



**Houston Department of
Health and Human Services**



**City of Houston Department of Health and Human Services
Bureau of Pollution Control and Prevention**

**REPORTING ENVIRONMENTAL POLLUTION
INFORMATION PACKET**
Guide for Evidence Collection and Complaints Reporting

The City of Houston Bureau of Pollution Control and Prevention (BPCP) has compiled this information packet to assist residents in the collection of evidence and reporting of complaints, and to aid in resolving environmental pollution concerns in the City of Houston. Attached you will find the following information:

1. An Odor/Dust Log;
2. Information on photographic documentation of environmental pollution concerns;
3. Information on Affidavits, and a copy of an Affidavit form; and
4. Information on how to report an environmental pollution complaint.

The BPCP investigates and helps to solve environmental pollution concerns in the City of Houston. If you need assistance, please contact our offices at (832) 393-5730 and request an investigator, who will answer your questions about the attached information.

Rev. 7/9/10 This is a discretionary guidance document. The guidance is meant solely for the employees of the City of Houston and may be revised from time to time. This guidance may not be relied upon to create a right, or benefit, substantive or procedural, enforceable in law or equity by any person of the regulated community. The City may take action that is at variance with the guidance in the appropriate case.



BUREAU OF POLLUTION CONTROL AND PREVENTION ODOR / DUST LOG



DATE	START TIME & END TIME	ALLEGED SOURCE <i>Where is odor or dust coming from? Add name and address of source if known.</i>	DESCRIBE WHAT IT SMELLS LIKE OR LOOKS LIKE DESCRIBE HOW IT AFFECTED YOU	INTENSITY VS VERY STRONG S STRONG M MODERATE L LIGHT VL VERY LIGHT	OFFENSIVENESS HO HIGHLY OFFENSIVE (Worst) O OFFENSIVE UNP UNPLEASANT NOT UNP NOT UNPLEASANT (Best)	WIND SPEED (Miles per hour) & WIND DIRECTION N S E or W	OTHER WEATHER CONDITIONS CLOUD COVER, TEMPERATURE, ETC.

Name of observer: _____

(Print)

Signature of observer: _____

(Date)

Address of observer: _____

Street Address

Apt No.

Zip Code



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PHOTOGRAPHIC DOCUMENTATION OF ENVIRONMENTAL POLLUTION CONCERNS



- Photographs of pollution events (such as vehicle painting in a residential area, or excessive smoke emissions originating from a company's stack), taken by witnesses, are an excellent source of evidence which can assist the BPCP investigators in enforcing the current regulations and building a case.
- Photographs of pollution events taken by witnesses add credibility to the investigation, and are especially important if the event ends (or stops) before an investigator arrives at the scene and can confirm it.
- Photographs can be film or digital.
- 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 BPCP for details on proper documentation using these media.
- If you need assistance please contact our offices at (832) 393-5730.

**SAFETY IS ALWAYS #1
NEVER PUT YOURSELF AT RISK TO TAKE PHOTOGRAPHS!!!**



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Photographic Documentation of Environmental Pollution Concerns

How to properly log and label photographs for use:

- Using 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 BPCP investigator assigned to your case. Retain a copy of your photographs for your records.

Example of Photographic Documentation

Front



Back

Date and Time: February 30, 2012, 8:00 a.m

Name of Company: XYZ Company

Address of Company: 123 Main Street Anywhere, Texas

Description of Problem: Outdoor painting taking place along eastern portion of property.

Photo taken by: (print) John Helpful

Signature: John Helpful



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INFORMATION ON AFFIDAVITS

What Is An Affidavit?

- In an environmental pollution case, an Affidavit is a formal, sworn, and notarized 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 environmental pollution concern to assist the BPCP in its investigation of the possible emission source.

What Information Is Included On The Affidavit?

- Specific dates when complaints were filed regarding this issue.
- Specific dates when the issue affected the complainant.
- Specific dates when an investigator with the BPCP contacted the complainant regarding this issue.
- A description of the environmental condition observed and its effects.

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 complainant and must be notarized. If the complainant requests it, the BPCP provides notary services.
- If a complainant fills out an Affidavit form and the investigation leads to a municipal court citation, the complainant must be a witness in court to validate the concern.

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 an environmental concern. I have filed approximately _____ complaint(s) regarding this issue, initiating with my complaint filed on _____ and continuing with complaints filed on _____ , _____ , _____ , _____ , and _____ .
4. When I contacted the City of Houston, the environmental 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 Department of Health and Human Services' Bureau of Pollution Control and Prevention 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.

NOTARY PUBLIC in and for the State of Texas
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**City of Houston Department of Health and Human Services
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HOW TO MAKE AN ENVIRONMENTAL POLLUTION COMPLAINT

The City of Houston Bureau of Pollution Control and Prevention (BPCP) works together with the community in troubleshooting local issues concerning possible pollution sources. If you observe strong odors, excessive smoke, dust, or other air contaminants, please report the environmental pollution complaint or concern to the BPCP by contacting either:

1. The City of Houston 311 Service Helpline, by dialing 311 from your telephone, dialing (713) 837-0311 (If you are outside the Houston city limits or are unable to dial 311), or using the [311 Self Service Online Web Requests Page](https://webintake.houstontx.gov/web_intake/Controller), at the following web address: https://webintake.houstontx.gov/web_intake/Controller. The 311 operator will document your complaint and direct it to the BPCP for servicing. Callers are asked brief questions that help to characterize and prioritize the problem, after which an investigator is assigned to respond. During normal business hours (7:00 a.m. to midnight, Monday through Sunday), your call is answered by an attendant. During non-business hours, an automated voice system will prompt you to record your concern, thereby allowing investigators the ability to respond to environmental pollution concerns as soon as possible, usually within 24 hours of your call.
2. The BPCP directly by calling (832) 393-5730. If you call during normal business hours (8:00 a.m. to 5:00 p.m., Monday thru Friday), you will reach a representative who will obtain information regarding your complaint, and forward that complaint to an investigator. If you call during non-business hours (weekdays after 5:00 PM, weekends, and holidays), you will reach an answering machine. Please leave a detailed message on the answering machine with your name, the location of the pollution issue, and a phone number where you can be reached. The BPCP has on-call investigators who periodically check the answering machine during non-business hours, and one of them will respond to your phone call within two hours. The BPCP investigator will review the complaint and take appropriate action. Response can range from immediate action if a pollution incident appears to pose a serious threat to the health or safety of the public, to the dispatching of a BPCP investigator the next business day based on priority. Investigators will contact the complainant.



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How to make an Environmental Pollution Complaint

Please ask the 3-1-1 operator (or the BPCP 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 BPCP and obtain information regarding the status and findings of your complaint.

Please be prepared to answer the following questions:

- Date, start time, and end time when the environmental pollution incident occurred.
- Whether it is continuing at the time of your call.
- The name and address of the alleged source, and type of operation, if known.
- The nature of the pollution concern (smoke, dust, odor, or other).
- Description of what it smells like or looks like, and how it affects you.
- Weather conditions during the incident (wind direction, wind speed, cloud cover, temperature, etc.).
- Whether you have experienced this type of pollution problem in the past.
- Your name, address, and phone number.

Your information is kept confidential. Although the BPCP does accept complaints from anonymous callers, inspectors cannot contact anonymous callers for additional details, or to advise them of findings or results. In addition, the BPCP may conduct a random survey to obtain feedback from the complainant, helping to assess the investigator's complaint service and improve the BPCP complaint response program. The BPCP's action may include a service oriented follow-up process that verifies whether the complainant's needs were met.