

MS. SHPAK: Hi. My name is Mitzi Shpak. I'm

9 Executive Director of Action Now, which is also a member
10 of the Los Angeles Environmental Justice Network. And my
11 questions have to do with some of your enforcement goals.

12 You said one of your goals -- in fact, your first
13 goal is to obtain immediate compliance, because as you
14 stated also, you cannot capture lost emissions. And my
15 question is, how do you intend to respond to, say, a
16 complaint of idling diesels in a timely manner so that the
17 lost emissions aren't lost? What mechanism are you
18 planning to put in place to respond quickly enough in your
19 enforcement?

20 I, myself, had an incident. In our area, we have
21 a lot of movie production companies. And we were in our
22 backyard, and suddenly there were fumes everywhere. The
23 lady next door who was home schooling her children outside
24 had to run inside. And we found that a movie company had
25 parked a flatbed trailer right on the fence line with two

1 enormous diesel generators. And we're not talking idling
2 diesel. We're talking full bore. It was a power plant
3 literally put in our neighborhood one half-block from a
4 middle school in addition to the many, many trucks that
5 they bring for their production. And would you be able to
6 respond to something like that in enough time to keep us
7 from being exposed to those emissions?

8 Thank you.

9 MOBILE SOURCE ENFORCEMENT BRANCH CHIEF JACOBS:

10 Just briefly, Paul Jacobs, Enforcement.

11 Yes. I've said throughout the afternoon we have
12 these 1-800 hot lines and also on-line reporting for these
13 violations. And we do have staff stationed statewide so
14 we can get relatively immediate response. It may not be
15 right then, but in addition, local police enforcement have
16 to authority, as do CHP.

17 MS. SHPAK: They don't think they do.

18 MOBILE SOURCE ENFORCEMENT BRANCH CHIEF JACOBS:

19 It's clearly stated --

20 MS. SHPAK: The AQMD can't respond. We got a
21 response from them they couldn't do anything because ARB
22 has mobile sources.

23 MOBILE SOURCE ENFORCEMENT BRANCH CHIEF JACOBS:

24 Well, they do have authority under the idling regulations.
25 We would happy to talk with you more --

1 MS. SHPAK: It wasn't idling. I mean, seriously,
2 they have a permit to film. They're not idling. They're
3 producing power. They are a mobile power plant.

4 MOBILE SOURCE ENFORCEMENT BRANCH CHIEF JACOBS: I
5 understand about the generators. You had mentioned all
6 these trucks and idle as well. These are subject to the
7 rules. And if they have permits on these generators, then
8 you have to pursue look a nuisance-type claim and meet the
9 criteria in the Health and Safety Code. We can talk about
10 that in more detail.

11 MS. SHPAK: Maybe my question is, are they
12 allowed to put a mobile power plant into a residential
13 neighborhood next to a school? Is that a permissible
14 activity?

15 MOBILE SOURCE ENFORCEMENT BRANCH CHIEF JACOBS:
16 If they're legal permitted engines, it would be, unless it
17 creates a nuisance, and we can talk about the nuisance
18 criteria under the Health and Safety Code.

19 I know it's complicated, but we do have clear
20 enforcement authority with the idling vehicles, crystal
21 clear under the statute ATCM authority and in our
22 regulation.

23 MS. SHPAK: But that's a specific incident.

24 And real question was the more general one about
25 how immediate is your enforcement response, because these

1 mobile sources move on. Problem is gone. What do you
2 need as proof that it did exist?

3 MOBILE SOURCE ENFORCEMENT BRANCH CHIEF JACOBS:

4 We need the date, time, location, the license plate
5 number, and the like, and we will go out and investigate
6 and check the fleet for total compliance for all programs.
7 And usually it happens within a 24-hour period we can
8 respond.

9 MS. SHPAK: Within a 24-hour period?

10 MOBILE SOURCE ENFORCEMENT BRANCH CHIEF JACOBS:

11 Yeah, but I encourage you and your community members to
12 report these violations. It's critical that they're
13 reported through the 800 numbers and our web page so we
14 have a record of them. That's how allocate resources. We
15 do need a running count, and we do tens of thousands of
16 unannounced inspections in these communities yearly. And
17 I've covered those numbers earlier. I know the previous
18 speaker had those questions. So something we're very
19 actively enforcing and will continue. And we've trained
20 air districts to enforce these idling regulations and a
21 lot of local law enforcement and are working with CHP to
22 do the same.