

---

**City Council Regular Meeting**

**DEPARTMENT:** Public Works

**FROM:** Justin Scharnhorst, Deputy Director of Public Works

**MEETING:** August 3, 2026

---

**SUBJECT:**

Consider and take possible action on an ordinance amending Section 82-43 “Discharge Prohibitions and Limitations” of Article II “Industrial Waste Discharge” of Chapter 82 “Utilities” of the Code of Ordinances to limit hauling or trucking waste with detectable quantities of PFAS and prohibiting PFAS or PFAS-related substances above baseline concentrations without a plan of correction implementing best management practices.. (Final Reading) *(Staff Contact: Justin Scharnhorst, Deputy Director of Public Works)*

**STRATEGIC PRIORITY AND GOAL:**

| Strategic Priority                                                                                                                                        | Strategic Goal                                           |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------|
|  <p><b>Dynamic &amp; Preferred City</b><br/>Through Managed Growth</p> | 2.5 Develop and maintain facilities and utility services |

**SUMMARY:**

The city’s current wholesale wastewater service agreement with Fort Worth includes requirements for Burleson to update ordinances related to the terms of the agreement as changes are enacted by the City of Fort Worth. A new ordinance regarding PFAS, commonly referred to as “forever chemicals” has been adopted by Fort Worth, incorporating new language regarding trucking or hauling PFAS or related substances and requiring plans of correction implementing best management practices when PFAS are found above baseline concentrations. The following new sections are added to the proposed ordinance:

Subsection (d)(2) is amended to read as follows:

“(20) Trucked or hauled pollutants.

Trucked or hauled pollutants, except at discharge points designated by the authority in writing

accordance with subsection (c) of this section, or waste from any industrial activities/processes regulated by any specific category listed in 40 Code of Federal Regulations (40 CFR) Parts 405 – 471 with detectable quantities of PFAS.”

Subsection (d)(28) is added and reads as follows:

“(28) PFAS.

Any PFAS or PFAS-related substances above baseline collection system concentrations of 25 ng/L without an approved plan of correction, as defined in the dischargers permit, which employs “Best Management Practices” (BMPs) to reduce or eliminate the pollutants within one year of detection/notification.”

Failure of Burleson to maintain consistency with Fort Worth could be considered a breach of the wholesale agreement.

**RECOMMENDATION:**

Approve an ordinance amending Section 82-43 of the Code of Ordinances limiting hauling or trucking waste with detectable quantities of PFAS and prohibiting PFAS or PFAS-related substances above baseline concentrations without a plan of correction implementing best management practices.

**PRIOR ACTION/INPUT (Council, Boards, Citizens):**

July 20, 2026 – First Reading

**REFERENCE:**

N/A

**FISCAL IMPACT:**

|                               |     |
|-------------------------------|-----|
| Proposed Expenditure/Revenue: | N/A |
| Account Number(s):            | N/A |
| Fund:                         | N/A |
| Account Description:          | N/A |
| Procurement Method:           | N/A |

**STAFF CONTACT:**

Justin Scharnhorst  
Deputy Director of Public Works  
[jscharnhorst@burlesontx.com](mailto:jscharnhorst@burlesontx.com)  
817-426-9646