

CV-SALTS SALT AND NITRATE CONTROL PROGRAMS
Dexter Mayhood III and Synagro West LLC
Mayhood Ranch, Solano County
NOTICE TO COMPLY

SALT AND NITRATE CONTROL PROGRAMS

In May 2018, the Central Valley Water Board approved new Salt and Nitrate Control Programs as part of part of the Central Valley Salinity Alternatives for Long-Term Sustainability (CV-SALTS) initiative to address ongoing salt and nitrate accumulation in the Central Valley. A full copy of the Salt and Nitrate Control Program Basin Plan language (Attachment 1 of Resolution R5-2018-0034), can be found on the [Central Valley Water Board's Resolutions webpage](https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/resolutions/r5-2018-0034_res.pdf) (https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/resolutions/r5-2018-0034_res.pdf).

Nitrate Control Program

The Nitrate Control Program was developed to address widespread nitrate pollution in the Central Valley. Nitrate in drinking water can reduce the blood's ability to carry oxygen, which can result in brain damage and death. Infants and pregnant women are most at risk of nitrate toxicity. Nitrate is a risk when it is above 10 parts per million (ppm) of nitrate nitrogen, which is the Primary Maximum Contaminant Level (MCL), also known as the nitrate drinking water standard.

For the Nitrate Control Program, the Board identified areas, referred to as Priority 1 and Priority 2 basins, where nitrates in groundwater are more prevalent and therefore pose a higher risk to persons who rely on groundwater as a source of drinking water. Priority 1 and Priority 2 basins have timelines under which permittees are required to implement Nitrate Control Program requirements. The Mayhood Ranch stretches across Groundwater Basin 2-3 (Suisun-Fairfield Valley) and Groundwater Basin 5-21.66 (Sacramento River Valley, Solano Sub-basin), both of which are Priority 3 areas. At this time there are no specific Nitrate Control Program requirements for Priority 3 groundwater basin facilities.

Salt Control Program Notice to Comply

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.

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. Dischargers that are unable to comply with stringent salinity requirements

(e.g., 700 $\mu\text{mhos/cm}$) will need to meet performance-based requirements and participate in a basin-wide planning effort to develop a long-term salinity strategy for the Central Valley. Notices to Comply for existing dischargers in the Central Valley were initially mailed out on 05 January 2021. Since this Facility does not currently have WDRs, you are receiving a **Notice to Comply** as part of this NOA. Therefore, From the date of issuance of this NOA, the Discharger will have no more than six months to inform the Central Valley Water Board of their choice between Option 1 (Conservative Option for Salt Permitting) or Option 2 (Alternative Option for Salt Permitting). 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 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 Notice to Comply

1. Visit the website, [cvsalts.info](https://www.salinity.org/public-info) (<https://www.salinity.org/public-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](https://www.salinity.org/public-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 the [Basin Plan website](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 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 the [CV-SALTS Forms website](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 submitting a request via email to cvsalts@waterboards.ca.gov.

NOI submissions shall be sent via email to cvsalts@waterboards.ca.gov or mailed to the address below by **6 months from the date of this document**. Documents too large to be sent in one email may be sent in multiple emails.

Central Valley Water Board
CV-SALTS Program
11020 Sun Center Drive, Suite 200
Rancho Cordova, CA 95670

The Central Valley Water Board recommends that the documentation be submitted in electronic format to the email or as a CD mailed to the address above. If you choose to

submit documentation as a CD or hardcopy, USPS Certified Mail is the preferred mailing method to ensure receipt of delivery by the Central Valley Water Board.

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 **1 November 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 [CV-SALTS website](https://www.waterboards.ca.gov/cvsalts) (<https://www.waterboards.ca.gov/cvsalts>). If you have any further questions about what is required of you, please email cvsalts@waterboards.ca.gov or call (916) 464-4675.