



# Central Valley Regional Water Quality Control Board

DATE

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## SALT CONTROL PROGRAM

### NOTICE TO COMPLY FOR NPDES PERMITTEES

**This letter contains legal requirements that must be followed. Failure to respond may result in enforcement action(s) being taken against you. Please note that you may have received a separate Notice to Comply for the new Nitrate Control Program that will also require your response.**

You are receiving this Notice to Comply because you operate the following one or more facilities regulated by an NPDES permit:

<FACILITY INFO>

<FACILITY INFO>

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## **BACKGROUND**

In May 2018, the Central Valley Water Board adopted Resolution R5-2018-0034, approving new Salt and Nitrate Control Programs. The Salt Control Program was developed to address salt accumulation issues in surface water and groundwater throughout the Central Valley Region.

Under the new Salt Control Program, the Central Valley Water Board will impose new permit requirements to protect surface waters and groundwater from salts in wastewater. This Notice to Comply (NTC) requires you to choose between new salinity permitting options established under the new Salt Control Program. Regardless of which compliance option you choose, your permit requirements will change at your next permit renewal. Please note that NTCs such as this one are being issued to all NPDES permittees located in the Sacramento-San Joaquin River Basins and in the Tulare Lake Basin.

If our information is incorrect, please contact us so that we may correct our records. If you have questions or believe you should be exempt from the NTC, please contact us as soon as possible by email or telephone. Our contact information is provided at the end of the letter.

## **SALT CONTROL PROGRAM**

The Salt Control Program covers the entire Central Valley region and is broken into three phases, each of which will last from 10-15 years. The Board is currently beginning to implement Phase I. During Phase I, all permittees whose discharges exceed certain salinity thresholds set in the Salt Control Program will be required to participate in and help fund a comprehensive study to assess salinity problems and potential salinity solutions in the valley. This study has been named the Prioritization and Optimization Study, or P&O Study.

This NTC requires that you let the Board know whether you qualify for permit coverage under the “conservative” permitting approach, which is reserved for dischargers that fall under the salinity thresholds set by the Salt Control Program, or whether you will instead need permit coverage under the “alternative” salinity permitting approach. These two permitting options are described in more detail below:

### **1. Conservative Salinity Permitting Approach**

The Conservative Salinity Permitting Approach (Conservative Approach) utilizes the existing regulatory structure and focuses on source control, use of conservative permit limits, and limited use of assimilative capacity and/or compliance time schedules.

### **2. Alternative Salinity Permitting Approach**

The Alternative Salinity Permitting Approach (Alternative Approach) provides a compliance option to permittees who participate in and provide a minimum level of financial support for the Prioritization and Optimization Study (P&O Study), led by the Central Valley Salinity Coalition, during Phase I of the Salt Control Program. Permittees in the Alternative Approach are not required to meet the more stringent

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limitations of the Conservative Approach, however, they must continue to implement efforts to control salt discharges through salinity management practices and/or performance-based measures as determined by the Central Valley Water Board.

**RESPONDING TO THIS NTC**

1. Visit the website, [cvsalts.info](http://cvsalts.info), for more information on the Salt Control Program, including:
  - Salt Control Program requirements and timelines for both permitting pathways
  - Characterizing your salinity impacts to surface and/or groundwater
  - Participation requirements and fees for the P&O Study
  - Answers to Frequently Asked Questions

The [cvsalts.info](http://cvsalts.info) website will be updated regularly, so be sure to check back frequently for the latest information. You can also check the website for upcoming webinars that will provide guidance information.

A full copy of the Salt and Nitrate Control Program Basin Plan language, can be found at:

[https://www.waterboards.ca.gov/cvsalts/salt\\_nitrate\\_bpa/sncp\\_accepted\\_bp\\_language\\_official.pdf](https://www.waterboards.ca.gov/cvsalts/salt_nitrate_bpa/sncp_accepted_bp_language_official.pdf).

2. Choose between the Conservative or Alternative Approach, submit the Notice of Intent (NOI) to the Central Valley Water Board, and begin meeting program requirements. The general NOI requirements for each approach are as follows:

**A. Conservative Approach**

- i. Conduct a comprehensive assessment of your salinity impacts to surface and/or groundwater.
- ii. Prepare a Salinity Characterization Report that demonstrates how your discharge will comply with the Conservative Approach requirements.
- iii. Submit your Salinity Characterization Report along with your NOI indicating your choice of the Conservative Approach Pathway to the Central Valley Water Board.
- iv. Obtain Central Valley Water Board staff approval.

**B. Alternative Approach**

- i. Contact the lead entity of the P&O Study to determine your required level of financial support. Submit your NOI indicating your choice of the Alternative Approach Pathway to the Central Valley Water Board along with documentation from the lead entity confirming your compliance with the required level of support.
- ii. Maintain the minimum required level of participation and financial support for the P&O Study and implement salinity source control measures and

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meet performance-based salinity effluent limits or targets to ensure effluent salinity levels are maintained.

An electronic fillable PDF version of the NOI is available at: [https://www.waterboards.ca.gov/cvsalts/forms\\_temps\\_guide/salt\\_noi\\_form.pdf](https://www.waterboards.ca.gov/cvsalts/forms_temps_guide/salt_noi_form.pdf). A hardcopy can be sent to you by sending a request by email to [cvsalts@waterboards.ca.gov](mailto:cvsalts@waterboards.ca.gov). NOI submissions shall be sent via email to [cvsalts@waterboards.ca.gov](mailto:cvsalts@waterboards.ca.gov) by **July 15, 2021**. Documents too large to be sent in one email may be sent in multiple emails.

## ENFORCEMENT

This NTC requires your response under Water Code section 13260. If you do not respond to this request with the materials specified above by the due date, you may be subject to enforcement actions, including actions under Water Code section 13261, which authorizes the Board to impose liability of up to \$1,000 per day for failure to submit a report. Under the new regulations, the Board will regulate permittees who do not elect a pathway under the Conservative Approach. **After July 15, 2021, discharges of salts at concentrations that exceed the conservative salinity limits identified in the Conservative Approach are prohibited unless the permittee is implementing the Phase 1 requirements of the Salt Control Program through either the Conservative Approach or the Alternative Approach.** Permittees who do not respond within the time frame may still be eligible to select the Alternative Approach, however they will need to obtain approval from the lead entity conducting the P&O Study to join late and will be subject to the lead entity's requirements in addition to providing the minimum required level of financial support.

For general information about the Central Valley Water Board's Salt and Nitrate Control Program, please visit our website <https://www.waterboards.ca.gov/cvsalts>.

If you have any further questions about what is required of you, please email [cvsalts@waterboards.ca.gov](mailto:cvsalts@waterboards.ca.gov) or call (916) 464-4675.

## original signed by

Patrick Pulupa  
Executive Officer

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Para obtener una versión traducida de este documento, envíe un correo electrónico a [cvsalts@waterboards.ca.gov](mailto:cvsalts@waterboards.ca.gov). (Spanish)

如需本文档翻译版，请发送邮件至 [cvsalts@waterboards.ca.gov](mailto:cvsalts@waterboards.ca.gov). (Chinese)

Để nhận phiên bản dịch của tài liệu này, vui lòng gửi email đến [cvsalts@waterboards.ca.gov](mailto:cvsalts@waterboards.ca.gov). (Vietnamese)

Yog koj xav tau daim ntaub ntawv no txhais ua lus Hmoob, thov xa email rau [cvsalts@waterboards.ca.gov](mailto:cvsalts@waterboards.ca.gov). (Hmong)

ਇਸ ਦਸਤਾਵੇਜ਼ ਦੇ ਪੰਜਾਬੀ ਅਨੁਵਾਦ ਲਈ, ਕ੍ਰਿਪਾ ਕਰਕੇ ਸਾਨੂੰ ਇਸ ਪਤੇ ਉਪਰ ਈ – ਮੇਲ ਭੇਜੋ [cvsalts@waterboards.ca.gov](mailto:cvsalts@waterboards.ca.gov). (Punjabi)

To obtain a translated version of this document in a language other than what is provided above, please email [cvsalts@waterboards.ca.gov](mailto:cvsalts@waterboards.ca.gov).