



Douglas A. Ducey
Governor

ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY



Misael Cabrera
Director

CERTIFIED MAIL
Return Receipt Requested

[Return Receipt Requested]

[Date]

[Facility Owner/Facility Operator]
Attention: [Attention First Name] [Attention Last Name]
[Address]
[City, State, Zip]

Case ID #: [Case ID #]

Re: Notice of Violation issued to [Facility Owner/Facility Operator]

Dear [Prefix] [Attention Last Name]:

This letter constitutes the monthly update on the status of Arizona Department of Environmental Quality (“ADEQ”) action resulting from ADEQ’s inspection of the above-referenced site on [Inspection Date], as required by A.R.S. § 41-1009(J).

The attached Notice of Violation (“NOV”) is an informal compliance assurance tool used by ADEQ to put a responsible party (such as a facility owner or operator) on notice that the Department believes a violation of an environmental requirement has occurred. It describes the facts known to ADEQ at the time of issuance and cites the requirement that ADEQ believes the party has violated.

Although ADEQ has the authority to issue appealable administrative orders compelling compliance, an NOV has no such force or effect. Rather, an NOV provides the responsible party an opportunity to do any of the following before ADEQ takes formal enforcement action: (1) meet with ADEQ and discuss the facts surrounding the violation, (2) demonstrate to ADEQ that no violation has occurred, or (3) document that the violation has been corrected.

ADEQ reserves the right to take a formal enforcement action, such as issuing an administrative order or filing a civil lawsuit, regardless of whether the Department has issued an NOV. Neither ADEQ’s issuance of an NOV nor its failure to do so precludes the Department from pursuing these remedies. However, the timeliness of a complete response to this notice will be considered by ADEQ in determining if and how to pursue such remedies.

Sincerely,

[ADEQ Unit Manager] , Manager
[Unit]

CC: [cc list]

Enclosure: ADEQ Notice of Violation Case ID [Case ID #]