BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Public Workshop – Updating Air District Complaint Guidelines

YING YU

AIR QUALITY SPECIALIST

DECEMBER 9, 2019

Workshop Agenda

OVERVIEW OF CURRENT COMPLAINT GUIDELINES

Q&A

OPEN HOUSE DISCUSSION

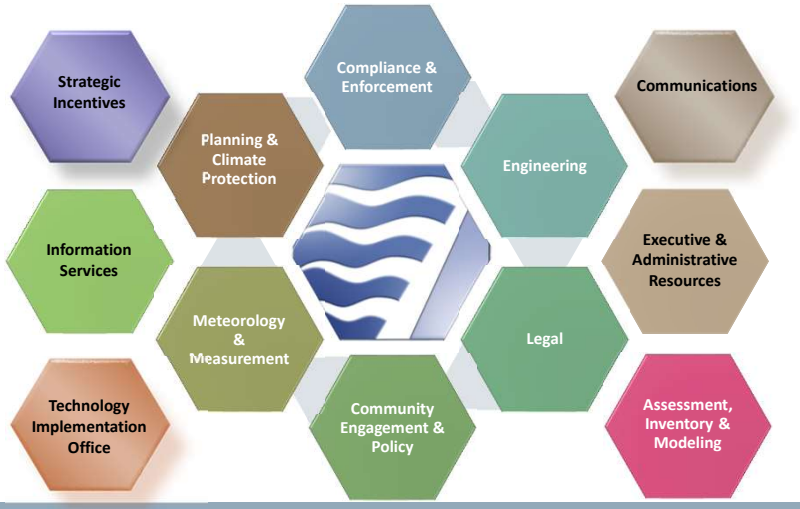
Workshop Goals and Objectives

- Inform the public on existing complaint guidelines
- Provide guidance on how to be more descriptive when filing complaints
- Solicit community input to improve complaint process

Bay Area Air Quality Management District

- Established in 1955
- 24-member Board of Directors
- 9 Bay Area counties
- 101 cities
- 7.5 million people
- 10,856 permitted facilities
- 24,347 permitted sources

Air District Organization



Compliance & Enforcement Overview

- Compliance Inspection
- Compliance Assistance
- Enforcement
- Incident Response
- Complaint Program

What is an Air Quality Complaint?

Any air quality concern that is communicated to the Air District pertaining to:

- Ongoing air emissions release
- Potential air contaminants
- Industry compliance with air quality regulations

Types of Air Quality Complaints

Odors	Dust/Particulates	Residential Wood Smoke
Fire/Smoke/ Open Burning	Asbestos	Gasoline Dispensing Facilities
Excessive Idling	Smoking Vehicles	Complaints associated with Major Incidents

Common Sources of Emissions

Complaint Process

- Complaint Receipt
- Complaint Response
- Complaint Investigation
- Investigation Findings and Actions

How to File an Air Quality Complaint

Complaints made by phone:

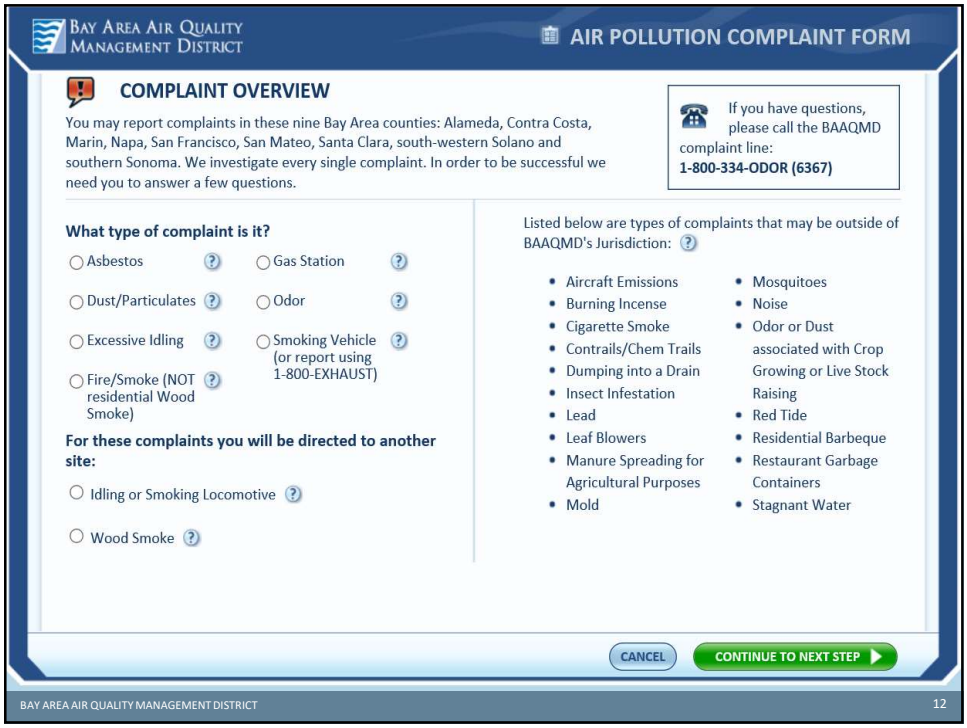
- General complaints: 1-800-334-ODOR
- Residential wood smoke complaints: 1-877-4NO-BURN
- Smoking vehicle complaints: 1-800-EXHAUST

Or online at http://www.baaqmd.gov/complaints

24 hour answering service

- Core Business Hours: 7:30 am – 6:00 pm, Mon – Fri
- After Business Hours:
  - 6:00 pm – 7:30 am, Mon – Fri
  - Weekends and holidays

Language interpretation available



Helpful Information to Provide When Filing a Complaint

- Alleged facility or source
- Date and time of occurrence
- Description of complaint
- Name, address, and phone number (**optional**)
  - Filing a complaint with complainant contact information, or
  - Filing a complaint anonymously

Odor Description Examples

Confidentiality

- Air District does not release complainant information.
- Complainant information is redacted on public records requests.
- Speaking with complainants allows District Inspectors to gather more information regarding the complaint and better address concerns.

Complaints Requiring Special Processing

- Complaints received from schools
- Complaints alleging mobile sources
- Complaints outside of Air District's jurisdiction and/or authority
- Complaints associated with an incident (i.e. fires, hazardous chemical releases, shelter-in-place orders, etc.)

Public Nuisance

"No person shall discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health or safety of any such persons or the public, or which cause, or have natural tendency to cause injury or damage to business or property."

CA Health & Safety Code 41700
District Regulation 1-301

Complaint Response

Review Complaint Information
- Type, description, comments, date and time of occurrence
- Map complaint

Inspector Contacts the Complainant*
- By Phone
- In Person

Ask Questions
- Where did you observe the emissions?
- When did you first observe it? Is it still ongoing?
- Do you know the source? How do you know?
- How often does it occur?
- Are you available to meet?

**Not applicable to anonymous complaints.*

Human Sensory, Training and Expertise

- Trained and certified Inspectors to read visible emissions
- Human noses to detect and distinguish odors
- Field training and expertise allow for quicker and more accurate determination

Complaint Investigation

Meet with Complainant*

- Document complainant observations and statements
- Document inspector observations
- Document impact of emissions on complainant
- Note meteorological conditions
- Determine if there are any nearby potential sources of emissions
- Determine if emission is present at time of investigation

Conduct Area Patrol

- Identify possible sources of emissions
- Patrol areas upwind and downwind of the alleged facility
- Determine if emission is present at time of investigation
- Identify if there are any other locations impacted by emissions

Conduct Investigation at Alleged Facility or Potential Source of Emissions

**Not applicable to anonymous complaints.*

Complaint Investigation (cont'd)

Conduct Investigation at Alleged Facility or Potential Source of Emissions

- Meet with facility owner/operator
- Inspect facility equipment and sources of operations
- Determine applicable regulations and permit requirements
- Determine hours of operation and production schedules
- Investigate equipment breakdowns, malfunctions, or process upsets
- Identify source of air emissions
- Review records
- Note meteorology conditions (wind direction / speed)

Complaint Status

Confirmed Complaints

- Emission is present at time of investigation (face-to-face)
- Emission is traceable to a source
- Other supporting evidence

Unconfirmed Complaints

- Emission is no longer present at time of investigation
- Emission is NOT traceable to a source
- No other supporting evidence available

Investigation Findings and Actions

Determine Complaint Status

- Confirmed or Unconfirmed

Take Enforcement Action, where applicable

- Determine whether a violation(s) occurred:
  - Air District, State, Federal regulations and statutes
  - Permit requirements

Resolve Air Pollution Problem

- Work with facility to resolve the air quality issue when a complaint is confirmed and/or when a violation is documented
- Consult with other Air District staff and/or other local agencies with jurisdiction and enforcement authority

Public Input and Suggestions to Update Complaint Guidelines

1. What changes do you want to see in our complaint guidelines?
   - Reporting system
   - Investigation process

2. How can we help the public provide more explicit description and characterization regarding their complaint experience?

3. Any additional comments you would like to share with us.

Next Steps

- Review all comments received
- Incorporate public comments where feasible
- Post updated complaint guidelines online
  - Estimated timeframe : Summer 2020

Public Comment

- Comment period ends on Wednesday, **February 12, 2020**.
- Submit comments to **Ying Yu** at **yyu@baaqmd.gov**.

Questions & Answers