

## **AIR QUALITY COMPLAINTS General Information**

### **How can I register an air quality complaint?**

- Call the District's 24-hour complaint line at 805/781-5912.
- Call the Compliance and Enforcement Division at 805/781-5912, M – F, 8 am - 5 PM.
- Call the APCD receptionist at 805/781-5912, M - F, 8 am to 5 PM.
- Email a complaint to: [info@slocleanair.org](mailto:info@slocleanair.org)

To register an air quality complaint with the California Air Resources Board (CARB) call the complaint hotline at 800/952-5588 to report a problem. This number can also be used for complaints against gasoline dispensing facilities and smoking vehicles.

### **What information do I need to provide when registering a complaint?**

- Clearly state your name, telephone number, and full street address.
- Describe the problem (smoke, odor, dust, etc.) and the impact.
- State the time and date when the problem occurred, and whether it is happening at the time of your call.
- State whether this problem has occurred in the past, and if so, when.
- If you know the source of the alleged problem, state the business name or resident's name, and address.

### **How long will it take the district to respond to my complaint?**

We try to respond to all complaints in a timely manner, usually within that same day. However, it is not always possible for a District inspector to immediately respond to a complaint.

### **Will the District Inspector contact me after their complaint investigation?**

Yes. It is the District's policy to contact all complainants and inform them of the results of the investigation, provided the complainant has left their telephone number or some other way of contact.

### **If I leave my name, number and address, is my information confidential?**

Yes. The District does not give out any information about the complainant.

### **What types of complaints does the District respond to?**

The District responds to open burning, dust and odor complaints related to unpermitted sources as well as complaints related to businesses that have APCD Permits. APCD regulates a wide variety of businesses that generate air emissions, including gas stations, drycleaners, automotive and other spray painting facilities and facilities with boilers or internal combustion engines.

**Can I file a complaint without giving my name and phone number?**

Yes. The District investigates anonymous complaints. However, the inspector will not be able to inform you of the results. If you want to know the results of the District's investigation, you will have to call the District.

**COMPLAINTS REPRESENTING A NUISANCE**

**Public Nuisance**

A nuisance is considered to be "air contaminants or other material which cause injury, detriment, nuisance or annoyance to any considerable number of persons or to the public, or which endangers the comfort, repose, health or safety of any such persons or the public, or which cause or have a natural tendency to cause injury or damage to business or property." (reference: SLOAPCD Rule 402 and California Health and Safety Code section 41700)

**Private Nuisance**

A complaint is deemed a private nuisance when it does not meet the criteria outlined for a public nuisance. Typically this means that a "considerable number of persons" are not affected. A neighbor to neighbor dispute would be an example of a private nuisance. In such a case the affected party may have to seek private legal help to resolve the problem.

**COMPLAINTS REGARDING SMOKE AND ODORS**

**Can the District do anything about my neighbor burning trash in his backyard or in his fireplace?**

Yes. The District will investigate trash or "household rubbish" burning. In most areas of the county it is illegal to burn trash. Residents found illegally burning trash are given information to make them aware of the problem and may be given a Notice of Violation.

The District has limited jurisdiction over existing residential fireplaces or woodstoves, although EPA-certified woodburning devices are required for new or remodel construction. It is illegal to burn trash in any residential fireplace or woodstove. The District investigates such complaints and sends a letter and information to the suspected resident to make them aware of the problem and request their cooperation. The letter also informs them of the potential fines and penalties associated with creating a public nuisance.

**What can the District do about smoke and odors from BBQ restaurants?**

A District inspector can often resolve these complaints by making the source aware of the problem and letting them know a complaint has been registered. A restaurant can change its

operating practices, improve maintenance of its cooking equipment, or install odor control equipment. Restaurants are not exempt from public nuisance. If a sufficient number of complaints are reported to the District and an inspector witnesses the problem, a Notice of Violation can be issued.

## **COMPLAINTS REGARDING DUST**

### **What can the District do to stop dust from a construction site or permitted business?**

The District responds to dust complaints and, if necessary, will inform the source that the problem needs to be abated. In the case of a construction site, the District will request that the dust be kept to a minimum. Ways to reduce dust include using water trucks, restricting earthmoving activities to times when the wind is low, and altering work practices.

The District will inspect a permitted business to determine whether the business is complying with their permit conditions and District Rules. If a company is operating in violation of their permit or District Rule or they are causing a public nuisance, the District can issue a Notice of Violation.