

Do You Want to Make an Environmental Complaint?

Do You Have Information or Evidence?

If you think you have seen or experienced an environmental problem, you may wonder what to do, who to call, and what to expect. This brochure answers some of the questions you may have about

reporting a problem,

and tells you how

to get detailed

instructions

on submitting

information

or evidence.



Contents

What problems can the TCEQ help with?	1
How do I report a complaint? How do I find out the proper way to gather and handle information or evidence?	1
What will happen when I contact the TCEQ?	2
Do I have to identify myself?	2
What is the difference between submitting a “complaint only” and submitting a complaint with information or evidence?	3
What if my complaint is about a nuisance odor?	4
How long will it take you to respond to my complaint?	5
What happens next?	5
How will I know what you decided?	5
What if I’m not satisfied?	6
What problems fall under the jurisdiction of other agencies?	6

What problems can the TCEQ help with?

In general, we at the TCEQ can help if you:

- ▼ see water that may be polluted
- ▼ see or smell something unpleasant in the air
- ▼ see land that may be contaminated
- ▼ have problems with your drinking water
- ▼ have information or evidence about an environmental problem
- ▼ have problems with an individual or company licensed or registered by the TCEQ
- ▼ need more information about a possible pollution source, including permitting status, compliance history, or other complaints that may have been filed against that source
- ▼ need assistance understanding environmental laws

In some cases, we may not be the appropriate agency to assist you. For a list of some of those situations, please see “What problems fall under the jurisdiction of other agencies?” on page 6.

How do I report a complaint? How do I find out the proper way to gather and handle information or evidence?

Use one of the ways below to report your complaint or to find out the specific requirements for gathering and handling information or evidence showing a violation. We are available 24 hours every day to receive complaints:

- ▼ Call us toll-free at 1-888-777-3186.

- ▼ Visit our Web site at www.tceq.state.tx.us/goto/report_problem.
- ▼ Or e-mail us at complaint@tceq.state.tx.us.

What will happen when I contact the TCEQ?

Someone from the TCEQ regional office nearest you will talk with you about the details of your complaint. Please be prepared to tell us details about:

- ▼ the nature of the problem
- ▼ the location of the problem
- ▼ when the problem occurred (date and time)
- ▼ who or what is the source of the problem
- ▼ any information or evidence you may have—particularly eyewitness information, documents or photographs, a videotape, or a water or soil sample (the information or evidence must be credible and relate directly to the incident being reported)

Do I have to identify myself?

You can file a complaint with us anonymously—either online or by telephone. However, if you remain anonymous, it may prevent us from reporting back to you on the results of our investigation.

In addition, in some cases our ability to take action may be impaired if you are unwilling to be involved. If you identify yourself, our regional office will discuss this with you when they talk with you about your complaint.

What is the difference between submitting a “complaint only” and submitting a complaint with information or evidence?

- ▼ For a “complaint only,” we will listen to your concerns and then conduct an investigation if appropriate. The more details you can provide, the better we may be able to respond. You do not have to tell us who you are or where you live; however, if we do not know who you are, we will not be able to contact you for follow-up information or advise you of results. If enforcement action is appropriate, we will proceed as described under “What happens next?” on page 5, based on our investigator’s information.
- ▼ For a complaint submitted with information or evidence, we will listen to your concerns and review whatever information or evidence you have. In order for us to use information or evidence you submit in an enforcement action, you must follow strict agency procedures for gathering and preserving the information or evidence you submit. In order for this information or evidence to withstand legal challenges, you may be asked to do one or more of the following:
 - sign an affidavit,
 - testify in court,
 - certify that you have followed TCEQ procedures for gathering and handling of physical evidence.

If your information or evidence will be used in an enforcement action, you will be required to disclose your identity.

Note: Nonspecific information or rumor cannot be considered as credible evidence.

If you need help understanding agency procedures for gathering and preserving information or evidence, call us toll-free at 1-888-777-3186, or visit our Web site at www.tceq.state.tx.us/goto/report_problem.

What if my complaint is about nuisance odor?

Since people react to odors in different ways, and since environmental odors usually come and go, we have specific odor investigation procedures to help us evaluate nuisance odor complaints.

- ▼ As with all complaints, if the situation appears to be an imminent threat to public health or to the environment, we will respond within 24 hours —usually much sooner.
- ▼ We cannot confirm a nuisance violation without knowing your identity. However, if you want to remain anonymous, we can still conduct an investigation to determine if there is a violation of operational rules or standards.
- ▼ When we investigate a nuisance complaint, we gather evidence to help us evaluate the four primary characteristics of odors—frequency, intensity, duration, and offensiveness (FIDO).
- ▼ The presence of any of these four factors alone at a very high level can result in a nuisance violation, but usually it is a combination of the factors that results in a nuisance determination.
- ▼ You can learn more about FIDO and our nuisance odor investigation procedures on our Web site at: www.tceq.state.tx.us/goto/report_problem.

How long will it take you to respond to my complaint?

- ▼ If the situation is an immediate threat to public health or the environment, we will respond within 24 hours after we receive your complaint—usually much sooner.
- ▼ Other complaints usually take longer, but we take every complaint seriously, and we will investigate your concerns if it is within our jurisdiction.

What happens next?

After we've received your complaint and any information or evidence you have, here are the usual steps we take:

- ▼ An investigator will be in touch with you to discuss your complaint and any information or evidence you have. If you want to have further contact with your investigator, be sure to write down:
 - your investigator's name
 - your complaint number
- ▼ In most cases, an on-site investigation will be done to see if any environmental regulations have been violated.
- ▼ If the investigation reveals a violation, we will take appropriate enforcement action to ensure that the violation is corrected. Actions could include issuing an order to correct the problem and assess a fine, or filing a lawsuit against the violator.

How will I know what you decided?

- ▼ Once we have completed our investigation, which may have been based on information or evidence you provided,

we will take the action needed to correct any problems found. We will notify you in writing about the results of our investigation. If you have any questions about this decision, you can contact our investigator.

- ▼ In addition, we will provide you periodic reports on any enforcement action we take, and you will have an opportunity to review and comment on any TCEQ order proposed to resolve the case.
- ▼ You can also track the status of complaints online at www.tceq.state.tx.us/goto/report_problem.

What if I'm not satisfied?

- ▼ Stay in touch with us. If you have the problem again, call and let us know. We may need to re-investigate the situation.
- ▼ You may also contact the agency's customer-service representative at 1-800-687-4040. That office may be able to assist you with further information about the actions the agency has taken.

What problems fall under the jurisdiction of other agencies?

There are times when you should probably call some agency other than the TCEQ. If you:

- ▼ see pollution around an oil well—call the Railroad Commission district office;
- ▼ have a problem with a septic system—call your city or county to find out if they can help;
- ▼ have a problem with air pollution indoors—call either your city or the local office of the Texas Department of State Health Services;

- ▼ have a problem with noise pollution—call your local police to see if there is a noise ordinance in your city;
- ▼ have a problem with litter, illegal trash, or used oil dumping—call your city or county officials;
- ▼ live in one of the following cities or counties and you have an air pollution complaint—contact the local office listed below; these offices have the authority to handle air complaints in their areas.

Dallas

Air Pollution Control Program
at 214-948-4435

El Paso

Air Quality Program
at 915-771-5812

Fort Worth

Air Program
at 817-392-5450

Galveston County

Air & Water Pollution Services
at 409-938-2251

Houston

Bureau of Air Quality Control
at 713-640-4200

There may be other situations when our jurisdiction is limited. In those cases, our regional office will attempt to direct you to another agency that can address your concerns.



The TCEQ is an equal opportunity/affirmative action employer. The agency does not allow discrimination on the basis of race, color, religion, national origin, sex, disability, age, sexual orientation or veteran status.



printed on recycled paper using soy-based ink.