



## Filing Receipt

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**DOCKET NO. 53356**

<b>REQUEST FOR AN EMERGENCY</b>	<b>§</b>	<b>PUBLIC UTILITY COMMISSION</b>
<b>ORDER APPOINTING A TEMPORARY</b>	<b>§</b>	
<b>MANAGER FOR VILLA UTILITIES,</b>	<b>§</b>	<b>OF TEXAS</b>
<b>REED ESTATES WATER SYSTEM,</b>	<b>§</b>	
<b>VISTA UTILITIES, AND J &amp; L TERRY</b>		
<b>LANE WITHOUT A HEARING</b>		

**COMMISSION STAFF’S REQUEST FOR AN EMERGENCY ORDER APPOINTING A  
TEMPORARY MANAGER FOR VILLA UTILITIES, REED ESTATES WATER  
SYSTEM, VISTA UTILITIES, AND J & L TERRY LANE WITHOUT A HEARING**

For the reasons discussed below, Commission Staff requests that the Executive Director of the Public Utility Commission of Texas issue an emergency order appointing Harrison Williams to temporarily manage and operate Villa Utilities, Reed Estates Water System, Vista Utilities, and J & L Terry Lane. The Executive Director should issue this emergency order and set a time for a hearing that is as soon after the issuance of the emergency order as practicable. In support of this request, Commission Staff respectfully shows the following:

**I. JURISDICTION AND LEGAL AUTHORITY**

Under Texas Water Code (TWC) § 13.041(d)(1), the Commission may issue an emergency order with or without a hearing to compel a retail public utility to provide continuous and adequate water service if the discontinuance of the service is imminent or has occurred because of the utility’s actions or failures to act. Under TWC § 13.4132 and 16 Texas Administrative Code (TAC) §§ 24.355(a)(1) and 24.357(a), the Commission may appoint a willing person to temporarily manage and operate a utility if the utility has abandoned operations. Under 16 TAC § 24.355(c), actions constituting abandonment can include, but are not limited to, a utility’s “failure to adequately maintain facilities or provide sufficient facilities resulting in potential health hazards, extended outages, or repeated service interruptions;”<sup>1</sup> a utility’s “failure to secure an alternative available water supply during an outage;”<sup>2</sup> or a utility “repeatedly failing to respond to the commission or the utility’s customers.”<sup>3</sup>

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<sup>1</sup> 16 TAC § 24.355(c)(3).

<sup>2</sup> 16 TAC § 24.355(c)(5).

<sup>3</sup> 16 TAC § 24.355(c)(6).

A person appointed as temporary manager under TWC § 13.4132(c) and 16 TAC § 24.357(b) has the powers and duties necessary to ensure the continued operation of the utility and the provision of continuous and adequate services to customers. One such duty requires a temporary manager to post financial assurance with the Commission, unless the temporary manager or the Commission's Executive Director asks for a waiver of the financial assurance or requests substitution of another means of collateral.<sup>4</sup> Within 60 days of appointment, a temporary manager must make and return to the Commission an inventory of all property received.<sup>5</sup> Compensation for the temporary manager comes from the utility revenues and is set by the Commission at the time of appointment.<sup>6</sup> The temporary manager must collect the assets and carry on the business of the utility and use the revenues and assets of the utility in the best interests of the customers to ensure the provision of continuous and adequate service.<sup>7</sup> The temporary manager is required to report to the Commission on a monthly basis the following items: an income statement for the reporting period; a summary of utility activities, such as improvements or repairs made, number of connections added, and the amount of water produced or treated; as well as any other information required by the Commission.<sup>8</sup>

The Commission has the authority to appoint a temporary manager by emergency order without notice or an opportunity for a hearing.<sup>9</sup> Under TWC § 13.451(b), the Commission may delegate to the Commission's executive director the authority to issue emergency orders under Subchapter K-1 of the TWC, and the Commission did delegate such authority in an order issued on December 4, 2015, in Project No. 43517. Notice required under the Administrative Procedures Act<sup>10</sup> does not apply to an emergency order issued under Subchapter K-1 of the TWC.<sup>11</sup> However, 16 TAC § 22.293(c) requires the Commission to provide notice to the affected utility "as soon as practicable," and, under 16 TAC § 22.297(d)(2), the Commission or executive director must set a

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<sup>4</sup> 16 TAC § 24.357(c).

<sup>5</sup> 16 TAC § 24.357(e).

<sup>6</sup> 16 TAC § 24.357(f).

<sup>7</sup> 16 TAC § 24.357(g).

<sup>8</sup> 16 TAC § 24.357(h).

<sup>9</sup> TWC § 13.451(a) and 16 TAC §§ 24.14(a)(1) and 24.355(b).

<sup>10</sup> Administrative Procedures Act, Tex. Gov't. Code §§ 2001.001-.902 (APA).

<sup>11</sup> TWC § 13.451(c).

time and place for a hearing held in accordance with 16 TAC § 22.299 to affirm, modify, or set aside the emergency order.

An emergency order issued under Subchapter P of 16 TAC § 22 must contain a description of the condition justifying the issuance of the order; any findings of fact required; a statement on the term of the order, including the dates on which the order will begin and end; and a description of the action sought.<sup>12</sup> The term of an emergency order issued in accordance with 16 TAC § 24.14(a)(1) is limited to 180 days, though it may be renewed once for a period not to exceed 180 days.<sup>13</sup>

## II. FACTUAL ALLEGATIONS

Norman Barnett is the owner registered with the Texas Commission on Environmental Quality (TCEQ) of four public water systems located in Harris and Chambers counties, which collectively provide water service to approximately 91 service connections. As a person or corporation owning or operating for compensation facilities for the distribution, sale, or provision of potable water to the public, Mr. Barnett's four public water systems are utilities as defined by the TWC and Commission rules.<sup>14</sup> Under TWC § 13.242(a) and 16 TAC § 24.225(a), a utility may not in any way render retail water service to the public without first having obtained from the Commission a Certificate of Convenience and Necessity (CCN). Retail water service, under the TWC, means service provided by a retail public utility to the ultimate consumer for compensation.<sup>15</sup> Mr. Barnett's four public water systems are retail public utilities under the TWC because they are operated or maintained to provide potable water service for compensation.<sup>16</sup> Of Mr. Barnett's four public water systems, only one has a Commission-approved CCN: Villa Utilities (PWS ID No. 1011183), which provides retail water service under CCN number 12079. Reed Estates Water System (PWS ID No. 1010945), Vista Utilities (PWS ID No. 0360026), and J & L Terry Lane (PWS ID No. 1011684) are not certificated by the Commission to provide retail water service. Therefore, because Reed Estates, Vista Utilities, and J & L Terry Lane provide

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<sup>12</sup> 16 TAC § 22.298(2)-(5).

<sup>13</sup> 16 TAC § 24.14(f) and (g).

<sup>14</sup> TWC § 13.002(23) and 16 TAC § 24.3(39).

<sup>15</sup> TWC § 13.002(20) and 16 TAC § 24.3(32).

<sup>16</sup> TWC § 13.002(19) and 16 TAC § 24.3(31).

retail service to their respective end-use consumers, they are required to be certificated by the Commission; yet, they are not.

Since 2017, the Commission has received 17 informal complaints against utilities owned by Mr. Barnett, and he has failed to respond to all 17.<sup>17</sup> Each of these complaints indicated that water service had been interrupted for a significant period of time, and that the relevant utility had refused to return customers' calls to respond to the service interruptions.

Between January 31, 2022 and February 16, 2022, the Commission received ten complaints from Mr. Barnett's customers detailing water service outages from two days to three weeks in duration. Each of these customers indicated that Villa Utilities was their water utility; however, all ten live in the area served by Reed Estates.

On January 31, 2022, one of these customers called the Commission and stated that his house had been without water service for more than three weeks, and that when it did come on, it was only for about one hour each day.<sup>18</sup> The customer stated that he attempted to contact the utility, but no one ever answered the phone. Then, on February 16, 2022, the same customer contacted the Commission stating that he had received a handwritten letter from the utility indicating its intention to stop providing water service due to "health issues" and that going forward, a different company would provide service in the future. Commission Staff obtained a copy of the letter, which is appended to this request as Attachment 2.

Similarly, on February 16, 2022, two separate customers contacted the Commission claiming to have received a letter from "Villa Utilities" indicating its intention to stop providing water service due to "health issues" and that going forward, a different company would provide service in the future.<sup>19</sup> All three of these customers are served by Reed Estates Water System, though it appears Mr. Barnett uses Villa Utilities as the name of the system providing service.

On February 25, 2022, the Commission's Division of Compliance and Enforcement sent a letter by certified mail to Mr. Barnett at the address listed in the Commission's records as well as to an address registered to Mr. Barnett found in the Harris County Appraisal District's records that is also referenced in listings for Villa Utilities with mytapwater.org, an online database of water

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<sup>17</sup> See, Attachment 1.

<sup>18</sup> Complaint No. CP20222010925.

<sup>19</sup> Complaint Nos. CP2022020594 and CP2022020579.

quality information from public water systems in the United States.<sup>20</sup> Given Mr. Barnett's history of not replying to customers or Commission inquiries, the Commission's enforcement staff sought out all reasonable methods of contacting Mr. Barnett to inform him of the allegations levied against the utilities for which he is listed as the owner and the possible enforcement actions that could be taken with or without his participation. This letter is appended to the request as Attachment 4. As of the date of this filing, Commission's enforcement staff has not received a response from Mr. Barnett

Commission Staff believes that Villa Utilities has forfeited its license to conduct business in the state of Texas. A search of the Texas secretary of state's records indicates that Villa Utilities experienced a tax forfeiture of its license in November 1991.<sup>21</sup>

Finally, a Final Default Judgment and Permanent Injunction was issued against Mr. Barnett on October 13, 2021, based on his non-compliance with TCEQ rules in operating the four utilities.<sup>22</sup> The court assessed 134 violations and approximately \$168,000 against Mr. Barnett for the four utilities. Commission Staff has attached a copy of the judgement and the State's Original Petition and Application for Injunctive Relief in Attachment 6. Additionally, Commission Staff has attached a copy of the TCEQ Investigation Report that initiated that proceeding in Attachment 7.

In summary, Mr. Barnett owns four public water systems, uses only one name to represent the four different utilities, and does not have a CCN for three of the public water systems. For four years, Mr. Barnett has failed to respond to numerous customer complaints and Commission Staff's inquiries regarding consistent and prolonged interruptions of water service. Additionally, Mr. Barnett has communicated his intention to stop providing water service and to sell the public water systems to a third-party in the future. These actions or inactions have resulted in Mr. Barnett's failure to properly operate his utilities and presents an immediate threat to health and safety of his customers, who have already endured long water service outages, which, under the TWC, legally obligates Commission Staff or the executive director to take certain action.<sup>23</sup> As

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<sup>20</sup> See, Attachment 3.

<sup>21</sup> See, Attachment 5.

<sup>22</sup> *State of Texas v. Norman Barnett dba Reed Estates, Villa Estates, Vista Estates, and J&L*, No. D-1- GN-21-003181 (250th Dist. Ct. Travis County, Tex. Oct. 13, 2021).

<sup>23</sup> TWC § 13.411(b).

such, Commission Staff's investigation concludes that Mr. Barnett has abandoned his utilities and intends to completely discontinue operations despite his legal obligation to provide continuous and adequate service.

### **III. RECOMMENDATION FOR APPOINTMENT OF A TEMPORARY MANAGER**

Because Mr. Barnett has abandoned his utilities and because of the persistent threat to his customers' wellbeing due to repeated interruptions in service, Commission Staff recommends that the executive director appoint a temporary manager for all four of Mr. Barnett's utilities in accordance with TWC §§ 13.4132 and 13.451 and 16 TAC §§ 24.355 and 24.357. The utilities are abandoned as defined by TWC § 13.412(f) and 16 TAC § 24.355(c). Mr. Barnett's public water systems: (1) failed to adequately maintain facilities which has resulted in both extended outages and repeated service interruptions; (2) failed to secure an alternative available water supply during an outage; and (3) repeatedly failed to respond to their customers and the Commission. Additionally, three of the public water systems are operating without a required CCN and Villa Utilities itself is operating without the required licensure from the state of Texas.

Staff recommends that the executive director appoint Harrison Williams as temporary manager. Mr. Williams is president and owner of South Coast Utilities, LLC and also owns Flow-Tech Utility, LLC, which operates more than 40 water systems.<sup>24</sup> Additionally, Mr. Williams has been in discussions with Mr. Barnett to purchase the Villa Utilities public water system and is amenable to temporarily managing Reed Estates, Vista Utilities, and J & L Terry Lane. Finally, Mr. Williams has relevant experience as the temporary manager of Cypresswood Estates Water System.<sup>25</sup>

Commission Staff requests that the emergency order appointing a temporary manager for all four public water systems become effective immediately upon entry of the order and to remain in effect for 180 days or until Mr. Williams is discharged from these responsibilities by the Commission or a superseding action is taken by an appropriate court, whichever occurs earlier. Staff further requests that the order include a requirement that Mr. Williams to maintain his

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<sup>24</sup> See, Docket No. 49464, *Application of Drew T. Spencer dba Cypresswood Estates Water System and South Coast Utilities, LLC for Sale, Transfer, or Merger of Facilities and Certificate Rights in Montgomery County*, Response to Staff RFI No. 1 at 9 (Aug. 23, 2019).

<sup>25</sup> See, Docket No. 51113, *Commission Staff's Petition for an Order Appointing a Temporary Manager to Drew T. Spencer dba Cypresswood Estates Water System*, Final Order (Sept. 16, 2020).

operator licenses and comply with TCEQ rules for the duration of his appointment as temporary manager. Finally, Staff requests a waiver of the requirement in 16 TAC § 24.357(c) regarding the temporary manager's duty to post financial assurance with the Commission. A proposed emergency order is included with this request as Attachment 8.

#### **IV. HEARING TO AFFIRM, MODIFY OR SET ASIDE THE ORDER**

Under 16 TAC § 22.297(d)(1), an emergency order issued without a hearing is not subject to the requirements of the APA. However, the executive director must set a time and place for a hearing to be held before the Commission or the State Office of Administrative Hearings to affirm, modify, or set aside the order as soon as practicable.<sup>26</sup> Commission Staff recommends that the hearing to affirm, modify, or set aside should be set for the Commission's open meeting currently scheduled for April 21, 2022, at the Commission's offices in Austin, Texas.

#### **V. NOTICE**

Commission Staff will provide a copy of this request to the last known addresses of Villa Utilities, Reed Estates, Vista Utilities, and J & L Terry Lane as shown from Commission Staff's reasonable efforts. Commission Staff notes that United States Postal Service does not deliver certified mail to post office boxes; therefore, Commission Staff will provide a copy of this request by certified mail, return receipt requested, when delivery is to be made to a physical address and by regular mail when delivery is to be made to a post office box.

<b>Addressee</b>	<b>Location Address Found</b>	<b>Service Type</b>
Villa Utilities P.O. Box 3104 Baytown, TX 77522-3104	Commission's records	Regular mail
Reed Estates Water System 8918 ½ Furay Road Houston, TX 77016-1640	TCEQ's records	Certified mail
Vista Utilities 8802 Lennie Lane Beach City, TX 77523	TCEQ's records	Certified mail

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<sup>26</sup> 16 TAC § 22.299(d).



J & L Terry Lane 3107 Terry Lane Baytown, TX 77521	TCEQ's records	Certified mail
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Commission Staff will also provide a copy of this request by certified mail, return receipt requested, to Mr. Williams' legal counsel's last known address in Commission records:

Helen Gilbert  
Gilbert Wilburn PLLC  
7000 N. MoPac Expwy  
Suite 200  
Austin, TX 78731

## VI. CONCLUSION

For the reasons detailed above, Commission Staff respectfully requests that the executive director issue an emergency order to appoint Harrison Williams temporary manager of Villa Utilities, Reed Estates Water System, Vista Utilities, and J & L Terry Lane.

Dated: March 16, 2022

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS  
DIVISION OF COMPLIANCE AND ENFORCEMENT**

Barksdale English  
Division Director

/s/ Van Moreland  
Van Moreland  
State Bar No.  
1701 N. Congress Avenue  
P.O. Box 13326  
Austin, Texas 78711-3326  
(512) 936-  
(512) 936-7268 (facsimile)  
van.moreland@puc.texas.gov

## ATTACHMENT 1

# *Public Utility Commission of Texas*

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## **Memorandum**

**TO:** Barksdale English, Director  
Division of Compliance & Enforcement

**FROM:** Harold Kohl, Complaint Resolution Coordinator  
Customer Protection Division

**DATE:** March 9, 2021

**RE:** *Complaint History for Villa Utilities, Reed Estates Water System, and Vista Utilities*

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The Customer Protection Division (CPD) has received 17 complaints from customers of Villa Utilities, Reed Estates Water System, and Vista Utilities (collectively Villa Utilities) from October 9, 2017 through February 16, 2022. The customers alleged being without water service for days to weeks at a time along with having difficulties speaking with a representative of Villa Utilities. A few customers also reported Villa Utilities informed them that the owner was selling the water system. Villa Utilities failed to provide CPD responses to all 17 complaints.

### **Outages**

The six complainants in October 2017 reported they had been without water service for weeks following Hurricane Harvey, which impacted Texas from August 25<sup>th</sup> to 29<sup>th</sup>, 2017. Customers indicated the hurricane damaged the utility's facilities and the owner was slow to make repairs or refused to do so.

CPD received one complaint on June 19, 2019. The customer reported she and other customers on her street had been without water for a week. The customer also indicated that the outage was not the first instance of problems with the water service and noted the owner and operator of Villa Utilities is Mr. Norman Barnett. The customer included with her complaint a notice from Villa Utilities asking customers to reduce water usage because the well pump was subject to "going out at any time." The notice further indicated it maybe wise for the customer to seek their own water supply.

CPD received the remaining 10 complaints beginning on January 31, 2022. Customers reported being without service anywhere from two days to three weeks with no explanation from Villa Utilities. Customers also reported being current on their bills.

## **Communication with Utility**

Customers reported calling Villa Utilities' telephone number 281-837-0726 to report outages but either received no answer or left voicemail that was unreturned. Commission records show 281-837-0726 as the contact number for Villa Utilities. One customer informed CPD on February 1, 2022 that when Mr. Barnett answered the telephone, he yelled that he was trying to fix the problem before disconnecting the call. Several customers report they are not provided the cause of the outages and no customer reported receiving boil water notices.

## **Selling of Water System**

Five customers since January 31, 2022 informed CPD that they received notice or were told Villa Utilities would no longer provide water service. Two of the customers provided CPD copies of a notice from Villa Utilities stating it will no longer operate the water well. The notice is handwritten but has a Villa Utilities letterhead showing P.O. Box 3104 in Baytown, Texas 77522 with telephone number 281-837-0726. Commission records show the P.O. Box is the mailing address for Villa Utilities. The letter advises customers that Villa Utilities will no longer operate the water well due to health issues and another company will operate it. The notice provides no information on what water utility will operate the system.

## **No Responses to CPD**

CPD sent Villa Utilities notice of each complaint via regular mail for all 17 complaints. The notices requested responses to each complaint within 15 days and were sent to Villa Utilities at P.O. Box 3104 in Baytown, Texas 77522. Records show Villa Utilities has not responded to any of the 17 complaints.

Notice that Villa Utilities failed to provide a response was sent to Villa Utilities for each of the 17 complaints using the same mailing address. Villa Utilities did not respond to any of the additional notices sent by CPD.

CPD's investigator, Sarah Gonzalez, attempted to call Villa Utilities at 281-837-0726 on February 16, 2022. No one answered and Ms. Gonzalez could not leave a message because the voicemail box was full.

## **Attachments**

- A. Spreadsheet of 17 complaints
- B. Copy of notice and bill in 2019
- C. Copies of two notices regarding the sale of the water system

# ATTACHMENT A

ComplaintNo	CategoryDesc	DateReceived	DateSentCompany	DatePending	DateCompanyResponded	DateClosed	Company
CP2022020593	Interruptions	16-Feb-22	16-Feb-22	03-Mar-22	No Response	04-Mar-22	VILLA UTILITIES
CP2022020594	Interruptions	16-Feb-22	16-Feb-22	03-Mar-22	No Response	03-Mar-22	VILLA UTILITIES
CP2022020579	Interruptions	16-Feb-22	16-Feb-22	03-Mar-22	No Response	07-Mar-22	VILLA UTILITIES
CP2022020491	Interruptions	14-Feb-22	14-Feb-22	01-Mar-22	No Response	04-Mar-22	VILLA UTILITIES
CP2022020452	Interruptions	11-Feb-22	14-Feb-22	01-Mar-22	No Response	08-Mar-22	VILLA UTILITIES
CP2022020022	Interruptions	02-Feb-22	02-Feb-22	17-Feb-22	No Response	18-Feb-22	VILLA UTILITIES
CP2022020004	Interruptions	01-Feb-22	01-Feb-22	16-Feb-22	No Response	18-Feb-22	VILLA UTILITIES
CP2022010924	Interruptions	31-Jan-22	31-Jan-22	15-Feb-22	No Response	17-Feb-22	VILLA UTILITIES
CP2022010927	Interruptions	31-Jan-22	31-Jan-22	15-Feb-22	No Response	16-Feb-22	VILLA UTILITIES
CP2022010925	Interruptions	31-Jan-22	31-Jan-22	15-Feb-22	No Response	22-Feb-22	VILLA UTILITIES
CP2019060511	Interruptions	19-Jun-19	19-Jun-19	10-Jul-19	No Response	11-Jul-19	VILLA UTILITIES
CP2017100291	Interruptions	10-Oct-17	10-Oct-17	31-Oct-17	No Response	01-Nov-17	VILLA UTILITIES
CP2017100293	Interruptions	10-Oct-17	10-Oct-17	31-Oct-17	No Response	01-Nov-17	VILLA UTILITIES
CP2017100294	Interruptions	10-Oct-17	10-Oct-17	31-Oct-17	No Response	01-Nov-17	VILLA UTILITIES
CP2017100319	Interruptions	10-Oct-17	10-Oct-17	31-Oct-17	No Response	01-Nov-17	VILLA UTILITIES
CP2017100290	Interruptions	10-Oct-17	10-Oct-17	31-Oct-17	No Response	01-Nov-17	VILLA UTILITIES
CP2017100245	Interruptions	09-Oct-17	09-Oct-17	30-Oct-17	No Response	31-Oct-17	VILLA UTILITIES

# ATTACHMENT B

Notice

Please Limit your  
Water usage to  
only necessary use  
no washing cars or

Filling pools the well  
pump is subject to going out  
at any time, also it  
may be wise to seek  
your own Water Supply





**Villa Utilities**

**P. O. Box 3104**

**Baytown, TX 77522**

**Phone: 281-837-0726**

*Optima  
3500 Water*

*5/20/19*

*6-2-19 Due By*

# ATTACHMENT C



**Villa Utilities**

**P. O. Box 3104**

**Baytown, TX 77522**

**Phone: 281-837-0726**

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All Customers  
We will no longer  
Operate your Water Well  
Due to Health issues  
You will be contacted  
Later by another Company  
that will Operate the  
Water Well for your  
Area.

\_\_\_\_\_  
Thank you



**Villa Utilities**  
P. O. Box 3104  
Baytown, TX 77522  
Phone: 281-837-0726

All Customers  
We will no longer  
Operate your Water Well  
Due to Health issues  
You will be contacted  
Later by another Company  
that will Operate the  
Water Well For your  
Area.

Thank you

## ATTACHMENT 2










**Villa Utilities**  
**P. O. Box 3104**  
**Baytown, TX 77522**  
**Phone: 281-837-0726**

All Customers  
We will no longer  
Operate your Water Well  
Due to Health issues  
You will be contacted  
Later by another Company  
that will Operate the  
Water Well for your  
Area.

Thank you

## ATTACHMENT 3

# Water Utility Details for VILLA UTILITIES (12079)

-  Properties
-  Address
-  Rep. Party
-  Counties
-  Affiliates
-  Documents
-  AIS Numbers


## Responsible Party

### Details

Organization	
Individual	NORMAN BARNETT
Job Title	
Origin Type	
Start Date	
End Date	12/31/9999

### Address

#### MAILING

PO BOX 3104  
BAYTOWN, Texas 77522-3104  
UNITED STATES  
 Deliverable

### Contact Info

BUSINESS PHONE 1 (281) 837-0726



<u>PWS Info</u>	Summary Results
Other Contaminants Tested	Lead and Copper Data
Violations	What My Water Data Means
Data Sources	Testing Dates Explained

# Public Water System: Villa Utilities

MyTapWater.org's tap water quality report is the compilation of data collected from federal, state, and local government agencies, most prominently the EPA. We strive to populate the report with the latest data concerning water contaminants, lead and copper levels, and water quality violations. We only collect drinking water data from public water systems.

PWS Service Information

PWS ID: TX1011183  
Type: Community water system  
EPA Region: 06  
Primary Service Area: Residential Area  
Primary Source: Ground water  
Population Served: 84

Contact Information

**BARNETT, NORMAN**  
**BARNETT, NORMAN**  
1001 FLEETWOOD ST  
BAYTOWN, TX 77520-2526


This public water system services 1 county.

**We could not find test result data for Villa Utilities.**

However, this area is serviced by 2,351 or more other public water systems. Check your water bill to see which specific system applies. Here is a list of related systems:

- City Of Houston
- City Of Pasadena
- Clear Lake City Water Authority
- City Of Houston Ud 5 - Kingwood
- Houston-greenspoint
- City Of Baytown
- City Of La Porte
- City Of Deer Park
- City Of Bellaire
- City Of Marshall

[See 2341 more related public water systems »](#)



Get 25% Off + Free Shipping

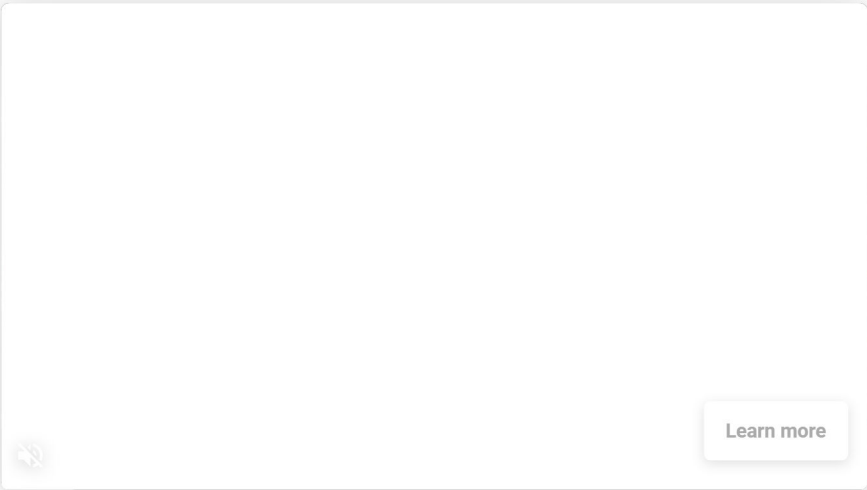
## Water Test And Filter Picks

Tip: Test your water at least once a year.



**TapScore Water Test**  
A professional water test with including shipping to the lab.

Buy It Now



Learn more



## Other Water Contaminants Tested

The following contaminants were tested and found to be within national EPA guidelines.

We couldn't find any records of contaminants in your water.

Get 25% Off + Free Shipping

## Violations

Known violations of the Safe Drinking Water Act as recorded by the EPA.

**No violations found for Villa Utilities.**

## What My Water Data Means

Water data isn't always easy to interpret, but by following the links on this page you should be able to have most of your questions answered. By clicking the name of a [water contaminant](#) or [secondary substance](#) you can learn about that specific substance. Ultimately this page should give you some insight towards learning [if your water is safe](#), what water filter you should buy (if any), and how well your local water compares against other sources.

## Sources

The origin of MyTapWater.org's water data is explained on our [Data Sources](#) page.

## Why Is My Water Data Not More Recent?

The recency of the data for your ZIP code depends on the last your water source was tested, by a federal, state, or local agency. More information about the timing can be determined by learning about the dataset in question and seeing how often the EPA (other another governing body) mandated testing.

MyTapWater.org is a database of water quality in public water systems in the US.

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[About](#)[Data](#)[Affiliate Disclosure](#)[What's in My](#)[Water?](#)



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Tax Year: 2022 ▼

HARRIS COUNTY APPRAISAL DISTRICT  
REAL PROPERTY ACCOUNT INFORMATION  
ACCOUNT NUMBER **0903600000008**

 **Print**  **E-mail**

Similar Owner Name	Nearby Addresses	Same Street Name	Related Map 6357D
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**Ownership History**

## Owner and Property Information

Owner Name & Mailing Address: **BARNETT NORMAN & CLAUDETTE M  
1001 FLEETWOOD ST  
BAYTOWN TX 77520-2526**

Legal Description: **LT 8  
GRAYWOOD SEC 1**  
Property Address: **1001 FLEETWOOD ST  
BAYTOWN TX 77520**

## State Class Code

A1 -- Real, Residential, Single-Family

## Land Use Code

1001 -- Residential Improved

Land Area	Total Living Area	Neighborhood	Neighborhood Group	Market Area	Map Facet	Key Map <sup>1/2</sup>
8,800 SF	2,960 SF	2011	16028	310 -- ISD 16 - South of SH 146 (Baytown Lee Area)	6357D	501X

## Value Status Information

## Value Status

All Values Pending

## Shared CAD

No

## Exemptions and Jurisdictions

Exemption Type	Districts	Jurisdictions	Exemption Value	ARB Status	2021 Rate	2022 Rate
<b>Residential Homestead (Multiple)</b>	016	GOOSE CREEK CISD	Pending	Pending	1.368600	
	040	HARRIS COUNTY	Pending	Pending	0.376930	
	041	HARRIS CO FLOOD CNTRL	Pending	Pending	0.033490	
	042	PORT OF HOUSTON AUTHY	Pending	Pending	0.008720	
	043	HARRIS CO HOSP DIST	Pending	Pending	0.162210	
	044	HARRIS CO EDUC DEPT	Pending	Pending	0.004990	
	046	LEE JR COLLEGE DIST	Pending	Pending	0.230100	
	051	CITY OF BAYTOWN	Pending	Pending	0.785000	

**Estimated taxes for this property can be found at [www.harrispropertytaxes.org](http://www.harrispropertytaxes.org).**

Texas law prohibits us from displaying residential photographs, sketches, floor plans, or information indicating the age of a property owner on our website. You can inspect this information or get a copy at **HCAD's information center at 13013 NW Freeway.**

## Valuations

	Value as of January 1, 2021		Value as of January 1, 2022
	Market	Appraised	Market
Land	42,150	Land	
Improvement	118,226	Improvement	
Total	160,376	160,376 Total	Pending

**5-Year Value History**

## Land

## Market Value Land

Line	Land Use	Unit Type	Units	Size Factor	Site Factor	Appr O/R Factor	Appr O/R Reason	Total Adj	Unit Price	Adj Unit Price	Value
1	1001 -- Res Improved Table Value SF1 -- Primary SF	SF	8,580	1.00	1.00	1.00	--	1.00	Pending	Pending	Pending
2	1001 -- Res Improved Table Value SF3 -- Primary SF	SF	220	1.00	0.10	1.00	--	0.10	Pending	Pending	Pending

Building						
Building	Year Built	Type	Style	Quality	Impr Sq Ft	Building Details
1	1958	Residential Single Family	101 -- Residential 1 Family	Average	2,960 *	Displayed

\* All HCAD residential building measurements are done from the exterior, with individual measurements rounded to the closest foot. This measurement includes all closet space, hallways, and interior staircases. Attached garages are not included in the square footage of living area, but valued separately. Living area above *attached* garages is included in the square footage living area of the dwelling. Living area above *detached* garages is not included in the square footage living area of the dwelling but is valued separately. This method is used on all residential properties in Harris County to ensure the uniformity of square footage of living area measurements district-wide. There can be a reasonable variance between the HCAD square footage and your square footage measurement, especially if your square footage measurement was an interior measurement or an exterior measurement to the inch.

## Building Details (1)

Building Data		Building Areas	
Element	Details	Description	Area
Cond / Desir / Util	Average	OPEN FRAME PORCH PRI	360
Foundation Type	Slab	BASE AREA PRI	2,476
Grade Adjustment	C+	WOOD DECK PRI	198
Heating / AC	Central Heat/AC	ONE STORY FRAME PRI	484
Physical Condition	Average	CARPORT PRI	528
Exterior Wall	Brick / Veneer	OPEN MAS PORCH PRI	99
Element	Units	OPEN FRAME PORCH PRI	77
Room: Total	6		
Room: Rec	1		
Room: Full Bath	2		
Room: Bedroom	4		

Extra Features					
Line	Description	Quality	Condition	Units	Year Built
1	Foundation Repaired	Average	Average	2,476	1958

## ATTACHMENT 4

**Peter M. Lake**  
Chairman

**Will McAdams**  
Commissioner

**Lori Cobos**  
Commissioner

**Jimmy Glotfelty**  
Commissioner



**Greg Abbott**  
Governor

**Thomas J. Gleeson**  
Executive Director

## *Public Utility Commission of Texas*

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February 25, 2022

### **VIA CERTIFIED MAIL**

Villa Utilities  
1001 Fleetwood Street  
Baytown, TX 77520

Villa Utilities  
P.O. Box 3104  
Baytown, TX 77522

**ATTN: Norman Barnett or Other Authorized Representative**

RE: Complaint Nos.: CP2022010925; CP2022020593  
Enforcement Investigation No.: 2022020002

Dear Villa Utilities,

On January 31, 2022, your customer, David Maldonado, filed a complaint with the Public Utility Commission of Texas. In the complaint, Mr. Maldonado alleged that his water service had been repeatedly interrupted over the previous three years. On February 14, 2022, the customer sent by e-mail a copy of a letter purportedly delivered to him by Villa Utilities indicating Villa's intention to discontinue operating the system. Please see the attached copy of the letter.

On February 16, 2022, your customer, Sandra Jasso, filed a complaint with the Commission. In her complaint, Ms. Jasso alleged that her home had been without water service for over a month. She also alleged receiving a letter from Villa indicating Villa's intention to discontinue operating the system. Though the investigation of this specific complaint remains underway, this and the above matter – as well as 11 other complaints – have been referred to the Commission's Division of Compliance and Enforcement for additional investigation.

Through the multiple complaint investigations, the Commission is aware that several of your customers have alleged that Villa intends to abandon one or more of its public water systems. Continuous and adequate water service is a health and life safety issue, and under 16 Tex. Admin. Code (TAC) § 24.205 all water system operators are required to maintain this standard





of service. According to Texas Water Code (TWC) § 13.4132, the Commission can appoint another person to temporarily manage and operate a water system if the system is abandoned or if the owner fails to provide continuous and adequate service. This appointment may be made on an emergency basis without the owner's prior consent.

Additionally, Villa is registered with the Commission under certificate of convenience and necessity number (CCN) 12079. However, the Commission's enforcement staff is investigating whether Villa or other entities owned by Norman Barnett are using the Villa Utilities brand name to serve customers without a required CCN. Villa's CCN applies only to specific geographic region; yet, the Commission has received complaints from customers located outside that specific geographic region claiming they receive service from Villa Utilities (PWS# 1011183). The other public water systems owned by Mr. Barnett and registered with the Texas Commission on Environmental Quality which may be providing service under the Villa Utilities brand name are Reed Estates Water System (PWS # 1010945) and Vista Utilities (PWS# 0360026). Reed Estates and Vista are neither registered with the Commission nor have received approved CCNs. Provision of water service without a CCN is a major violation of TWC § 13.242 and 16 TAC § 24.225.

Additionally, a search of records maintained by the Texas secretary of state reveals Villa's registration to conduct business under filing number 0078001500 in the state of Texas was forfeited in November 1991. Continuing to conduct business in the state for more than 20 years without a valid registration is a significant violation which could result in the revocation of Villa's CCN.

Finally, if Villa and the other affiliated public water systems are indeed in the process of selling their assets to a third party who would take over operation of the three systems, Villa is required to file an application for sale in accordance with TWC § 13.301 and 16 TAC § 24.239. Failure to file an application to sell the system could result in further enforcement actions, including referral to the Office of the Attorney General requesting an injunction from the processing of any sale.

Accordingly, Commission staff hereby notifies you of this major enforcement investigation consistent with TWC § 13.411 and 16 TAC § 24.351.

Failure to respond to this letter within **seven calendar days** of the date of this letter **will result in further enforcement action**, which could include any of the following:

- the filing of a notice of violation;
- recommendation for an appointment of a temporary manager;
- recommendation for assessment of administrative penalties;
- revocation of all licenses to operate water systems in the state of Texas; or
- referral to the Office of the Attorney General to place the public water systems into receivership.

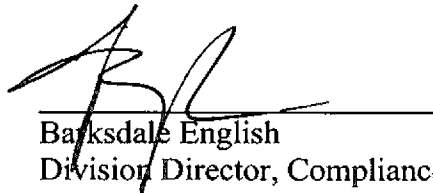
**Please contact the Commission immediately to discuss your plans.**

The Commission would prefer to resolve the issues identified in this letter without legal action, especially if Villa already intends to find a suitable purchaser for its system assets.

You can contact Celia Eaves, Utility Outreach Administrator, Division of Utility Outreach, 1701 N. Congress Avenue, P.O. Box 13326, Austin, Texas 78711-3326. Ms. Eaves can also be reached at [celia.eaves@puc.texas.gov](mailto:celia.eaves@puc.texas.gov) or at (512) 936-7375.

Despite our interest in finding an amicable solution these many problems, the Commission's obligation to protect the health and welfare of Villa's and the other public water systems' customers remain our highest priority and we will proceed in whatever manner best serves the residents of Texas.

Sincerely,

A handwritten signature in black ink, appearing to read 'Barksdale', is written over a horizontal line.

Barksdale English  
Division Director, Compliance & Enforcement  
Public Utility Commission of Texas

Enclosures

Thank you

All Custom  
ers will no longer  
operate your station will  
Due to Health issues  
They will be contacted  
later by another company  
that will shut the  
water lines for your  
area.

Villa Utilities  
P. O. Box 3104  
Baytown, TX 77522  
Phone: 281-837-0726



## Central Registry Query - Customer Information

### Customer Information

**CN Number:** CN601358443

**Last Update Date:** N/A

**Name:** BARNETT, NORMAN

**Legal Name:** Norman Barnett






**Customer Type:** INDIVIDUAL

*The Customer Name displayed may be different than the Customer Name associated to the Additional IDs related to the customer. This name may be different due to ownership changes, legal name changes, or other administrative changes.*

### Affiliated Regulated Entities - Current

Your Search Returned **7** Current Affiliation Records ([View Affiliation History ...](#))

#### 1-7 of 7 Records

RN Number	Regulated Entity Name▲	County	Location	Role	Details
RN103700837	BARNETT, NORMAN	HARRIS	No location on file.	OCCUPATIONAL LICENSEE	
RN101254365	BEACH HAVEN SUBDIVISION	CHAMBERS	8507 BEACH HAVEN RD BAYTOWN TX 77523 9342	OWNER	
RN101255271	J & L TERRY LANE	HARRIS	3107 TERRY LN BAYTOWN TX 77521 9237	OWNER	
RN101259018	REED ESTATES WATER SYSTEM	HARRIS	8918 1/2 FURAY RD HOUSTON TX 77016 1640	OWNER	
RN101215382	SAND BAR ESTATES	HARRIS	1516 GRACE LN HIGHLANDS TX 77562 2050	RESPONSIBLE PARTY	
RN102675550	VILLA UTILITIES	HARRIS	6423 LEMOINE LANE CHANNELVIEW, TX KEY MAP 458N	OWNER	
RN101453470	VISTA UTILITIES	CHAMBERS	8802 LENNIE LANE BAYTOWN, TEXAS	OWNER	

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Statewide Links: [Texas.gov](#) | [Texas Homeland Security](#) | [TRAIL Statewide Archive](#) | [Texas Veterans Portal](#)

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# **TEXAS SECRETARY of STATE** **JOHN B. SCOTT**

## **BUSINESS ORGANIZATIONS INQUIRY - VIEW ENTITY**

**Filing Number:** 78001500  
**Original Date of Filing:** December 30, 1985  
**Formation Date:** N/A  
**Tax ID:** 30009643047  
**Duration:** Perpetual  
**Entity Type:** Domestic For-Profit Corporation  
**Entity Status:** Forfeited existence  
**FEIN:**  
**Name:** VILLA UTILITIES, INC.  
**Address:** [ADDRESS NOT PROVIDED]

REGISTERED AGENT		FILING HISTORY	NAMES	MANAGEMENT	ASSUMED NAMES	ASSOCIATED ENTITIES	INITIAL ADDRESS
View Image	Document Number	Filing Type	Filing Date	Effective Date	Eff. Cond	Page Count	
N/A	5285114	Articles Of Incorporation	December 30, 1985	December 30, 1985	No	N/A	
N/A	5285115	Change Of Registered Agent/Office	August 19, 1986	August 19, 1986	No	N/A	
N/A	5285116	Tax Forfeiture	November 18, 1991	November 18, 1991	No	N/A	

[Order](#)
[Return to Search](#)

### Instructions:

- To place an order for additional information about a filing press the 'Order' button.

## ATTACHMENT 5

**TEXAS SECRETARY of STATE**  
**JOHN B. SCOTT****BUSINESS ORGANIZATIONS INQUIRY - VIEW ENTITY**

**Filing Number:** 78001500      **Entity Type:** Domestic For-Profit Corporation  
**Original Date of Filing:** December 30, 1985      **Entity Status:** Forfeited existence  
**Formation Date:** N/A  
**Tax ID:** 30009643047      **FEIN:**  
**Duration:** Perpetual  
  
**Name:** VILLA UTILITIES, INC.  
**Address:** [ADDRESS NOT PROVIDED]

<u>REGISTERED AGENT</u>		<u>FILING HISTORY</u>	<u>NAMES</u>	<u>MANAGEMENT</u>	<u>ASSUMED NAMES</u>	<u>ASSOCIATED ENTITIES</u>	<u>INITIAL ADDRESS</u>
View Image	Document Number	Filing Type	Filing Date	Effective Date	Eff. Cond	Page Count	
N/A	5285114	Articles Of Incorporation	December 30, 1985	December 30, 1985	No	N/A	
N/A	5285115	Change Of Registered Agent/Office	August 19, 1986	August 19, 1986	No	N/A	
N/A	5285116	Tax Forfeiture	November 18, 1991	November 18, 1991	No	N/A	

[Order](#)[Return to Search](#)Instructions:

- 🔍 To place an order for additional information about a filing press the 'Order' button.



## ATTACHMENT 6

Cause No. D-1- GN-21-003181

STATE OF TEXAS,	§	IN THE DISTRICT COURT
	§	
Plaintiff,	§	
	§	
v.	§	
	§	TRAVIS COUNTY, TEXAS
NORMAN BARNETT D/B/A REED	§	
ESTATES WATER SYSTEM, VILLA	§	
ESTATES, VISTA ESTATES, AND J & L	§	
TERRY LANE,	§	
	§	250TH JUDICIAL DISTRICT
Defendant.	§	

**FINAL DEFAULT JUDGMENT AND PERMANENT INJUNCTION**

On this day, Plaintiff, the State of Texas (“State”), on behalf of the Texas Commission on Environmental Quality (“TCEQ”), moved for final default judgment after the Defendant, Norman Barnett (“Barnett”), failed to file an answer in the above-captioned case.

The Court determined that it has jurisdiction over the subject matter and the parties in this case. The Court admitted into evidence the evidence attached to the State’s Motion for Final Default Judgment and Permanent Injunction. After considering the State’s Motion, the pleadings, and the evidence attached to the State’s Motion, the Court grants the State’s Motion for Final Default Judgment and Permanent Injunction.

**THE COURT FINDS:**

1. On July 9, 2021, the State filed its Original Petition and Application for Injunctive Relief (“State’s Petition”).
2. On July 16, 2021, the Court issued citation to Barnett.

3. On July 30, 2021, the State filed a Motion for Substitute Service of Process stating that personal service was unsuccessfully attempted on July 23, 2021, because an individual at the residence refused to accept the documents.

4. On August 5, 2021, the Court issued an order granting the State's Motion for Substitute Service of Process.

5. On August 17, 2021, Barnett was properly served with process by effecting service by leaving a true copy of the citation and the Original Petition with a person more than sixteen years of age. Attached is Exhibit 1 is a true and correct copy of the certificate of service.

6. As of the date of this motion, Barnett has not filed an answer nor any pleading constituting an answer and has not entered an appearance in this cause.

7. Therefore, Barnett has admitted all facts alleged in the State's Petition.

8. At all times relevant to this suit, Barnett has owned and operated the following public drinking water systems and the property where the systems are located: Reed Estates ("Reed"), located at 8918 ½ Furay Avenue in Houston, Harris County, Texas, 77016; Villa Utilities ("Villa"), located at 6423 Lemoine Lane in Houston, Harris County, Texas, 77049; Vista Utilities ("Vista"), located at 8802 Lennie Lane in Beach City, Chambers County, Texas, 77523; and J & L Terry Lane ("J&L"), located at 3107 Terry Lane in Baytown, Harris County, Texas, 77521; together "the Facilities."

9. Record reviews of the Facilities in October 2016; December 2016; September-October 2018; June-July 2020; July 2020; and April 2021, and onsite investigations at the Facilities on October 11, 2017; October 17, 2018; April 1-4, 2019; November 19, 2020; and April 28, 2021 revealed that Barnett had not complied with TCEQ rules.

10. The State is entitled to this final default judgment because Barnett was duly served with process and has admitted to all alleged facts by default.

### **CIVIL PENALTIES**

11. The civil penalties sought in the State's Petition are liquidated and proven by a written instrument attached to the petition that allows the Court to calculate the penalties without the necessity of a hearing.

12. The State stipulates to the minimum civil penalty allowed by the Texas Water Code and the Texas Health and Safety Code of \$50 per day.

13. For purposes of this Judgment, the State stipulated to ending the Court's inquiry into Barnett's violations of the Texas Water Code and the Texas Health and Safety Code to the date State's Petition was filed, July 9, 2021.

14. This Judgment does not preclude the TCEQ and the State from administrative and/or civil penalties for violations of the Texas Health and Safety Code, the Texas Water Code, and/or rules of TCEQ that were not placed in controversy by the State's Petition in this cause or that occur after the Effective Date of this Judgment.

### **Violations at Reed**

15. Violation 1: Barnett failed to maintain all water treatment units, storage and pressure maintenance facilities, distribution system lines, and related appurtenances in a watertight condition, violating 30 Tex. Admin. Code ("TAC") § 290.46(m)(4) on October 11, 2017. The Court finds that Barnett violated 30 TAC § 290.46(m)(4) and Tex. Water Code § 7.101 for 1 day, and the State is entitled to civil penalties for such violation.

16. Violation 2: Barnett failed to properly maintain the facilities at Reed from October

11, 2017, to the present, violating 30 TAC § 290.46(m).<sup>1</sup> The Court finds that Barnett violated 30 TAC § 290.46(m) and Tex. Water Code § 7.101 for 1 day, and the State is entitled to civil penalties for such violation.

17. Violation 3: Barnett failed to maintain adequate fencing at Reed on October 11, 2017 and November 19, 2020, violating 30 TAC § 290.46(m).<sup>2</sup> The Court finds that Barnett violated 30 TAC § 290.46(m) and Tex. Water Code § 7.101 for 2 days, and the State is entitled to civil penalties for such violation.

18. Violation 4: Barnett failed to provide adequate well capacity at Reed each day from at least October 11, 2017, to present, violating 30 TAC § 290.45(b)(1)(A)(i).<sup>3</sup> The Court finds that Barnett violated 30 TAC § 290.45(b)(1)(A)(i) and Tex. Water Code § 7.101 for 1136 days, and the State is entitled to civil penalties for such violation.

19. Violation 5: Barnett failed to provide adequate pressure tank capacity at Reed each day from at least October 11, 2017, to present, violating 30 TAC § 290.45(b)(1)(A)(ii).<sup>4</sup> The Court finds that Barnett violated 30 TAC § 290.45(b)(1)(A)(ii) and Tex. Water Code § 7.101 for 1 day, and the State is entitled to civil penalties for such violation.

20. Violation 6: Barnett failed to produce results of microbiological analyses for Reed on November 19, 2020, violating 30 TAC § 290.46(f)(3)(D)(i). The Court finds that Barnett violated 30 TAC § 290.46(f)(3)(D)(i) and Tex. Water Code § 7.101 for 1 day, and the State is entitled to civil penalties for such violation.

21. Violation 7: Barnett failed to produce records of chemicals used and volume of water treated at Reed on November 19, 2020, violating 30 TAC § 290.46(f)(3)(A)(i) and (ii). The

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<sup>1</sup> The State stipulates to counting the continuing violation as 1 day.

<sup>2</sup> The State stipulates to counting the continuing violation as 1 day.

<sup>3</sup> The State stipulates to ending the continuing violation on the date of TCEQ's investigation on November 19, 2020.

<sup>4</sup> The State stipulates to counting the continuing violation of as one day.

Court finds that Barnett violated 30 TAC § 290.46(f)(3)(A)(i) and (ii) and Tex. Water Code § 7.101 for 1 day.

22. Violation 8: Barnett failed to produce a plant operations manual for Reed on October 11, 2017 and November 19, 2020, violating 30 TAC § 290.42(l). The Court finds that Barnett violated 30 TAC § 290.42(l) and Tex. Water Code § 7.101 for 2 days, and the State is entitled to civil penalties for such violation.

23. Violation 9: Barnett failed to produce records of disinfectant residual monitoring results for Reed on November 19, 2020, violating 30 TAC § 290.46(f)(3)(B)(iii). The Court finds that Barnett violated 30 TAC § 290.46(f)(3)(B)(iii) and Tex. Water Code § 7.101 for 1 day, and the State is entitled to civil penalties for such violation.

24. Violation 10: Barnett failed to produce sanitary control easements or other well completion data for Reed on October 11, 2017 and November 19, 2020, violating 30 TAC § 290.41(c)(3)(A). The Court finds that Barnett violated 30 TAC § 290.41(c)(3)(A) and Tex. Water Code § 7.101 for 2 days, and the State is entitled to civil penalties for such violation.

25. Violation 11: Barnett failed to produce an up-to-date system monitoring plan for Reed on October 11, 2017 and November 19, 2020, violating 30 TAC § 290.121(a). The Court finds that Barnett violated 30 TAC § 290.121(a) and Tex. Water Code § 7.101 for 2 days, and the State is entitled to civil penalties for such violation.

26. Violation 12: Barnett failed to produce a sample siting plan for Reed on November 19, 2020, violating 30 TAC § 290.46(f)(3)(E)(ix). The Court finds that Barnett violated 30 TAC § 290.46(f)(3)(E)(ix) and Tex. Water Code § 7.101 for 1 day, and the State is entitled to civil penalties for such violation.

27. Violation 13: Barnett failed to produce accurate and up-to-date detailed as-built

plans or record drawing and specifications for each treatment plant, pump station, and storage tank for Reed on October 11, 2017 and November 19, 2020, violating 30 TAC § 290.46(n)(1). The Court finds that Barnett violated 30 TAC § 290.46(n)(1) and Tex. Water Code § 7.101 for 2 days, and the State is entitled to civil penalties for such violation.

28. Violation 14: Barnett failed to produce records of dead-end main flushing for Reed on October 11, 2017 and November 19, 2020, violating 30 TAC § 290.46(f)(2). The Court finds that Barnett violated 30 TAC § 290.46(f)(2) and Tex. Water Code § 7.101 for 2 days, and the State is entitled to civil penalties for such violation.

29. Violation 15: Barnett failed to produce records of the interior and exterior pressure tank inspections for Reed on October 11, 2017 and November 19, 2020, violating 30 TAC § 290.46(f)(2). The Court finds that Barnett violated 30 TAC § 290.46(f)(2) and Tex. Water Code § 7.101 for 2 days, and the State is entitled to civil penalties for such violation.

30. Violation 16: Barnett failed to produce a map of the distribution system for Reed October 11, 2017 and November 19, 2020, violating 30 TAC § 290.46(n). The Court finds that Barnett violated 30 TAC § 290.46(n) and Tex. Water Code § 7.101 for 2 days, and the State is entitled to civil penalties for such violation.

31. Violation 17: Barnett failed to make Reed's operating records accessible for review during inspections and available to the TCEQ upon request on October 11, 2017 and November 19, 2020, violating 30 TAC § 290.46(f)(2). The Court finds that Barnett violated 30 TAC § 290.46(f)(2) and Tex. Water Code § 7.101 for 6 days, one day for each missing report, and the State is entitled to civil penalties for such violation.

32. Violation 18: Barnett failed to produce Reed's service agreement to the TCEQ upon request on October 11, 2017 and November 19, 2020, violating 30 TAC § 290.46(f)(2). The Court

finds that Barnett violated 30 TAC § 290.46(f)(2) and Tex. Water Code § 7.101 for 2 days, and the State is entitled to civil penalties for such violation.

33. Violation 19: Barnett failed to produce well calibration records for Reed on October 11, 2017 and November 19, 2020, violating 30 TAC § 290.46(f)(2) and (f)(3)(B)(iv). The Court finds that Barnett violated 30 TAC § 290.46(f)(2) and (f)(3)(B)(iv) and Tex. Water Code § 7.101 for 2 days, and the State is entitled to civil penalties for such violation.

34. Violation 20: Barnett failed to produce a copy of the drought contingency plan for Reed on November 19, 2020, violating 30 TAC § 288.30(5)(B). The Court finds that Barnett violated 30 TAC § 288.30(5)(B) and Tex. Water Code § 7.101 for 1 day, and the State is entitled to civil penalties for such violation.

35. Violation 21: Barnett failed to submit an emergency preparedness plan for Reed from at least October 11, 2017, to present, violating 30 TAC § 290.39(o)(1).<sup>5</sup> The Court finds that Barnett violated 30 TAC § 290.39(o)(1) and Tex. Water Code § 7.101 for 2 days, and the State is entitled to civil penalties for such violation.

36. Violation 22: Barnett failed to submit a planning report after exceeding 85% capacity from at least October 11, 2017, to present, violating 30 TAC § 291.93(3).<sup>6</sup> The Court finds that Barnett violated 30 TAC § 291.93(3) and Tex. Water Code § 7.101 for 2 days, and the State is entitled to civil penalties for such violation.

37. Violation 23: Barnett failed to submit plans and specifications or engineering reports to TCEQ for Reed from at least October 11, 2017, to present, violating 30 TAC § 290.39(h)(1) and 290.39(e)(1).<sup>7</sup> The Court finds that Barnett violated 30 TAC § 290.39(h)(1) and

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<sup>5</sup> The State stipulates to counting the continuing violation of as 2 days.

<sup>6</sup> The State stipulates to counting the continuing violation of as 2 days.

<sup>7</sup> The State stipulates to counting the continuing violation of as 2 days.



290.39(e)(1) and Tex. Water Code § 7.101 for 2 days, and the State is entitled to civil penalties for such violation.

38. Violation 24: Barnett failed to submit an annual CCR for 2015, 2016, and 2018, violating 30 TAC § 290.274(c). The Court finds that Barnett violated 30 TAC § 290.274(c) and Tex. Water Code § 7.101 for at least 3 days, one day for each missing report.

39. Violation 25: Barnett failed to report cyanide levels for the January 2012-December 2014 and January 2015-December 2017 monitoring periods (2 reports), violating 30 TAC § 290.106(e). The Court finds that Barnett violated 30 TAC § 290.106(e) and Tex. Water Code § 7.101 for 2 days, and the State is entitled to civil penalties for such violation.

40. Violation 26: Barnett failed to report SOC levels for the January 2011-December 2013; January 2012-December 2014; January 2014-December 2016; January 2015-December 2017; and January 2017-December 2019 monitoring periods (5 reports), violating 30 TAC § 290.107(e). The Court finds that Barnett violated 30 TAC § 290.107(e) and Tex. Water Code § 7.101 for 5 days, and the State is entitled to civil penalties for such violation.

41. Violation 27: Barnett failed to report VOC levels for the January-December 2016; January-December 2017; January-December 2018; and January-December 2019 monitoring periods (4 reports), violating 30 TAC § 290.107(e). The Court finds that Barnett violated 30 TAC § 290.107(e) and Tex. Water Code § 7.101 for 4 days, and the State is entitled to civil penalties for such violation.

42. Violation 28: Barnett failed to report metal and mineral levels for the January 2008-December 2013; January 2014-December 2016; and January 2017-December 2019 monitoring periods (3 reports), violating 30 TAC § 290.106(e). The Court finds that Barnett violated 30 TAC § 290.106(e) and Tex. Water Code § 7.101 for 3 days, and the State is entitled to civil penalties for

such violation.

43. Violation 29: Barnett failed to report radionuclide levels for the January 2008-December 2013 and January 2014-December 2019 monitoring periods (2 reports), violating 30 TAC § 290.108(e). The Court finds that Barnett violated 30 TAC § 290.108(e) and Tex. Water Code § 7.101 for 2 days, and the State is entitled to civil penalties for such violation.

44. Violation 30: Barnett failed to report nitrate and/or nitrite levels for the January-December 2016; January-December 2017; January-December 2018; and January-December 2019 monitoring periods (4 reports), violating 30 TAC § 290.106(e). The Court finds that Barnett violated 30 TAC § 290.106(e) and Tex. Water Code § 7.101 for 4 days, and the State is entitled to civil penalties for such violation.

45. Violation 31: Barnett failed to report disinfectant byproduct levels for the January 2014-December 2016 monitoring period (1 report), violating 30 TAC § 290.115(e)(1). The Court finds that Barnett violated 30 TAC § 290.115(e)(1) and Tex. Water Code § 7.101 for 1 day, and the State is entitled to civil penalties for such violation.

46. Violation 32: Barnett failed to report DLQORs to the TCEQ for the second quarter of 2018, the fourth quarter of 2019, and the first quarter of 2020 (3 reports), violating 30 TAC § 290.110(e)(4)(A). The Court finds that Barnett violated 30 TAC § 290.110(e)(4)(A) and Tex. Water Code § 7.101 for 3 days, and the State is entitled to civil penalties for such violation.

47. Violation 33: Barnett failed to report lead and copper tap sample results for the January 2015-December 2017; January-December 2018; and January-December 2019 monitoring periods (3 reports), violating 30 TAC § 290.117(i). The Court finds that Barnett violated 30 TAC § 290.117(i) and Tex. Water Code § 7.101 for 3 days, and the State is entitled to civil penalties for such violation.

48. Violation 34: Barnett failed to provide TCEQ with a copy of Reed's consumer notice of lead tap water monitoring results for the January-December 2014 monitoring period (1 report), violating 30 TAC § 290.117(i)(6). The Court finds that Barnett violated 30 TAC § 290.117(i)(6) and Tex. Water Code § 7.101 for 1 day, and the State is entitled to civil penalties for such violation.

49. Violation 35: Barnett failed to provide TCEQ with Reed's signed certificates of delivery certifying that public notices were issued for Barnett's failure to submit 16 monitoring reports, violating 30 TAC 290.122(c) and (f). The Court finds that Barnett violated 30 TAC § 290.122(c) and (f) and Tex. Water Code § 7.101 for 16 days, one day for each missing report, and the State is entitled to civil penalties for such violation.

#### **Violations at Villa**

50. Violation 36: Barnett failed to properly maintain the facilities at Villa from October 11, 2017, to the present, violating 30 TAC § 290.46(m).<sup>8</sup> The Court finds that Barnett violated 30 TAC § 290.46(m) and Tex. Water Code § 7.101 for 2 days, and the State is entitled to civil penalties for such violation

51. Violation 37: Barnett failed to maintain adequate fencing at Villa on November 19, 2020, violating 30 TAC § 290.42(m). The Court finds that Barnett violated 30 TAC § 290.42(m) and Tex. Water Code § 7.101 for 1 day, and the State is entitled to civil penalties for such violation.

52. Violation 38: Barnett failed to provide a well casing vent from at least October 11, 2017, to present, violating 30 TAC § 290.41(c)(3)(K).<sup>9</sup> The Court finds that Barnett violated 30 TAC § 290.41(c)(3)(K) and Tex. Water Code § 7.101 for 1 day, and the State is entitled to civil penalties for such violation.

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<sup>8</sup> The State stipulates to counting the continuing violation as 2 days.

<sup>9</sup> The State stipulates to counting the continuing violation as 1 day.

53. Violation 39: Barnett failed to provide an all-weather access road the well site from at least October 11, 2017, to present, violating 30 TAC § 290.41(c)(3)(P).<sup>10</sup> The Court finds that Barnett violated 30 TAC § 290.41(c)(3)(P) and Tex. Water Code § 7.101 for 2 days, and the State is entitled to civil penalties for such violation.

54. Violation 40: Barnett failed to maintain the air-water-volume at the design water level and working pressure from at least October 11, 2017, to present, violating 30 TAC § 290.43(d)(3).<sup>11</sup> The Court finds that Barnett violated 30 TAC § 290.43(d)(3) and Tex. Water Code § 7.101 for 2 days, and the State is entitled to civil penalties for such violation.

55. Violation 41: The wells at Villa are located within 150 feet of underground petroleum and chemical pipelines from at least November 19, 2020, to present, violating 30 TAC § 290.41(c)(1)(A).<sup>12</sup> The Court finds that Barnett violated 30 TAC § 290.41(c)(1)(A) and Tex. Water Code § 7.101 for 1 day, and the State is entitled to civil penalties for such violation.

56. Violation 42: Barnett failed to post a legible sign located in plain view at Villa, providing the name of its water supply and an emergency telephone number where a responsible official can be contacted, from at least November 19, 2020, to present, violating 30 TAC § 290.46(t).<sup>13</sup> The Court finds that Barnett violated 30 TAC § 290.46(t) and Tex. Water Code § 7.101 for 1 day, and the State is entitled to civil penalties for such violation.

57. Violation 43: Barnett failed to produce results of microbiological analyses on November 19, 2020, violating 30 TAC § 290.46(f)(3)(D)(i). The Court finds that Barnett violated 30 TAC § 290.46(f)(3)(D)(i) and Tex. Water Code § 7.101 for 1 day, and the State is entitled to civil penalties for such violation.

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<sup>10</sup> The State stipulates to counting the continuing violation as 2 days.

<sup>11</sup> The State stipulates to counting the continuing violation as 2 days.

<sup>12</sup> The State stipulates to counting the continuing violation as 1 day.

<sup>13</sup> The State stipulates to counting the continuing violation as 1 day.

58. Violation 44: Barnett failed to produce a plant operations manual on October 11, 2017 and November 19, 2020, violating 30 TAC § 290.42(l). The Court finds that Barnett violated 30 TAC § 290.42(l) and Tex. Water Code § 7.101 for 2 days, and the State is entitled to civil penalties for such violation.

59. Violation 45: Barnett failed to produce records of disinfectant residual monitoring results on November 19, 2020, violating 30 TAC § 290.46(f)(3)(B)(iii). The Court finds that Barnett violated 30 TAC § 290.46(f)(3)(B)(iii) and Tex. Water Code § 7.101 for 1 day, and the State is entitled to civil penalties for such violation.

60. Violation 46: Barnett failed to produce records of sanitary control easements or other well completion data on October 11, 2017 and November 19, 2020, violating 30 TAC § 290.46(n)(3). The Court finds that Barnett violated 30 TAC § 290.46(n)(3) and Tex. Water Code § 7.101 for 2 days, and the State is entitled to civil penalties for such violation.

61. Violation 47: Barnett failed to produce an up-to-date system monitoring plan on October 11, 2017 and November 19, 2020, violating 30 TAC § 290.121(a). The Court finds that Barnett violated 30 TAC § 290.121(a) and Tex. Water Code § 7.101 for 2 days, and the State is entitled to civil penalties for such violation.

62. Violation 48: Barnett failed to produce records of the amount of chemicals used and the volume of water treated and distributed at Villa on November 19, 2020, violating 30 TAC § 290.46(f)(3)(A)(i) and (ii). The Court finds that Barnett violated 30 TAC § 290.46(f)(3)(A)(i) and (ii) and Tex. Water Code § 7.101 for 1 day.

63. Violation 49: Barnett failed to produce a sample siting plan on October 11, 2017 and November 19, 2020, violating 30 TAC § 290.46(f)(3)(E)(ix). The Court finds that Barnett violated 30 TAC § 290.46(f)(3)(E)(ix) and Tex. Water Code § 7.101 for 2 days, and the State is

entitled to civil penalties for such violation.

64. Violation 50: Barnett failed to produce accurate and up-to-date detailed as-built plans or record drawing and specifications for each treatment plant, pump station, and storage tank at Villa on November 19, 2020, violating 30 TAC § 290.46(n)(1). The Court finds that Barnett violated 30 TAC § 290.46(n)(1) and Tex. Water Code § 7.101 for 1 day, and the State is entitled to civil penalties for such violation.

65. Violation 51: Barnett failed to produce records of dead-end main flushing on November 19, 2020, violating 30 TAC § 290.46(f)(2) and (f)(3)(A)(iv). The Court finds that Barnett violated 30 TAC § 290.46(f)(2) and (f)(3)(A)(iv), and Tex. Water Code § 7.101 for 1 day, and the State is entitled to civil penalties for such violation.

66. Violation 52: Barnett failed to produce records of the interior and exterior pressure tank inspections on October 11, 2017 and November 19, 2020, violating 30 TAC § 290.46(f)(2) and (f)(3)(D)(ii). The Court finds that Barnett violated 30 TAC § 290.46(f)(2) and (f)(3)(D)(ii), and Tex. Water Code § 7.101 for 2 days, and the State is entitled to civil penalties for such violation.

67. Violation 53: Barnett failed to produce an up-to-date map of the distribution system for Villa on October 11, 2017 and November 19, 2020, violating 30 TAC § 290.46(n). The Court finds that Barnett violated 30 TAC § 290.46(n) and Tex. Water Code § 7.101 for 2 days, and the State is entitled to civil penalties for such violation.

68. Violation 54: Barnett failed to make Villa's operating records accessible for review during inspections and be available to the TCEQ upon request on October 11, 2017 and November 19, 2020, violating 30 TAC § 290.46(f)(2). The Court finds that Barnett violated 30 TAC § 290.46(f)(2) and Tex. Water Code § 7.101 for 6 days, one day for each missing report, and the State is entitled to civil penalties for such violation.

69. Violation 55: Barnett failed to produce Villa's service agreement to the TCEQ upon request on October 11, 2017 and November 19, 2020, violating 30 TAC § 290.46(f)(2). The Court finds that Barnett violated 30 TAC § 290.46(f)(2) and Tex. Water Code § 7.101 for 2 days, and the State is entitled to civil penalties for such violation.

70. Violation 56: Barnett failed to produce well calibration records for Villa on October 11, 2017 and November 19, 2020, violating 30 TAC § 290.46(f)(2) and (f)(3)(B)(iv). The Court finds that Barnett violated 30 TAC § 290.46(f)(2), (f)(3)(B)(iv), and Tex. Water Code § 7.101 for 2 days, and the State is entitled to civil penalties for such violation.

71. Violation 57: Barnett failed to produce a copy of Villa's drought contingency plan to the TCEQ on November 19, 2020, violating 30 TAC § 288.30(5)(B). The Court finds that Barnett violated 30 TAC § 288.30(5)(B) and Tex. Water Code § 7.101 for 1 day, and the State is entitled to civil penalties for such violation.

72. Violation 58: Barnett failed to submit an emergency preparedness plan for Villa, from at least October 11, 2017, to present, violating 30 TAC § 290.39(o)(1).<sup>14</sup> The Court finds that Barnett violated 30 TAC § 290.39(o)(1) and Tex. Water Code § 7.101 for 2 days, and the State is entitled to civil penalties for such violation.

73. Violation 59: Barnett failed to submit a planning report after exceeding 85% of its well capacity from at least October 11, 2017 to present, violating 30 TAC § 291.93(3).<sup>15</sup> The Court finds that Barnett violated 30 TAC § 291.93(3) and Tex. Water Code § 7.101 for 1 day, and the State is entitled to civil penalties for such violation.

74. Violation 60: Barnett failed to submit plans and specifications or engineering reports to TCEQ for Villa from at least October 11, 2017, to present, violating 30 TAC §

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<sup>14</sup> The State stipulates to counting the continuing violation as 2 days.

<sup>15</sup> The State stipulates to counting the continuing violation as 1 day.

290.39(h)(1) and (e)(1).<sup>16</sup> The Court finds that Barnett violated 30 TAC § 290.39(h)(1) and (e)(1) and Tex. Water Code § 7.101 for 2 days, and the State is entitled to civil penalties for such violation.

75. Violation 61: Barnett failed to submit an annual CCR for 2015, 2016, 2017, and 2018, violating 30 TAC § 290.274(c). The Court finds that Barnett violated 30 TAC § 290.274(c) and Tex. Water Code § 7.101 for 4 days, one day for each missing report.

76. Violation 62: Barnett failed to report DLQORs to the TCEQ for the fourth quarter of 2019 (1 report), violating 30 TAC § 290.110(e)(4)(A). The Court finds that Barnett violated 30 TAC § 290.110(e)(4)(A) and Tex. Water Code § 7.101 for 1 day.

77. Violation 63: Barnett failed to report lead and copper tap sample results for the January 2015-December 2017 and January-December 2018 monitoring periods (2 reports), violating 30 TAC § 290.117(i). The Court finds that Barnett violated 30 TAC § 290.117(i) and Tex. Water Code § 7.101 for 2 days, one day for each missing report, and the State is entitled to civil penalties for such violation.

78. Violation 64: Barnett failed to report metal and mineral levels for the January 2015-December 2017 and January-December 2018 monitoring periods (2 reports), violating 30 TAC § 290.106(e). The Court finds that Barnett violated 30 TAC § 290.106(e) and Tex. Water Code § 7.101 for 2 days, one day for each missing report, and the State is entitled to civil penalties for such violation.

79. Violation 65: Barnett failed to report nitrate and/or nitrite levels for the January-December 2015; January-December 2016; January-December 2017; and January-December 2019 monitoring periods (4 reports), violating 30 TAC § 290.106(e). The Court finds that Barnett

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<sup>16</sup> The State stipulates to counting the continuing violation as 2 days.



violated 30 TAC § 290.106(e) and Tex. Water Code § 7.101 for 4 days, one day for each missing report, and the State is entitled to civil penalties for such violation.

80. Violation 66: Barnett failed to report radionuclide levels for the January 2008-December 2013 and January 2014-December 2019 monitoring periods (2 reports), violating 30 TAC § 290.108(e). The Court finds that Barnett violated 30 TAC § 290.108(e) and Tex. Water Code § 7.101 for 2 days, one day for each missing report, and the State is entitled to civil penalties for such violation.

81. Violation 67: Barnett failed to report cyanide levels for the January-December 2019 monitoring periods (1 report), violating 30 TAC § 290.106(e). The Court finds that Barnett violated 30 TAC § 290.106(e) and Tex. Water Code § 7.101 for 1 day, and the State is entitled to civil penalties for such violation.

82. Violation 68: Barnett failed to report SOC levels for the January 2011-December 2013; January 2012-December 2014; January 2014-December 2016; January 2015-December 2017; and January 2017-December 2019 monitoring periods (5 reports), violating 30 TAC § 290.107(e). The Court finds that Barnett violated 30 TAC § 290.107(e) and Tex. Water Code § 7.101 for 5 days, one day for each missing report, and the State is entitled to civil penalties for such violation.

83. Violation 69: Barnett failed to report VOC levels for the January-December 2015; January-December 2016; January-December 2017; and January-December 2019 monitoring periods (4 reports), violating 30 TAC § 290.107(e). The Court finds that Barnett violated 30 TAC § 290.107(e) and Tex. Water Code § 7.101 for 4 days, one day for each missing report, and the State is entitled to civil penalties for such violation.

84. Violation 70: Barnett failed to report disinfectant byproduct levels for the January

2014-December 2016 monitoring period (1 report), violating 30 TAC § 290.115(e)(1). The Court finds that Barnett violated 30 TAC § 290.115(e)(1) and Tex. Water Code § 7.101 for 1 day, and the State is entitled to civil penalties for such violation.

85. Violation 71: Barnett failed to provide TCEQ with a copy of Villa's consumer notice of lead tap water monitoring results for the January-December 2014 and January-December 2019 monitoring period (2 reports), violating 30 TAC § 290.117(i)(6). The Court finds that Barnett violated 30 TAC § 290.117(i)(6) and Tex. Water Code § 7.101 for 2 days, one day for each missing report, and the State is entitled to civil penalties for such violation.

86. Violation 72: Barnett failed to provide TCEQ with Villa's signed certificates of delivery certifying that public notices were issued for Barnett's failure to submit 26 monitoring reports, violating 30 TAC § 290.122(c) and (f). The Court finds that Barnett violated 30 TAC § 290.122(c) and (f) and Tex. Water Code § 7.101 for 26 days, one day for each missing report, and the State is entitled to civil penalties for such violation.

#### **Violations at Vista**

87. Violation 73: Barnett failed to maintain all water treatment units, storage and pressure maintenance facilities, distribution system lines, and related appurtenances in a watertight condition on October 11, 2017, violating 30 TAC § 290.46(m)(4). The Court finds that Barnett violated 30 TAC § 290.46(m)(4) and Tex. Water Code § 7.101 for 1 day, and the State is entitled to civil penalties for such violation

88. Violation 74: Barnett failed to properly maintain the facilities at Vista from October 11, 2017, to the present, violating 30 TAC § 290.46(m).<sup>17</sup> The Court finds that Barnett violated 30 TAC § 290.46(m) and Tex. Water Code § 7.101 for 2 days, and the State is entitled to civil penalties

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<sup>17</sup> The State stipulates to counting the continuing violation as 2 days.

for such violation.

89. Violation 75: Barnett failed to provide flow-measuring devices for the well at Vista each day from October 11, 2017, to November 19, 2020, violating 30 TAC § 290.41(c)(3)(N).<sup>18</sup> The Court finds that Barnett violated 30 TAC § 290.41(c)(3)(N) and Tex. Water Code § 7.101 for 2 days, and the State is entitled to civil penalties for such violation

90. Violation 76: Barnett failed to post a legible sign located in plain view at Vista, providing the name of its water supply and an emergency telephone number where a responsible official can be contacted from at least October 11, 2017, to present violating 30 TAC § 290.46(t).<sup>19</sup> The Court finds that Barnett violated 30 TAC § 290.46(t) and Tex. Water Code § 7.101 for 2 days, and the State is entitled to civil penalties for such violation.

91. Violation 77: Barnett failed to maintain adequate fencing at Vista on October 11, 2017 and November 19, 2020, violating 30 TAC § 290.42(m). The Court finds that Barnett violated 30 TAC § 290.42(m) and Tex. Water Code § 7.101 for 2 days, and the State is entitled to civil penalties for such violation.

92. Violation 78: Barnett failed to provide an access port or name plate on the pressure tank at Vista, violating 30 TAC § 290.43(d)(1), from November 19, 2020, to present.<sup>20</sup> The Court finds that Barnett violated 30 TAC § 290.43(d)(1) and Tex. Water Code § 7.101 for 1 day, and the State is entitled to civil penalties for such violation.

93. Violation 79: Barnett failed to provide adequate well capacity at Vista each day from at least October 11, 2017, to present, violating 30 TAC § 290.45(b)(1)(A)(i).<sup>21</sup> The Court

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<sup>18</sup> The State stipulates to counting the continuing violation as 2 days.

<sup>19</sup> The State stipulates to counting the continuing violation as 2 days.

<sup>20</sup> The State stipulates to counting the continuing violation as 1 day.

<sup>21</sup> The State stipulates to ending the continuing violation on November 19, 2020, the date of TCEQ's last investigation.

finds that Barnett violated 30 TAC § 290.45(b)(1)(A)(i) and Tex. Water Code § 7.101 for 1136 days, and the State is entitled to civil penalties for such violation.

94. Violation 80: Barnett failed to maintain the required chlorine residual at Vista on November 19, 2020, violating 30 TAC § 290.110(b)(4). The Court finds that Barnett violated 30 TAC § 290.110(b)(4) and Tex. Water Code § 7.101 for 1 day, and the State is entitled to civil penalties for such violation.

95. Violation 81: Barnett failed to produce results of microbiological analyses on November 19, 2020, violating 30 TAC § 290.46(f)(3)(D)(i). The Court finds that Barnett violated 30 TAC § 290.46(f)(3)(D)(i) and Tex. Water Code § 7.101 for 1 day, and the State is entitled to civil penalties for such violation.

96. Violation 82: Barnett failed to produce an up-to-date plant operations manual to the TCEQ investigator on October 11, 2017 and November 19, 2020, violating 30 TAC § 290.42(l). The Court finds that Barnett violated 30 TAC § 290.42(l) and Tex. Water Code § 7.101 for 2 days, and the State is entitled to civil penalties for such violation.

97. Violation 83: Barnett failed to produce sanitary control easements or other well completion data on October 11, 2017 and November 19, 2020, violating 30 TAC § 290.46(n)(3). The Court finds that Barnett violated 30 TAC § 290.46(n)(3) and Tex. Water Code § 7.101 for 2 days, and the State is entitled to civil penalties for such violation.

98. Violation 84: Barnett failed to produce copies of annual backflow prevention assembly test reports for the last three years for Vista to the TCEQ on November 19, 2020, violating 30 TAC § 290.46(f)(3)(B)(v). The Court finds that Barnett violated 30 TAC § 290.46(f)(3)(B)(v) and Tex. Water Code § 7.101 for 1 day, and the State is entitled to civil penalties for such violation.

99. Violation 85: Barnett failed to produce an up-to-date system monitoring plan on October 11, 2017 and November 19, 2020, violating 30 TAC § 290.121(a). The Court finds that Barnett violated 30 TAC § 290.121(a) and Tex. Water Code § 7.101 for 2 days, and the State is entitled to civil penalties for such violation.

100. Violation 86: Barnett failed to produce a sample siting plan on November 19, 2020, violating 30 TAC § 290.46(f)(3)(E)(ix). The Court finds that Barnett violated 30 TAC § 290.46(f)(3)(E)(ix) and Tex. Water Code § 7.101 for 1 day, and the State is entitled to civil penalties for such violation.

101. Violation 87: Barnett failed to produce accurate and up-to-date detailed as-built plans or record drawing and specifications for each treatment plant, pump station, and storage tank for Vista on November 19, 2020, violating 30 TAC § 290.46(n)(1). The Court finds that Barnett violated 30 TAC § 290.46(n)(1) and Tex. Water Code § 7.101 for 1 day, and the State is entitled to civil penalties for such violation.

102. Violation 88: Barnett failed to produce adequate records of dead-end main flushing on October 11, 2017 and November 19, 2020, violating 30 TAC § 290.46(f)(2) and (f)(3)(A)(iv). The Court finds that Barnett violated 30 TAC § 290.46(f)(2) and (f)(3)(A)(iv), and Tex. Water Code § 7.101 for 2 days, and the State is entitled to civil penalties for such violation.

103. Violation 89: Barnett failed to produce adequate records of the interior and exterior pressure tank inspections at Vista on October 11, 2017 and November 19, 2020, violating 30 TAC § 290.46(f)(2) and (f)(3)(D)(ii). The Court finds that Barnett violated 30 TAC § 290.46(f)(2) and (f)(3)(D)(ii), and Tex. Water Code § 7.101 for 2 days, and the State is entitled to civil penalties for such violation.

104. Violation 90: Barnett failed to produce an adequate map of the distribution system

for Vista on October 11, 2017 and November 19, 2020, violating 30 TAC § 290.46(n). The Court finds that Barnett violated 30 TAC § 290.46(n) and Tex. Water Code § 7.101 for 2 days, and the State is entitled to civil penalties for such violation.

105. Violation 91: Barnett failed to make Vista's operating records accessible for review during inspections and be available to the TCEQ upon request on October 11, 2017 and November 19, 2020, violating 30 TAC § 290.46(f)(2). The Court finds that Barnett violated 30 TAC § 290.46(f)(2) and Tex. Water Code § 7.101 for 6 days, one day for each missing report, and the State is entitled to civil penalties for such violation.

106. Violation 92: Barnett failed to produce Vista's service agreement to the TCEQ upon request on October 11, 2017 and November 19, 2020, violating 30 TAC § 290.46(f)(2). The Court finds that Barnett violated 30 TAC § 290.46(f)(2) and Tex. Water Code § 7.101 for 2 days, and the State is entitled to civil penalties for such violation.

107. Violation 93: Barnett failed to produce a copy of the drought contingency plan for Vista to the TCEQ upon request on November 19, 2020, violating 30 TAC § 288.30(5)(B). The Court finds that Barnett violated 30 TAC § 288.30(5)(B) and Tex. Water Code § 7.101 for 1 day, and the State is entitled to civil penalties for such violation.

108. Violation 94: Barnett's sample customer service agreements listed the lead amount of pipes and pipe fittings at Vista as 8% on November 19, 2020, violating 30 TAC § 290.46(i). The Court finds that Barnett violated 30 TAC § 290.46(i) and Tex. Water Code § 7.101 for 1 day, and the State is entitled to civil penalties for such violation

109. Violation 95: Barnett failed to submit a planning report after exceeding 85% of well capacity from at least October 11, 2017 to present, violating 30 TAC § 291.93(3).<sup>22</sup> The Court

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<sup>22</sup> The State stipulates to counting the continuing violation as 2 days.

finds that Barnett violated 30 TAC § 291.93(3) and Tex. Water Code § 7.101 for 2 days, one day for each missing report, and the State is entitled to civil penalties for such violation.

110. Violation 96: Barnett failed to submit plans and specifications or engineering reports to TCEQ for Vista from at least October 11, 2017, to present, violating 30 TAC § 290.39(h)(1) and (e)(1).<sup>23</sup> The Court finds that Barnett violated 30 TAC § 290.39(h)(1) and (e)(1) and Tex. Water Code § 7.101 for 2 days, and the State is entitled to civil penalties for such violation.

111. Violation 97: Barnett failed to submit an annual CCR for 2016 and 2018, violating 30 TAC § 290.274(c). The Court finds that Barnett violated 30 TAC § 290.274(c) and Tex. Water Code § 7.101 for 2 days, one day for each missing report.

112. Violation 98: Barnett failed to report DLQORs to the TCEQ for the fourth quarter of 2019 and the first quarter of 2020 (2 reports), violating 30 TAC § 290.110(e)(4)(A). The Court finds that Barnett violated 30 TAC § 290.110(e)(4)(A) and Tex. Water Code § 7.101 for 2 days, one day for each missing report.

113. Violation 99: Barnett failed to report lead and copper tap sample results January-December 2015; January-December 2016; January-June 2017; and July-December 2017 monitoring periods (4 reports), violating 30 TAC § 290.117(i). The Court finds that Barnett violated 30 TAC § 290.117(i) and Tex. Water Code § 7.101 for 4 days, one day for each missing report, and the State is entitled to civil penalties for such violation.

114. Violation 100: Barnett failed to provide TCEQ with a copy of Vista's consumer notice of lead tap water monitoring results for the July-December 2018 monitoring period (1 report) violating 30 TAC § 290.117(i)(6). The Court finds that Barnett violated 30 TAC §

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<sup>23</sup> The State stipulates to counting the continuing violation as 2 days.

290.117(i)(6) and Tex. Water Code § 7.101 for 1 day, and the State is entitled to civil penalties for such violation.

115. Violation 101: Barnett failed to report metal and mineral levels for the January 2014-December 2016 and January 2017-December 2019 monitoring periods (2 reports), violating 30 TAC § 290.106(e). The Court finds that Barnett violated 30 TAC § 290.106(e) and Tex. Water Code § 7.101 for 2 days, one day for each missing report, and the State is entitled to civil penalties for such violation.

116. Violation 102: Barnett failed to report nitrate and/or nitrite levels for the January-December 2015; January-December 2016; January-December 2017; January-December 2018; and January-December 2019 monitoring periods (5 reports), violating 30 TAC § 290.106(e). The Court finds that Barnett violated 30 TAC § 290.106(e) and Tex. Water Code § 7.101 for 5 days, one day for each missing report, and the State is entitled to civil penalties for such violation.

117. Violation 103: Barnett failed to report SOC levels for the January 2012-December 2014; January 2014- December 2016; January-December 2017; and January 2017-December 2019 monitoring periods (4 reports), violating 30 TAC § 290.107(e). The Court finds that Barnett violated 30 TAC § 290.107(e) and Tex. Water Code § 7.101 for 4 days, one day for each missing report, and the State is entitled to civil penalties for such violation.

118. Violation 104: Barnett failed to report VOC levels for the January-December 2016; January-December 2017; January-December 2018 and January-December 2019 monitoring periods (4 reports), violating 30 TAC § 290.107(e). The Court finds that Barnett violated 30 TAC § 290.107(e) and Tex. Water Code § 7.101 for 4 days, one day for each missing report, and the State is entitled to civil penalties for such violation.

119. Violation 105: Barnett failed to report disinfectant byproduct levels for the January



2014-December 2016 monitoring period (1 report), violating 30 TAC § 290.115(e)(1). The Court finds that Barnett violated 30 TAC § 290.115(e)(1) and Tex. Water Code § 7.101 for 1 day, and the State is entitled to civil penalties for such violation.

120. Violation 106: Barnett failed to report radionuclide levels for the January 2014-December 2019 monitoring periods (1 report), violating 30 TAC § 290.108(e). The Court finds that Barnett violated 30 TAC § 290.108(e) and Tex. Water Code § 7.101 for 1 day, and the State is entitled to civil penalties for such violation.

121. Violation 107: Barnett failed to report cyanide levels for the January-December 2018 monitoring period (1 report), violating 30 TAC § 290.106(e). The Court finds that Barnett violated 30 TAC § 290.106(e) and Tex. Water Code § 7.101 for 1 day, and the State is entitled to civil penalties for such violation.

122. Violation 108: Barnett failed to provide TCEQ with Vista's signed certificates of delivery certifying that public notices were issued for Barnett's failure to submit 18 monitoring reports, violating 30 TAC § 290.122(c) and (f). The Court finds that Barnett violated 30 TAC § 290.122(c) and (f) and Tex. Water Code § 7.101 for 18 days, one day for each missing report, and the State is entitled to civil penalties for such violation.

### **Violations at J&L**

123. Violation 109: Barnett failed to properly maintain the facilities at J&L from at least October 11, 2017 to November 19, 2020, violating 30 TAC § 290.46(m).<sup>24</sup> The Court finds that Barnett violated 30 TAC § 290.46(m) and Tex. Water Code § 7.101 for 2 days, and the State is entitled to civil penalties for such violation

124. Violation 110: Barnett failed to maintain all water treatment units, storage and

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<sup>24</sup> The State stipulates to counting the continuing violation as 2 days.

pressure maintenance facilities, distribution system lines, and related appurtenances in a watertight condition and be free of excessive solids on October 17, 2017, violating 30 TAC § 290.46(m)(4). The Court finds that Barnett violated 30 TAC § 290.46(m)(4) and Tex. Water Code § 7.101 for 1 day, and the State is entitled to civil penalties for such violation.

125. Violation 111: Barnett failed to provide all dead-end mains with acceptable flush valves and discharge piping from at least October 17, 2017 to November 19, 2020, violating 30 TAC § 290.44(d)(6).<sup>25</sup> The Court finds that Barnett violated 30 TAC § 290.44(d)(6) and Tex. Water Code § 7.101 for 2 days, and the State is entitled to civil penalties for such violation.

126. Violation 112: Barnett failed to provide TCEQ with a copy of J&L's boil water notice after the well was not functioning from March 29, 2019 to April 3, 2019, violating 30 TAC § 290.46(q)(1). The Court finds that Barnett violated 30 TAC § 290.46(q)(1) and Tex. Water Code § 7.101 for 1 day, and the State is entitled to civil penalties for such violation

127. Violation 113: Barnett failed to produce an up-to-date plant operations manual on October 11, 2017 and November 19, 2020, violating 30 TAC § 290.42(l). The Court finds that Barnett violated 30 TAC § 290.42(l) and Tex. Water Code § 7.101 for 2 days, and the State is entitled to civil penalties for such violation.

128. Violation 114: Barnett failed to produce an up-to-date system monitoring plan on October 11, 2017 and November 19, 2020, violating 30 TAC § 290.121(a). The Court finds that Barnett violated 30 TAC § 290.121(a) and Tex. Water Code § 7.101 for 2 days, and the State is entitled to civil penalties for such violation.

129. Violation 115: Barnett failed to produce a sample siting plan on October 11, 2017, violating 30 TAC §§ 290.121(b)(3), 290.46(f)(2), (f)(3)(E)(ix), and 290.109(d)(6)(E). The Court

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<sup>25</sup> The State stipulates to counting the continuing violation as 1 day.

finds that Barnett violated 30 TAC §§ 290.121(b)(3), 290.46(f)(2), (f)(3)(E)(ix), 290.109(d)(E), and Tex. Water Code § 7.101 for 1 day, and the State is entitled to civil penalties for such violation.

130. Violation 116: Barnett failed to produce records of dead-end main flushing on October 11, 2017, violating 30 TAC § 290.46(f)(2) and (f)(3)(A)(iv). The Court finds that Barnett violated 30 TAC § 290.46(f)(2), (f)(3)(A)(iv), and Tex. Water Code § 7.101 for 1 day, and the State is entitled to civil penalties for such violation

131. Violation 117: Barnett failed to produce records of the exterior pressure tank inspections on October 11, 2017, violating 30 TAC § 290.46(f)(2) and (f)(3)(D)(ii). The Court finds that Barnett violated 30 TAC § 290.46(f)(2), (f)(3)(D)(ii), and Tex. Water Code § 7.101 for 1 day, and the State is entitled to civil penalties for such violation

132. Violation 118: Barnett failed to produce a map of the distribution system for J&L on October 11, 2017, violating 30 TAC § 290.46(n). The Court finds that Barnett violated 30 TAC § 290.46(n) and Tex. Water Code § 7.101 for 1 day, and the State is entitled to civil penalties for such violation.

133. Violation 119: Barnett failed to make J&L's operating records accessible for review during inspections and be available to the TCEQ on October 11, 2017, violating 30 TAC § 290.46(f)(2). The Court finds that Barnett violated 30 TAC § 290.46(f)(2) and Tex. Water Code § 7.101 for 4 days, one day for each missing record, and the State is entitled to civil penalties for such violation.

134. Violation 120: Barnett failed to produce J&L's service agreement to the TCEQ on October 11, 2017, violating 30 TAC § 290.46(f)(2) and (i). The Court finds that Barnett violated 30 TAC § 290.46(f)(2) and (i) and Tex. Water Code § 7.101 for 1 day, and the State is entitled to civil penalties for such violation.

135. Violation 121: Barnett failed to produce well calibration records for J&L on October 11, 2017, violating 30 TAC § 290.46(f)(2) and (f)(3)(B)(iv). The Court finds that Barnett violated 30 TAC § 290.46(f)(2) and (f)(3)(B)(iv) and Tex. Water Code § 7.101 for 1 day, and the State is entitled to civil penalties for such violation.

136. Violation 122: Barnett failed to submit an emergency preparedness plan for J&L from at least October 11, 2017 to November 19, 2020, violating 30 TAC § 290.39(o)(1).<sup>26</sup> The Court finds that Barnett violated 30 TAC § 290.39(o)(1) and Tex. Water Code § 7.101 for 1 day, and the State is entitled to civil penalties for such violation.

137. Violation 123: Barnett failed to submit plans and specifications or engineering reports for J&L to TCEQ from at least October 11, 2017, to present, violating 30 TAC § 290.39(h)(1) and (e)(1).<sup>27</sup> The Court finds that Barnett violated 30 TAC § 290.39(h)(1), (e)(1), and Tex. Water Code § 7.101 for 1 day, and the State is entitled to civil penalties for such violation.

138. Violation 124: Barnett failed to submit an annual CCR for 2015, 2016, 2017, and 2018, violating 30 TAC § 290.274(c). The Court finds that Barnett violated 30 TAC § 290.274(c) and Tex. Water Code § 7.101 for 4 days, one day for each missing report.

139. Violation 125: Barnett failed to report DLQORs to the TCEQ for the second and third quarter of 2016 and the second quarter of 2018 (3 reports), violating 30 TAC § 290.110(e)(4)(A). The Court finds that Barnett violated 30 TAC § 290.110(e)(4)(A) and Tex. Water Code § 7.101 for 3 days, one day for each missing report.

140. Violation 126: Barnett failed to report lead and copper tap sample results for the January 2013-December 2015; January-December 2016; January-June 2017; July-December 2017; January-June 2018; July-December 2018; January-June 2019; and July-December 2019

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<sup>26</sup> The State stipulates to counting the continuing violation as 1 day.

<sup>27</sup> The State stipulates to counting the continuing violation as 1 day.

monitoring periods (8 reports), violating 30 TAC § 290.117(i)(1). The Court finds that Barnett violated 30 TAC § 290.117(i)(1) and Tex. Water Code § 7.101 for 8 days, and the State is entitled to civil penalties for such violation, one day for each missing report.

141. Violation 127: Barnett failed to report metal and mineral levels for the January 2014-December 2016 and January 2017-December 2019 monitoring periods (2 reports), violating 30 TAC § 290.106(e). The Court finds that Barnett violated 30 TAC § 290.106(e) and Tex. Water Code § 7.101 for 2 days, one day for each missing report, and the State is entitled to civil penalties for such violation.

142. Violation 128: Barnett failed to report nitrate and/or nitrite levels for the January-December 2016; January-December 2017; January-December 2018; and January-December 2019 monitoring periods (4 reports), violating 30 TAC § 290.106(e). The Court finds that Barnett violated 30 TAC § 290.106(e) and Tex. Water Code § 7.101 for 4 days, one day for each missing report, and the State is entitled to civil penalties for such violation.

143. Violation 129: Barnett failed to report SOC levels for the January 2012-December 2014; January 2014-December 2016; January 2015-December 2017; and January 2017-December 2019 monitoring periods (4 reports), violating 30 TAC § 290.107(e). The Court finds that Barnett violated 30 TAC § 290.107(e) and Tex. Water Code § 7.101 for 4 days, one day for each missing report, and the State is entitled to civil penalties for such violation.

144. Violation 130: Barnett failed to report VOC levels for the January-December 2016; January-December 2017; January-December 2018; and January-December 2019 monitoring periods (4 reports), violating 30 TAC § 290.107(e). The Court finds that Barnett violated 30 TAC § 290.107(e) and Tex. Water Code § 7.101 for 4 days, one day for each missing report, and the State is entitled to civil penalties for such violation.

145. Violation 131: Barnett failed to report disinfectant byproduct levels for the January 2014-December 2016 monitoring period (1 report), violating 30 TAC § 290.115(e)(1). The Court finds that Barnett violated 30 TAC § 290.115(e)(1) and Tex. Water Code § 7.101 for 1 day, and the State is entitled to civil penalties for such violation.

146. Violation 132: Barnett failed to report cyanide levels for the January-December 2019 monitoring period (1 report), violating 30 TAC § 290.106(e). The Court finds that Barnett violated 30 TAC § 290.106(e) and Tex. Water Code § 7.101 for 1 day, and the State is entitled to civil penalties for such violation.

147. Violation 133: Barnett failed to report radionuclide levels for the January 2014-December 2019 monitoring period (1 report), violating 30 TAC § 290.108(e). The Court finds that Barnett violated 30 TAC § 290.108(e) and Tex. Water Code § 7.101 for 1 day, and the State is entitled to civil penalties for such violation.

148. Violation 134: Barnett failed to provide TCEQ with J&L's signed certificates of delivery certifying that public notices were issued for Barnett's failure to submit 26 monitoring reports, violating 30 TAC 290.122(c) and (f). The Court finds that Barnett violated 30 TAC § 290.122(c) and (f) and Tex. Water Code § 7.101 for 26 days, one day for each missing report, and the State is entitled to civil penalties for such violation

#### **UNPAID PUBLIC HEALTH SERVICES FEES**

149. 30 TAC § 290.51 required Barnett to pay annual public health services ("PHS") fees assessed by TCEQ. Barnett has failed to pay PHS fees for the TCEQ Financial Administration Account No. 91010945 for the fiscal years 2001 to 2021 (\$4,536.19); the TCEQ Financial Administration Account No. 91011183 for the fiscal years 1996 to 2021 (\$6,611.05); the TCEQ Financial Administration Account No. 90360026 for the fiscal years 2000 to 2021 (\$5,944.11);

and the TCEQ Financial Administration Account No. 91011684 for the fiscal years 2000 to 2021 (\$3,599.85). The PHS fees sought in the State's Petition are proven by a written instrument attached to the Petition and are, therefore, liquidated without the necessity of a hearing. Therefore, pursuant to 30 Tex. Admin. Code § 290.51, the State shall have judgment against Barnett for all unpaid PHS fees in the amount of \$20,691.20

### **ATTORNEY'S FEES**

150. This is an action brought by the State to recover civil penalties and injunctive relief. The State requested attorney's fees as permitted by Tex. Water Code § 7.108. The State offered evidence through an attorney's fees affidavit, filed in the records of this cause, proving reasonable and necessary attorney's fees in the amount of \$15,231.25.

### **INTEREST**

151. The Court further finds that the applicable judgment interest rate for the date of this judgment, as published by the Texas Office of Consumer Credit Commissioner in accordance with Texas Finance Code § 304.003, is 5.00 percent.

152. The Court further finds that the penalties assessed herein are payable to and for the benefit of a government unit and are not compensation for actual pecuniary loss, and therefore, are not dischargeable under federal bankruptcy laws.

### **IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED:**

153. Barnett is liable to the State for a civil penalty of FIFTY DOLLARS (\$50.00) per day of each violation in accordance with Texas Water Code § 7.102 and Tex. Health & Safety Code § 341.048(b).

154. The State, therefore, shall have judgment against Barnett for civil penalties for its violations of TCEQ rules in the amount of ONE-HUNDRED THIRTY-ONE THOUSAND ONE-

HUNDRED AND FIFTY DOLLARS (\$131,150.00), which constitutes 2623 days of violations at \$50.00 per day.

155. The State shall have judgment against Barnett for unpaid PHS fees in the amount of TWENTY THOUSAND SIX-HUNDRED AND NINETY-ONE DOLLARS AND TWENTY CENTS (\$20,691.20).

156. The State shall also have judgment against Barnett for its attorney's fees in the amount of FIFTEEN THOUSAND TWO-HUNDRED AND THIRTY-ONE DOLLARS (\$15,231.00).

157. Barnett shall pay all costs of court incurred through the date of this Judgment and those court costs which may be incurred to collect this Judgment if necessary.

158. Barnett shall pay post-judgment interest on all amounts awarded under this Judgment and continually thereafter at the legal rate of 5.00 percent, as published by the Texas Office of Consumer Credit Commissioner in accordance with the Texas Finance Code § 304.003, from the effective date of this Judgment until paid in full, all for which execution shall issue.

159. Barnett shall pay all amounts awarded in this Judgment within thirty (30) days of the entry of this Judgment.

160. Payment of all amounts awarded in this Judgment shall be made by certified check or money order made payable to the State of Texas and shall bear the identifying number "A.G. # CX7882695357." The payment shall be submitted to:

Division Chief  
Environmental Protection Division  
Office of the Attorney General of Texas  
P.O. Box 12548, MC-066  
Austin, Texas 78711-2548

**THE COURT FURTHER ORDERS THAT:**



## **PERMANENT INJUNCTION**

161. The Defendant, Norman Barnett, his officers, agents, servants, employees, and all other persons acting in concert or participation with him, on his behalf, or under his control, who receive actual notice of this Injunction are permanently enjoined as follows:

### **A. Words and Terms**

1. **“Barnett”** means Norman Barnett, his officers, directors, managers, principals, partners, owners, employees, agents, servants, and all persons in active concert or participation with Norman Barnett, on his behalf or under his control, whether directly or indirectly.
2. **“Effective Date”** means the date on which the Court signs this Injunction.
3. **“Immediately”** means by 5:00 p.m. Central Standard Time on the next Day after the Effective Date.
4. **“Reed”** means the groundwater system, Reed Estates, located at 8918 ½ Furay Avenue, Houston, Harris County, Texas, 77016.
5. **“Villa”** means the groundwater system, Villa Utilities, located at 6423 Lemoine Lane, Houston, Harris County, Texas, 77049.
6. **“Vista”** means the groundwater system, Vista Utilities, located at 8802 Lennie Lane, Beach City, Chambers County, Texas, 77523.
7. **“J&L”** means the groundwater system, J&L Terry Lane, located at 3107 Terry Lane, Baytown, Harris County, Texas, 77521.
8. **“TCEQ”** means the Texas Commission on Environmental Quality.
9. **“State”** means the State of Texas.
10. **“Days”** means calendar days.
11. **“DLQOR”** means a Disinfection Level Quarterly Operation Report.
12. **“SOC”** means synthetic organic contaminants.
13. **“VOC”** means volatile organic contaminants.
14. **“CCR”** means consumer confidence reports.

## **B. Ordering Provisions for Reed:**

1. Operating and Maintenance Records. Immediately upon the Effective Date, Barnett shall begin implementing policies and procedures at Reed to ensure that operation and maintenance records are maintained and are made available to TCEQ during inspections and upon request. If Barnett is not currently keeping operating and maintenance records at Reed, he shall begin keeping these records immediately upon the Effective Date. Within 90 Days of the Effective Date, Barnett shall submit to TCEQ the following operating and maintenance records for Reed for the first 90 days after the Effective Date:
  - i. Microbiological analyses;
  - ii. Records showing the amount of chemicals used and the volume of water treated at Reed;
  - iii. Monthly reports of waterworks operations;
  - iv. Distribution chlorine residual monitoring reports;
  - v. Customer service inspections;
  - vi. Disinfectant residual monitoring results; and
  - vii. Records showing that the accuracy of manual disinfectant residual analyzers has been verified using chlorine solutions of known concentrations.
2. Watertight Conditions. Within 30 Days of the Effective Date, Barnett shall repair any existing leaks in the water system equipment at Reed. Specifically, Barnett shall repair the leaking Schrader valve on the well discharge line at Reed and the chlorine injection point on the water line leading to the pressure tank at Reed so that they are free of leaks and remain in a watertight condition. Thereafter, Barnett shall maintain all water system facilities and equipment at Reed in a watertight condition.
3. Properly Maintain the Facility. Within 30 Days of the Effective Date, Barnett shall ensure the good working condition and general appearance of Reed's facilities and equipment. Specifically, Barnett shall repair the crack in the concrete sealing block; remove vegetation growing through the barbed wire and the chain linked fence at Reed; and repair the mold and mildew on the pressure tank by power washing and repainting the pressure tank.
4. Intruder-Resistant Fence. Within 30 Days of the Effective Date, Barnett shall repair the fence surrounding the water system at Reed, including, but not limited to, replacing any missing sections of the fence and repairing or replacing any loose sections of barbed wire along the fence, so that the water system is fully enclosed by an intruder-resistant fence in accordance with 30 Tex. Admin. Code § 290.38(41).
5. Pressure Tanks Inspection. Within 30 Days of the Effective Date, Barnett shall inspect the interior and exterior of all pressure tanks at Reed, in accordance with 30

Tex. Admin. Code § 290.46(m). Within 45 Days of the Effective Date, Barnett shall submit the reports of such inspections to TCEQ.

6. Plant operations manual. Within 30 Days of the Effective Date, Barnett shall compile an up-to-date plant operations manual for Reed in accordance with 30 Tex. Admin. Code § 290.42(l). Within 45 Days of the Effective Date, Barnett shall submit copies of Reed's plant operations manual to TCEQ. Thereafter, Barnett shall ensure that Reed's plant operations manual is kept up-to-date, on file at Reed, and shall make it available to the TCEQ upon request.
7. System Monitoring Plan. Within 30 Days of the Effective Date, Barnett shall create and maintain on file an up-to-date system monitoring plan for Reed in accordance with 30 Tex. Admin. Code § 290.121. Within 45 Days of the Effective Date, Barnett shall submit copies of the system monitoring plan for Reed to TCEQ. Thereafter, Barnett shall maintain an up-to-date system monitoring plan on file at Reed and shall make it available to the TCEQ upon request.
8. Sample Siting Plan. Within 30 Days of the Effective Date, Barnett shall develop and create a Sample Siting Plan at Reed in accordance with 30 Tex. Admin. Code § 290.109(d)(6). Within 45 Days of the Effective Date, Barnett shall submit copies of the Sample Siting Plan for Reed to TCEQ. Thereafter, Barnett shall maintain the Sample Siting Plan on file at Reed and shall make it available to the TCEQ upon request.
9. Service Agreement. Within 30 Days of the Effective Date, Barnett shall adopt a service agreement for Reed in accordance with 30 Tex. Admin. Code § 290.46(i). Within 45 Days of the Effective Date, Barnett shall submit copies of the service agreement for Reed to TCEQ. Thereafter, Barnett shall maintain a service agreement on file at Reed and shall make it available to the TCEQ upon request.
10. Map of Water Distribution System. Within 30 Days of the Effective Date, Barnett shall create and keep on file a map of the water distribution system at Reed in accordance with 30 Tex. Admin. Code § 290.46(n)(2). Within 45 Days of the Effective Date, Barnett shall submit copies of the map of the water distribution system for Reed to TCEQ. Thereafter, Reed shall maintain a map of the distribution system on file at Reed and shall make it available to the TCEQ upon request.
11. As-Built Plans and Records. Within 30 Days of the Effective Date, Barnett shall create and keep on file at Reed copies of accurate and up-to-date detailed as-built plans or record drawings and specifications for each treatment, plant, pump station, and storage tank at Reed, in accordance with 30 Tex. Admin. Code § 290.46(n)(1). Within 45 Days of the Effective Date, Barnett shall submit copies of the accurate and up-to-date detailed as-built plans or record drawings and specifications for each treatment, plant, pump station, and storage tank at Reed to TCEQ. Thereafter, Reed shall maintain all as-built plans and records on file at Reed and shall make them available to the TCEQ upon request.

12. Well Completion Data Records. Within 30 Days of the Effective Date, Barnett shall create and keep on file copies of well completion data, as defined in 30 Tex. Admin. Code § 290.41(c)(3)(A), for each groundwater well at Reed, in accordance with 30 Tex. Admin. Code § 290.46(n)(3). Within 45 Days of the Effective Date, Barnett shall submit the copies of well completion data records to TCEQ. Thereafter, Reed shall maintain copies of the well completion data records on file at Reed and shall make them available to the TCEQ upon request.
13. Engineering Reports. Within 30 Days of the Effective Date, Barnett shall secure the services of a registered professional engineer well versed in the design and construction of public water systems to prepare an engineering report to be submitted to the TCEQ in accordance with 30 Tex. Admin. Code § 290.39(e)(1). The engineering report shall include, but is not limited to: a statement of the problems at Reed; the present and future areas to be served, with population data; the source, with quantity and quality of the water available; present and estimated future maximum and minimum water quality demands; description of the site and surrounding water works facilities; the type of treatment, equipment, and capacity of facilities; basic design data, including pumping capacities, water storage and flexibility of system operation under normal and emergency conditions; and the adequacy of the facilities with regard to delivery capacity and pressure throughout the system.

Within 45 Days of the Effective Date, Barnett shall submit the name of the registered professional engineer hired to perform the engineering report to TCEQ. The selected registered engineer shall complete the engineering report within 180 Days after the Effective Date. Within 30 Days of receiving the engineering report from the registered engineer, Barnett shall submit the engineering report to:

Plan and Technical Review Section  
Water Supply Division MC -159  
Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, Texas 78711-3087

14. Dead-End Mains Flushing Records. Within 30 Days of the Effective Date, Barnett shall submit to TCEQ copies of the most recent reports of flushing of the dead-end mains at Reed. If there are no reports of flushing of the dead-end mains available, Barnett shall, within 30 days after the Effective Date, flush the dead-end mains at Reed, in accordance with 30 Tex. Admin. Code § 290.46(l), and submit the reports of such flushing to TCEQ, within 45 days after the Effective Date. In addition, Barnett shall maintain records of the dead-end mains flushing at Reed, in accordance with 30 Tex. Admin. Code § 290.46(f)(3)(A)(iv).
15. Well Meter Calibration Records. Within 30 Days of the Effective Date, Barnett shall submit to TCEQ records of well calibration at Reed. If there are no reports of

well calibration available, Barnett shall, within 30 Days of the Effective Date, calibrate all well meters at Reed, in accordance with 30 Tex. Admin. Code § 290.46(s)(1), and submit the calibration records to TCEQ, within 45 days of the Effective Date.

16. Drought Contingency Plan. Within 30 Days of the Effective Date, Barnett shall submit to the TCEQ a drought contingency plan for Reed that complies with all the requirements of 30 Tex. Admin. Code §§ 288.20 and 288.30.
17. Emergency Preparedness Plan. Within 30 Days of the Effective Date, Barnett shall submit to TCEQ for its approval an emergency preparedness plan, in accordance with 30 Tex. Admin. Code § 290.39(o)(1), that demonstrates Reed's ability to provide emergency operations.
18. Regulatory Assessment Fees. Within 30 Days of the Effective Date, Barnett shall submit to TCEQ payments for regulatory assessment fees and associated records of annual charges and assessment collections relating to Reed and its Certificate of Convenience and Necessity No. 12079, for the calendar years 2009 to 2020. The payments and the records shall be submitted to:

Financial Administration Division  
Revenue Operations Section  
Texas Commission on Environmental Quality  
Attention: Cashier's Office, MC-214  
P.O. Box 13088  
Austin, Texas 78711-3088.

19. Cyanide. Within 45 Days of the Effective Date, Barnett shall arrange for and collect the required number of samples for cyanide levels at Reed. Within 90 Days of the Effective Date, Barnett shall ensure that the cyanide sample results are released and reported to TCEQ. Thereafter, Barnett shall sample for and report the cyanide levels to TCEQ pursuant to an applicable monitoring period and in accordance with 30 Tex. Admin. Code § 290.106(c)(4) and (e).
20. SOC Levels. Within 45 Days of the Effective Date, Barnett shall arrange for and collect the required number of samples for SOC levels at Reed. Within 90 Days of the Effective Date, Barnett shall ensure that the SOC sample results are released and reported to TCEQ. Thereafter, Barnett shall sample for and report the SOC levels to TCEQ pursuant to an applicable monitoring period and in accordance with 30 Tex. Admin. Code § 290.107(c)(1)(C)(i) and (e).
21. VOC Levels. Within 45 Days of the Effective Date, Barnett shall arrange for and collect the required number of samples for VOC levels at Reed. Within 90 Days of the Effective Date, Barnett shall ensure that the VOC sample results are released and reported to TCEQ. Thereafter, Barnett shall sample for and report the VOC levels to TCEQ pursuant to an applicable monitoring period and in accordance with

30 Tex. Admin. Code § 290.107(c)(2)(C)(i) and (e).

22. Metal and Minerals. Within 45 Days of the Effective Date, Barnett shall arrange for and collect the required number of samples for metal and mineral levels at Reed. Within 90 Days of the Effective Date, Barnett shall ensure that the metal and mineral sample results are released and reported to TCEQ. Thereafter, Barnett shall sample for and report the metal and mineral levels to TCEQ pursuant to an applicable monitoring period and in accordance with 30 Tex. Admin. Code § 290.106(c)(4) and (e).
23. Radionuclides Levels. Within 45 Days of the Effective Date, Barnett shall arrange for and collect the required number of samples for radionuclides levels at Reed. Within 90 Days of the Effective Date, Barnett shall ensure that the radionuclides sample results are released and reported to TCEQ. Thereafter, Barnett shall sample for and report the radionuclides levels to TCEQ pursuant to an applicable monitoring period and in accordance with 30 Tex. Admin. Code § 290.108.
24. Nitrate and Nitrite Levels. Within 45 Days of the Effective Date, Barnett shall arrange for and collect the required number of nitrate and nitrite samples at Reed. Within 90 Days of the Effective Date, Barnett shall ensure that the nitrate and nitrite sample results are released and reported to TCEQ. Thereafter, Barnett shall sample for and report the nitrate and nitrite levels to TCEQ pursuant to an applicable monitoring period and in accordance with 30 Tex. Admin. Code § 290.106(c)(6) and (7).
25. Disinfectant Byproduct Levels. Within 45 Days of the Effective Date, Barnett shall arrange for and collect the required number of disinfectant byproduct samples at Reed. Within 90 Days of the Effective Date, Barnett shall ensure that the disinfectant byproduct sample results are released and reported to TCEQ. Thereafter, Barnett shall sample for and report the disinfectant byproduct levels to TCEQ pursuant to an applicable monitoring period and in accordance with 30 Tex. Admin. Code § 290.115(b)(1)(A).
26. Lead and Copper Levels. Barnett shall conduct lead and copper distribution sampling at Reed within the first 30 Days of the next monitoring period following the Effective Date. Barnett shall ensure that the results of the lead and copper sampling are reported to the TCEQ within 10 Days after the sampling is conducted. Thereafter, Barnett shall sample for lead and copper levels in according with the monitoring periods set by the TCEQ and shall ensure that the sampling results are reported to the TCEQ within 10 Days after the end of the monitoring period, in accordance with 30 Tex. Admin. Code § 290.117(i)(1).
27. Well Capacity. Within 60 Days of the Effective Date, Barnett shall seek TCEQ and other any other applicable government agency approval to install additional well capacity at Reed so that Reed maintains a total capacity of 1.5 gallons per minute

(“gpm”) per connection, in accordance with 30 Tex. Admin. Code § 290.45(b)(1)(A)(i). Within 300 Days of the Effective Date, Barnett shall obtain approval and complete installation of the additional well production capacity at Reed so that Reed maintains a total production capacity of 1.5 gpm per connection, in accordance with 30 Tex. Admin. Code § 290.45(b)(1)(A)(i).

**28. Consumer Tap Notices.** Within 60 Days of the Effective Date, Barnett shall implement policies and procedures at Reed to ensure that all necessary consumer notices of lead tap water monitoring results are reported to TCEQ, in accordance with 30 Tex. Admin. Code § 290.117(i)(6).

**29. Pressure Tank Capacity.** Within 90 Days of the Effective Date, Barnett shall seek TCEQ and any other applicable government agency approval to install additional pressure tank capacity at Reed so that Reed maintains a total pressure tank capacity of at least 50 gallons per connection, in accordance with 30 Tex. Admin. Code § 290.45(b)(1)(A)(ii). Within 300 Days of the Effective Date, Barnett shall obtain approval and complete installation of additional pressure tank capacity at Reed to achieve a total pressure tank capacity of at least 50 gallons per connection, in accordance with 30 Tex. Admin. Code § 290.45(b)(1)(A)(ii).

**30. CCR to the TCEQ.** Within 70 Days of the Effective Date, Barnett shall submit a copy of the most recent annual CCR that has been provided to Reed’s customers to the TCEQ along with certification that the CCR has been distributed to the customers and that the information in the CCR is correct and consistent with the compliance monitoring data, in accordance with 30 Tex. Admin. Code § 290.274.

**31. Planning Report.** Within 90 Days of the Effective Date, Barnett shall submit to TCEQ a planning reports for reaching 85% of well capacity at Reed. The reports shall explain how Reed will provide the expected service demands to the remaining areas within the boundaries of its certificated area, in accordance with 30 Tex. Admin. Code § 291.93(3).

**32. DLQORs.** Within 90 Days after the Effective Date, Barnett shall begin submitting DLQORs for Reed to the TCEQ each quarter, by the tenth day of the month following the quarter, in accordance with 30 Tex. Admin. Code § 290.110(e)(4)(A). Thereafter, Barnett shall submit the DLQORs for Reed every quarter, in accordance with 30 Tex. Admin. Code § 290.110(e)(4)(A). DLQORs shall be submitted to:

DLQOR Coordinator  
Water Supply Division, MC-155  
Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, Texas 78711-3087

### **C. Ordering Provisions for Villa**

1. Operating and Maintenance Records. Immediately upon the Effective Date, Barnett shall begin implementing policies and procedures at Villa to ensure that operation and maintenance records are maintained and are made available to TCEQ during inspections and upon request. If Barnett is not currently keeping operating and maintenance records at Villa, he shall begin keeping these records immediately upon the Effective Date. Within 90 Days of the Effective Date, Barnett shall submit to TCEQ the following operating and maintenance records for Villa for the first 90 days after the Effective Date:
  - i. Microbiological analyses;
  - ii. Records showing the amount of chemicals used and the volume of water treated at Villa;
  - iii. Monthly reports of waterworks operations;
  - iv. Distribution chlorine residual monitoring reports;
  - v. Customer service inspections;
  - vi. Disinfectant residual monitoring results; and
  - vii. Records showing that the accuracy of manual disinfectant residual analyzers has been verified using chlorine solutions of known concentrations.
2. Properly Maintain the Facility. Within 30 Days of the Effective Date, Barnett shall ensure the good working condition and general appearance of Villa's facilities and equipment. Specifically, Barnett shall repair the pressure tank at Villa so that the mold, rust, and peeling paint are removed by pressure washing and repainting the tank.
3. Intruder-Resistant Fence. Within 30 Days of the Effective Date, Barnett shall repair the fence surrounding the water system at Villa, including, but not limited to, replacing any missing sections of the fence and repairing or replacing any loose sections of barbed wire along the fence, so that the water system is fully enclosed by an intruder-resistant fence in accordance with 30 Tex. Admin. Code § 290.38(41).
4. Pressure Tanks Inspection. Within 30 Days of the Effective Date, Barnett shall inspect the interior and exterior of all pressure tanks at Villa, in accordance with 30 Tex. Admin. Code § 290.46(m). Within 45 Days of the Effective Date, Barnett shall submit the reports of such inspections to TCEQ.
5. Well Casing Vent. Within 30 days of the Effective Date, Barnett shall install a well vent on the groundwater well at Villa with an opening that is covered with a 16-mesh or finer corrosion-resistant screen, facing downward, in accordance with 30 Tex. Admin. Code § 290.4l(c)(3)(K).
6. Air-Water Volume. Within 30 Days of the Effective Date, Barnett shall equip the air injection lines with filters or other devices to prevent compressor lubricants and other contaminants from entering the pressure tank, in accordance with 30 Tex.



Admin. Code § 290.43(d)(3). Within 30 Days of the Effective Date, Barnett shall also install a sight glass on the pressure tank to adequately monitor the air-water-volume in the pressure tank at the design water level and working pressure, in accordance with 30 Tex. Admin. Code § 290.43(d)(3).

7. Pipelines. Within 30 Days of the Effective Date, Barnett shall apply for an exception to 30 Tex. Admin. Code § 290.41(c)(1)(A), which does not allow a PWS well to be located within 150 feet of an underground petroleum and chemical pipeline. The exception should be requested in accordance with 30 Tex. Admin. Code § 290.39(l) and submitted to:

Technical Review and Oversight Team  
Plan and Technical Review Section, MC-159  
Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, Texas 78711-3087

Barnett must submit any additional documentation requested by TCEQ in response to Barnett's application within 30 Days of TCEQ's request. If Barnett's application for an exception to 30 Tex. Admin. Code § 290.41(c)(1)(A) is denied, he must submit a new application until it is approved.

8. Legible Sign. Within 30 Days of the Effective Date, Barnett shall provide a legible sign located in plain view at Villa, providing the name of its water supply and an emergency telephone number at each of its production, treatment, and storage facilities, in accordance with 30 Tex. Admin. Code § 290.46(t).
9. Plant operations manual. Within 30 Days of the Effective Date, Barnett shall compile an up-to-date plant operations manual for Villa in accordance with 30 Tex. Admin. Code § 290.42(l). Within 45 Days of the Effective Date, Barnett shall submit copies of Villa's plant operations manual to TCEQ. Thereafter, Barnett shall ensure that Villa's plant operations manual is kept up-to-date, on file at Villa, and shall make it available to the TCEQ upon request.
10. System Monitoring Plan. Within 30 Days of the Effective Date, Barnett shall create and maintain on file an up-to-date system monitoring plan for Villa in accordance with 30 Tex. Admin. Code § 290.121. Within 45 Days of the Effective Date, Barnett shall submit copies of the system monitoring plan for Villa to TCEQ. Thereafter, Barnett shall maintain an up-to-date system monitoring plan on file at Villa and shall make it available to the TCEQ upon request.
11. Sample Siting Plan. Within 30 Days of the Effective Date, Barnett shall develop and create a Sample Siting Plan at Villa in accordance with 30 Tex. Admin. Code § 290.109(d)(6). Within 45 Days of the Effective Date, Barnett shall submit copies of the Sample Siting Plan for Villa to TCEQ. Thereafter, Barnett shall maintain the Sample Siting Plan on file at Villa and shall make it available to the TCEQ upon

request.

12. Service Agreement. Within 30 Days of the Effective Date, Barnett shall adopt a service agreement for Villa in accordance with 30 Tex. Admin. Code § 290.46(i). Within 45 Days of the Effective Date, Barnett shall submit copies of the service agreement for Villa to TCEQ. Thereafter, Barnett shall maintain a service agreement on file at Villa and shall make it available to the TCEQ upon request.
13. Map of Water Distribution System. Within 30 Days of the Effective Date, Barnett shall create and keep on file a map of the water distribution system at Villa in accordance with 30 Tex. Admin. Code § 290.46(n)(2). Within 45 Days of the Effective Date, Barnett shall submit copies of the map of the water distribution system for Villa to TCEQ. Thereafter, Barnett shall maintain a map of the distribution system on file at Villa and shall make it available to the TCEQ upon request.
14. As-Built Plans and Records. Within 30 Days of the Effective Date, Barnett shall create and keep on file at Villa copies of accurate and up-to-date detailed as-built plans or record drawings and specifications for each treatment, plant, pump station, and storage tank at Villa, in accordance with 30 Tex. Admin. Code § 290.46(n)(1). Within 45 Days of the Effective Date, Barnett shall submit copies of the accurate and up-to-date detailed as-built plans or record drawings and specifications for each treatment, plant, pump station, and storage tank at Villa to TCEQ. Thereafter, Barnett shall maintain all as-built plans and records on file at Villa and shall make them available to the TCEQ upon request.
15. Well Completion Data Records. Within 30 Days of the Effective Date, Barnett shall create and keep on file copies of well completion data, as defined in 30 Tex. Admin. Code § 290.41(c)(3)(A), for each groundwater well at Villa, in accordance with 30 Tex. Admin. Code § 290.46(n)(3). Within 45 Days of the Effective Date, Barnett shall submit the copies of well completion data records to TCEQ. Thereafter, Barnett shall maintain copies of the well completion data records on file at Villa and shall make them available to the TCEQ upon request.
16. Engineering Reports. Within 30 Days of the Effective Date, Barnett shall secure the services of a registered professional engineer well versed in the design and construction of public water systems to prepare an engineering report to be submitted to the TCEQ in accordance with 30 Tex. Admin. Code § 290.39(e)(1). The engineering report shall include, but is not limited to: a statement of the problems at Villa; the present and future areas to be served, with population data; the source, with quantity and quality of the water available; present and estimated future maximum and minimum water quality demands; description of the site and surrounding water works facilities; the type of treatment, equipment, and capacity of facilities; basic design data, including pumping capacities, water storage and flexibility of system operation under normal and emergency conditions; and the adequacy of the facilities with regard to delivery capacity and pressure throughout

the system.

Within 45 Days of the Effective Date, Barnett shall submit the name of the registered professional engineer hired to perform the engineering report to TCEQ. The selected registered engineer shall complete the engineering report within 180 Days after the Effective Date. Within 30 Days of receiving the engineering report from the registered engineer, Barnett shall submit the engineering report to:

Plan and Technical Review Section  
Water Supply Division MC -159  
Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, Texas 78711-3087

17. Dead-End Main Flushing Records. Within 30 Days of the Effective Date, Barnett shall submit to TCEQ copies of the most recent reports of flushing of the dead-end mains at Villa. If there are no reports of flushing of the dead-end mains available, Barnett shall, within 30 days after the Effective Date, flush the dead-end mains at Villa, in accordance with 30 Tex. Admin. Code § 290.46(l), and submit the reports of such flushing to TCEQ, within 45 Days of the Effective Date. In addition, Barnett shall maintain records of the dead-end mains flushing at Villa, in accordance with 30 Tex. Admin. Code § 290.46(f)(3)(A)(iv).
18. Well Meter Calibration Records. Within 30 Days of the Effective Date, Barnett shall submit to TCEQ records of well calibration at Villa. If there are no reports of well calibration available, Barnett shall, within 30 days after the Effective Date, calibrate all well meters at Villa, in accordance with 30 Tex. Admin. Code § 290.46(s), and submit the calibration records to TCEQ, within 45 days after the Effective Date.
19. Drought Contingency Plan. Within 30 Days of the Effective Date, Barnett shall submit to the TCEQ a drought contingency plan for Villa that complies with all the requirements of 30 Tex. Admin. Code §§ 288.20 and 288.30.
20. Emergency Preparedness Plan. Within 30 Days of the Effective Date, Barnett shall submit to TCEQ for its approval an emergency preparedness plan, in accordance with 30 Tex. Admin. Code § 290.39(o)(1), that demonstrates Villa's ability to provide emergency operations.
21. Cyanide. Within 45 Days of the Effective Date, Barnett shall arrange for and collect the required number of samples for cyanide levels at Villa. Within 90 Days of the Effective Date, Barnett shall ensure that the cyanide sample results are released and reported to TCEQ. Thereafter, Barnett shall sample for and report the cyanide levels to TCEQ pursuant to an applicable monitoring period and in accordance with 30 Tex. Admin. Code § 290.106(c)(4) and (e).

22. SOC Levels. Within 45 Days of the Effective Date, Barnett shall arrange for and collect the required number of samples for SOC levels at Villa. Within 90 Days of the Effective Date, Barnett shall ensure that the SOC sample results are released and reported to TCEQ. Thereafter, Barnett shall sample for and report the SOC levels to TCEQ pursuant to an applicable monitoring period and in accordance with 30 Tex. Admin. Code § 290.107(c)(1)(C)(i) and (e).
23. VOC Levels. Within 45 Days of the Effective Date, Barnett shall arrange for and collect the required number of samples for VOC levels at Villa. Within 90 Days of the Effective Date, Barnett shall ensure that the VOC sample results are released and reported to TCEQ. Thereafter, Barnett shall sample for and report the VOC levels to TCEQ pursuant to an applicable monitoring period and in accordance with 30 Tex. Admin. Code § 290.107(c)(2)(C)(i) and (e).
24. Metal and Minerals. Within 45 Days of the Effective Date, Barnett shall arrange for and collect the required number of samples for metal and mineral levels at Villa. Within 90 Days of the Effective Date, Barnett shall ensure that the metal and mineral sample results are released and reported to TCEQ. Thereafter, Barnett shall sample for and report the metal and mineral levels to TCEQ pursuant to an applicable monitoring period and in accordance with 30 Tex. Admin. Code § 290.106(c)(4) and (e).
25. Radionuclides Levels. Within 45 Days of the Effective Date, Barnett shall arrange for and collect the required number of samples for radionuclides levels at Villa. Within 90 Days of the Effective Date, Barnett shall ensure that the radionuclides sample results are released and reported to TCEQ. Thereafter, Barnett shall sample for and report the radionuclides levels to TCEQ pursuant to an applicable monitoring period and in accordance with 30 Tex. Admin. Code § 290.108.
26. Nitrate and Nitrite Levels. Within 45 Days of the Effective Date, Barnett shall arrange for and collect the required number of nitrate and nitrite samples at Villa. Within 90 Days of the Effective Date, Barnett shall ensure that the nitrate and nitrite sample results are released and reported to TCEQ. Thereafter, Barnett shall sample for and report the nitrate and nitrite levels to TCEQ pursuant to an applicable monitoring period and in accordance with 30 Tex. Admin. Code § 290.106(c)(6).
27. Disinfectant Byproduct Levels. Within 45 Days of the Effective Date, Barnett shall arrange for and collect the required number of disinfectant byproduct samples at Villa. Within 90 Days of the Effective Date, Barnett shall ensure that the disinfectant byproduct sample results are released and reported to TCEQ. Thereafter, Barnett shall sample for and report the disinfectant byproduct levels to TCEQ pursuant to an applicable monitoring period and in accordance with 30 Tex. Admin. Code § 290.115(b)(1)(A).

- 28. Lead and Copper Levels.** Barnett shall conduct lead and copper distribution sampling at Villa within the first 30 Days of the next monitoring period following the Effective Date. Barnett shall ensure that the results of the lead and copper sampling are reported to the TCEQ within 10 Days after the sampling is conducted. Thereafter, Barnett shall sample for lead and copper levels in accordance with the monitoring periods set by the TCEQ and shall ensure that the sampling results are reported to the TCEQ within 10 Days after the end of the monitoring period, in accordance with 30 Tex. Admin. Code § 290.117(i)(1).
- 29. Consumer Tap Notices.** Within 60 Days of the Effective Date, Barnett shall implement policies and procedures at Villa to ensure that all necessary consumer notices of lead tap water monitoring results are reported to TCEQ, in accordance with 30 Tex. Admin. Code § 290.117(i)(6).
- 30. Public Notifications.** Within 60 Days of the Effective Date, Barnett shall implement policies and procedures at Villa to ensure that all necessary public notifications are provided in a timely manner to persons served by Villa and a copy of the public notification is submitted to the TCEQ, in accordance with 30 Tex. Admin. Code § 290.122.
- 31. CCR to the TCEQ.** Within 70 Days of the Effective Date, Barnett shall submit a copy of the most recent annual CCR that has been provided to Villa's customers to the TCEQ along with certification that the CCR has been distributed to the customers and that the information in the CCR is correct and consistent with the compliance monitoring data, in accordance with 30 Tex. Admin. Code § 290.274.
- 32. All Weather Access Road.** Within 90 Days of the Effective Date, Barnett shall provide an all-weather access road comprised of gravel or other comparable material to the water treatment plant at Villa, in accordance with 30 Tex. Admin. Code § 290.41(e)(4).
- 33. Planning Report.** Within 90 Days of the Effective Date, Barnett shall submit to TCEQ a planning report for reaching 85% of well capacity at Villa. The reports shall explain how Villa will provide the expected service demands to the remaining areas within the boundaries of its certificated area, in accordance with 30 Tex. Admin. Code § 291.93(3).
- 34. DLQORs.** Within 90 Days of the Effective Date, Barnett shall begin submitting DLQORs for Villa to the TCEQ each quarter, by the tenth day of the month following the quarter, in accordance with 30 Tex. Admin. Code § 290.110(e)(4)(A). Thereafter, Barnett shall submit the DLQORs for Villa every quarter, in accordance with 30 Tex. Admin. Code § 290.110(e)(4)(A). DLQORs shall be submitted to:

DLQOR Coordinator  
Water Supply Division, MC-155

**D. Ordering Provisions for Vista**

1. Operating and Maintenance Records. Immediately upon the Effective Date, Barnett shall begin implementing policies and procedures at Vista to ensure that operation and maintenance records are maintained and are made available to TCEQ during inspections and upon request. If Barnett is not currently keeping operating and maintenance records at Vista, he shall begin keeping these records immediately upon the Effective Date. Within 90 Days of the Effective Date, Barnett shall submit to TCEQ the following operating and maintenance records for Vista for the first 90 days after the Effective Date:
  - i. Microbiological analyses;
  - ii. Records showing the amount of chemicals used and the volume of water treated at Vista;
  - iii. Monthly reports of waterworks operations;
  - iv. Distribution chlorine residual monitoring reports;
  - v. Customer service inspections;
  - vi. Disinfectant residual monitoring results; and
  - vii. Records showing that the accuracy of manual disinfectant residual analyzers has been verified using chlorine solutions of known concentrations.
2. Watertight Condition. Within 45 Days of the Effective Date, Barnett shall submit documentation to TCEQ that all leaks have been repaired.
3. Properly Maintain the Facility. Within 30 Days of the Effective Date, Barnett shall ensure the good working condition and general appearance of Vista's facilities and equipment. Specifically, Barnett shall repair the peeling paint on the pressure tank and repair the hole under the concrete slab supporting the pressure tank.
4. Intruder-Resistant Fence. Within 30 Days of the Effective Date, Barnett shall repair the fence surrounding the water system at Vista, including, but not limited to, replacing any missing sections of the fence; repairing or replacing any loose sections of barbed wire along the fence; and affixing the hinges on the locked fence gate to the metal post, so that the water system is fully enclosed by an intruder-resistant fence in accordance with 30 Tex. Admin. Code § 290.38(41).
5. Well Meters. Within 30 Days of the Effective Date, Barnett shall install a flow-measuring device for the well at Vista. If Barnett has already installed a flow-measuring device, Barnett shall provide documentation proving that the flow-measuring device has been installed, within 30 Days of the Effective Date.

6. Legible Sign. Within 30 Days of the Effective Date, Barnett shall provide a legible sign located in plain view at Vista, providing the name of its water supply and an emergency telephone number at each of its production, treatment, and storage facilities, in accordance with 30 Tex. Admin. Code § 290.46(t).
7. ASME Plate. Within 30 days of the Effective Date, Barnett shall ensure that all hydropneumatic pressure tanks at Vista have an American Society of Mechanical Engineers (ASME) name plate permanently attached to the tanks, in accordance with 30 Tex. Admin. Code § 290.43(d)(l).
8. Pressure Tanks Inspection. Within 30 Days of the Effective Date, Barnett shall inspect the interior and exterior of all pressure tanks at Vista, in accordance with 30 Tex. Admin. Code § 290.46(m). Within 45 Days of the Effective Date, Barnett shall submit the reports of such inspections to TCEQ.
9. Plant operations manual. Within 30 Days of the Effective Date, Barnett shall compile an up-to-date plant operations manual for Vista in accordance with 30 Tex. Admin. Code § 290.42(l). Within 45 Days of the Effective Date, Barnett shall submit copies of Vista's plant operations manual to TCEQ. Thereafter, Barnett shall ensure that Vista's plant operations manual is kept up-to-date, on file at Vista, and shall make it available to the TCEQ upon request
10. System Monitoring Plan. Within 30 Days of the Effective Date, Barnett shall create and maintain on file an up-to-date system monitoring plan for Vista in accordance with 30 Tex. Admin. Code § 290.121. Within 45 Days of the Effective Date, Barnett shall submit copies of the system monitoring plan for Vista to TCEQ. Thereafter, Barnett shall maintain an up-to-date system monitoring plan on file at Vista and shall make it available to the TCEQ upon request.
11. Sample Siting Plan. Within 30 Days of the Effective Date, Barnett shall develop and create a Sample Siting Plan at Vista in accordance with 30 Tex. Admin. Code § 290.109(d)(6). Within 45 Days of the Effective Date, Barnett shall submit copies of the Sample Siting Plan for Vista to TCEQ. Thereafter, Barnett shall maintain the Sample Siting Plan on file at Vista and shall make it available to the TCEQ upon request.
12. Service Agreement. Within 30 Days of the Effective Date, Barnett shall adopt a service agreement for Vista in accordance with 30 Tex. Admin. Code § 290.46(i). Within 45 Days of the Effective Date, Barnett shall submit copies of the service agreement for Vista to TCEQ. Thereafter, Barnett shall maintain a service agreement on file at Vista and shall make it available to the TCEQ upon request.
13. Map of Water Distribution System. Within 30 Days of the Effective Date, Barnett shall create and keep on file a map of the water distribution system at Vista in accordance with 30 Tex. Admin. Code § 290.46(n)(2). Within 45 Days of the Effective Date, Barnett shall submit copies of the map of the water distribution

system for Vista to TCEQ. Thereafter, Barnett shall maintain a map of the distribution system on file at Vista and shall make it available to the TCEQ upon request.

14. As-Built Plans and Records. Within 30 Days of the Effective Date, Barnett shall create and keep on file at Vista copies of accurate and up-to-date detailed as-built plans or record drawings and specifications for each treatment, plant, pump station, and storage tank at Vista, in accordance with 30 Tex. Admin. Code § 290.46(n)(1). Within 45 Days of the Effective Date, Barnett shall submit copies of the accurate and up-to-date detailed as-built plans or record drawings and specifications for each treatment, plant, pump station, and storage tank at Vista to TCEQ. Thereafter, Barnett shall maintain all as-built plans and records on file at Vista and shall make them available to the TCEQ upon request.
15. Well Completion Data Records. Within 30 Days of the Effective Date, Barnett shall create and keep on file copies of well completion data, as defined in 30 Tex. Admin. Code § 290.41(c)(3)(A), for each groundwater well at Vista, in accordance with 30 Tex. Admin. Code § 290.46(n)(3). Within 45 Days of the Effective Date, Barnett shall submit the copies of well completion data records to TCEQ. Thereafter, Barnett shall maintain copies of the well completion data records on file at Vista and shall make them available to the TCEQ upon request.
16. Engineering Reports. Within 30 Days of the Effective Date, Barnett shall secure the services of a registered professional engineer well versed in the design and construction of public water systems to prepare an engineering report to be submitted to the TCEQ in accordance with 30 Tex. Admin. Code § 290.39(e)(1). The engineering report shall include, but is not limited to: a statement of the problems at Vista; the present and future areas to be served, with population data; the source, with quantity and quality of the water available; present and estimated future maximum and minimum water quality demands; description of the site and surrounding water works facilities; the type of treatment, equipment, and capacity of facilities; basic design data, including pumping capacities, water storage and flexibility of system operation under normal and emergency conditions; and the adequacy of the facilities with regard to delivery capacity and pressure throughout the system.

Within 45 Days of the Effective Date, Barnett shall submit the name of the registered professional engineer hired to perform the engineering report to TCEQ. The selected registered engineer shall complete the engineering report within 180 Days after the Effective Date. Within 30 Days of receiving the engineering report from the registered engineer, Barnett shall submit the engineering report to:

Plan and Technical Review Section  
Water Supply Division MC -159  
Texas Commission on Environmental Quality



P.O. Box 13087  
Austin, Texas 78711-3087

17. Backflow Prevention Devices. Within 30 days of the Effective Date, Barnett shall test all backflow prevention devices at Vista annually and retain the test and maintenance report forms for at least three years, in accordance with 30 Tex. Admin. Code § 290.46(f)(3)(A)(iv). Within 45 Days of the Effective Date, Barnett shall submit test and maintenance report from the backflow prevention devices test to the TCEQ.
18. Dead-End Mains Flushing Records. Within 30 Days of the Effective Date, Barnett shall submit to TCEQ copies of the most recent reports of flushing of the dead-end mains at Vista. If there are no reports of flushing of the dead-end mains available, Barnett shall, within 30 days after the Effective Date flush the dead-end mains at Vista, in accordance with 30 Tex. Admin. Code § 290.46(l), and submit the reports of such flushing to TCEQ, within 45 Days of the Effective Date. In addition, Barnett shall maintain records of the dead-end mains flushing at Vista, in accordance with 30 Tex. Admin. Code § 290.46(f)(3)(A)(iv).
19. Drought Contingency Plan. Within 30 Days of the Effective Date, Barnett shall submit to the TCEQ a drought contingency plan for Vista that complies with all the requirements of 30 Tex. Admin. Code §§ 288.20 and 288.30.
20. Plumbing Ordinance. Within 30 Days of the Effective Date, Barnett shall update Vista's customer service agreement to show that pipes and pipe fittings should not contain more than 0.25% lead, in accordance with 30 Tex. Admin. Code § 290.46(i). Within 45 Days of the Effective Date, Barnett shall submit to TCEQ a copy of Vista's updated customer service agreement.
21. Cyanide. Within 45 Days of the Effective Date, Barnett shall arrange for and collect the required number of samples for cyanide levels at Vista. Within 90 Days of the Effective Date, Barnett shall ensure that the cyanide sample results are released and reported to TCEQ. Thereafter, Barnett shall sample for and report the cyanide levels to TCEQ pursuant to an applicable monitoring period and in accordance with 30 Tex. Admin. Code § 290.106(c)(4) and (e).
22. SOC Levels. Within 45 Days of the Effective Date, Barnett shall arrange for and collect the required number of samples for SOC levels at Vista. Within 90 Days of the Effective Date, Barnett shall ensure that the SOC sample results are released and reported to TCEQ. Thereafter, Barnett shall sample for and report the SOC levels to TCEQ pursuant to an applicable monitoring period and in accordance with 30 Tex. Admin. Code § 290.107(c)(1)(C)(i) and (e).
23. VOC Levels. Within 45 Days of the Effective Date, Barnett shall arrange for and collect the required number of samples for VOC levels at Vista. Within 90 Days of the Effective Date, Barnett shall ensure that the VOC sample results are released

and reported to TCEQ. Thereafter, Barnett shall sample for and report the VOC levels to TCEQ pursuant to an applicable monitoring period and in accordance with 30 Tex. Admin. Code § 290.107(c)(2)(C)(i) and (e).

24. Metal and Minerals. Within 45 Days of the Effective Date, Barnett shall arrange for and collect the required number of samples for metal and mineral levels at Vista. Within 90 Days of the Effective Date, Barnett shall ensure that the metal and mineral sample results are released and reported to TCEQ. Thereafter, Barnett shall sample for and report the metal and mineral levels to TCEQ pursuant to an applicable monitoring period and in accordance with 30 Tex. Admin. Code § 290.106(c)(4) and (e).
25. Radionuclides Levels. Within 45 Days of the Effective Date, Barnett shall arrange for and collect the required number of samples for radionuclides levels at Vista. Within 90 Days of the Effective Date, Barnett shall ensure that the radionuclides sample results are released and reported to TCEQ. Thereafter, Barnett shall sample for and report the radionuclides levels to TCEQ pursuant to an applicable monitoring period and in accordance with 30 Tex. Admin. Code § 290.108.
26. Nitrate and Nitrite Levels. Within 45 Days of the Effective Date, Barnett shall arrange for and collect the required number of nitrate and nitrite samples at Vista. Within 90 Days of the Effective Date, Barnett shall ensure that the nitrate and nitrite sample results are released and reported to TCEQ. Thereafter, Barnett shall sample for and report the nitrate and nitrite levels to TCEQ pursuant to an applicable monitoring period and in accordance with 30 Tex. Admin. Code § 290.106(c)(6).
27. Disinfectant Byproduct Levels. Within 45 Days of the Effective Date, Barnett shall arrange for and collect the required number of disinfectant byproduct samples at Vista. Within 90 Days of the Effective Date, Barnett shall ensure that the disinfectant byproduct sample results are released and reported to TCEQ. Thereafter, Barnett shall sample for and report the disinfectant byproduct levels to TCEQ pursuant to an applicable monitoring period and in accordance with 30 Tex. Admin. Code § 290.115(b)(1)(A).
28. Lead and Copper Levels. Barnett shall conduct lead and copper distribution sampling at Vista within the first 30 Days of the next monitoring period following the Effective Date. Barnett shall ensure that the results of the lead and copper sampling are reported to the TCEQ within 10 Days after the sampling is conducted. Thereafter, Barnett shall sample for lead and copper levels in accordance with the monitoring periods set by the TCEQ and shall ensure that the sampling results are reported to the TCEQ within 10 Days after the end of the monitoring period, in accordance with 30 Tex. Admin. Code § 290.117(i)(1).
29. Well Capacity. Within 60 Days of the Effective Date, Barnett shall seek TCEQ and other any other applicable government agency approval to install additional well capacity at Vista so that Vista maintains a total capacity of 1.5 gallons per minute

("gpm") per connection, in accordance with 30 Tex. Admin. Code § 290.45(b)(1)(A)(i). Within 300 Days of the Effective Date, Barnett shall obtain approval and complete installation of the additional well production capacity at Vista so that Vista maintains a total production capacity of 1.5 gpm per connection, in accordance with 30 Tex. Admin. Code § 290.45(b)(1)(A)(i).

**30. Consumer Tap Notices.** Within 60 Days of the Effective Date, Barnett shall implement policies and procedures at Vista to ensure that all necessary consumer notices of lead tap water monitoring results are reported to TCEQ, in accordance with 30 Tex. Admin. Code § 290.117(i)(6).

**31. Public Notifications.** Within 60 Days of the Effective Date, Barnett shall implement policies and procedures at Vista to ensure that all necessary public notifications are provided in a timely manner to persons served by Vista and a copy of the public notification is submitted to the TCEQ, in accordance with 30 Tex. Admin. Code § 290.122.

**32. CCR to the TCEQ.** Within 70 Days of the Effective Date, Barnett shall submit a copy of the most recent annual CCR that has been provided to Vista's customers to the TCEQ along with certification that the CCR has been distributed to the customers and that the information in the CCR is correct and consistent with the compliance monitoring data, in accordance with 30 Tex. Admin. Code § 290.274.

**33. Planning Report.** Within 90 Days of the Effective Date, Barnett shall submit to TCEQ a planning reports for reaching 85% of well capacity at Vista. The reports shall explain how Vista will provide the expected service demands to the remaining areas within the boundaries of its certificated area, in accordance with 30 Tex. Admin. Code § 291.93(3).

**34. DLQORs.** Within 90 Days of the Effective Date, Barnett shall begin submitting DLQORs for Vista to the TCEQ each quarter, by the tenth day of the month following the end of the quarter, in accordance with 30 Tex. Admin. Code § 290.110(e)(4)(A). Thereafter, Barnett shall submit the DLQORs for Vista every quarter, in accordance with 30 Tex. Admin. Code § 290.110(e)(4)(A). DLQORs shall be submitted to:

DLQOR Coordinator  
Water Supply Division, MC-155  
Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, Texas 78711-3087

162. All plans, reports, submittals, specifications, notices, and other documents required to be submitted by this Injunction to the TCEQ shall be delivered to:

Section Manager, Drinking Water Standards Section

Texas Commission on Environmental Quality  
Water Supply Division  
P.O. Box 13087, MC 155  
Austin, Texas 78711-3087

163. Within 10 days after obtaining initial compliance with each provision of this Injunction, Defendants must submit a written certification of compliance, as well as supporting documents, including, but not limited to, photographs, receipts, or other records to demonstrate compliance, to:

Order Compliance Team  
Enforcement Division, MC-149A  
Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, Texas 78711-3087

and

Ixchel Parr, Assistant Attorney General  
Environmental Protection Division  
Office of the Attorney General, AG #CX7882695357  
P.O. Box 12548, MC-066  
Austin, Texas 78711-2548.

**THE COURT FURTHER ORDERS:**

164. The effective date of this Judgment is the date it is signed by the Judge Presiding.

165. The Clerk of this Court shall issue a writ of permanent injunction against Norman Barnett, his officers, agents, servants, employees, and all other persons acting in concert or participation with him, as set forth above.

166. The Court orders execution to issue for this Judgment.

167. The State shall be allowed such writs and processes as may be necessary in the enforcement and collection of this Judgment.

168. All relief not expressly granted herein is denied. This Judgment finally disposes of all parties and all claims and is appealable.

SIGNED this 13th day of October, 2021.

  
\_\_\_\_\_  
JUDGE PRESIDING  
KARIN CRUMP  
250th DISTRICT COURT

### **Automated Certificate of eService**

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

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#### Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
Ixchel Parr		ixchel.Parr@oag.texas.gov	10/13/2021 3:05:57 PM	SENT
Christopher Carl Loebe		christopher.loebe@oag.texas.gov	10/13/2021 3:05:57 PM	SENT

**Certification Expiration: 10-31-2022**

STATE OF TEXAS

§

§

COUNTY OF TRAVIS

§

ABSTRACT OF JUDGMENT

I, the undersigned, hereby certify that in a certain suit pending in the 250th Judicial District Court of Travis County, Texas, Cause No. D-1-GN-21-003181, wherein the State of Texas is Plaintiff whose address is P.O. Box 12548, Austin, Texas 78711, and Norman Barnett d/b/a Reed Estates, Villa Estates, Vista Estates, and J&L Terry Lane is Defendant; Plaintiff the State of Texas recovered a Final Default Judgment and Permanent Injunction against Defendant on October 13, 2021.

Norman Barnett is an individual whose date of birth 11/30/1942; whose Texas driver's license number is XXXXX046; and whose last known address is 1001 Fleetwood Street, Baytown, TX 77520.

The October 13, 2021 Order for Final Default Judgment and Permanent Injunction awards the State of Texas against Defendant Norman Barnett, the following:

1. Civil penalties in the amount of ONE-HUNDRED THIRTY-ONE THOUSAND ONE-HUNDRED AND FIFTY DOLLARS (\$131,150.00);
2. Unpaid Public Health Services ("PHS") fees in the amount of TWENTY THOUSAND SIX-HUNDRED AND NINETY-ONE DOLLARS AND TWENTY CENTS (\$20,691.20);
3. Attorney's fees in the amount of FIFTEEN THOUSAND TWO-HUNDRED AND THIRTY-ONE DOLLARS (\$15,231.00);
4. Court Costs in the amount TWO HUNDRED NINETY-SEVEN DOLLARS (\$297.00); and
5. Post-judgment interest at the legal rate of 5% on the above amounts until the entire judgment is paid.

The Final Default Judgment and Permanent Injunction described herein is entitled to no credits. There is still due ONE HUNDRED SIXTY-SEVEN THOUSAND THREE HUNDRED SIXTY-NINE DOLLARS and TWENTY CENTS (\$167,369.20).

I hereby verify in accordance with § 52.002 of the Texas Property Code that the foregoing is true and correct.

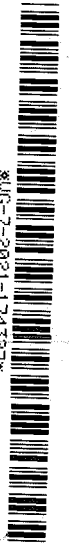
OFFICE OF THE ATTORNEY GENERAL

DocuSigned by:

*Ixchel Parr*

IXCHEL PARR

Assistant Attorney General



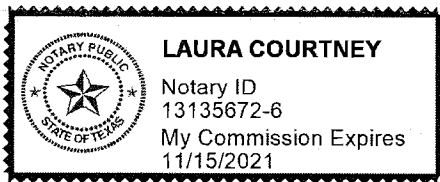


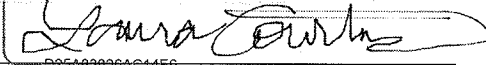
State Bar No. 24110196

STATE OF TEXAS       §  
                                  §  
COUNTY OF TRAVIS   §

BEFORE ME, Laura Courtney, a Notary Public in and for the State of Texas, on this day personally appeared by means of an interactive two-way audio and video communication Ixchel Parr, who is known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purposes and consideration therein expressed. This notarial act was an online notarization.

Given under my hand and seal of office this day of 10/21/2021 | 9:06 AM CDT.



DocuSigned by:  
  
D25A83036AC14E0...  
Laura Courtney  
Notary in and for the State of Texas

Notary Seal       Notary w/o Bond

Digital Certificate

**PLEASE RETURN TO:**

Ixchel Parr  
Office of the Attorney General  
Environmental Protection Division  
P.O. Box 12548 - MC 066  
Austin, Texas 78711-2548

**FILED FOR RECORD IN:**  
**Chambers County**  
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**Number of Pages: 2**  
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**Order#: 20211027000031**  
**By: JG**



**Heather H. Hawthorne, County Clerk**

**Recorded:** 

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AJ  
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STATE OF TEXAS §  
COUNTY OF TRAVIS §

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See

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I hereby verify in accordance with § 52.002 of the Texas Property Code that the foregoing is true and correct.

OFFICE OF THE ATTORNEY GENERAL

DocuSigned by:

*IXCHEL PARR*

IXCHEL PARR

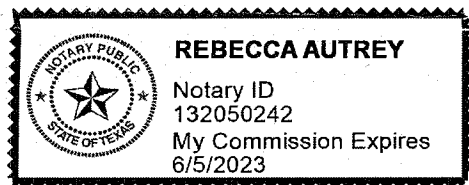
Assistant Attorney General

State Bar No. 24110196

STATE OF TEXAS       §  
                                  §  
COUNTY OF TRAVIS   §

BEFORE ME, Rebecca Autrey, a Notary Public in and for the State of Texas, on this day personally appeared by means of an interactive two-way audio and video communication Ixchel Parr, who is known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purposes and consideration therein expressed. This notarial act was an online notarization.

Given under my hand and seal of office this day of 11/30/2021 | 2:11 PM CST



Notary Seal      Notary w/o Bond

DocuSigned by:  
*Rebecca Autrey*  
485AE9024C9D491...

Digital Certificate

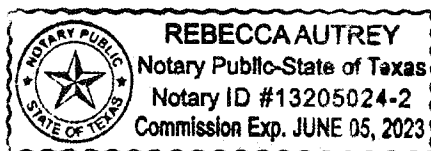
DECLARATION OF AUTHENTICITY

State of TEXAS       §  
                                  §  
County of TRAVIS   §

The attached document, Abstract of Judgment, dated October 21, 2021 and containing 2 pages, is a true and correct copy of an electronic record printed by me or under my supervision. At the time of printing, no security features present on the electronic record indicated any changes or errors in an electronic signature or other information in the electronic record after the electronic record's creation or execution. This declaration is made under penalty of perjury.

Given under my hand and seal of office this day of 11/30/2021 | 2:11 PM CST

Notary Seal



Notary without Bond

**PLEASE RETURN TO:**

Ixchel Parr  
Office of the Attorney General  
Environmental Protection Division  
P.O. Box 12548 - MC 066  
Austin, Texas 78711-2548

*Rebecca Autrey*

Digital Certificate

**RECORDER'S MEMORANDUM:**

At the time of recordation, this instrument was found to be inadequate for the best photographic reproduction because of illegibility, carbon or photo copy, discolored paper, etc. All blockouts, additions and changes were present at the time the instrument was filed and recorded.

FILED FOR RECORD

8:00:00 AM

Wednesday, December 8, 2021



COUNTY CLERK, HARRIS COUNTY, TEXAS

ANY PROVISION HEREIN WHICH RESTRICTS THE SALE RENTAL, OR USE OF THE DESCRIBED REAL PROPERTY BECAUSE OF COLOR OR RACE IS INVALID AND UNENFORCEABLE UNDER FEDERAL LAW.

THE STATE OF TEXAS  
COUNTY OF HARRIS

I hereby certify that this instrument was FILED in File Number Sequence on the date and at the time stamped hereon by me; and was duly RECORDED; in the Official Public Records of Real Property of Harris County Texas

Wednesday, December 8, 2021



COUNTY CLERK  
HARRIS COUNTY, TEXAS