

# Cleaning up Dirty Water in Houston

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Environmental awareness is growing and municipalities all over the country are attempting to solve complex issues as they relate to power washing and cosmetic cleaning. Among the larger issues that are being addressed are community education, contractor compliance, and implementations of regulations and Best Management Practices (BMP's) for dealing with wash water and runoff. The generally accepted and heavily simplified rule is that nothing but rain goes down the drain, but practical and real implementation of that concept can be an entirely different matter.

Citing a growing non-compliance problem, including criminal investigations, intense fines, and potential lawsuits, Sylvia Brumlow of the Environmental Investigations Unit of the Houston Police Department contacted the PWNA to see if they could help with discussions surrounding recent regulations enacted there. In fact, the regulatory issues have been so intense and police actions so severe, commercial power wash contractors completely stopped power washing in the city for a short time.

In response to this need, Brian Penney and I made the trip to Houston Texas to attend a conference hosted by Standard Parking and the City of Houston. An additional benefit to the visit, Brian serves as the Chair of the PWNA Education Committee and I serve as the Chair of the PWNA Environmental Committee. Also in attendance was Robert Hinderliter, Founder of the PWNA, former Environmental Committee Chair, and fellow environmental power wash expert.

At the conference, which involved approximately 300 contractors, managers, and property owners, several speakers representing various environmental, regulatory, and law enforcement agencies were brought before the crowd highlighting the facts of Texas law, ramifications of breaking it, and the penalties once convicted. It should be noted that Houston officials are enforcing a zero-tolerance policy, with some of the most restrictive regulations ever seen. Ironically, the PWNA was told that the water runoff from irrigation systems, known to be potentially contaminated with all types of fertilizers, pesticides, and clippings, is exempt from regulation under current regulations. Understandably, local contractors are crumbling under the immense pressure of incomplete, contradictory, and confusing regulations.

It was found during Q&A that under some circumstances that the regulations were in direct conflict and that compliance was still mandatory. For example, local water treatment plant officials stated that once wash water was reclaimed, contractors were not allowed to discharge into the sanitary sewers of commercial locations. Rather, contractors are required to transport this recovered product to one of only four locations in the entire metro Houston area for proper disposal. This was explained as a necessity because the

water treatment plant officials deem power wash contractors as incapable of doing so correctly. Further, giving up control of the access points was not a situation that they ever wanted to become commonplace. In the next series of questions, though, the same official stated that in the event of a building wash, such as the high rise building that the meeting was being held in, the wash water could be recovered and pumped directly into the sanitary sewer without any special handling. At one point, two regulators were questioned simultaneously concerning the requirement to reclaim house wash water. This discussion was quickly changed when the two regulators offered differing opinions and answers on the matter. As it stands now, I don't think anyone has an official answer. As you might imagine, attempting compliance with conflicting statements and positions like this is going to be interesting indeed.

The PWNA was also given a chance to speak, and several strong points were made. Starting with a stated commitment to education and environmental awareness, it was explained that in any situation involving environmental regulations, practical solutions are the key to winning the day; further stating that rational, reasonable, and logical solutions can be developed when contractors and regulators work together. When this happens, voluntary compliance soars and the strong arm tactics of heavy police actions are eliminated. In later Q&A sessions, Mr. Hinderliter also strongly echoed this adding that voluntary compliance jurisdictions worked exceptionally well, heavily reducing pollution levels; while the cost to the local community was reduced to near zero by the elimination of the need for large staff allocations required for a police state. Other parts of the discussion centered around the relative ease of compliance when logical and practical BMP's are in effect, and that the investment required for minimal compliance is not the thousands of dollars that has been discussed, but could be as little as a few hundred dollars.

Cleaning up the dirty water in Houston is going to be a big job and it won't be easy. However, local contractors and the PWNA are committed to finding reasonable solutions that everyone can abide by. The PWNA expects that a Houston Chapter will soon emerge as more and more contractors realize the need for solidarity and assistance in winning the efforts to create and implement sound BMP's. The PWNA also is hopeful that in seeing the tragedy that is befalling the contractors in the City of Houston, more contractors will choose to join the organization in an effort to become involved in changing the future for the better in their own neighborhoods and communities. As always, the PWNA stands ready.

The official stance of the PWNA is that the organization fully supports any jurisdiction which is interested in enacting rational, reasonable, and logical BMP's. We eagerly lend our cooperation and offer our experience in helping to formulate BMP's that are fair-minded to all parties. Further, the PWNA fully supports voluntary contractor compliance and education. In jurisdictions where voluntary compliance occurs, dramatic and verifiable reductions in pollution have been achieved. Our goal as an association is to remain ever vigilant in our endeavors to remain proper environmental stewards. We cannot and will not support any efforts to legislate our chosen profession from existence, and will join in any struggle to resist oppressive and intolerant legislative actions.