



Central Valley Regional Water Quality Control Board

24 February 2026

Talle Lopez, Director
California Water Service Company
1720 North First Street
San Jose, CA 95112

CERTIFIED MAIL
9589 0710 5270 1470 8207 20

NOTICE OF APPLICABILITY; CENTRAL VALLEY WATER BOARD RESOLUTION R5-2023-0061, WAIVER OF WASTE DISCHARGE REQUIREMENTS, REPORTS OF WASTE DISCHARGE, AND/OR WATER RECYCLING REQUIREMENTS FOR SPECIFIC TYPES OF DISCHARGE WITHIN THE CENTRAL VALLEY REGION; CALIFORNIA WATER SERVICE COMPANY; KERNVILLE DRINKING WATER PLANT – BACKWASH; KERN COUNTY

On 30 April 2024, California Water Service Company (Discharger) submitted a Report of Waste Discharge (RWD) to obtain coverage under Resolution R5-2023-0061, *Waiver of Waste Discharge Requirements, Reports of Waste Discharge, and/or Water Recycling Requirements for Specific Types of Discharge Within the Central Valley Region* (Low Threat Waiver or Waiver) for discharges of filter backwash water to land from a surface water treatment system used to remove total organic carbon in Kernville. According to the RWD, backwash water will be released within the fenced area of a facility owned by the Discharger and allowed to percolate into the ground.

Based on the information provided in the RWD, the discharge meets the conditions of the Low Threat Waiver and is hereby enrolled under the Waiver and assigned **enrollee number R5-2023-0061-0043**. Please include this number on all correspondence related to this discharge. A [copy of the Low Threat Waiver](#) is enclosed and available on the Central Valley Water Boards website at:

https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/waivers/r5-2023-0061.pdf

Please familiarize yourself with the contents of the Waiver, including the Conditions of Discharge. The discharge must be managed in accordance with the requirements contained in the Conditions of Discharge (Low Threat Waiver, Attachment A, Table 1, Category 13 – Filter Backwash and System Flushing for Water Treatment Systems) and with the information submitted in the RWD and this Notice of Applicability (NOA). Note

that the Low Threat Waiver will expire on **14 December 2028**. After which you will need to cease the discharge or submit a new RWD and application fee to seek coverage under a renewed waiver, general order, or individual waste discharge requirements.

In accordance with the requirements in Attachment A of the Low Threat Waiver, this NOA is accompanied by Monitoring and Reporting Program (MRP) R5-2023-0061-0043 to ensure compliance with discharge conditions specified in the Low Threat Waiver. The MRP was developed after consideration of your waste characterization and disposal practices described in the RWD.

PROJECT LOCATION

The Discharger's Kernville Drinking Water Treatment Plant (Kernville DWTP) is located at 150 Sirretta Street, Kernville in Kern County approximately twelve miles northeast of Lake Isabella and one-quarter mile west of the Kern River (Assessor's Parcel Numbers 082-100-07-00-8, 082-100-11-00-9, 082-100-12-00-2, and 082-171-03-00-4).

Kern County is within the Tulare Lake Basin. The *Water Quality Control Plan for the Tulare Lake Basin, Third Edition*, revised May 2018, designates beneficial uses, establishes water quality objectives, and contains implementation programs and policies to achieve water quality objectives for all waters of the Basin.

PROJECT DESCRIPTION

The Discharger operates the Kernville DWTP, which treats raw water from the Kern River to remove total organic carbon using a granular activated carbon (GAC) treatment system. The treatment system consists of two vessels filled with GAC that are approximately 13 feet in diameter and operate in series. Over time, carbon fines and concentrated organic matter build up between the carbon media and reduce effectiveness of the GAC treatment system. As part of the routine maintenance, the treatment system filters are periodically backwashed to flush out particulate material clogging the filter media.

According to the RWD, the filter system is backwashed using treated water from the distribution system. The backwash process has generally occurred every six months but can be needed as often as weekly. Each vessel is backwashed at a rate of 500 gallons per minute for 45 minutes resulting in 22,500 gallons of discharge per vessel. The lead vessel is backwashed first followed by the lag vessel a few days later. The total volume of backwash water is 45,000 gallons per backwash cycle. The backwash water is released on to the soil surface within the facility boundary and allowed to percolate into the ground. The Discharger maintains a containment berm to ensure the backwash water percolates within the facility boundary.

Samples of the backwash water were collected on 18 May 2023, and associated analytical results were included in the RWD. Detect and select non-detect sample results and comparison with respective water quality objectives are presented in

Table 1 below. Based on the available data, the discharge of backwash water complies with the terms and conditions in the Low Threat Waiver.

Table 1 - Backwash Quality

Constituent	Units	Backwash Sample (5/18/23)	Reporting Limit	Water Quality Objective
Electrical Conductivity	µmhos/cm	110	1.0	900
Total Dissolved Solids	mg/L	110	5.0	500
Chloride	mg/L	5.4	1.0	250
Sulfate	mg/L	6.2	1.0	250
Arsenic	µg/L	ND	2.0	10
Copper	µg/L	ND	5.0	1,300
Iron	µg/L	ND	30	300
Manganese	µg/L	ND	10	50
Silver	µg/L	ND	10	100
Chloroform	µg/L	1.6	0.50	80
Total Trihalomethanes	µg/L	1.6	0.50	80

FACILITY-SPECIFIC REQUIREMENTS

The Low Threat Waiver and this NOA covers the discharge of filter backwash water to land from the Kernville DWTP. The Discharger shall comply with the requirements specified in the Low Threat Waiver and the facility specific requirements listed below.

1. The discharge shall be conducted as described in the RWD and in accordance with the requirements contained in the Low Threat Waiver.
2. Discharge of filtered backwash water at a location or in a manner different from that described in this NOA is prohibited.
3. Runoff or discharge of backwash water to a wetland, surface water, surface water drainage course, or biologically or culturally sensitive areas is prohibited.
4. The Discharger shall maintain the containment berm to ensure filter backwash water is contained for percolation within the boundaries of land owned by the Discharger.
5. The Discharger shall notify the Central Valley Water Board of any change in agreement or use of the discharge of backwash.
6. The Discharger shall comply with the attached MRP R5-2023-0061-0043.

Failure to abide by the conditions of this NOA, attached MRP R5-2023-0061-0043, and the Low Threat Waiver, could result in enforcement actions, as authorized by provisions of the California Water Code, which could include civil liability.

DOCUMENT SUBMITTALS

All monitoring reports and other correspondence should be converted to a searchable Portable Document Format (PDF) and submitted electronically. Documents that are less than 50 MB should be emailed to: centralvalleyfresno@waterboards.ca.gov.

To ensure that your submittals are routed to the appropriate staff, the following information block should be included in any email used to transmit documents to this office:

Facility Name: Kernville DWTP - Backwash
Program: Non-15
Resolution: R5-2023-0061-0043
CIWQS Place ID: 895222

Documents that are 50 MB or larger should be transferred to a CD, DVD, or flash drive and mailed to:

Central Valley Regional Water Quality Control Board - Fresno Office
1685 E Street,
Fresno, CA 93706

All documents, including responses to inspections and written notifications, submitted to comply with this Waiver shall be directed, via the paperless office system, to the Compliance and Enforcement Unit, attention to Omar Mostafa. Mr. Mostafa can be reached at (559) 445-5197 or Omar.Mostafa@waterboards.ca.gov. Questions regarding the permitting aspects of the Waiver, and notification for termination of coverage under the Waiver, shall be directed, via the paperless office system, to the WDR Permitting Unit, attention Virat Kang. Mr. Kang can be reached at (559) 488-4345 or by email at Virat.Kang@waterboards.ca.gov.

Any person aggrieved by this action of the Central Valley Water Board may petition the State Water Resources Control Board to review the action in accordance with California Water Code section 13320 and California Code of Regulations, title 23, sections 2050 and following. The State Water Resources Control Board must receive the petition by 5:00 p.m., 30 days after the date of this NOA, except that if the thirtieth day following the date of this NOA falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Water Resources Control Board by 5:00 p.m. on the next business day. [Copies of the law and regulations applicable to filing petitions](#) may be found on the internet or will be provided upon request.
(http://www.waterboards.ca.gov/public_notices/petitions/water_quality).

Original signed by Alex S. Mushegan
For Patrick Pulupa
Executive Officer

(see next page for attachments and cc's)

Attachments:

- Attachment A – Location Map
- Attachment B – Facility Map

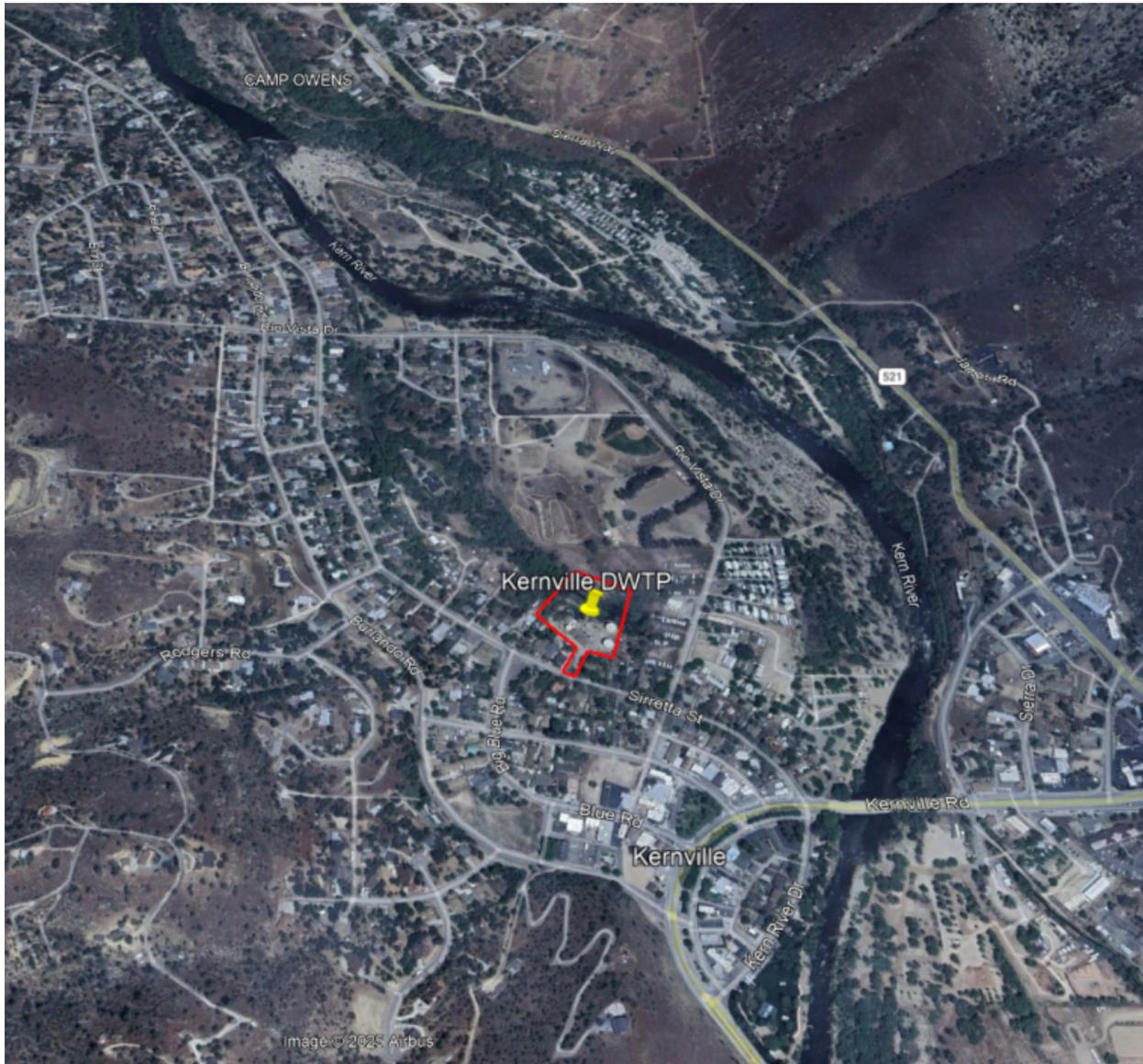
Enclosures:

- Monitoring and Reporting Program R5-2023-0061-0043
- Resolution R5-2023-0061 (Discharger Only)

cc w/enc.:

- Adam Forbes, State Water Resources Control Board, DDW (via email)
- Christopher Moskal, State Water Resources Control Board, OCC (via email)
- Omar Mostafa, Central Valley Water Board, Fresno (via email)
- Kern County Environmental Health Department, Bakersfield (via email)
- Jesse Dhaliwal, Division of Drinking Water, Bakersfield (via email)
- Talle Lopez, Environmental Affairs Director, California Water Service Company (via email)
- Neil McQueen, California Water Service, Bakersfield (via email)

ATTACHMENT A – LOCATION MAP



ATTACHMENT B – FACILITY MAP



**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION
MONITORING AND REPORTING PROGRAM R5-2023-0061-0043
FOR
CALIFORNIA WATER SERVICE COMPANY
TOTAL ORGANIC CARBON TREATMENT SYSTEM BACKWASH
KERN COUNTY**

On 24 February 2026, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) issued Notice of Applicability (NOA) R5-2023-0061-0043 to California Water Service Company (Discharger) for coverage under Resolution R5-2023-0061, *Waiver of Waste Discharge Requirements, Reports of Waste Discharge, and/or Water Recycling Requirements for Specific Types of Discharge Within the Central Valley Region* (Low Threat Waiver or Waiver) for discharge of filter backwash water to land from its Kernville Drinking Water Treatment Plant Backwash System. This Monitoring and Reporting Program (MRP) is issued pursuant to Water Code section 13267. The Discharger shall not implement any changes to this MRP unless and until a revised MRP is issued by the Central Valley Water Board.

Section 13267, subsection (b)(1) of the California Water Code states:

“In conducting an investigation specified in subdivision (a), the regional board may require that any person who has discharged, discharges, or is suspected of having discharged or discharging, or who proposes to discharge waste within its region, or any citizen or domiciliary, or political agency or entity of this state who has discharged, discharges, or is suspected of having discharged or discharging, or who proposes to discharge, waste outside of its region that could affect the quality of waters within its region shall furnish, under penalty of perjury, technical or monitoring program reports which the regional board requires. The burden, including costs, of these reports shall bear a reasonable relationship to the need for the report and the benefits to be obtained from the reports. In requiring those reports, the regional board shall provide the person with a written explanation with regard to the need for the reports, and shall identify the evidence that supports requiring that person to provide the reports.”

Section 13268 of the California Water Code states, in part:

“(a)(1) Any person failing or refusing to furnish technical or monitoring program reports as required by subdivision (b) of section 13267, or failing or refusing to furnish a statement of compliance as required by subdivision (b) of section 13399.2, or falsifying any information provided therein, is guilty of a misdemeanor and may be liable civilly in accordance with subdivision (b).

(b)(1) Civil liability may be administratively imposed by a regional board in accordance with article 2.5 (commencing with section 13323) of chapter 5 for a

violation of subdivision (a) in an amount which shall not exceed one thousand dollars (\$1,000) for each day in which the violation occurs.”

The Discharger owns and operates the treatment and disposal systems that are subject to NOA R5-2023-0061-0043. These reports are necessary to ensure that the Discharger complies with the NOA, and the conditions specified in the Low Threat Waiver. Pursuant to Water Code section 13267, the Discharger shall implement this MRP and submit the monitoring reports described herein.

A glossary of terms used in this MRP is included on the last page.

I. GENERAL MONITORING REQUIREMENTS

A. FLOW MONITORING

Hydraulic flow rates shall be measured at the monitoring points specified in this MRP. All flow monitoring systems shall be appropriate for the conveyance system (i.e., open channel flow or pressure pipeline) and liquid type. The measurements may be based on flow meter readings or pump run time estimate. The method of measurement must be specified. Unless otherwise specified, each flow meter shall be equipped with a flow totalizer to allow reporting of cumulative volume as well as instantaneous flow rate. Flow meters shall be calibrated at the frequency recommended by the manufacturer; typically, at least once per year and records of calibration shall be maintained for review upon request.

B. MONITORING AND SAMPLING LOCATIONS

Samples shall be obtained at the monitoring points specified in this MRP. The Central Valley Water Board’s Executive Officer shall approve any proposed changes to sampling locations prior to implementation of the change.

The Discharger shall monitor the following locations to demonstrate compliance with the requirements of this MRP.

Table 1 - Monitoring Locations

Monitoring Location	Monitoring Location Description
EFF-001	Location where a sample of the backwash may be collected after any treatment but before discharge to land.
LAA-001	Designated land application/disposal area.

C. SAMPLING AND SAMPLE ANALYSIS

All samples shall be representative of the volume and nature of the discharge or matrix of material sampled. Except as specified otherwise in this MRP, grab samples will be considered representative of water, wastewater, soil, solids/sludges

and groundwater. The time, date, and location of each sample shall be recorded on the sample chain of custody form.

Field test instruments (such as those used to measure pH, temperature, electrical conductivity, dissolved oxygen, wind speed, and precipitation) may be used provided that:

1. The operator is trained in proper use and maintenance of the instruments;
2. The instruments are field calibrated at the frequency recommended by the manufacturer;
3. The instruments are serviced and/or calibrated by the manufacturer at the recommended frequency; and
4. Field calibration reports are submitted as described in the “Reporting Requirements” section of this MRP.

Laboratory analytical procedures shall comply with the methods and holding times specified in the following (as applicable to the medium to be analyzed):

- Methods for Organic Chemical Analysis of Municipal and Industrial Wastewater (EPA);
- Test Methods for Evaluating Solid Waste (EPA);
- Methods for Chemical Analysis of Water and Wastes (EPA);
- Methods for Determination of Inorganic Substances in Environmental Samples (EPA);
- Standard Methods for the Examination of Water and Wastewater (APHA/AWWA/WEF); and
- Soil, Plant and Water Reference Methods for the Western Region (WREP 125).

Approved editions shall be those most recently approved for use by the United States Environmental Protection Agency (US EPA) or the State Water Resources Control Board, Division of Drinking Water’s Environmental Laboratory Accreditation Program (ELAP). The Discharger may propose alternative methods for approval by the Executive Officer. Where technically feasible, laboratory reporting limits shall be lower than the applicable water quality objectives for the constituents to be analyzed.

II. GENERAL MONITORING REQUIREMENTS

A. BACKWASH MONITORING (EFF-001)

Samples of the backwash water shall be collected from a location after the lag filter on the backwash storage tank that represents the effluent quality distributed to the land application area. At a minimum, effluent monitoring shall consist of the following:

Table 2 – Effluent Monitoring

Constituent	Units	Sample Type	Sample Frequency
Flow Rate	Gpd	Meter (see 1 below)	Continuous
Electrical Conductivity	µmhos/cm	Grab	Annually (see 2 below)
Arsenic	ug/L	Grab	Annually (see 2 below)
General Minerals (see 3 below)	various	Grab	1/three years (see 4 below)

1. Flow rate may be metered or estimated. Basis for estimates should be provided in annual monitoring reports.
2. Samples shall be collected from each station annually during the first backwash event of the year. If no backwash event occurs during the year no sample shall be collected, and it shall be reported as such in the Annual Monitoring Report.
3. See Glossary for the list of General Minerals constituents to be analyzed.
4. Sample shall be collected once every three years starting in 2026.

B. DISPOSAL AREA MONITORING

The Discharger shall inspect the Disposal Area daily when backwash water is being applied. The results of the inspection shall be provided in tabular format and be included as part of the Annual Monitoring Report. If no backwash water is applied during a reporting period, the monitoring report shall so state. Disposal Area monitoring shall include the following:

Table 3 – Disposal Area Monitoring

Constituent	Sample Type	Sample Frequency
Saturated Soils/Ponding	Observation	Daily
Soil Erosion	Observation	Daily
Nuisance Odors or Vectors	Observation	Daily
Evidence of Runoff	Observation	Daily

C. SOLIDS DISPOSAL MONITORING

The Discharger shall report the handling and disposal of all solids associated with the water treatment system and discharge of backwash water (e.g., filter material, sludge from the backwash storage tank, filter bags, etc.). Records shall include the name/contact information for the hauling company, the type and amount of waste transported, the date removed, the disposal facility name and address, and copies of any analytical data required by the entity accepting the waste. These records shall be submitted as part of the annual monitoring report.

III. REPORTING REQUIREMENTS

All monitoring reports should be converted to a searchable Portable Document Format (PDF) and submitted electronically. Documents that are less than 50MB should be emailed to: centralvalleyfresno@waterboards.ca.gov. Documents that are 50 MB or larger should be transferred to a CD, DVD, or flash drive and mailed to the following address:

Central Valley Regional Water Quality Control Board
Region 5 – Fresno Office
1685 “E” St.
Fresno, California 93706

To ensure that your submittal is routed to the appropriate staff person, the following information should be included in the body of the email or transmittal sheet:

Discharger: California Water Service Company
Facility Name: Kernville DWTP - Backwash
Program: Non-15
Resolution: R5-2023-0061-0043
CIWQS Place ID: 895222

A transmittal letter shall accompany each monitoring report. The letter shall include a discussion of all violations of this MRP during the reporting period and actions taken or planned for correcting each violation. If the Discharger has previously submitted a report describing corrective actions taken and/or a time schedule for implementing the corrective actions, reference to the previous correspondence will be satisfactory. The transmittal letter shall contain a statement by the Discharger or the Discharger’s authorized agent certifying under penalty of perjury that the report is true, accurate and complete to the best of the signer’s knowledge. In reporting monitoring data, the Discharger shall arrange the data in tabular form so that the date, sample type (e.g., effluent, groundwater, etc.), and reported analytical result for each sample are readily discernible. The data shall be summarized in such a manner to clearly illustrate compliance with waste discharge requirements and spatial or temporal trends, as applicable. The results of any

monitoring done more frequently than required at the locations specified in the Monitoring and Reporting Program shall be reported in the next scheduled monitoring report. Laboratory analysis reports shall be included in the monitoring reports. All laboratory reports must also be retained for a minimum of three years. For a discharger conducting any of its own analyses, reports must also be signed and certified by the chief of the laboratory.

Monitoring information shall include the method detection limit (MDL) and the Reporting limit (RL) or practical quantitation limit (PQL). If the regulatory limit for a given constituent is less than the RL (or PQL), then any analytical results for that constituent that are below the RL (or PQL) but above the MDL shall be reported and flagged as estimated.

All monitoring reports that involve planning, investigation, evaluation or design, or other work requiring interpretation and proper application of engineering or geologic sciences, shall be prepared by or under the direction of persons registered to practice in California pursuant to California Business and Professions Code sections 6735, 7835, and 7835.1.

A. Annual Monitoring Reports

The Annual monitoring report shall be submitted to the Central Valley Water Board **February 1st of each year**. The report shall bear the certification and signature of the Discharger or his/her authorized representative. At a minimum, the annual report shall include the following information.

1. Results of all required monitoring data shall be presented in tabular format.
2. Copies of all laboratory analytical report(s) and chain of custody form(s) for in-house and contracted laboratory analyses.
3. Field calibration records.
4. The names and contact information for the operator(s) responsible for operation, maintenance, and monitoring of the treatment system and discharge of backwash water.
5. A discussion and summary of the compliance record for the reporting period identifying all corrective actions taken, as well as any planned or proposed actions needed to bring the discharge into compliance with the NOA and/or Low Threat Waiver.
6. A discussion of any data gaps and potential deficiencies/redundancies in the monitoring system or reporting program.

If, in the opinion of the Executive Officer, the Discharger fails to comply with the NOA and the conditions specified in the Low Threat Waiver, the Executive Officer may refer this matter to the Attorney General for judicial enforcement, may issue a complaint for administrative civil liability, or may take other enforcement actions. Failure to comply

with this Order may result in the assessment of Administrative Civil Liability of up to \$1,000 per violation, per day, depending on the violation, pursuant to the Water Code section 13268. The Central Valley Water Board reserves its right to take any enforcement actions authorized by law.

Any person aggrieved by this action of the Central Valley Water Board may petition the State Water Resources Control Board to review the action in accordance with California Water Code section 13320 and California Code of Regulations, title 23, sections 2050 and following. The State Water Resources Control Board must receive the petition by 5:00 p.m., 30 days after the date of this MRP, except that if the thirtieth day following the date of this Order falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Water Resources Control Board by 5:00 p.m. on the next business day. [Copies of the law and regulations applicable to filing petitions](#) may be found on the internet (http://www.waterboards.ca.gov/public_notices/petitions/water_quality) or will be provided on request.

The Discharger shall implement the above monitoring program in the first month following the date of this MRP.

Ordered by: *Original signed by Alex S. Mushegan*

For PATRICK PULUPA, Executive Officer

24 February 2026

(Date)

GLOSSARY

EC	Electrical conductivity at 25° C
Continuous	The specified parameter shall be measured by a meter continuously.
gpd	Gallons per day
1/three years	Once every three years
mg/L	Milligrams per liter
µg/L	Micrograms per liter
µmhos/cm	Micromhos per centimeter
General Minerals	Analysis shall include; alkalinity (as CaCO ₃), bicarbonate (asCaCO ₃), boron, calcium, carbonate (as CaCO ₃), chloride, iron, magnesium, manganese, nitrate as N, phosphate, potassium, sodium, sulfate, total dissolved solids, and verification that the analysis is complete (i.e., cation/anion balance).
MDL	Method detection limit
RL	Reporting limit
PQL	Practical quantitation limit