



April 18, 2014

Ms. Betty Yee
Central Valley Regional Water Quality Control Board
11020 Sun Center Drive Suite 200
Rancho, Cordova, CA 95670-6114

RE: Policy for Variances and Exemptions from Water Quality Objectives for Salinity

Dear Ms. Yee:

The California Independent Petroleum Association (CIPA) represents over 500 independent petroleum producers, service and supply companies, and royalty owners with assets in California. This correspondence is in response to the proposed Variance and Exemption Policy.

While CIPA is generally supportive, our members have concerns regarding the proposal including, but not limited to, its current limitation to provide exemptions only for total dissolved solids (TDS), chloride, sulfate, sodium and electrical conductivity. Kern County represents over 75% of our member's production and the Regional Board's proposal may negatively impact the vast majority of our member companies if the exemption is not broadened. In reviewing the proposal, we also question whether the policy adequately encompasses all discharges as opposed to a focus on Publicly Owned Treatment Works (POTWs). For these reasons, we recommend an expansion of the policy to reflect a wider range of dischargers and of salinity components that may include boron, manganese and potassium.

Water quality objectives for salinity are interpreted via a narrow objective or incorporated by reference Maximum Contaminant Levels (MCLs) to protect municipal drinking water. Given this reality, the Regional Board should exercise flexibility in interpreting those objectives to reduce the need for a variance or exemption. Then, when applicable, the policy should be specific and not indict all dischargers who may not have the capability of putting together an extensive pollution prevention plan. Many industrial dischargers do not have the ability to modify waste streams nor are there a host of options to create or implement a salinity reduction program for many dischargers. The discharger should be given alternative options to participate in CV-SALTS, in another local group focused on reducing regional salinity loading, or in the creation of a local salt management plan that will address the Regional Boards concerns.



CIPA

Any proposed policy should include flexibility in its request for the optimum outcome of the policy's implementation goals and the Water Quality Objectives for Salinity should not be relieved of this responsibility. It is in the best interest of those who will mandate companies to follow the proposed regulation to exercise caution in adopting any policy; our request is for the Regional Board to institute workable changes so that all dischargers may utilize variances or exceptions for a better basic planning process. If I can be of any further assistance or respond to questions, please feel free to contact me at 916 447-1177. Thank you.

Yours truly,

P. Anthony Thomas

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Director of Government Affairs