



California Regional Water Quality Control Board

San Diego Region



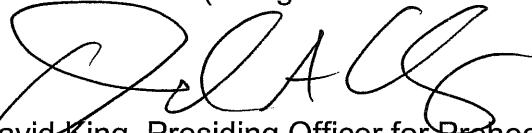
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TO: Distribution List (Designated Parties and Interested Persons)

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: June 10, 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 Orders dated September 5, 2008 and December 8, 2008, the Presiding Officer extended the mediation period for additional periods of time. Most recently, the mediation was extended on March 20, 2009.

The mediator has reported that those potentially responsible parties that are participating in the mediation and the Regional Board Cleanup Team have reached an agreement in principle on the appropriate cleanup levels and the range of remedial actions subject to an allocation, an agreed-upon monitoring plan and the required formal approvals of the various entities. These parties are in the process of finalizing the monitoring requirements. The Regional Board Cleanup Team and the mediator will continue to work with the potentially responsible parties, the San Diego Coastkeeper and the Environmental Health Coalition.

For these reasons, the mediator has requested a further stay of the proceedings and extension of the mediation schedule until further notice.

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 further notice by the Presiding Officer. The mediator shall continue to provide weekly status updates to the Presiding Officer during this time.

DAK

California Environmental Protection Agency