

# Odors & Air Quality



## A Message from the Spokane Regional Clean Air Agency

### Background

Everyone has a right to breathe clean, healthy air. This includes air that doesn't smell so bad that it affects our ability to enjoy our home and property.

Spokane Regional Clean Air Agency (Spokane Clean Air) receives complaints about odors coming from a variety of operations, including animal rendering, asphalt plants, coffee roasting, composting, spray paint operations, wastewater treatment plants, etc.

### Health Impacts of Odors

Odors can be a nuisance, but are they a public health hazard? Odors are a complex mixture of gases, vapors, and dust. It is possible for certain odorous emissions to have an impact on physical health while others may not. The potential impact of any odor depends upon the concentration of odorous emissions, and the frequency and duration of exposure. The most frequently reported symptoms attributed to odors include headache, nausea, hoarseness, cough, congestion, palpitations, shortness of breath, and eye, nose, and throat irritation.

### Odor/Nuisance Regulation

Spokane Clean Air takes odor complaints seriously and follows protocols established through our air quality regulations to protect the air and public health. Per agency Regulation I, Article VI, Section 6.04(C):

It shall be unlawful for any person to cause or allow the emission of any air contaminant in sufficient quantities and of such characteristics and duration as is, or is likely to be:

1. Injurious to the health or safety of human, animal, or plant life;
2. Injurious or cause damage to property; or
3. Which unreasonably interferes with enjoyment of life and property.

### Response to Odor Complaints

Once a complaint is received, it is recorded into a database and then assigned to a field inspector for follow-up. Inspectors generally respond to complaints during regular business hours. **Three conditions** must be met for enforcement action to be considered on an odor complaint:

**(1) An inspector detects an odor at an intensity level of 2 or greater using the scale below:**

Level 0 – no odor detected

Level 1 – odor barely detected

Level 2 – odor is distinct and definite, any unpleasant characteristics recognizable

Level 3 – odor is objectionable enough or strong enough to cause attempts at avoidance

Level 4 – odor is so strong that a person does not want to remain present

**(2) The person(s) impacted by the odor provides an affidavit** describing the impact that the smell is having on their lives. Persons providing affidavits may be required to testify at a hearing if the case is challenged.

**(3) An inspector identifies the source of the odor.**

### Enforcement Action

Before issuing a Notice of Violation, the Agency may give the person causing the odor 15 days to provide information to the Agency which demonstrates to the satisfaction of the Agency that all controls and operating practices to prevent or minimize odors to the greatest degree practicable are being employed.

If the Agency determines that all such efforts are being employed by the person causing the odors and that no additional control measures or alternate operating practices are appropriate, the Agency may decline to pursue formal enforcement action. This does not preclude a person affected by odors to pursue their own legal action against someone causing odors.

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If the Agency determines that the person causing the odors hasn't demonstrated to the satisfaction of the Agency that all controls and operating practices to prevent or minimize odors to the greatest degree practicable are being employed, a Notice of Violation may be issued. If the Agency issues a Notice of Violation, the person receiving the notice has 30 days to respond to the allegations made in the notice.

Once the Agency considers any additional information provided by the person cited, the Agency will generally assess a fine. In calculating the fine, the Agency will consider a variety of factors such as how long the violation occurred, the compliance record of the person receiving the violation, responsiveness in correcting the violation, and any financial gain associated with non-compliance.

Fines typically start at about \$1,000 for first-time violators, but this can climb sharply if the Agency identifies an economic benefit gained from non-compliance. The person receiving the fine has 30 days to make payment, request mitigation, or file an appeal.

It will typically take at least three months from the time a complaint is first received until the case is resolved. In some cases where enforcement action is challenged, it may take more than 12 months to resolve.

### Filing Odor/Nuisance Complaints

If you smell (or see) an air pollution problem, you may file a complaint. Here's how:

**Contact Spokane Clean Air as soon as possible.** Complaints can be called in to the agency at (509) 477-4727, or at [www.SpokaneCleanAir.org](http://www.SpokaneCleanAir.org).

You will be asked to provide personal information, such as your name, address, and phone number. Your call may be answered by voicemail recording if you call during non-business hours. In addition to your name, address, and telephone number, plan on providing your location when the odor was detected and the date and time the odor was first detected.

### About Us

Founded in 1969, the Spokane Regional Clean Air Agency (Spokane Clean Air) works to achieve and maintain clean air in Spokane County, Washington by administering local, state, and federal air quality laws and regulations.

We carry out our functions of air monitoring, permitting, enforcement and education and outreach with the support of our member entities, which includes Spokane County and its incorporated cities and towns of Spokane, Spokane Valley, Airway Heights, Cheney, Deer Park, Liberty Lake, Medical Lake, Latah, Millwood, Rockford, Spangle and Waverly.

### Our Authority

The 1967 Washington Clean Air Act (Chapter 70.94 RCW) authorized counties to activate local air agencies. There are seven local air agencies in the state. Counties that do not have a local air agency fall under the jurisdiction of the Washington State Department of Ecology.

For more information, call (509) 477-4727 or visit [www.SpokaneCleanAir.org](http://www.SpokaneCleanAir.org).



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