

Alison Foulis - City Clerk

From: Marcia McGovern <marshmcgovern@gmail.com>
Sent: Monday, January 08, 2018 1:35 PM
To: Alison Foulis - City Clerk; Rebecca Markwick - Associate Planner
Subject: 2 Fern: CC Appeal: BAAQMD Confirmed Complaints and Violations 9/8/17 and 9/11/17
Attachments: 2 Fern BAAQMD Confirmed Complaint 2 and Citation C 232733 7_11_17 (1).pdf; 2 Fern BAAQMD Confirmed Complaint 1, C 232689 9817, Emissions, illegal machinery.pdf

1/8/18

Dear Alison and Rebecca,

Please include these documents in the late mail for my Appeal.

Thanks

Marcia McGovern

| Routing | | |
|-------------------|------|----------|
| | Init | Date |
| Supv Specialist | MM | 9/22/17 |
| Com Center Update | LM | 10/20/17 |

COMPLAINT # 232689

check

| ALLEGED SITE INFORMATION | |
|--|--|
| <input type="checkbox"/> Name: Construction Site | Site #: Z0095 |
| <input type="checkbox"/> Address: 2 Fern Ave | |
| <input type="checkbox"/> City: Belvedere | Zip: 94920 |
| COMPLAINT DESCRIPTION | |
| <input type="checkbox"/> Type: Odor | |
| <input type="checkbox"/> Description: exhaust fumes | |
| <input type="checkbox"/> Occurrence Date: 09/08/17 | Time: 08:00 hours <input checked="" type="checkbox"/> Ongoing |
| <input type="checkbox"/> Date Air District Received Complaint: 09/08/17 at 13:20 hours | |
| <input type="checkbox"/> Pertinent Data: R/I received the complaint from Dispatch on 09/08/17 at 13:23 hours. | |
| COMPLAINANT INFORMATION | |
| <input type="checkbox"/> Name (last, first): MCGOVERN, MARCIA | <input type="checkbox"/> Anonymous |
| <input type="checkbox"/> Address: 170 MADRONA AVE | |
| <input type="checkbox"/> City: Belvedere | Zip: 94920 |
| <input type="checkbox"/> Home Phone Number: [REDACTED] | Alternate Contact: |
| <input type="checkbox"/> Complaint Referred By: | |

COMPLAINT SUMMARY

Complaint is: **Confirmed- Emission Present and Traced to Source**

Confirmed Site: **Same As Alleged**

If Different From Alleged:

Name:

Address:

City: Zip:

Air District Site # No District Permit

Complaint Referred To:

Reporting Inspector (R/I): **R Murray I # 832 Date of Report: 09/20/17**

COMPLAINT RESPONSE & INVESTIGATION

RESPONSE

Complainant Contacted:

In Person - Met with Complainant Date: 09/08/17 Time: 14:27 hours

Contacted after-hours / IR

Complainant Statements:

Emission is Still Ongoing

Location of emissions observed by complainant: Home

Other Statements:

INVESTIGATION

Investigation conducted at: Alleged Source

No emissions observed by R/I at time of investigation: Date: Time: hours

R/I observed emissions with complainant: Date: 09/08/17 Time: 14:27 hours

R/I observed emissions without complainant: Date: Time: hours

Complaint Declaration: No Yes

Emissions Observed by R/I: Diesel fumes from mobile diesel compressor

Investigation conducted in general area where complainant observed alleged emissions

Investigation conducted upwind and downwind of alleged site or potential source of emissions

Emissions observed and traced to source: Date: Time: hours

Same site as alleged Different site from alleged

Investigation conducted at source of emissions: Date: Time: hours

Facility Name:

Name/Title of Site Contact:

Alleged site and/or source of emissions informed of the complaint

Other potential source(s) of emissions observed in the area

Visible emissions: Exceeds applicable standard: No Yes

Sample(s) taken: Lab Sample #:

Wind Data: Direction: Speed (mph): Location:

COMMENTS

R/I contacted C by telephone on 09/08/17 at 13:46 hours. C stated they were being impacted by smell from diesel equipment running. R/I arrived at alleged source at 14:27 hours and met with C. R/I and C observed a mobile diesel powered compressor in operation and smelled diesel exhaust. R/I spoke via telephone with Mr. Well Power of ASA Drilling, a subcontractor running the diesel compressor to perform foundation work at 2 Fern Avenue in Belvedere. Mr. Power would not provide any information regarding the portable equipment to R/I and stated that any issues must be sent to his company in writing. R/I also contacted Mr. Tim Hachman of Hachman Construction, the lead contractor for the construction work. Mr. Hachman was informed of the complaint but had no information on the portable equipment and stated that this was the first time he had worked with ASA Drilling. R/I was unable to determine the horsepower of the portable equipment and did not see any CARB registration number on the unit. Both Hachman Construction and ASA Drilling were informed of the confirmed complaint.

375 BEALE STREET, SUITE #600 SAN FRANCISCO, CA 94105 (415) 771-6000

www.baaqmd.gov

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
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www.baaqmd.gov

A confirmed complaint does not automatically indicate a violation of State/Federal law and/or Air District regulation.

| Routing | | |
|-------------------|------|----------|
| | Init | Date |
| Supv Specialist | MW | 10/6/17 |
| Com Center Update | UM | 10/20/17 |

COMPLAINT # 232733

check

| ALLEGED SITE INFORMATION | |
|---|--|
| <input type="checkbox"/> Name: Construction Site | Site #: Z0095 |
| <input type="checkbox"/> Address: 2 Fern Ave | |
| <input type="checkbox"/> City: Belvedere | Zip: 94920 |
| COMPLAINT DESCRIPTION | |
| <input type="checkbox"/> Type: Odor | |
| <input type="checkbox"/> Description: diesel exhaust | |
| <input type="checkbox"/> Occurrence Date: 09/11/17 | Time: 11:00 hours <input checked="" type="checkbox"/> Ongoing |
| <input type="checkbox"/> Date Air District Received Complaint: 09/11/17 @ 14:00 hours | |
| <input type="checkbox"/> Pertinent Data: R/I received the complaint from Dispatch on 09/11/17 @ 14:05 hours. | |
| COMPLAINANT INFORMATION | |
| <input type="checkbox"/> Name (last, first): MCGOVERN, MARCIA | <input type="checkbox"/> Anonymous |
| <input type="checkbox"/> Address: 170 MADRONA AVE | |
| <input type="checkbox"/> City: Belvedere | Zip: 94920 |
| <input type="checkbox"/> Home Phone Number: [REDACTED] | Alternate Contact: |
| <input type="checkbox"/> Complaint Referred By: | |

COMPLAINT SUMMARY

Complaint is: **Confirmed- Emission Present and Traced to Source**

Confirmed Site, If Different from Alleged:

Name:

Address:

City: Zip:

Air District Site # No District Permit

Complaint Referred To:

Reporting Inspector (R/I): **R Murray** I # **832** Date of Report: **09/27/17**

COMPLAINT # 232733

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COMPLAINT RESPONSE & INVESTIGATION

RESPONSE

Complainant Contacted:

In Person - Met with Complainant Date: **09/11/17** Time: **14:57** hours

Contacted
after-hours /
IR

Complainant Statements:

Emission is Still Ongoing

Location of emissions observed by complainant: **Home**

Other Statements:

INVESTIGATION

Investigation conducted at: **Alleged Source**

No emissions observed by R/I at time of investigation: Date: Time: hours

R/I observed emissions with complainant: Date: **09/11/17** Time: **14:57** hours

R/I observed emissions without complainant: Date: Time: hours

Complaint Declaration: No Yes

Emissions observed by R/I, if applicable: **Diesel emissions from compressor**

Investigation conducted in general area where complainant observed alleged emissions

Investigation conducted upwind and downwind of alleged site or potential source of emissions

Emissions observed and traced to source: Date: Time: hours

Same site as alleged Different site from alleged

Investigation conducted at source of emissions: Date: Time: hours

Facility Name:

Name/Title of Site Contact:

Alleged site and/or source of emissions informed of the complaint

Other potential source(s) of emissions observed in the area

Visible emissions: Exceeds applicable standard: No Yes

Sample(s) taken: Lab Sample #:

Wind Data: Direction: Speed (mph): Location:

COMMENTS

R/I contacted C by telephone on 09/11/17 at 13:54 hours after receiving an email from C regarding the diesel emissions. R/I received complaint from Dispatch at 14:05 hours. R/I arrived at alleged source at 14:48 hours and observed emissions coming from a mobile diesel compressor. R/I called Mr. Arnold Soloria of ASA Drilling, a subcontractor, at 14:52 hours. Mr. Soloria stated that he had no information about the diesel compressor. R/I contacted C by telephone during investigation at 14:57 hours and met with C. R/I and C observed the emissions from the diesel generator. R/I contacted Mr. Tim Bachman, owner of general contracting company Bachman Construction by telephone at 15:36 hours to inform him of the confirmed complaint. R/I explained that the compressor was operating in violation of Air District regulations. The compressor was stopped at 15:52 hours. A Notice of Violation was issued at 16:10 hours to Mr. Mario Osorca of ASA Drilling for Air District Regulation 2, Rule 1, Sections 301 & 302 for No Permit to Operate the diesel compressor.

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