
Lahontan Regional Water Quality Control Board

November 27, 2012

Scott R. Lane, Esq.
Monteleone & McCrory, LLP
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Dear Mr. Lane:

The Advisory Team has reviewed your letter of November 21, 2012, identifying supplemental objections to the hearing procedures. The "new information" that you submit as basis for renewing your objection is that the Water Board has indicated that it cannot fully respond to your Public Records Act (PRA) request until December 7, 2012. I do not believe that this December 7 date for the material you requested in your PRA in any way prejudices your ability to provide a defense for your client nor violates your client's due process rights. According to the hearing procedures sent out previously, the Prosecution Team was already under obligation to provide to you their evidence to support the allegations in their October 26, 2012 complaint by December 3, 2012. As previously described, we believe that this is sufficient time in which to prepare your defense, particularly because the complaint issued to your client October 26, 2012 contains all of the basis for the civil liability. In addition, many of the documents identified as the Prosecution Team's basis for the complaint are available online, if your client does not already have copies of them.


PATTY Z. KOUYOUMDJIAN
Executive Officer

c/ec: Kimberly Niemeyer, Staff Counsel, State Water Resources Control Board
Lauri Kemper, AEO, Lahontan Regional Water Quality Control Board
Anna Kathryn Benedict, Staff Counsel, State Water Resources Control Board
Bill Moller, Arimol Group, Inc.
Interested Persons

Enclosure: Arimol's Supplemental Objections to Hearing Procedures

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November 21, 2012

OUR FILE NUMBER
16670

Via Email

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**RE: In the Matter of Arimol Group, Inc., San Bernardino County
WDID Nos. 6B36CN601729 and 6B36C363433
Administrative Civil Liability Complaint No. R6V-2012-00049**

SUPPLEMENTAL OBJECTIONS TO HEARING PROCEDURES

TO THE CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD, LAHONTAN
REGION:

ARIMOL GROUP, INC. hereby further objects to the Hearing Procedures, dated November 6, 2012, based on new information received since the submission of its original objections:

1. On November 7, 2012, ARIMOL GROUP, INC. sent Public Records Act requests seeking document pertinent to its defense in this matter. Per the Hearing Procedures, on November 15, 2012, ARIMOL GROUP submitted its Objections to Hearing Procedures. Thereafter, on November 16, 2012, the Water Board informed it would not be able to make requested documents available until

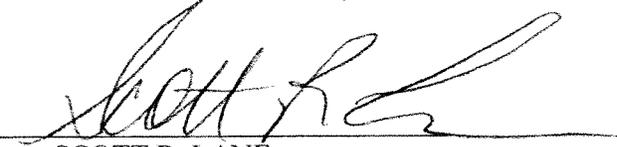
Arimol's Objections to Hearing Procedures
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December 7, 2012 for, among other reasons, vacations of Water Board personnel. On November 20, 2012, Executive Officer Kouyoumdjian responded to ARIMOL GROUP's objections, denying any extension of time for the December 21, 2012 deadline or the hearing date. The delayed responsiveness to the Public Records Act request heightens the burdens on ARIMOL GROUP and negatively affects the time ARIMOL GROUP has to defend itself. ARIMOL GROUP objects to the December 21, 2012 deadline (requesting it be extended to a date in January) and objects to the hearing dates in January, 2013 on the grounds that failure to do will violate ARIMOL GROUP rights to due process.

Respectfully submitted,

MONTELEONE & McCRORY, LLP

By:


SCOTT R. LANE

Attorneys for Arimol Group, Inc.

SRL:hn

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