

**Texas Commission on Environmental Quality
Citizen Collected Evidence
Photo and Video Documentation Procedures**

This protocol applies to information that is obtained using electronic, digital, film or infrared technology. It is very important to review the TCEQ rules that apply to citizen collected evidence, which are in [30 Texas Administrative Code § 70.4](#)

Individuals submitting Citizen Collected Evidence (CCE) must be willing to submit a sworn and notarized affidavit attesting to the facts that constitute the alleged violation and authenticating any writings, recordings, or photographs provided. If an enforcement action is not initiated based on the information, the Executive Director will process the information as a complaint, subject to applicable complaint investigation procedures. 30 TEX. ADMIN. CODE § 70.4(e).

Information should be gathered in accordance with relevant agency protocols. 30 TEX. ADMIN. CODE § 70.4(c)(3). Images obtained illegally, including by trespassing, will not be accepted. In addition, information gathered by an individual illegally will not be used in an enforcement case. 30 TEX. ADMIN. CODE § 70.4(c)(4).

Photographs

Original, unaltered photographs should be submitted. An original is the film negative or any print therefrom. If data are stored digitally, any unaltered printout is an original. A duplicate of the original photograph (such as a color photocopy of the original) may be used when the original is unavailable.

The photographs should have the following information written in ink on the back of the photograph, included on an attached document, or provided using the template in Exhibit A:

1. Date and time photograph was taken
2. Location (e.g., the subject/site name, registration/permit/account/regulated entity number, address, county, and/or geographical coordinates, and compass direction)
3. Name of person taking photograph
4. Investigation number and complaint number (if known)
5. Number sequence (e.g., 1 of 5)
6. Brief description of the photograph
7. Environment/weather (e.g., sun, haze, cloudy, rain, snow, enclosed building)

Additional Considerations for Photographs

1. When appropriate, include a scale reference point (e.g. a ruler or other object) that can provide a size reference of what is being photographed.
2. Photographs must be taken from an appropriate distance; be in good resolution; and clearly show the object(s) of interest.
3. When possible, include in a photo identifiable landmarks (e.g. a specific and identifiable part of a building or business/street signs).

Additional Considerations for Digital Photographs

1. Photographs provided digitally must be submitted in an unencrypted common format such as jpeg, psd, png, tiff or gif. Digital photographs can also be saved as part of documents in a common format such as Adobe (.pdf) or Microsoft Word (.doc). Please contact your local TCEQ regional office if you are unsure if your format can be accepted.
2. Digital files must be provided on a storage device such as a USB flash drive or compact disc that may not be returned. The storage device should be submitted with a letter with the same information as for print photographs. Photographs may also be sent by email to complaint@tceq.texas.gov or transmitted via File Transfer Protocol (upon request to your local TCEQ regional office). The e-mail transmitting photographs should include the same identifying information as for print photographs.

Videos

1. Videos must be submitted in a common format such as 3GPP (.3gp), MPEG-4 (.mp4), MPEG-TS (.ts), WebM (.webm), Matroska (.mkv) or AVI (.avi). Please contact your local TCEQ regional office if you are unsure if your format can be accepted.
2. Digital files may be provided on a storage device such as a USB flash drive or compact disc that may not be returned. The storage device should be submitted with a letter with the same information as for print photographs. Videos may also be sent by email to complaint@tceq.texas.gov or transmitted via FTP (upon request to your local TCEQ regional office). The e-mail transmitting video should include the same identifying information as for print photographs.
3. Videos must include the same identifying information required for print photographs. If possible, videos should have an embedded date/time stamp. Please verify that the embedded information is accurate.

Infrared Imagery

When images or videos are taken with infrared cameras, additional information must be included:

1. Submit the unedited video and any edited video. The unedited video must contain all video used to prepare the edited video. For videos longer than five minutes, the lapse time mark in the video where the concerns are noted should be noted.
2. Video may be submitted on a compact disc, a DVD, a USB flash drive, or via the TCEQ's FTP (upon request to your location TCEQ regional office). The TCEQ cannot accept or download video via YouTube or other video-sharing applications as unedited video because the video cannot be authenticated as unaltered without the accompanying raw footage.
3. Videos must clearly document the areas of concern including the physical location of the site. (See below for information to be included on an entry slide.)
4. All infrared images must be in focus. Efforts should be made by the camera operator to produce a clear thermal image that shows the areas of concern. If available, multiple polarities and a high sensitivity mode should be utilized. It is recommended to retain a

minimum of ten seconds between any thermal adjustments to the image. Efforts should also be made to maximize camera stabilization to minimize distraction for the reviewer.

5. If a separate edited version of the video is provided, the following criteria must be met:

Opening Slide should include:

- Name of Facility and Regulated Entity number, if known
- Address and/or geographic location
- Date/Time if not embedded in the image
- Description of images/video
- Length of time for the slide should be at least five seconds

Image:

- In focus
- Length of time for the slide should be at least five seconds

Video:

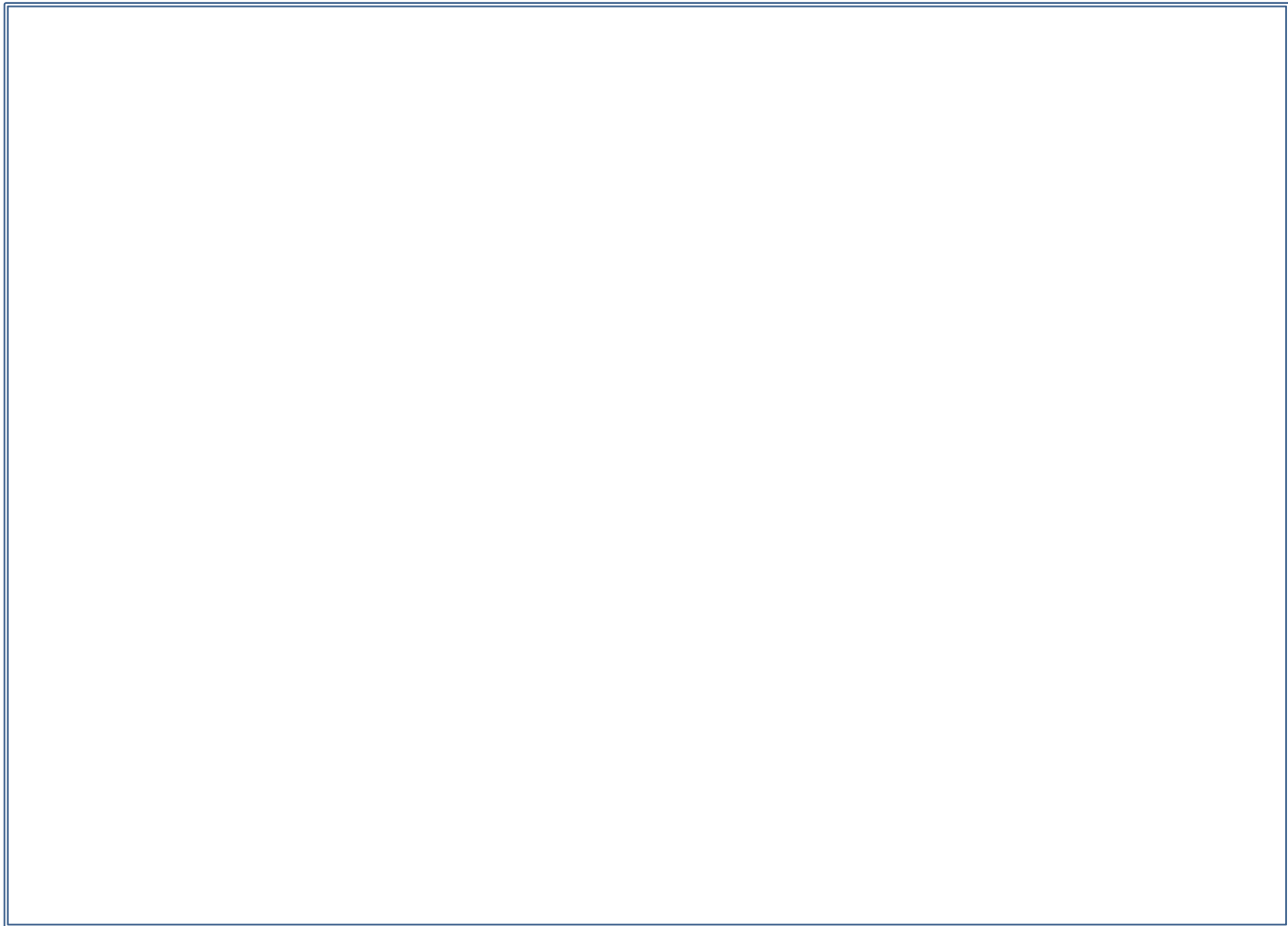
- In focus
- At least one polarity change
- Use high sensitivity mode
- All modes should be in focus for a reasonable amount of time, at least ten seconds
- An appropriate camera lens should be used
- Length of entire video should be between one-two minutes.

Exit Slide:

- State who recorded and edited the video
- Length of time for the slide should be at least five seconds

6. Documentation of relevant training (e.g. certificates) the infrared camera operator has obtained for the camera used in the submittal.

EXHIBIT A
TCEQ Photo Plate Example



**CITIZEN COLLECTED EVIDENCE
OFFICIAL PHOTOGRAPH**

The following information should be provided for all submittals

Subject/Site	_____
Photograph Number	_____
Brief description of the photo or video	_____
Address	_____
Coordinates	_____
City/County	_____
Date/Time	_____
Environmental Conditions:	<input type="checkbox"/> Sun <input type="checkbox"/> Haze <input type="checkbox"/> Clouds <input type="checkbox"/> Rain <input type="checkbox"/> Snow
Photographer	<input type="checkbox"/> Enclosed Building

The following information should be provided if known

Complaint Number	_____
Investigation Number	_____
Regulated Entity Number	_____
Registration/Permit Number	_____