

OSS_CG_Johnson_CP_20240229_Investigation
Texas Commission on Environmental Quality
Investigation Report

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Customer: City of Burleson
Customer Number: CN600316194

~~**Regulated Entity Name: CITY OF BURLESON AUTHORIZED AGENT**~~

Regulated Entity Number: RN104060991

Investigation # 1973535

Incident Numbers

Investigator: CHRIS BERGMAN

Site Classification

Conducted: 02/29/2024 -- 03/15/2024

No Industry Code Assigned

Program(s): ON SITE SEWAGE FACILITY

Investigation Type: Agent Evaluation

Location:

Additional ID(s) 620114

Address: 141 W RENFRO ST
BURLESON, TX 76028

Local Unit: REGION 04 - DFW METROPLEX

Activity Type(s): OSSFAAREV - OSSF Authorized Agent
Reviews

Principal(s):

Role

Name

RESPONDENT

CITY OF BURLESON

Contact(s):

CITY OF BURLESON AUTHORIZED AGENT - BURLESON

2/29/2024 to 3/15/2024 Inv. # - 1973535

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Role	Title	Name	Phone	
REGULATED ENTITY CONTACT	DESIGNATED REPRESENTATIVE	Ekpen Okoruwa		
REGULATED ENTITY CONTACT	ASSISTANT DIRECTOR OF DEVELOPMENT SERVICES	MS LISA DUELLO	Work	(817) 426-9841
REGULATED ENTITY MAIL CONTACT	MAYOR	HON Chris Fletcher	Office	(817) 426-9600
PARTICIPATED IN	ASSOCIATE DIRECTOR - HEALTH PROTECTION & RESPONSE	MS SABRINA VIDAURRI		
PARTICIPATED IN	DESINGATED REPRESENTATIVE	MR Mitchell Carpenter	Office	(817) 321-4988
PARTICIPATED IN	ENVIRONMENTAL HEALTH SPECIALIST	MS KRISTEN R TANZ	Home Work	(817) 880-5029 (817) 880-5029
PARTICIPATED IN	ENVIRONMENTAL HEALTH MANAGER	MR RAJ CHAUHAN	Phone Phone	(817) 321-4969 (817) 248-6299
PARTICIPATED IN	DESIGNATED REPRESENTATIVE	NICHOLAS SALAS	Work	(817) 321-4987

Other Staff Member(s):

Role	Name
QA Reviewer	BLANCA MUNOZ
Supervisor	MICHAEL SESSIONS

Associated Check List

<u>Checklist Name</u>	<u>Unit Name</u>
OSSF AUTHORIZED AGENT COMPLIANCE REVIEW	620114 AAR

Investigation Comments:

INTRODUCTION

A compliance review was scheduled with the City of Burleson OSSF Program for Thursday, February 29, 2024, at 2:00 p.m., as previously discussed with Ms. Lisa Duello, Assistant Director of Development Services with City of Burleson.

The administrative portion of the compliance review was conducted on February 29, 2024, with Ms. Lisa Duello and Ms. Kristen Tanz (City of Burleson), Mr. Raj Chauhan, Mr. Ekpen Okoruwa, Mr. Mitchell Carpenter, Mr. Nicholas Salas (Designated Representatives with Tarrant County Public Health), and Ms. Sabrina Vidaurri (Associate Director - Health Protection & Response with Tarrant County Public Health). The technical portion of the review was conducted on March 15, 2024, with Mr. Nicholas Salas and Mr. Ekpen Okoruwa.

On April 8, 2024, a letter and summary will be sent to Chris Fletcher, Mayor of City of Burleson.

GENERAL FACILITY AND PROCESS INFORMATION

The City of Burleson's area of jurisdiction includes all incorporated areas of the city, in both Tarrant and Johnson County. The city adopted their Order on March 20, 2000 (Order 620114).

BACKGROUND

The previous compliance review of the City of Burleson's OSSF Program was conducted on December 5, 2013 (Investigation 116608).

ADDITIONAL INFORMATION

Administrative Processes, Planning Material Review processes, and Permitting Processes Review (Administrative Review): During the administrative review, 19 files were reviewed; #22222, #22098, #A21996, #22178, #22585, #22320, #22444, #22646, #22935, #22830, #23132, #23187, #23216, #23888, #23237, #23592, #23764, #24033, and #23966, and minor deficiencies were found.

1. Application #A21996 included a maintenance contract that did not include required contract provisions, specifically, the name and license # of the provider are not listed, only 1 maintenance visit where a minimum of 3 per year are required, responsible party for chlorine not listed, and a response timeframe to emergency requests was also not included on the Maintenance Contract. Additionally, the signature line states, "plumber's signature," which is illegible and cannot verify a valid MP license. The technical information sheet of the planning materials does not state the size or manufacturer of the aerobic treatment unit, only liquid depth is provided.

During the administrative review, it was confirmed that Tarrant County Public Health (TCPH) has maintained a monthly activity report submitted to the TCEQ for the City of Burleson. TCPH has been submitting the On-Site Wastewater Treatment Research Council Fee of \$10 per application.

There are a few items that could be addressed/updated in the city ordinance and identified below as Additional Issues.

Inspection Process Review (Technical Review):

A technical review was conducted with Mr. Ekpen Okoruwa and Mr. Nicholas Salas, Designated Representatives (DRs) for TCPH at 5494 Valley Dr, Fort Worth, Texas (Investigation 1974366).

Complaint Resolution Process Review:

The City of Burleson's OSSF permits and records are maintained by TCPH. Currently all complaints and permits are maintained on-site. Complaints are typically responded to within 24-48 hours of receipt. A log of all complaints is maintained by TCPH as well.

No Violations Associated to this Investigation

Additional Issues

Description Item #1

Additional Comments

AA should consider updating and/or revising their Order in some areas, specifically language that still identifies the "Texas Natural Resource Conservation Commission" should be updated to "Teas Commission on Environmental Quality."

In Sec. 7-64. Amendments. (a), the Order states, "Regardless of the acreage each on-site sewage facility within the city must have a permit issued by the city." This provision should be updated as permits are being issued from Tarrant County Public Health. It is recommended to remove/edit "by the city" in this provision.

In Sec. 7-64. Amendments. (c), the Order states, "An on-site sewage facility must be installed by a state registered installer one or two. A homeowner may not install his own system." This potentially excludes homeowners who may also be a licensed installer I or II. It is recommended to revise the amendment so that "A homeowner may not install [their] own system, unless they are a licensed installer I or II."

In Sec. 7-65. Enforcement, the Order states, "The Environmental Service Director of the city, after approval and certification by the Commission, shall serve as the designated representative for the enforcement of the Rules within the City..." The provision does not include contracted services for a Designated Representative (DR). It is recommended to update this provision of the Order to include, "The Environmental Service Director of the City or other licensed Designated Representative with which contract services have been enacted,...., shall serve as the designated representative..."

Signed

Environmental Investigator

Date _____

Signed

Supervisor

Date _____

Attachments: (in order of final report submittal)

___ Enforcement Action Request (EAR)

___ Letter to Facility (specify type): _____

___ Investigation Report

___ Sample Analysis Results

___ Manifests

___ Notice of Registration

___ Maps, Plans, Sketches

___ Photographs

___ Correspondence from the facility

___ Other (specify):

List of Attached files

100 S Hurst Rd.pdf
3501 S IH 35W.pdf
1460 COZBY LN.pdf
1465 E Renfro St B - 22935.pdf
620114_Types of Systems Installed by Month_20180101-20240118.pdf
1832 Cindy Ct.pdf
1465 E Renfro St.pdf
332 Bowden Cir.pdf
1917 CR 913.pdf
1420 E Renfro St.pdf
3133 S Burleson Blvd Addition South System.pdf
10016 CR 1016.pdf
1987 SW Hulen St.pdf
1949 Cindy Ct.pdf
1800 W FM 917.pdf
620114.pdf
1841 Cindy Ct.pdf
1616 FM 917.pdf
516 CR 1021.pdf
2005 TCPH Contract Agreement.pdf
390 SE John Jones.pdf
8212 FM 1902.pdf

Investigation Quality Assurance Appendix

Investigation Number: 1973535

Regulated Entity Number: RN104060991

County: JOHNSON

Regulated Entity Name: CITY OF BURLESON AUTHORIZED AGENT

Physical Address: No Physical Address Associated to RN in CR

Conducted: 02/29/2024 00:00 To 03/15/2024 00:00

Notification Date: 10/30/2023

No Associated Incidents

Staff Tasks

LEAD INVESTIGATOR	CHRIS BERGMAN	Tasks:	20 hrs. INVEST 2.5 hrs. POSTINVEST 4 hrs. PREINVEST 1.5 hrs. TRAVEL
QA REVIEWER	BLANCA MUNOZ	Tasks:	1 hrs. QA

Documents Received

<u>Submitted By</u>	<u>Document Type</u>	<u>Received Dt</u>	<u>Activity Dt</u>	<u>Document Dt</u>
Mr. Ekpen Okoruwa	OTHER	01/19/2024		
Mr. Ekpen Okoruwa	PERMIT APPLICATION	11/06/2023		

Communication History

LETTER	04/05/2024
MEETING	02/29/2024
MEETING	03/15/2024
PHOEMALFAX	10/30/2023
PHOEMALFAX	11/06/2023
PHOEMALFAX	11/07/2023
PHOEMALFAX	01/19/2024
PHOEMALFAX	02/20/2024
PHOEMALFAX	02/21/2024
PHOEMALFAX	02/26/2024
PHOEMALFAX	04/05/2024

<u>Fiscal Year</u>	<u>WP Local Unit</u>	<u>Activity Type</u>	<u>Event Quantity</u>
2024	REGION 04 - DFW	OSSFAAREV - OSSF Authorized Agent Reviews	1
