

HOW TO MAKE AN AIR QUALITY COMPLAINT



HOW WE HANDLE YOUR COMPLAINTS

1



Dispatcher receives complaint and sends complaint details to inspector.

2



Inspector investigates to determine possible source and cause of emission. The inspector may call or meet with you as part of the investigation.

3



Notice of Violation is issued if the inspector finds a violation of a District, state or federal regulation. A violation generally results in a fine with the intent of discouraging repeat violations.



PUBLIC NUISANCE LAW AND AIR DISTRICT REGULATIONS

Facilities can be cited for violating the State of California's "public nuisance" law, which prohibits emissions that cause bad odors, health problems, property damage, or other nuisances in the community (California Health and Safety Code §41700).

Facilities can also be cited for violating one of the Air District's air pollution regulations, such as the rule concerning visible emissions.



HOW VIOLATIONS ARE SETTLED

Notices of Violation are resolved through the Air District's Mutual Settlement Program or referred for possible legal action to our District Counsel's Office.

Our Mutual Settlement Program gives violators the option to settle their case out of court by correcting their violation and agreeing to pay a penalty.

If the case is not resolved by Mutual Settlement, it will be referred along with more serious violations to our District Counsel's Office for legal action. Some of these cases will still be settled out of court, but others may result in civil lawsuits. An unusually serious violation may result in criminal prosecution.

If a facility is issued multiple violations for reoccurring problems, we will attempt to meet with the facility to find a resolution. If violations continue, an Order of Abatement may be placed on the facility requiring the facility to change its equipment or operations within a specific time limit. Failure to comply can result in more penalties and stronger legal actions.



COMPLAINTS VIOLATIONS

Some of the complaints we receive concern problems over which we have little or no jurisdiction, or involve air pollution to only a minor degree. Examples include complaints arising from backyard feuds between residential neighbors, the release of natural contaminants like pollen, or emissions of very low concentrations of pollutants that have no impact on the broader community.

Although our inspectors may be unable to take action in these cases, they will thoroughly investigate each complaint, and if necessary, alert other government agencies with direct oversight.



BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT

- The Air District maintains a 24-hour complaint line at 1-800-334-ODOR and online form at www.baaqmd.gov/complaints.
- Every air pollution complaint we receive will be investigated.
- Everyone making a complaint will be contacted personally unless he or she requests otherwise.

WHAT TO DO WHEN YOU DETECT OUTDOOR AIR POLLUTANTS

If you smell a strong odor in your neighborhood or see a lot of dust or smoke, you can file a complaint at: **1-800-334-ODOR (6367)** or **www.baaqmd.gov/complaints**. Anonymous complaints will be accepted, although it may hinder our ability to investigate the source.

The Air District receives over 12,000 air pollution complaints annually from members of the public. Responding to these complaints is one of our highest priorities.

Types of Air Quality Complaints

- Odors
- Dust
- Smoke/Fire
- Other air pollutants

Emitted from . . .

- Industrial plants
- Refineries
- Neighborhood businesses
- Gas stations
- Outdoor fires
- Construction sites
- Idling trucks and buses



More information on Wood Smoke and Smoking Vehicle complaints, can be found at www.baaqmd.gov/complaints.



HOW TO MAKE A COMPLAINT

Contact us at **1-800-334-ODOR** or **www.baaqmd.gov/complaints** as soon as you notice a persistent or uncommon odor or see an unusual amount of dust or smoke. The sooner you call, the sooner an inspector can be sent to investigate your complaint.

If you call to report an odor, try to associate the smell with something familiar like rotten eggs, spoiled cabbage, burnt plastic, swimming pool chlorine, garlic or asphalt. Useful descriptive words include oily, musty, metallic, pungent, sweet, sour, light, or heavy. More details can help us identify the particular emissions or chemicals. Also note if the odor is steady or intermittent, and the time at which the odor occurred.

When filing your complaint, the complaint is assigned a unique tracking number that you can use to follow up on its status. Your name, address and phone number will be kept **confidential**. Your personal information will not be disclosed to anyone but Air District staff, except when required in legal cases.

ABOUT THE AIR DISTRICT

The Bay Area Air Quality Management District is the regional agency responsible for protecting air quality in the nine-county Bay Area, including Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, southwestern Solano, and southern Sonoma counties.



CONTACT US:

Air Pollution Complaints:
(800) 334-ODOR

Woods Smoke Complaints:
(877) 4NO-BURN

Report Smoking Vehicles:
(800) EXHAUST

www.baaqmd.gov/complaints

Connect with us:
www.baaqmd.gov



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