



## **City of Houston Bureau of Air Quality Control Citizen Collected Evidence Information Packet**

The City of Houston Bureau of Air Quality Control has compiled the attached information to assist citizens in collection of evidence to aid in resolving air quality concerns within the city limits. Attached you will find the following information:

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1. An [Odor/Dust Log](#) for the City of Houston-Bureau of Air Quality Control;
2. Documentation of how to properly [log photographic evidence](#) of air quality concerns;
3. [Information on Affidavits](#) and a copy of an [Affidavit form](#); and
4. [Telephone contact information](#) for reporting an outdoor air quality complaint.

**The City of Houston's Bureau of Air Quality Control appreciates your willingness to assist in resolving air quality concerns in the City of Houston. Please feel free to contact our office at 713-640-4200 and request a Bureau of Air Quality Control Investigator if you have any questions about the attached information.**



# PHOTOGRAPHIC DOCUMENTATION



- It can often be the case that you witness and/or experience an “air pollution” event (such as vehicle painting in a residential area or excessive smoke emissions originating from a company’s stack) and the event ends (or stops) before a City of Houston (COH) Bureau of Air Quality Control (BAQC) investigator arrives at the scene.
- Photographs of an “air pollution” event, taken by citizens, add credibility.
- Photographs are an excellent source of evidence which can assist BAQC investigators in enforcing the current regulations and building a case.



- Photographs can be film or digital.

## How To Properly Log/Label The Photograph For Use

**\*Use a fine-tipped permanent marker, if available, or a ballpoint pen.**

**\*Print all of the information described below directly on the back of the photograph or on a label affixed to the back of the photograph. An example of a properly documented photo is provided below.**

1. Write the date (month, day and year) and time the photograph was taken.
2. Write the name (i.e. company name or resident name) and address of the alleged pollution source on the photograph (if such information is known).
3. Provide a brief description of the activity taking place (i.e. outdoor painting taking place along eastern portion of property).
4. Write the name of the person who took the photograph.
5. Provide the signature of the person who took the photograph.

- ❖ Provide the photographs you have taken with all the above-referenced information included on each photograph to the BAQC investigator assigned to your case. Retain a copy of your photographs for your records.
- ❖ **SAFETY is ALWAYS #1-----NEVER PUT YOURSELF AT RISK TO TAKE PHOTOGRAPHS!!!**

## **EXAMPLE OF PHOTOGRAPHIC DOCUMENTATION**

**Front**



### **Back**

*February 30, 2010, at 8:00 a.m.*

*XYZ Company  
123 Main Street  
Anywhere, Texas*

*Outdoor painting taking place along eastern portion of property.*

**Photo taken by:** (print) Joe Helpful

**Signature:** *Joe Helpful*

## Conclusion

- Photographs are a relatively easy way to document activities.
- If you need assistance in properly labeling your photographs for use by an investigator, the investigator will be glad to help you.
- If you wish to provide images captured on a cell phone or video coverage taken by a video camera, please contact the BAQC for details on proper documentation using these media.



# AFFIDAVITS

## **What Is An Affidavit?**

In this case, an Affidavit is a formal, sworn statement of fact signed by the complainant documenting the witnessing of an event.

## **When Is An Affidavit Used?**

- To support other evidence-such as an odor/dust log or photographic documentation.
- To add documentation of an air quality concern to assist the BAQC in building a case against a company or individual.

## **What Information Is Included On The Affidavit?**

- Specific dates when you filed complaints regarding your issue.
- Specific dates when the issue affected you.
- Specific dates when an investigator with the BAQC contacted you regarding this issue.
- A description of the air quality emissions and how they affected you.

## **Important Affidavit Notes**

- Investigators have discretion on when to utilize affidavit forms. Affidavit forms are not used in all circumstances.
- Affidavit forms are filled out by the citizen and must be notarized. The BAQC can provide notary services to the citizen.
- Please be aware that, if you fill out an affidavit form and the investigation leads to a municipal court citation, **YOU** must be a witness in court to validate the concern that affected you.

**AFFIDAVIT**

THE STATE OF TEXAS    §  
  §  
COUNTY OF HARRIS    §

BEFORE ME, the undersigned authority, on this day personally appeared \_\_\_\_\_, whose identity was verified by presentation of a current Texas driver’s license, and who swore on oath the following:

1. I am over 18 years of age and I am competent to make this affidavit. I have personal knowledge of the matters stated herein.
2. I am a citizen of the City of Houston, and I reside at \_\_\_\_\_ .
3. At approximately \_\_\_\_\_ on \_\_\_\_\_ I contacted the City of Houston and filed a complaint regarding air quality. I have filed approximately \_\_\_\_\_ complaints regarding this air quality issue, beginning with my complaint filed on \_\_\_\_\_ and continuing with complaints filed on \_\_\_\_\_ , \_\_\_\_\_ , \_\_\_\_\_ , \_\_\_\_\_ , and \_\_\_\_\_ .
4. When I contacted the City of Houston, the air quality at my location was \_\_\_\_\_, due to the presence of \_\_\_\_\_. I spoke with an investigator and discussed my concerns about the \_\_\_\_\_ that comes from \_\_\_\_\_. I described the emissions as \_\_\_\_\_. I was impacted by the emissions when \_\_\_\_\_.
5. At approximately \_\_\_\_\_ on \_\_\_\_\_, I was contacted by \_\_\_\_\_ an investigator with the City of Houston-Bureau of Air Quality Control, regarding my complaint of air quality.
6. The emissions from this source create a nuisance for me by impacting my health or comfort level. As a result of the emissions, I have to \_\_\_\_\_ .

\_\_\_\_\_  
Affiant

SUBSCRIBED AND SWORN TO BEFORE ME, on this the \_\_\_\_ day of \_\_\_\_\_, to certify which witness my hand and seal of office. (month, year)

\_\_\_\_\_  
NOTARY PUBLIC  
in and for the State of Texas

# CALLING IN A COMPLAINT

If you are experiencing an outdoor air quality concern you can contact either:

- The City of Houston (COH) 3-1-1 Service Line by dialing 3-1-1 from your telephone. The City of Houston 3-1-1 operator will document your complaint and direct it to the COH Bureau of Air Quality Control (BAQC) for servicing; or
- You can contact the COH BAQC directly by calling 713-640-4200. If you call this number between 8:00 AM and 5:00 PM Monday thru Friday you will reach a representative who will obtain information regarding your complaint and forward that complaint to an investigator. You can also call 713-640-4200 after 5:00 PM on weekdays and on weekends and holidays. If you call after 5:00 PM on weekdays or on a weekend or holiday you will reach an answering machine. Please leave a detailed message on the answering machine with your name, the location of the air pollution issue and a phone number where you can be reached. The COH BAQC has on-call investigators who periodically check the answering machine after normal business hours and on weekends and holidays and one of them will respond to your phone call within a two hour period.

\*Please ask the COH 3-1-1 operator (or the COH BAQC representative who takes your complaint) for the Service Request Number (SR#) that corresponds to your complaint. With your SR# you can call 3-1-1 or the BAQC and obtain information regarding the status and findings of your complaint.