

**14/15 DECEMBER 2023 BOARD MEETING
CONTESTED AGENDA ITEM**

AGENDA ITEM: 10

SUBJECT:

HATHAWAY, LLC, KERN-TULARE WATER DISTRICT, JASMIN RANCHOS MUTUAL WATER COMPANY, JASMIN TREATMENT FACILITY, KERN COUNTY

Following are proposed Waste Discharge Requirements that prohibit discharge to surface waters. The dischargers concur with the Order as currently drafted and have submitted letters of support or have offered no comments. Items indicated as updates on the summary agenda make the requirements consistent with current plans and policies of the Board.

BOARD ACTION:

Consideration of Order amending Waste Discharge Requirements Order No. R5-2019-0043.

BACKGROUND:

On 6 June 2019, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) adopted Waste Discharge Requirements Order No. R5-2019-0043 (WDRs). The WDRs regulate Hathaway, LLC (Hathaway), Kern-Tulare Water District (Kern-Tulare), and Jasmin Ranchos Mutual Water Company (Jasmin Water Company) (collectively referred to as Dischargers) for the discharge and reuse of oil field produced wastewater (produced wastewater or discharge) for irrigation.

As indicated in the findings of the WDRs, antidegradation analysis, and the final Environmental Impact Report, the Dischargers' application for waste discharge requirements includes a phased plan for expansion. At the adoption of the WDRs, Phase 1 was complete and consisted of the following facilities:

- Jasmin Treatment Facility owned and operated by Hathaway;
- Big Four Reservoir owned and operated by Kern-Tulare;
- Jasmin Ranchos Mutual Water Company Reservoir owned and operated by Jasmin Water Company; and
- Approximately 3,700 acres of cropland across the service territory of Kern-Tulare and Jasmin Water Company.

Phase 2 is described in the application for waste discharge requirements and is also included in the findings of the WDRs and Monitoring and Reporting Program Order No. R5-2019-0043 (MRP). Under Phase 2, Kern-Tulare would construct a new reservoir (i.e., Guzman Reservoir) and the maximum annual flowrate of produced wastewater from the Jasmin Treatment Facility would increase from 2,640 acre-feet per year to 3,320 acre-feet per year. After the completion of the Guzman Reservoir in 2021, Kern-

Tulare complied with the MRP and started collecting and reporting data from the Guzman Reservoir monitoring location specified in the MRP.

In 2022, the Central Valley Water Board received a technical report, submitted in compliance with Provision E.5 of the WDRs, demonstrating that the Jasmin Treatment Facility has been designed and constructed to treat produced wastewater at an increased flowrate of 3,320 acre-feet per year. The technical report also demonstrates that the Jasmin Treatment Facility can treat produced wastewater so that it meets the constituent concentration requirements prescribed in the WDRs. Staff reviewed the technical report, found that the demonstration is adequate and concurred with the demonstration's findings. Staff then prepared a tentative Order that amends the WDRs to increase the maximum flowrate from 2,640 acre-feet per year to 3,320 acre-feet per year.

RECOMMENDATION:

Adopt the tentative Order proposing to amend the WDRs.

REVIEWS:

Management Review:	
Legal Review:	JMJ 11/29/2023

BOARD MEETING LOCATION:

Central Valley Regional Water Quality Control Board
11020 Sun Center Dr. #200
Rancho Cordova, CA 95670

AND VIA VIDEO AND TELECONFERENCE