



# ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY

## NOTICE OF INSPECTION RIGHTS

FACILITY INFORMATION	ADEQ INFORMATION
<b>Facility Name (Customer):</b>	<b>Date/Time of Inspection:</b>
<b>Facility Location (Place):</b>	<b>County:</b>
	<b>Inspector:</b>
<b>Mailing Address:</b>	<b>Telephone:</b>
	<b>Accompanied by:</b>
<b>Responsible Party:</b>	<b>ADEQ Follow-up Contact:</b>
<b>On-Site Representative:</b>	
<b>Telephone:</b>	<b>Title:</b>
<b>Title:</b>	
<b>E-mail:</b>	<b>Telephone:</b>

The ADEQ representative(s) identified above were present at the above address on the above listed date and time. Upon entry to the premises, the ADEQ representative(s) met with me, presented photo identification indicating that they are ADEQ employees and explained:

**That the purpose of the inspection is to determine:**

- Compliance with Title 49 of the Arizona Revised Statutes, Title 18 of the Arizona Administrative Code\* and/or:

Arizona Revised Statutes: Title \_\_\_\_\_, Chapter \_\_\_\_\_, Article \_\_\_\_\_.

Arizona Administrative Code: Title \_\_\_\_\_, Chapter \_\_\_\_\_, Article \_\_\_\_\_.

Permit/Agreement Number: \_\_\_\_\_.

- Qualification for a license issued pursuant to:

Arizona Revised Statutes: Title \_\_\_\_\_, Chapter \_\_\_\_\_, Article \_\_\_\_\_.

Arizona Administrative Code: Title \_\_\_\_\_, Chapter \_\_\_\_\_, Article \_\_\_\_\_.

- That this inspection is conducted pursuant to the authority granted in Arizona Revised Statutes § 49-104(B)(8) and/or:

Arizona Revised Statutes: § \_\_\_\_\_.

Arizona Administrative Code: \_\_\_\_\_.

Permit/Agreement Number: \_\_\_\_\_.

- That the state shall not be barred by the statutes of limitations of actions, according to A.R.S. § 12-510, except as provided in A.R.S. § 12-529 concerning certain claims based on navigability of watercourses. According to 28 U.S.C. § 2462, the U.S. government must commence an action within 5 years after the date the claim first accrued.

- Possible applicability of Small Business Bill of Rights pursuant to Arizona Revised Statutes § 41-1001(21)

**That the fee for this inspection is:** \_\_\_\_\_.

\*The Arizona Revised Statutes (A.R.S.) can be found on the internet: [www.azleg.state.az.us/ArizonaRevisedStatutes.asp](http://www.azleg.state.az.us/ArizonaRevisedStatutes.asp) while the Arizona Administrative Code (A.A.C.) can be found at [www.azsosaz.gov/public\\_services/Table\\_of\\_Contents.htm](http://www.azsosaz.gov/public_services/Table_of_Contents.htm)

While I have the right to refuse to sign this form, the ADEQ representatives may still proceed with the inspection

- I have read this notice and discussed any questions or concerns with the ADEQ representatives and I have received the Small Business Bill of Rights.

\_\_\_\_\_  
Signature of Regulated Person or Authorized On-Site Representative

\_\_\_\_\_  
Date

- The regulated person or authorized on-site representative refused to sign.

\_\_\_\_\_  
Name of Regulated Person or Authorized On-Site Representative      Title

- The regulated person or an authorized on-site representative was not present at the facility.

\_\_\_\_\_  
Signature of ADEQ Representative      Date

## INSPECTION RIGHTS

- I understand that I can accompany the ADEQ representative(s) on the premises, except during confidential interviews.
- I understand that I have right , on request, to:
  - Copies of any original documents taken during the inspection, and that ADEQ will provide copies of those documents at ADEQ's expense;
  - A split of any samples taken during the inspection, if the split of the samples would not prohibit an analysis from being conducted or render an analysis inconclusive;
  - Copies of any analysis performed on samples taken during the inspection and that ADEQ will provide copies of this analysis at ADEQ's expense;
  - Copies of any documents to be relied on to determine compliance with licensure or regulatory requirements if the agency is otherwise permitted by law to do so.
- I also understand that:
  - Each person who is interviewed by an ADEQ inspector during the inspection must be informed that:
    - (1) participation in an interview is voluntary, unless legally compelled to participate;
    - (2) they have the right to have an attorney or other experts in their field present during the interview to represent or advise the regulated person;
    - (3) the ADEQ inspector may not take any adverse action or treat less favorably or draw any inference as a result of the regulated person's decision to be represented by an attorney or advised by any other experts in their field;
    - (4) statements made by the person may be included in the inspection report; and
    - (5) they have the right to 24 hours to review and revise any written witness statement drafted by the ADEQ inspector on which the ADEQ inspector requests that person's signature.
  - If the information and documents provided to the ADEQ inspector become a public record, trade secrets and proprietary and confidential information may be redacted, unless the information and documents are not confidential pursuant to statute.
  - Each person interviewed during the inspection must be informed that statements made by the person may be included in the inspection report;
  - Each person whose conversation is tape recorded during the inspection must be informed that the conversation is being tape recorded;
  - If an administrative order is issued or a permit decision is made based on the results of the inspection, I have the right to appeal that administrative order or permit decision. I understand that my administrative hearing rights are set forth in Arizona Revised Statutes § 41-1092 *et seq.* and my rights relating to an appeal of a final agency decision are found in Arizona Revised Statutes § 12-901 *et seq.*;
  - If I have any questions or concerns about this inspection, I may contact the person listed as the ADEQ Follow-up Contact on the front of this form; ADEQ's Ombudsman at (602) 771-4322 (toll free inside Arizona at (800) 2345677, extension, 771-4322); or the Arizona Ombudsman-Citizens' Aid office at (602) 277-7292 (toll free at (800) 872-2879);
  - If I have any questions concerning my rights to appeal an administrative order or permit decision, I may contact ADEQ's Office of Administrative Counsel at (602) 771-2212 (toll free inside Arizona at (800) 234-5677, extension 771-2212).