

Division of Air Quality
Request for Sheriff's Fee's Check - Notice of Violations
Standard Operating Procedures
29 July 2008

The purpose of this standard operating procedure is to regulate the method of processing requests for Sheriff's Fees to deliver Notices of Violations throughout the state. During the course of the day, Air Quality personnel may witness/verify violations of the General Statutes that govern air quality. During this process, it may be determined that a recommendation for the assessment of a civil penalty is warranted. The DENR Office of the Controller will manually print all checks for Sheriff's Fees. No other means of payments are authorized, i.e., personal checks, petty cash, Purchasing Card.

In the event a check is issued and is later determined to be no longer required, the check must be returned to the DAQ Budget Section within sixty (60) days of the check date.

Upon completion and approval of a Notice of Violation, the following procedures must be followed to get a check for the Sheriff's Fees to present the Notice of Violation:

- A. Complete a Cash Disbursement Code Sheet; gray highlighted portion (See Figure 1), please note, you must generate an Invoice number as follows:
 - a. AQ – Abbreviation for Air Quality
 - b. Abbreviation of the regional office name
 - c. Two digit number of the month
 - d. The three digit number of requests for sheriff's fee check for the month**Example (AQWARO-06-001)**
- B. Date of the Notice of Violation
- C. Amount of Sheriff's Fee (Normally \$15.00)
- D. Comment Section, Enter information pertaining to the individual/facility that the Notice of Violation is issued.
- E. If delivery instructions are other than what is listed on the Remit Code/Message line, attach a special instructions sheet. The check will always be made payable to the specific county sheriff's office and the mail check will be to the specific Enforcement Section/Regional Office. (See Figure 2)
- F. Attach the Notice of Violation Letter (See Figure 3)
- G. Email all forms to both gladys.woods@ncmail.net and gerald.o.desoto@ncmail.net

Guidance and forms for Sheriff's Fees may be found on the DAQ web page:
<http://daq.state.nc.us/employee/business/T>

The division point of contact for checks written for Sheriff's Fees is Gladys Woods at (919) 715-9610 or the e-mail address referenced above.

DAQ Sheriff's Fee – Special Instructions



Division of Air Quality



Transmittal

TO:
FAX #:

Re: Direct Pay – **Check Pull**
Date:

Budget Section Use Only

Paying Entity:
Control Group #:
Control Date:
Amount:
Vendor #:

Central/Regional Office Use - Special Instructions:

Make check payable to:

Mail Check to:

*Division of Air Quality
ATTN: Budget Section
1641 Mail Service Center, Raleigh, NC 27699-1641*

*(919) 715-961(Gladys) (919) 733-3147(Bianca) (919) 715-8605(Dawn) (919) 715-6234(Gerald)
Fax: (919) 733-0228*

Figure 2

Sample – Notice of Violation Letter



North Carolina Department of Environment and Natural Resources
DIVISION OF AIR QUALITY

Michael F. Easley, Governor

William G. Ross, Jr., Secretary
B. Keith Overcash, P.E., Director

SAMPLE MEMORANDUM NOTICE OF VIOLATION

CERTIFIED MAIL
RETURNED RECEIPT REQUESTED

Mr. Owner
John Doe Motors
PO Box 12345
Raleigh, North Carolina 27604

SUBJECT: Notice of Violation/Open Burning
Notice of Recommendation for Enforcement
John Doe Motors
Wake County, North Carolina

Dear Mr. Doe:

On February 10, 2006, Mr. Air of this office and Mr. Waste of the Division of Waste Management observed the remains of open burning of tires at John Doe Motors, 123 County Road in Wake County, North Carolina. This letter is to inform you that such open burning is a violation of Title 15A of the North Carolina Administrative Code, Subchapter 2D, Section .1900 "Open Burning." These regulations prohibit disposing of tires by open burning. A copy of the open burning regulation is enclosed for your review.

This letter also serves as a Notice of Recommendation for Enforcement. The Raleigh Regional Office is considering sending a recommendation for assessment of civil penalty to the Director of the Division of Air Quality. **Please respond in writing to the Raleigh Regional Office no later than March 10, 2006.** The response should describe actions that you plan to take or have taken to ensure compliance with the open burning regulations. If you have an explanation for this violation that you wish to present, please include in the response. Your explanation will be forwarded to the Director with the enforcement package for his consideration. The above violation and any future violation of any air quality regulations are subject to the assessment of civil penalties per North Carolina General Statute 143-215.114A

1641 Mail Service Center, Raleigh, North Carolina 27699-1641 · 2728 Capital Boulevard, Raleigh, North Carolina 27604
Phone: 919-733-1728 · FAX: 919-733-1812 · Internet: <http://daq.state.nc.us>

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Figure 3