



BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT

Compliance and Enforcement Update: Air Quality Complaint Data and Program Review

Community Advisory Council Meeting
July 20, 2023

Ying Yu, Senior Air Quality Specialist
Compliance and Enforcement Division

yyu@baaqmd.gov

Requested Action



- None – Informational Presentation

Presentation Outcome



- Air District staff will provide a brief overview of the air quality complaint investigation process, steps for confirming a complaint, and summarize the complaint data across the Bay Area.
- Address community questions on how to increase the complaint confirmation rate.

Glossary of Terms



- **Air Quality Complaint Investigation Process** – Investigative procedure that the Air District follows to address air quality concerns received from the community.
- **Complaint Confirmation Rate** – The percentage of complaints confirmed by inspection staff over the total number of complaints received.
- **Complaint Variables** – Factors that influence complaint response and the ability of an inspector to confirm the complaint.
- **Violation** – Non-compliance of applicable Air District, State, or Federal regulation(s) and/or permit condition(s).
- **Enforcement Action** – When the Air District takes action against an air pollution source that is in violation of regulation(s).

Presentation Outline



- Air Quality Complaint Program Goals and Objectives
- Steps in the Air Quality Complaint Investigation Process
- Complaint Response Time Goals
- How is the Complaint Status Determined (confirmed vs. unconfirmed)
- Air Quality Complaint Data
 - Complaint Data by City, Complaint Types, 5-Year Complaint Summary, Complaint Variables
- Other Factors that Influence Complaint Response and Investigation
- Rules and Enforcement Actions

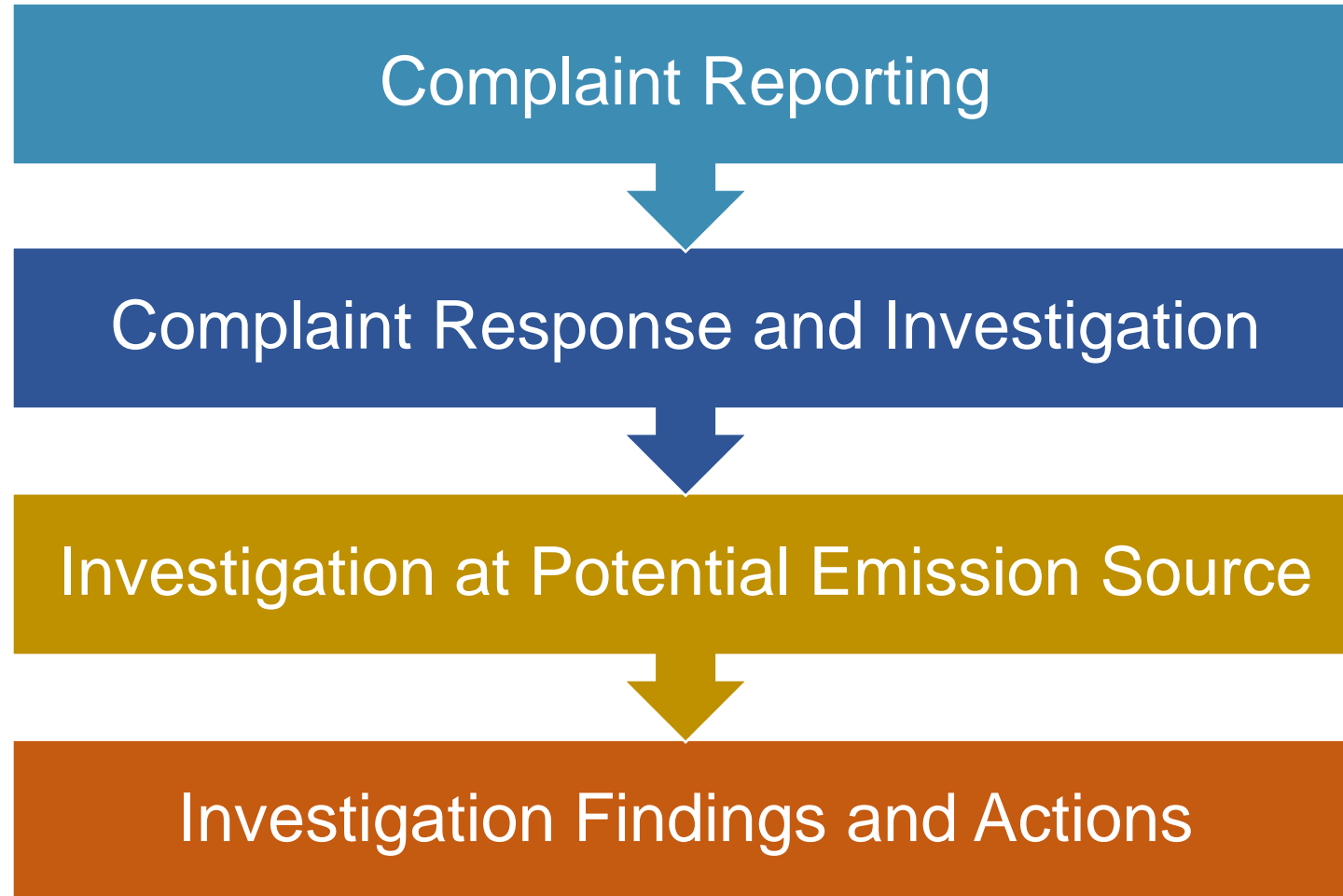
Air Quality Complaint Program Goals and Objectives



- Provide avenue for the public to communicate air quality concerns in the Bay Area
- Provide timely response to air quality complaints
- Investigate each complaint to achieve early intervention in resolving air quality problems and identifying violations
- Investigate all complaints as an impartial party to determine fact and circumstances surrounding alleged air emission releases
- Take appropriate enforcement action following complaint investigations



Steps in the Air Quality Complaint Investigation Process



Complaint Response Time Goals



Type of Complaints	Response Time Goals*
Complaints with ongoing emissions	30 minutes
Complaints from schools, preschools, daycares, and senior centers	30 minutes
Complaints that do not have ongoing emissions	30 minutes – 2 hours
Gasoline Dispensing Facility	24 hours

**For complaints received during normal business hours*

How is the Complaint Status Determined?



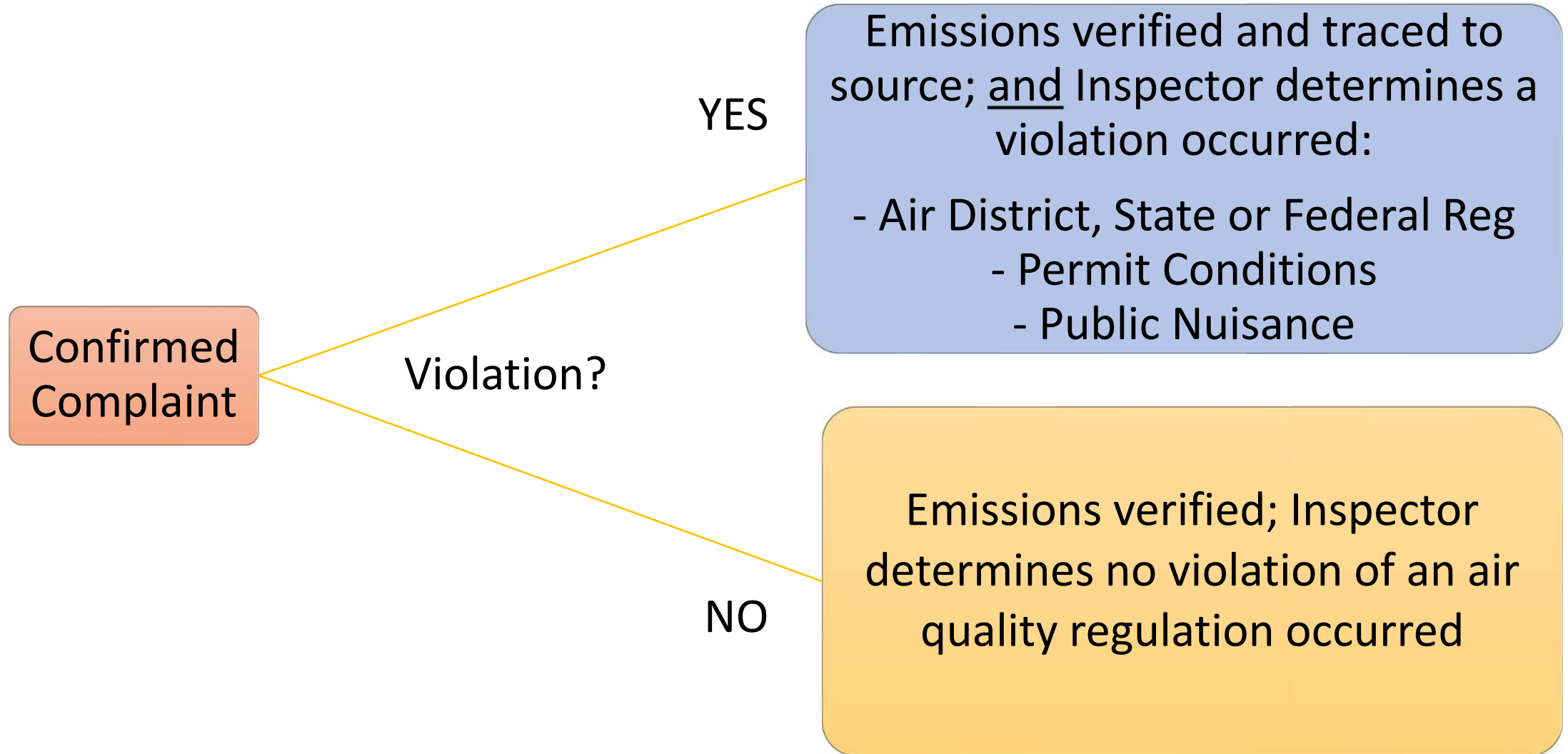
Confirmed Complaints

- Emission is present at time of investigation (**face-to-face meeting NOT required, but encouraged**)
- Emission is traceable to a source
- Other supporting evidence

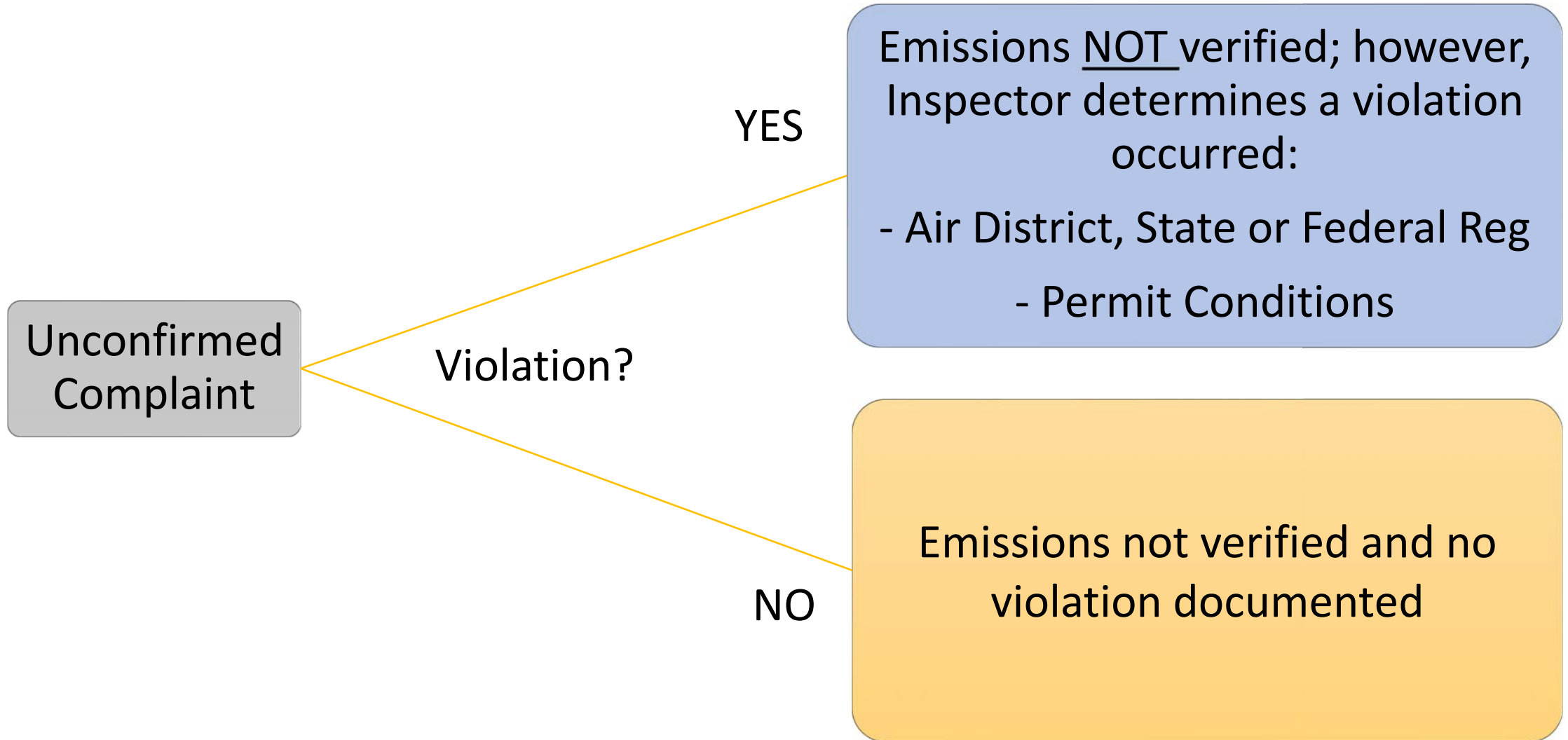
Unconfirmed Complaints

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

Complaints and Enforcement Actions



Complaints and Enforcement Actions



Rules and Enforcement Actions



- Issue Notice of Violations
 - Applicable Air District, State, and Federal Regulations
 - <https://www.baaqmd.gov/rules-and-compliance/current-rules>
 - Permit Requirements
 - Authority to Construct and Permit to Operate
 - Permit conditions
 - Public Nuisance - Reg 1-301, H&SC 41700
- Coordinate across divisions to develop enforcement cases
 - Hearing Board
- Conduct joint investigations with other local enforcement agencies

Complaint Coordination with Other Agencies



Complaints received from schools



Complaints alleging mobile sources



Complaints outside of Air District's jurisdiction and/or authority

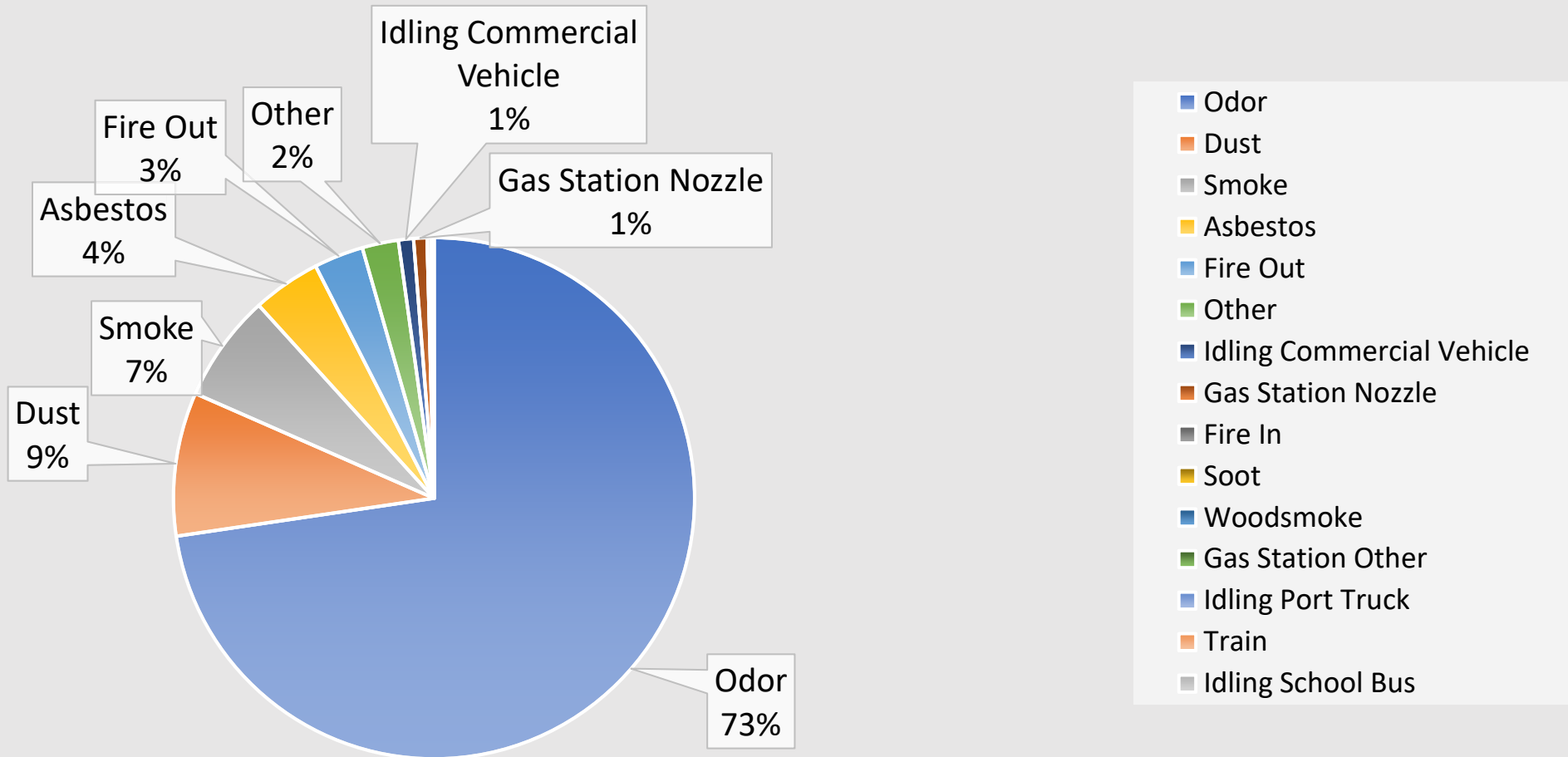


Complaints associated with an incident (i.e. fires, hazardous chemical releases, shelter-in-place orders, etc.)

Complaints by Type



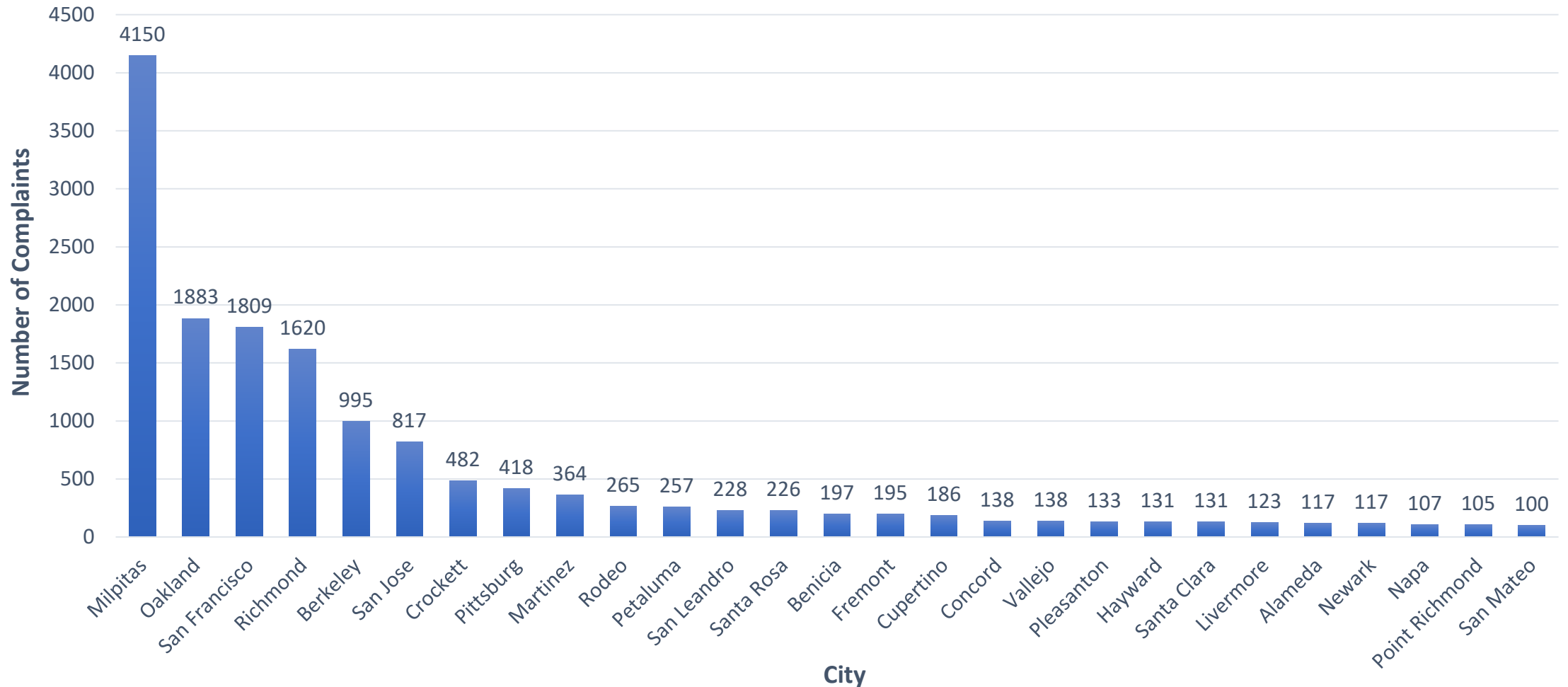
2018- 2022 Air Quality Complaint Data



Complaint Data by City



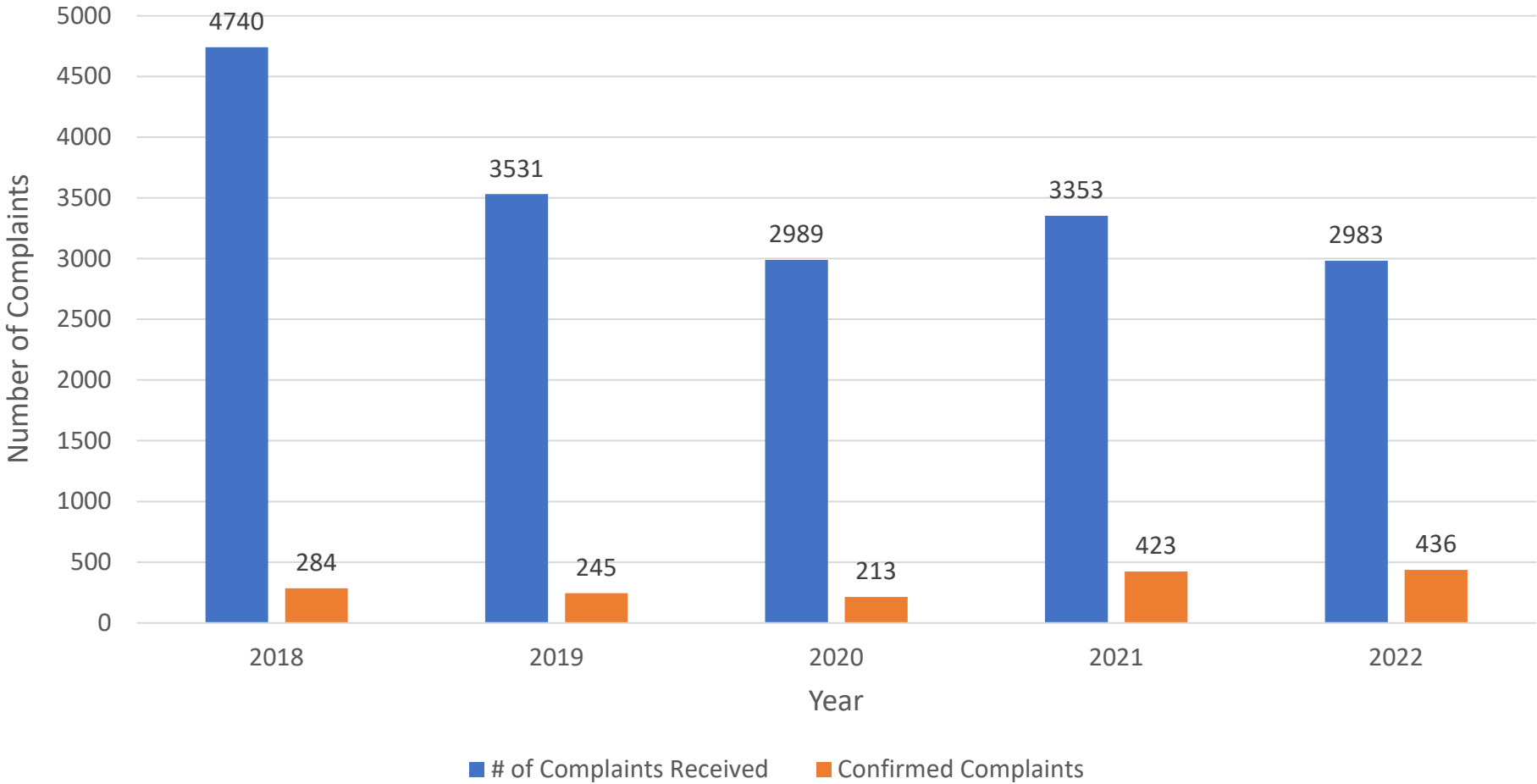
Cities with More Than 100 Complaints (2018 – 2022)



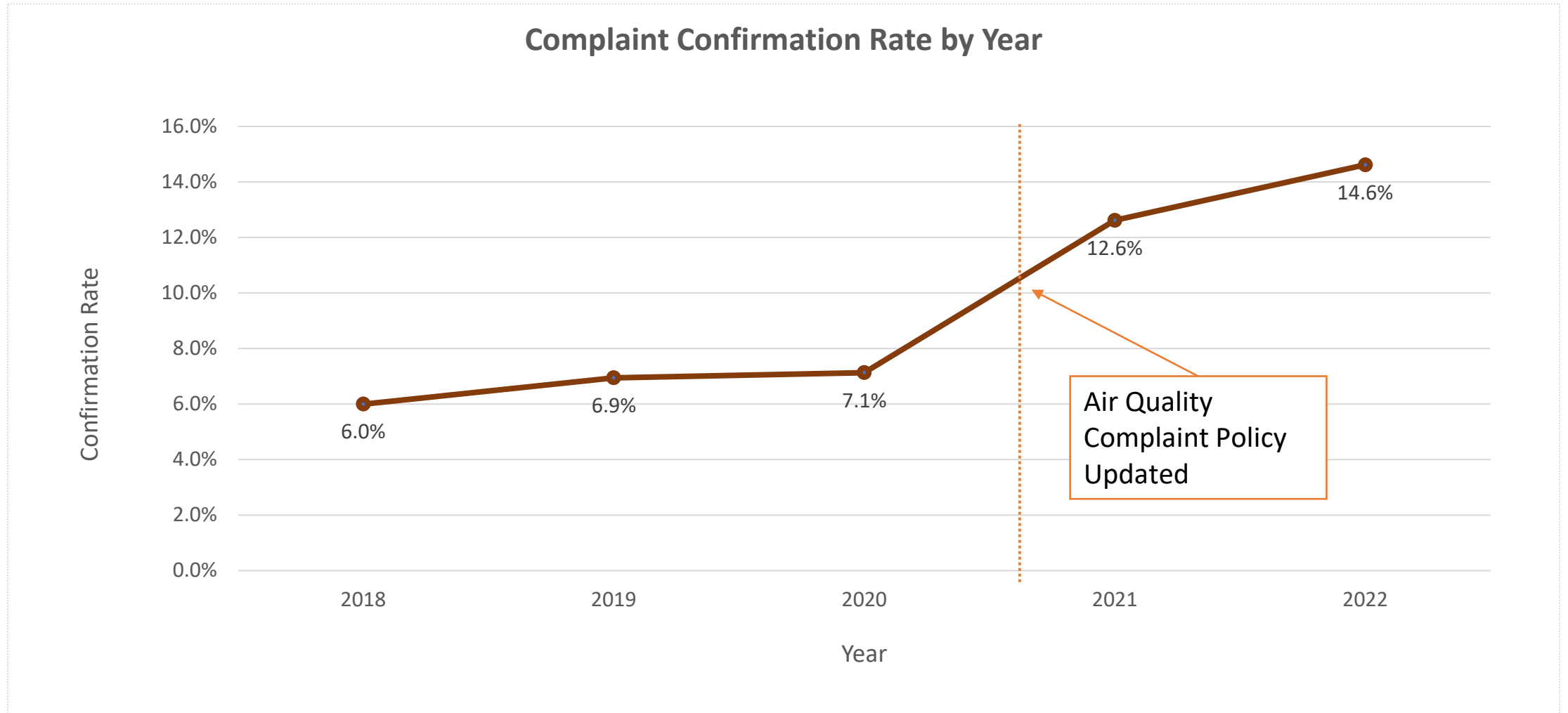
5-Year Complaint Summary



Number of Complaints Received and Complaints Confirmed by Year



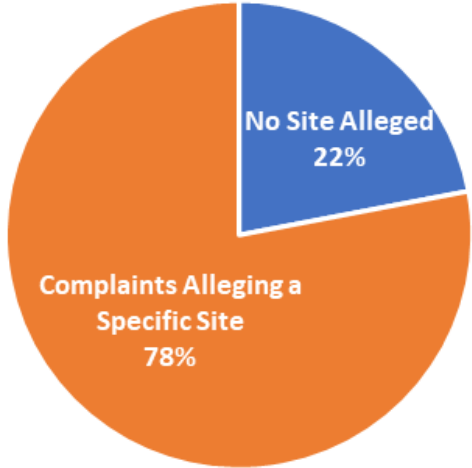
Complaint Confirmation Rate



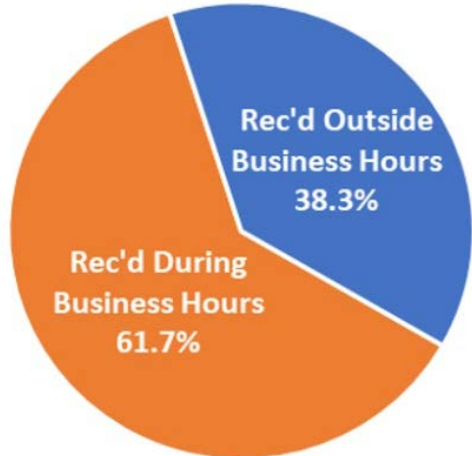
Variables that Influence Confirmation Rates



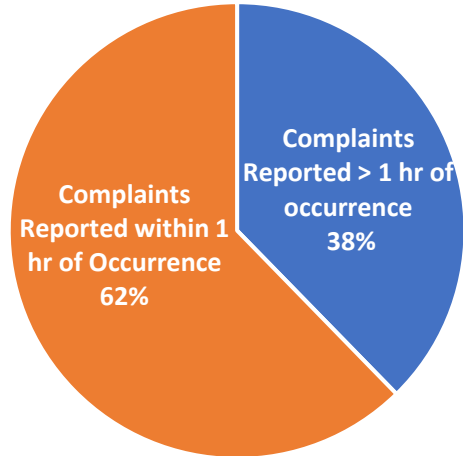
22% No Site Alleged



38.3% Complaints Received Outside Business Hours



38% Complaints Reported > 1 hr after Occurrence



Pie charts based on 5-year data (2018 to 2022)

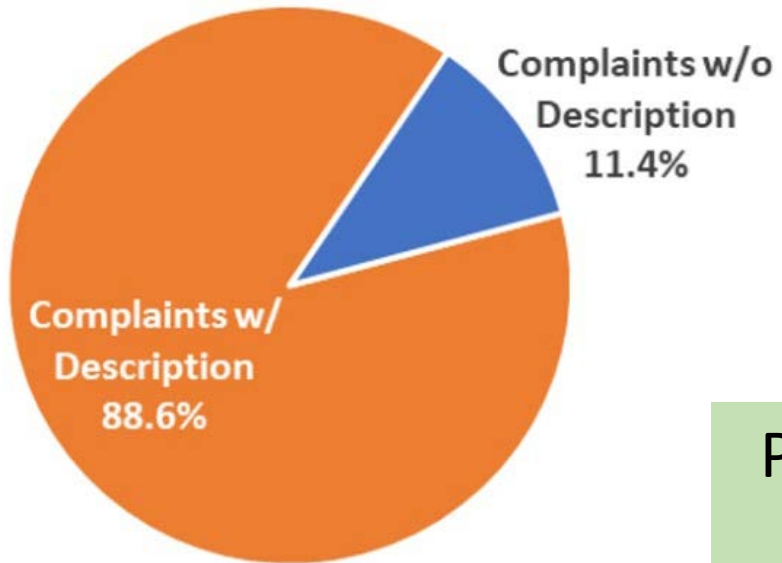
Variables that Influence Confirmation Rates (cont'd)



16.7% Anonymous Complaints



11.4% Complaints Received Without Descriptions



Pie charts based on 5-year data (2018 to 2022)

Other Factors that Influence Complaint Response and Investigation

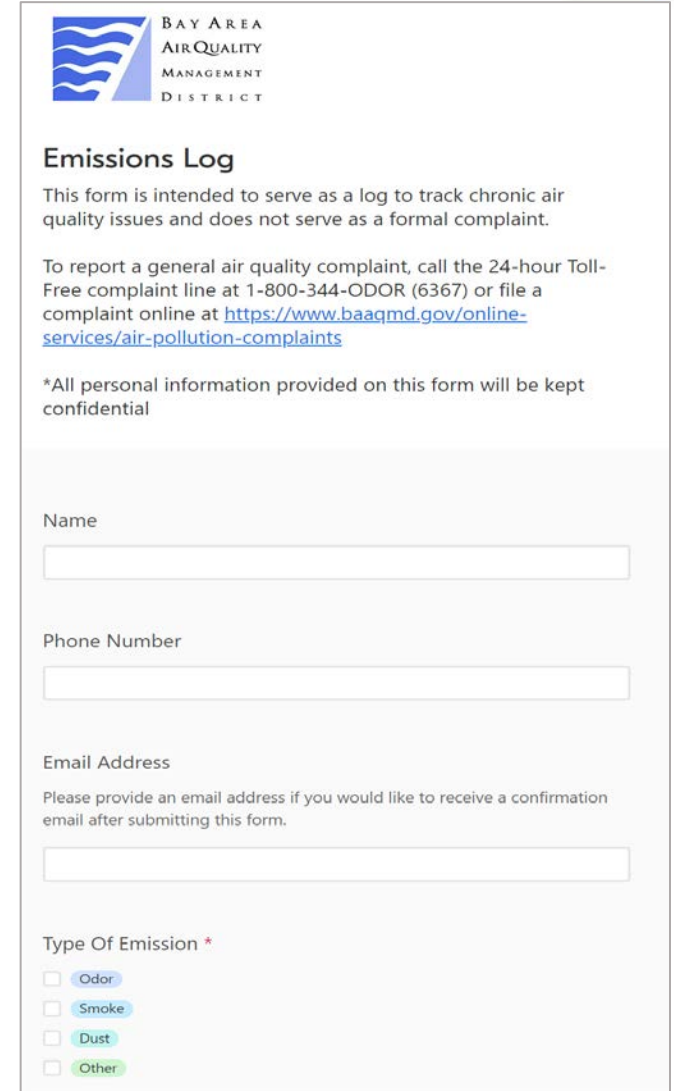


- Meteorological conditions (e.g., wind, rain, temperature, fog, etc.)
- Fleeting nature of emissions
- Intermittent operations at alleged source/site
- Complainant no longer observing emissions
- Traffic congestion can slow response time
- Inspector availability
- Complaints received on weekends or after-business hours
- Complaints that are outside of Air District jurisdiction

Opportunities for Community Assistance and Support to Complaint Investigations



- Share information with communities on how to report an air quality complaint
- Report a complaint as soon as emission is observed
- Provide more detailed descriptions when reporting an air quality complaint
- Provide the Inspector with photos or videos of emissions
- Provide additional data to Air District by completing Emissions Log
 - <https://baaqmd.agency/emissionslog>

A screenshot of the 'Emissions Log' form from the Bay Area Air Quality Management District. The form includes a header with the agency logo and name, a title 'Emissions Log', and introductory text explaining its purpose. It provides contact information for reporting complaints, including a toll-free number and a website link. A confidentiality notice is present. The form contains input fields for 'Name', 'Phone Number', and 'Email Address'. At the bottom, there is a 'Type Of Emission' section with radio button options for 'Odor', 'Smoke', 'Dust', and 'Other'.

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Emissions Log

This form is intended to serve as a log to track chronic air quality issues and does not serve as a formal complaint.

To report a general air quality complaint, call the 24-hour Toll-Free complaint line at 1-800-344-ODOR (6367) or file a complaint online at <https://www.baaqmd.gov/online-services/air-pollution-complaints>

*All personal information provided on this form will be kept confidential

Name

Phone Number

Email Address
Please provide an email address if you would like to receive a confirmation email after submitting this form.

Type Of Emission *

Odor

Smoke

Dust

Other



Public Comment



Questions?