



Janet Napolitano
Governor

ORIGINAL
ARIZONA DEPARTMENT
OF
ENVIRONMENTAL QUALITY

1110 West Washington Street • Phoenix, Arizona 85007
(602) 771-2300 • www.adeq.state.az.us



0000092692



Stephen A. Owens
Director

FSS Ref. # 568-03

Via U.S. Certified Mail No. 7001-1140-0001-4292-4273

Return Receipt Requested

October 15, 2003

W-01646A-03-0601
W-01868A-03-0601
W-02235A-03-0601
W-02316A-03-0601
W-02230A-03-0601
W-01629A-03-0601
W-02240A-03-0601

John McClain
P.O. Box 2903
Sierra Vista, Arizona 85636-2903

OCT 17 2003

SUBJECT: OUTSTANDING MAP INVOICES

Dear Mr. McClain:

You currently have 18 outstanding invoices for the Monitoring and Assistance Program (MAP). The amount owed is in excess of \$9,200. In a previous conversation with you, you promised to provide me a copy of your bankruptcy filing. As of the date of this letter I have not received that correspondence.

Please submit a bankruptcy filing, a payment, or a payment plan within thirty (30) days of receipt of this letter, or I will be forced to submit your account to the Attorney Generals Office for collection.

This determination may be an appealable agency action under A.R.S. § 41-1092 *et seq.*, and A.R.S. § 41-1001. You have the right to request a Hearing on this matter and to request an Informal Settlement Conference pursuant to A.R.S. § 41-1092.04. To request a Hearing, a "Notice of Administrative Appeal Form" (enclosed) must be filed within thirty (30) days of receipt of this notice. If a "Notice of Administrative Appeal" is not posted within thirty (30) days, the decision is final.

If you have any questions, please call me at (602) 771-4756; or toll-free in Arizona, at 1-(800) 234-5677, extension #771-4756.

Sincerely,

Michael D. Clark, Chief Financial Officer
Fiscal Services Section

Arizona Corporation Commission

DOCKETED

OCT 28 2003

DOCKETED BY

AZ CORP COM
DOCKETED

2003 OCT 28 P 2 41

RECEIVED

MDC:ymej:\clark\acts_rec\ McClain, John_Collection_MAP Invoices_Oct. 15, 2003
Attachments (Invoices and Notice of Administrative Appeal Form)

cc: Mary White, Accounts Receivable
Mike Hill, Monitoring & Assessment Program

Northern Regional Office
1515 East Cedar Avenue • Suite F • Flagstaff, AZ 86004
(928) 779-0313

Southern Regional Office
400 West Congress Street • Suite 433 • Tucson, AZ 85701
(520) 628-6733

ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY

Janet Napolitano, Governor

Stephen A. Owens, Director



**NOTICE OF APPEAL
FISCAL SERVICES FORM**

DATE: _____ TELEPHONE NUMBER: _____

FAX NUMBER: _____

PERSON OR FACILITY
FILING APPEAL: _____

ADDRESS: _____

I WOULD LIKE AN INFORMAL SETTLEMENT CONFERENCE: YES NO

NAME OF THE AGENCY WHOSE
ACTION IS BEING APPEALED: _____

ACTION BEING APPEALED: _____

REASON (S) FOR APPEAL (ATTACH ADDITIONAL SHEETS, AS NEEDED):

This Notice should be filed with:

Judith A. Fought, Acting Hearing Administrator
Office of Special Counsel, 6th Floor
Arizona Department of Environmental Quality
1110 W. Washington Street
Phoenix, AZ 85007

This Notice must be filed by either mailing the Notice by certified mail, return receipt requested, or by personally delivering the Notice to the Office of Special Counsel.

Print name of person or Facility Representative
completing this Notice: _____

Signature of Representative: _____

NOTICE OF APPEALABLE AGENCY ACTION

Pursuant to Arizona Revised Statute(s) (A.R.S.) § 41-1001 and § 41-1092 et seq., the attached referenced agency action may constitute an appealable agency action. To obtain an administrative hearing on the Department of Environmental Quality's ("Department") decision, a Notice of Appeal ("Notice") must be filed with the Department within thirty (30) days of receipt of this notice. The Notice of Appeal must contain the following:

1. The name of the person or facility that is filing the appeal.
2. The address of the person or facility that is filing the appeal. The person or facility must notify the Department of any change of address within five (5) days of the change.
3. The name of the Agency whose decision is being appealed. In this matter, the Agency is the Arizona Department of Environmental Quality or ADEQ.
4. A concise statement of the reasons for the appeal.

If you choose to appeal and would like to attempt to settle this matter before the administrative hearing occurs, you must file a written request for an informal settlement conference with the Hearing Administrator pursuant to A.R.S. § 41-1092.06. This can be accomplished by checking "Yes" in the appropriate place on the attached Notice of Appeal (on the other side of this form) and by timely filing your Notice of Appeal. If you wish to request an informal settlement conference at a later time, you must file a separate request no later than twenty (20) days before the hearing. Your request should clearly state the fact that you are requesting an informal settlement conference.

The informal settlement conference will include members of the appropriate ADEQ Program. If you would like a particular person to attend, please indicate the name of the individual(s) in the "Reason for Appeal Section." The ADEQ will hold the informal settlement conference within 15 days of receiving the request. **Filing an informal settlement conference request does not change the scheduled hearing date.**

The Notice of Appeal and the request for an informal settlement conference, if applicable, must be filed by either mailing the Notice by certified mail, return receipt requested, or by personally delivering the Notice to:

Judith A. Fought, Acting Hearing Administrator
Office of Special Counsel, 6th Floor
Arizona Department of Environmental Quality
1110 W. Washington Street; Phoenix, AZ 85007

Please send a copy (via U.S. Mail) of the Notice of Appeal and the request for an informal settlement conference, if applicable, to:

Office of the Attorney General
Environmental Enforcement Civil Unit - Administrative Appeals Desk
1275 W. Washington; Phoenix, AZ 85007

An Administrative Hearing will be held within sixty (60) days of the ADEQ receiving the Notice of Appeal. The hearing will be conducted by an Administrative Law Judge from ADEQ. The Office of Administrative Hearings will notify the parties of the hearing date at least thirty (30) days prior to that date.

(REV: 08/14/03)