



**Maricopa County**  
Air Quality Department

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Title: **No Permit and Expired Permit Violations Enforcement Guidance**

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Approved by:

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**I. Purpose**

This document provides enforcement guidance to be used by the department when a source is discovered operating without a permit, under an expired permit, or an inactive permit due to non-payment of fees.

**II. Procedural Guidance—No Permit**

Where a source is discovered operating without a permit or with an expired or inactive permit, the department will issue either an Opportunity to Correct (OTC) or a Notice of Violation (NOV) following the procedures listed below:

**A. Operating Without a Permit**

**1. General Permit Required:**

- a. If the source has never had a permit in the past according to EMS, issue an OTC. Allow the source ten business days to submit the application. If not submitted within ten business days, issue an NOV.
- b. If the source has had permits in the past according to EMS, issue an NOV.

**2. Non-Title V Permit Required (*applies only to activities for which a general permit is not available*):**

- a. If the source has never had a permit in the past according to EMS, issue an OTC. Allow the source ten business days to submit the application. If not submitted within ten business days or the source has not reached a documented understanding with the permitting division to submit an application by a date certain, issue an NOV.
- b. If the source has had permits in the past according to EMS, issue an NOV.

**B. Operating Under an Expired Permit:**

1. If a source is operating with an expired general permit but is not late on their fees, issue an OTC. Allow the source ten business days to submit the renewal application.

2. If a source is operating with an expired NTV permit but is not late on their fees, issue an OTC. Allow the source ten business days to submit the renewal application. If not submitted within ten business day or the source has not reached a documented understanding with the permitting division to submit an application by a date certain, issue an NOV.

C. Operating with an "Inactive" Permit Due to Non-payment of Fees:

1. If a source is operating with an inactive permit due to the failure to pay fees, check to determine if delinquency letters or an NOV has been issued. If none has been issued, refer the matter to enforcement.
2. A 30 day penalty grace period will be provided following the issuance of the NOV for late payment of a permit fee. If the permit fee has not been paid by the end of the 30 day period or agreed upon arrangements have been made to pay the fee, a penalty will be sought.