



## Texas Commission on Environmental Quality

Protecting Texas by Reducing and Preventing Pollution

March 21, 2023

### Delivered Via Regular Mail

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VISTA UTILITIES  
NORMAN BARNETT, OWNER  
PO BOX 3104  
BAYTOWN, TX 77522-3104

**SUBJECT: Notice of Violation: CHEMICAL MONITORING, ROUTINE MAJOR**  
VISTA UTILITIES - PWS ID NO. TX0360026  
CHAMBERS County, TX

**This letter contains important information about compliance requirements for your public water system.**

Attention: Public Water System Owner / Manager / Operator

The Texas Commission on Environmental Quality (TCEQ) conducted an investigation to evaluate VISTA UTILITIES's compliance with State public water system rules. TCEQ has determined that VISTA UTILITIES failed to submit the required chemical analysis results report(s). The attached Monitoring/Reporting (M/R) Violation Report lists the chemical constituent(s) and associated compliance monitoring period(s) that were not reported to the TCEQ.

Your public water system is required to issue public notification to your customers about the M/R violation(s) as soon as possible, but no later than 12 months after the date the violation was identified in accordance with Title 30, Texas Administrative Code (30 TAC) § 290.122(c). The public notice must use the enclosed mandatory language for every notice and include a brief statement about what you plan to do to fix the problem, as described in 30 TAC § 290.122(d). This statement must describe what actions the water system is taking to correct the violation, and when the water system expects to return to compliance.

Community public water systems, in accordance with 30 TAC § 290.122(c)(2)(C), may use the Consumer Confidence Report (CCR) as a means of delivery for the initial public notification for this M/R violation, and all required repeat notices, under the following conditions: (1) the CCR is provided to your customers served no later than 12 months after the public water system learned of the violations, (2) the notice contained in the CCR must follow the content requirements under 30 TAC §290.272, and (3) the CCR is distributed following the delivery requirements under 30 TAC §290.274.

The TCEQ recommends that the public water system provide a copy of the Public Notice(s) to local and state officials, such as Mayors, City Council Members, County Commissioners, Judges, and/or State Representatives, that are located in or that represent the affected area(s) served by the system.

You are required to repeat the notice every 12 months for as long as the violation persists. You should use the same method that you used for the initial notice. Please send a copy of the public notification and a signed Certificate of Delivery for Public Notice to this office within 10 days after it has been delivered. Mail to:

**Drinking Water Inventory and Protection Team  
TCEQ Public Drinking Water (MC-155)  
P.O. Box 13087, Austin, TX 78711-3087**

The TCEQ appreciates your assistance in this matter. Please note that the Texas Legislature has granted TCEQ enforcement powers which we may exercise to ensure compliance with environmental regulatory requirements. Failure to submit the required chemical analysis results report(s) listed in the attached Monitoring/Reporting Violation Report to the TCEQ and/or failure to perform public notification as described above may result in formal enforcement action.

To view your public water system information, including the status of your violation(s), and public notice requirements, visit Texas Drinking Water Watch at: <http://dww2.tceq.texas.gov/DWW/>.

If you have questions regarding this **monitoring and reporting violation**, please contact:

Matthew Munro, Chemical Monitoring Coordinator  
Phone: (512) 239-5821 Fax : (512) 239-6050  
Email: PWSChem@tceq.texas.gov

If you have questions regarding **public notice requirements**, please contact:

Kristine Krieg, Public Notice Compliance Coordinator  
Phone: 512-239-5723  
Fax: (512) 239-3666  
Email: PWSPN@tceq.texas.gov

Sincerely,



Michele Risko, Manager  
Drinking Water Standards Section  
Water Supply Division  
Texas Commission on Environmental Quality

MR/av  
Enclosures

cc: TCEQ Region 12

CORAIMA REYNA, COMPLIANCE COORDINAT PO BOX 690521 HOUSTON, TX 77269-0521

HARRISON JAMES WILLIAMS, OWNER PO BOX 690521 HOUSTON, TX 77269-0521

**Monitoring and Reporting Violation Report:  
VISTA UTILITIES PWS ID NO. TX0360026**

DS01		DISTRIBUTION SYSTEM		
DBP PHASE 2		Triennial 01/01/2020 - 12/31/2022		
<u>Analyte Code</u>	<u>Violation ID</u>	<u>Analyte</u>	<u>Rule Citation</u>	
2456	90065775	TOTAL HALOACETIC ACIDS (HAA5)	30 TAC §290.115(f)(2) and §290.115(f)(4) - Monitoring and Reporting Violation	
2950	90065774	TTHM	30 TAC §290.115(f)(2) and §290.115(f)(4) - Monitoring and Reporting Violation	

  

EP001		EP001		
		Annual 01/01/2022 - 12/31/2022		
<u>Analyte Code</u>	<u>Violation ID</u>	<u>Analyte</u>	<u>Rule Citation</u>	
1040	90065787	NITRATE	30 TAC §290.106(c)(6), §290.106(e), §290.46(f)(4) - Monitoring and Reporting Violation	
1041	90065776	NITRITE	30 TAC §290.106(c)(7), §290.106(e), §290.46(f)(4) - Monitoring and Reporting Violation	

  

EDB/DBCP		Triennial 01/01/2020 - 12/31/2022		
<u>Analyte Code</u>	<u>Violation ID</u>	<u>Analyte</u>	<u>Rule Citation</u>	
2931	90065792	1,2-DIBROMO-3-CHLOROPROPANE	30 TAC §290.107(c)(1), §290.107(e), §290.46(f)(4) - Monitoring and Reporting Violation	
2946	90065793	ETHYLENE DIBROMIDE	30 TAC §290.107(c)(1), §290.107(e), §290.46(f)(4) - Monitoring and Reporting Violation	

  

METALS REVISED		Triennial 01/01/2020 - 12/31/2022		
<u>Analyte Code</u>	<u>Violation ID</u>	<u>Analyte</u>	<u>Rule Citation</u>	
1002	90065759	ALUMINUM	30 TAC §290.106(c), §290.106(e) - Monitoring and Reporting Violation	
1005	90065760	ARSENIC	30 TAC §290.106(c), §290.106(e) - Monitoring and Reporting Violation	
1010	90065761	BARIUM	30 TAC §290.106(c), §290.106(e) - Monitoring and Reporting Violation	
1015	90065762	CADMIUM	30 TAC §290.106(c), §290.106(e) - Monitoring and Reporting Violation	
1020	90065763	CHROMIUM	30 TAC §290.106(c), §290.106(e) - Monitoring and Reporting Violation	
1028	90065764	IRON	30 TAC §290.106(c), §290.106(e) - Monitoring and Reporting Violation	
1032	90065765	MANGANESE	30 TAC §290.106(c), §290.106(e) - Monitoring and Reporting Violation	
1035	90065766	MERCURY	30 TAC §290.106(c), §290.106(e) - Monitoring and Reporting Violation	
1045	90065772	SELENIUM	30 TAC §290.106(c), §290.106(e) - Monitoring and Reporting Violation	

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METALS REVISED		Triennial 01/01/2020 - 12/31/2022	
<u>Analyte Code</u>	<u>Violation ID</u>	<u>Analyte</u>	<u>Rule Citation</u>
1050	90065767	SILVER	30 TAC §290.106(c), §290.106(e) - Monitoring and Reporting Violation
1074	90065768	ANTIMONY, TOTAL	30 TAC §290.106(c), §290.106(e) - Monitoring and Reporting Violation
1075	90065769	BERYLLIUM, TOTAL	30 TAC §290.106(c), §290.106(e) - Monitoring and Reporting Violation
1085	90065770	THALLIUM, TOTAL	30 TAC §290.106(c), §290.106(e) - Monitoring and Reporting Violation
1095	90065771	ZINC	30 TAC §290.106(c), §290.106(e) - Monitoring and Reporting Violation
TXCU	90065773	TEXAS COPPER	30 TAC §290.106(c), §290.106(e) - Monitoring and Reporting Violation
MINERALS		Triennial 01/01/2020 - 12/31/2022	
<u>Analyte Code</u>	<u>Violation ID</u>	<u>Analyte</u>	<u>Rule Citation</u>
1017	90065788	CHLORIDE	30 TAC §290.106(c)(4), §290.106(e) - Monitoring and Reporting Violation
1025	90065789	FLUORIDE	30 TAC §290.106(c)(4), §290.106(e) - Monitoring and Reporting Violation
1055	90065790	SULFATE	30 TAC §290.106(c)(4), §290.106(e) - Monitoring and Reporting Violation
1930	90065791	TDS	30 TAC §290.106(c)(4), §290.106(e) - Monitoring and Reporting Violation
SOC METHOD 515.4		Triennial 01/01/2020 - 12/31/2022	
<u>Analyte Code</u>	<u>Violation ID</u>	<u>Analyte</u>	<u>Rule Citation</u>
2031	90065777	DALAPON	30 TAC §290.107(c)(1), §290.107(e), §290.46(f)(4) - Monitoring and Reporting Violation
2040	90065778	PICLORAM	30 TAC §290.107(c)(1), §290.107(e), §290.46(f)(4) - Monitoring and Reporting Violation
2041	90065779	DINOSEB	30 TAC §290.107(c)(1), §290.107(e), §290.46(f)(4) - Monitoring and Reporting Violation
2105	90065780	2,4-D	30 TAC §290.107(c)(1), §290.107(e), §290.46(f)(4) - Monitoring and Reporting Violation
2110	90065781	2,4,5-TP	30 TAC §290.107(c)(1), §290.107(e), §290.46(f)(4) - Monitoring and Reporting Violation

<u>Analyte Code</u>	<u>Violation ID</u>	<u>Analyte</u>	<u>Rule Citation</u>
2036	90065782	OXAMYL	30 TAC §290.107(c)(1), §290.107(e), §290.46(f)(4) - Monitoring and Reporting Violation
2043	90065783	ALDICARB SULFOXIDE	30 TAC §290.107(c)(1), §290.107(e), §290.46(f)(4) - Monitoring and Reporting Violation
2044	90065784	ALDICARB SULFONE	30 TAC §290.107(c)(1), §290.107(e), §290.46(f)(4) - Monitoring and Reporting Violation
2046	90065785	CARBOFURAN	30 TAC §290.107(c)(1), §290.107(e), §290.46(f)(4) - Monitoring and Reporting Violation
2047	90065786	ALDICARB	30 TAC §290.107(c)(1), §290.107(e), §290.46(f)(4) - Monitoring and Reporting Violation

## VOLATILE ORGANICS

Annual 01/01/2022 - 12/31/2022

<u>Analyte Code</u>	<u>Violation ID</u>	<u>Analyte</u>	<u>Rule Citation</u>
2378	90065738	1,2,4-TRICHLOROBENZENE	30 TAC §290.107(c)(2), §290.107(e), §290.46(f)(4) - Monitoring and Reporting Violation
2380	90065739	CIS-1,2-DICHLOROETHYLENE	30 TAC §290.107(c)(2), §290.107(e), §290.46(f)(4) - Monitoring and Reporting Violation
2955	90065740	XYLENES, TOTAL	30 TAC §290.107(c)(2), §290.107(e), §290.46(f)(4) - Monitoring and Reporting Violation
2964	90065741	DICHLOROMETHANE	30 TAC §290.107(c)(2), §290.107(e), §290.46(f)(4) - Monitoring and Reporting Violation
2968	90065742	O-DICHLOROBENZENE	30 TAC §290.107(c)(2), §290.107(e), §290.46(f)(4) - Monitoring and Reporting Violation
2969	90065743	P-DICHLOROBENZENE	30 TAC §290.107(c)(2), §290.107(e), §290.46(f)(4) - Monitoring and Reporting Violation
2976	90065744	VINYL CHLORIDE	30 TAC §290.107(c)(2), §290.107(e), §290.46(f)(4) - Monitoring and Reporting Violation
2977	90065745	1,1-DICHLOROETHYLENE	30 TAC §290.107(c)(2), §290.107(e), §290.46(f)(4) - Monitoring and Reporting Violation
2979	90065746	TRANS-1,2-DICHLOROETHYLENE	30 TAC §290.107(c)(2), §290.107(e), §290.46(f)(4) - Monitoring and Reporting Violation
2980	90065747	1,2-DICHLOROETHANE	30 TAC §290.107(c)(2), §290.107(e), §290.46(f)(4) - Monitoring and Reporting Violation
2981	90065748	1,1,1-TRICHLOROETHANE	30 TAC §290.107(c)(2), §290.107(e), §290.46(f)(4) - Monitoring and Reporting Violation
2982	90065749	CARBON TETRACHLORIDE	30 TAC §290.107(c)(2), §290.107(e), §290.46(f)(4) - Monitoring and Reporting Violation
2983	90065750	1,2-DICHLOROPROPANE	30 TAC §290.107(c)(2), §290.107(e), §290.46(f)(4) - Monitoring and Reporting Violation
2984	90065751	TRICHLOROETHYLENE	30 TAC §290.107(c)(2), §290.107(e), §290.46(f)(4) - Monitoring and Reporting Violation
2985	90065752	1,1,2-TRICHLOROETHANE	30 TAC §290.107(c)(2), §290.107(e), §290.46(f)(4) - Monitoring and Reporting Violation
2987	90065753	TETRACHLOROETHYLENE	30 TAC §290.107(c)(2), §290.107(e), §290.46(f)(4) - Monitoring and Reporting Violation
2989	90065754	CHLOROBENZENE	30 TAC §290.107(c)(2), §290.107(e), §290.46(f)(4) - Monitoring and Reporting Violation
2990	90065755	BENZENE	30 TAC §290.107(c)(2), §290.107(e), §290.46(f)(4) - Monitoring and Reporting Violation

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VOLATILE ORGANICS

Annual 01/01/2022 - 12/31/2022

<u>Analyte Code</u>	<u>Violation ID</u>	<u>Analyte</u>	<u>Rule Citation</u>
2991	90065756	TOLUENE	30 TAC §290.107(c)(2), §290.107(e), §290.46(f)(4) - Monitoring and Reporting Violation
2992	90065757	ETHYLBENZENE	30 TAC §290.107(c)(2), §290.107(e), §290.46(f)(4) - Monitoring and Reporting Violation
2996	90065758	STYRENE	30 TAC §290.107(c)(2), §290.107(e), §290.46(f)(4) - Monitoring and Reporting Violation



**Mandatory Language for Monitoring and Reporting Violation  
Chemical Sampling  
CHEMICAL MONITORING, ROUTINE MAJOR**

The VISTA UTILITIES water system PWS ID TX0360026 has violated the monitoring and reporting requirements set by Texas Commission on Environmental Quality (TCEQ) in Chapter 30, Section 290, Subchapter F. Public water systems are required to collect and submit chemical samples of water provided to their customers, and report the results of those samples to the TCEQ on a regular basis.

We failed to monitor and/or report the following constituents \_\_\_\_\_

This/These violation(s) occurred in the monitoring period(s) \_\_\_\_\_  
<monitoring period of violation>

Results of regular monitoring are an indicator of whether or not your drinking water is safe from chemical contamination. We did not complete all monitoring and/or reporting for chemical constituents, and therefore TCEQ cannot be sure of the safety of your drinking water during that time.

We are taking the following actions to address this issue:

\_\_\_\_\_  
\_\_\_\_\_

<corrective actions>

Please share this information with all people who drink this water, especially those who may not have received this notice directly (i.e., people in apartments, nursing homes, schools, and businesses). You can do this by posting this notice in a public place or distributing copies by hand or mail.

If you have questions regarding this matter, you may contact \_\_\_\_\_ at \_\_\_\_\_  
<area code + phone number> <water system official's name>

Posted /Delivered on: \_\_\_\_\_  
<Date Posted>

**Instructions for preparing the required Public Notice:**

Recopy the mandatory language above and insert the underlined information in the spaces indicated.

The TCEQ recommends that the public water system provide a copy of the Public Notice(s) to local and state officials, such as Mayors, City Council Members, County Commissioners, Judges, and/or State Representatives, that are located in or that represent the affected area(s) served by the system.

**Public Notice delivery timelines:**

The initial public notice shall be issued as soon as possible, but in no case later than 12 months after the violation was identified. Repeat public notice shall be issued every twelve months for as long as the violation persists. All notifications require the attached Certificate of Delivery due 10 days from the posting date of the above notice.

Refer to 30 TAC §290.122 for additional information on Public Notification.





## Texas Commission on Environmental Quality

### CERTIFICATE OF DELIVERY OF TIER III PUBLIC NOTICE TO CUSTOMERS Public Notice (PN) to be posted within **12 months** of initial violation notification

Public Water System (PWS) name: VISTA UTILITIES

PWS ID:0360026

Type of Violation or Situation	Time Period(s) of Violation	# Samples Required	# Samples Submitted

30 TAC 290.122(c) states that the owner or operator of a PWS who fails to perform required monitoring, fails to comply with a test procedure, or is subject to variance or exemption granted under §290.102(b) shall notify persons served by the system no later than one year after the PWS learns of the violation. The initial public notice shall be issued in the following manner:

#### COMMUNITY WATER SYSTEM:

- Mail or other direct delivery to each customer receiving a bill and to other service connections to which water is delivered **OR**
- Reporting in the Consumer Confidence Report (CCR) (**At least one of these two options is required**)  
**AND** any other method reasonably calculated to reach other persons served by the PWS such as (choose one or more below):
- Delivery of multiple copies for distribution to others (i.e. apartment building owners, large private employers)
- Continuous posting in conspicuous public places within the area served
- On the internet
- Electronic delivery or alert systems (e.g., reverse 911)
- Delivery to community organizations

#### NONCOMMUNITY WATER SYSTEM: \_\_\_\_\_

- Continuously post Notice in conspicuous places within affected PWS or service area **OR**
- Mail or direct delivery to each customer or service connection (**At least one of these two options is required**)  
**AND** any other method reasonably calculated to reach other persons served by the PWS such as (choose one or more below):
- Publication in a local newspaper or newsletter distributed to customers
- E-mail to notify employees or students
- Electronic delivery or alert systems (e.g., reverse 911)
- Delivery of multiple copies to central locations (e.g., community centers, large employers)
- On the internet

In accordance with 30 TAC §290.122(g), all public water systems that are required to issue public notice to persons in accordance with 30 TAC §290.122, and that sell or otherwise provide drinking water to other public water systems (i.e., consecutive systems), shall provide public notice to the owner or operator of the consecutive systems.

- This PWS provides water to consecutive systems and those systems have been provided public notice.

Notice to Consecutive Systems was delivered on: \_\_\_\_\_ (date) by the following means:

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Comments: \_\_\_\_\_

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“I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations.”

NOTE: 30 TAC 290.122(f) requires the PWS to provide a copy of the Public Notice issued and a signed Certificate of Delivery to the Executive Director within 10 days.

Date of Delivery to Customers: \_\_\_\_\_ Phone: \_\_\_\_\_

Certified by (print name): \_\_\_\_\_ Title: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Submit a copy of the Public Notice delivered to customers and a copy of this completed Certificate of Delivery to the TCEQ at:**

**E-mail:** [pwspn@tceq.texas.gov](mailto:pwspn@tceq.texas.gov)

**Mail:** TCEQ, Water Supply Division, MC-155  
Attn: Public Notice P.O. Box 13087  
Austin, TX 78711-3087

A Word version of the PN and COD are located on the TCEQ web page titled ‘Public Notice Language for Drinking Water Compliance’:

[https://www.tceq.texas.gov/drinkingwater/public\\_notice.html](https://www.tceq.texas.gov/drinkingwater/public_notice.html)