



AIR POLLUTION CONTROL DISTRICT

POLICY: THE UNANNOUNCED INSPECTION

EFFECTIVE: April 04, 1994
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POLICY NUMBER: 26

GENERAL:

This policy and procedure document will provide guidance to APCD inspectors regarding conducting unannounced inspections. With very few exceptions, all inspections are to be unannounced. In order to verify the ongoing compliance of sources of air pollution, it is APCD policy to perform unannounced inspections whenever possible. APCD inspectors will prepare for inspections and proceed to the source to be inspected without contacting the source to make an appointment or give warning of the pending visit. There will be times when, because the source operators will not be expecting the inspector, proper personnel may not be present, or safety or security factors prevent source operators from allowing the inspector access to the facility. If this should happen the inspector should explain the purpose of the inspection, request access politely and, if all attempts to gain entry fail, the APCD inspector shall issue an NOV for violating H&SC 41510, leave the premises and contact the inspector supervisor. If necessary, the APCO may consult with District Counsel and determine if an inspection warrant is needed. If an inspector observes from off-site a potential violation of APCD rules, the inspector will make all efforts to gain legal access to the location of the violation and conduct an immediate investigation and inspection.

PROCEDURE:

1. Prepare for the inspection using the guidelines provided in Policy No. 16, *Inspections Procedures and Guidelines*, Policy No. 16.A, *Approval, Observation, and Evaluation of Source Tests*, and Policy No. 23, *Safety While Conducting Inspections*.
2. Roughly plan out your day so that you make the most efficient use of your time and vehicle trips.
3. Travel to facilities without calling the facilities' operators prior to leaving the office.
4. Upon arrival at a facility to be inspected, attempt to gain legal access as outlined in Policy No. 24, *Access to the Facility*.
5. With any contact with the source, inform them that the unannounced inspections are required and that you will expect to be accommodated. Determine who can

accompany the inspector if the normal contact is not available. Make sure that you have contact numbers for key personnel.

6. Note in the inspection report that the inspection was unannounced.
7. If denied access:
 - A. Ask Why?
 - B. Record the answer
 - C. Explain the access rights guaranteed by the Health and Safety Code 41510.
 - D. If access to the facility continuous to be denied, follow procedures on Policy No. 24, *Access to the Facility*.
8. If the facility operator requests that appointments be made for inspections:
 - A. Explain APCD's unannounced inspection policy.
 - B. Tell the facility operator if they have questions to contact the inspector supervisor.
9. In the case of specific security or safety considerations which may impede an inspector's ability to conduct unannounced inspections of any source, the Compliance Division Manager will hold an office conference with the facility operators for the purpose of developing a source specific policy designed to meet the needs of both the APCD and the source.

EXCEPTIONS TO UNANNOUNCED INSPECTIONS

It is the policy of the APCD to conduct unannounced inspections; however, there are exceptional circumstances in which an unannounced inspection may not be possible, following is a list of unique circumstances in which an exception to unannounced inspection may be appropriate:

1. Continuously Operating Un-Staffed Facilities (or those not staffed with someone who can accompany the inspector, including those conducted with a consultant). An example would be a remotely located emergency power generator.
 - A. Contact the source the day of the inspection and set a time for that day. If the source has multiple permits, do not mention which equipment is to be inspected first.
 - B. Supervisor approval is required if a longer notification period is necessary. This includes approval to schedule a later inspection date at the source's request.

2. Special Equipment Needed. Some sources may need equipment on site in order to conduct an inspection. An example is a gas station that require source test equipment in order to determine compliance.
 - A. Contact the source the day of the inspection and set a time for that day.
 - B. Supervisor approval is required if a longer notification period is necessary. This includes approval to schedule a later inspection date at the source's request
3. Multiple Day Inspections
 - A. Begin the inspection by contacting the source on the day of the inspection. You may arrange further days of inspection during that week, but do not schedule for subsequent weeks. Avoid letting the source know what equipment is to be inspected during the week. Repeat this process as required.
4. Variable Operating Un-Staffed Facilities, such as silo load-ins, peaker plants, soil remediation sites, and telecommunication sites.
 - A. These facility inspections have to be scheduled in order to see the equipment operate.
5. ATC inspections may be scheduled. ATC inspections are usually conducted by a permitting engineer.
6. Breakdown, NTC, and NOV follow-up inspections may be arranged.
7. Other exceptions require written approval from the APCO.


Belen Lopez
Air Pollution Control Officer