.gov](mailto:klandau@waterboards.ca.gov)

Sincerely,

Alex Mayer  
Staff Attorney, Central Valley Regional Water Quality Control Board

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**From:** [Wyels, Wendy@Waterboards](mailto:Wyels_Wendy@Waterboards)  
**Sent:** Thursday, June 06, 2013 3:56 PM  
**To:** [Rodgers, Clay@Waterboards](mailto:Rodgers_Clay@Waterboards); [Mayer, Alex@Waterboards](mailto:Mayer_Alex@Waterboards)  
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**Subject:** Tsar Nicoulai Cavair: Request to Deny Continuance

Advisory Team,

The attached memo is a request from the Prosecution Team to deny Tsar Nicoulai Cavair's request for an additional 90 days before a hearing regarding ACLC R5-2010-0541. For ease of review, I have also attached the letters requesting the delay.

Wendy Wyels

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