



GUAM ENVIRONMENTAL PROTECTION AGENCY • AHENSIAN PRUTEKSÍON LINA'LA' GUÁHAN  
LOURDES A. LEON GUERRERO • GOVERNOR OF GUAM | JOSHUA F. TENORIO • LIEUTENANT GOVERNOR OF GUAM  
WALTER S. LEON GUERRERO • ADMINISTRATOR | MICHELLE C. R. LASTIMOZA • DEPUTY ADMINISTRATOR

Sivalingam (Silva) Subramaniam  
President  
UMS Heavy Equipment Rental  
DBA UMS Hardfill Facility  
722 O'Brien Drive  
Hagatna, Guam 96910

NOV 22 2021

received  
J. Leon 11/22/21  
GOB CMAA

RE: Notice of Violation, Order of Compliance, and Administrative Penalty Order  
(NOV/OC/APO) No. SW 21-002

Hafa Adai Mr. Subramaniam:

*Buenas yan Saluda.* You are hereby advised that this Notice of Violation/Order of Compliance/Administrative Penalty Order No. SW21-002 is being issued to you, as the President of UMS Heavy Equipment Rental dba UMS Hardfill Facility (herein after referred to as UMS), located at Salas Street, Mangilao, Guam.

The Guam Environmental Protection Agency (Guam EPA) is charged with the responsibility of implementing and enforcing the Solid Waste Management and Litter Control Act (SWMLCA), as amended, Chapter 51 of Title 10, Guam Code Annotated (GCA), Public Law No. 23-64.

Guam EPA has the authority to “prepare, issue, modify, remove, and enforce orders for compliance with any of the provisions of this Chapter, or of any rules and regulations issued pursuant thereto, and requiring the taking of such remedial measures for solid waste management as may be necessary or appropriate to implement or effectuate the provisions and purposes of this Chapter.” 10 GCA §51103(a)(9).

Guam EPA also has the authority to “impose and collect penalties against any person for the violation of any of its rules, regulations or compliance orders issued under Chapter 51.” 10 GCA §51103(a)(10).

Any person who knowingly violates any solid waste management provision of this Chapter, or any valid solid waste management rule or regulation promulgated under Chapter 51 or who refuses or neglects to comply with any lawful order issued by the Administrator in carrying out the provisions of this Chapter shall, in addition to clean-up costs and other damages, forfeit and pay a civil penalty of not more than \$1,000 per day for each violation or noncompliance.” 10 GCA §51115(b). 10



GCA §51115 (e). Each day of continued violation of Chapter 51 or rules and regulations authorized under Chapter 51 is deemed a separate violation. 10 GCA §51110(b).

On July 12, 2021, Guam EPA received an anonymous complaint regarding the disposal of various solid wastes being accepted and disposed at UMS Hardfill Facility in Mangilao.

On July 12, 2021, at approximately 2:50 p.m., duly authorized representatives from Guam EPA conducted a compliance inspection based on the conditions of the permit issued to UMS. The inspection included a physical walk-thru of the following areas:

- Disposal Site 1 - Lot Number L339-4A-4 (Office and screening area)
- Disposal Site 2 - Lot Number L339-4A-5 (Next to the Quarry)
- Disposal Site 3 - northwest of Lot Number L339-4A-4

During this inspection, the following wastes were observed approximately, One Hundred Fifty (150) cubic yards (cy) of mixed construction debris consisting of metals, wood, trash, white goods, waste tires, electronics, approximately Forty (40) waste tires, and Seven (7) junk U.M.S. dump trucks. About Two Hundred Fifty (250) cy of comingled solid waste consisting of trash, wood, and metals, along the ridge of the pit next to the wood processing area on Disposal Site 2, and approximately Six Hundred Forty-four (644) cy of partially buried comingled construction debris consisting of wood, construction trash, and metals on Disposal Site 3.

Upon notifying the Respondent of the solid waste violations, he immediately deployed assets to sort, clean, and expeditiously remove the unauthorized waste. On July 20, 2021, the Respondent removed all unauthorized debris from the sites. Waste Disposition Summary and disposal receipts were requested to date and have not been provided to Guam EPA.

A Guam EPA detailed compliance evaluation inspection report and photo evidence collections of the investigation conducted at the site are enclosed. In addition, photo evidence collections of the ongoing clean-up at the site are also included.

### **NOTICE OF VIOLATIONS**

Based on the investigation conducted, UMS is in violation of the following sections of the Guam Solid Waste Management and Litter Control Act, as amended, Chapter 51 of Title 10 GCA and the Guam Solid Waste Collection Rules and Regulations.

1. "It shall be unlawful for any person to violate any provision of this Chapter or any rule, regulation, standard, or order issued pursuant to this Chapter." 10 GCA §51110(a)(1).

➤ *UMS violated provisions of the Solid Waste Management and Litter Control, as described in this report.*

2. "It shall be unlawful for any person to place, or allow to be placed, any solid waste upon the highways, public or private property contrary to the provisions of this Chapter." 10 GCA §51110(a)(3).
  - *UMS placed or allowed unauthorized solid wastes (metals, woods, trash, white goods, waste tires, electronics, and household wastes) on Disposal Sites 1, 2, & 3 contrary to the provisions of this Chapter by violating Solid Waste Management Permit No. 18-018 HLF, Item 14 Prohibitions and Item 15a. Authorized Waste.*
3. "It shall be unlawful for any person to store, collect, transport, process, or dispose of solid waste in such a manner as to degrade the environment, create a public nuisance, create a health or safety hazard, or violate any provisions of this Chapter." 10 GCA §51110(a)(5).
  - *UMS allowed the storage, disposal, and burial/ hardfilling of miscellaneous solid waste (metals, wood, trash, white goods, waste tires, electronics, and household waste that degraded the environment, created a public nuisance, and created a health and/or safety hazard violating Solid Waste Management Permit No. 18-018 HLF, Item 14 Prohibitions and Item 15a. Authorized Waste.*
4. "It shall be unlawful for any person to improperly manage or operate a solid waste management facility. 10 GCA §51110(a)(9).
  - *UMS violated the hardfill permit requirements by not following the facility layout plan, fill plan, accepting unauthorized waste, and burial/hardfilling of unauthorized waste such as trash, metals, appliances, white goods, tires, and wood violating Solid Waste Management Permit No. 18-018 HLF, Item 14 Prohibitions and Item 15a. Authorized Waste.*

### **ORDER OF COMPLIANCE**

Based on the violations cited above, Guam EPA hereby requires UMS to perform the following remedial measures within the time frames stated below, from the date of receipt of this Order:

1. Immediately cease all illegal waste activity on the subject property;
2. Within seven (7) calendar days upon receipt of this NOV/OC/APO, submit the following:
  - (a) Volume of waste removed and disposed at Guam EPA Permitted facility.
  - (b) Volume of waste recycled at Guam EPA Permitted facility.

Nothing in this Order of Compliance limits the ability of Guam EPA to enforce any provisions of applicable Guam laws and regulations. Guam EPA does not waive any rights or remedies available to it. Failure to comply with this Compliance Order may subject you to additional administrative, civil, or criminal penalties.



## **ADMINISTRATIVE PENALTY ORDER**

In addition to this Notice of Violation/Order of Compliance, the Administrator of Guam EPA, pursuant to 10 GCA §§ 51115 (b) and (e) hereby imposes an administrative penalty.

The maximum administrative penalty for solid waste is one thousand dollars (\$1,000.00) per day, per solid waste violation, or twenty-seven thousand dollars (\$27,000.00) for three (3) violations of Sections 51110(a)(3), (5), and (9) for nine (9) days beginning on July 12, 2021 and ending on July 20, 2021.

The Administrator has used the statutory factors in assessing the amount of the penalty. The factors include the nature and history of these and prior violations, and the opportunity, difficulty and history of taking corrective action. The factor of whether the solid wastes are hazardous wastes is not included.

The Administrator has also considered the following factors in determining the administrative penalties:

- (1) Guam EPA UMS Solid Waste Management records showed that UMS was issued the following Notice of Violations/Order of Compliance/Administrative Penalty Order for solid waste violations:
  - SW09 – Calendar year 2013 Penalty Amount \$21,000.00
  - SW25 – Calendar year 2014 Penalty Amount \$4,000.00
  - SW07 – Calendar year 2015 Penalty Amount \$6,000.00
- (2) A written Letter of Warning was issued March 30, 2020 for Air Pollution Control Violations.

Therefore, the Administrator assesses a \$1,000 penalty per day per violation for each of the three (3) solid waste violations of Sections 51110(a) (3), (5), and (9) in the sum of \$27,000.00 for nine (9) days. You are presumed under the law to be able to pay the penalty under 10GCA Chapter 51.

The penalty amount is due and owing fifteen (15) calendar days from the date of receipt of this Administrative Penalty Order. The payment due date will stay upon the timely filing of a Notice of Intent to Appeal/Notice of Defense. Failure to comply with this Administrative Penalty Order may subject you to additional administrative penalties or civil or criminal actions as described above.

## **NOTICE OF RIGHT TO APPEAL**

You may file within fifteen (15) calendar days from the receipt of this NOV/OC/APO, a Notice of Intent to Appeal, also known as a Notice of Defense with the Guam EPA's Board of Directors, setting forth in such Notice of Intent to Appeal/Notice of Defense, a verified petition outlining



the legal and factual bases for such an appeal. A copy of the Notice of Intent to Appeal/Notice of Defense is attached.

Unless a written request for a hearing signed by you or on your behalf is hand-delivered or mailed to Guam EPA within fifteen (15) calendar days from the receipt of this NOV/OC/APO, Guam EPA may proceed upon the NOV/OC/APO without a hearing.

As provided in 5 GCA §9205, a "Notice of Intent to Appeal also known as a Notice of Defense, may be hand-delivered or mailed to the following address:

Guam Environmental Protection Agency Board of Directors  
c/o Administrator  
Attn: Air & Land Division  
Guam Environmental Protection Agency  
Building 17-3304 Mariner Avenue. Tiyan  
Barrigada, Guam 96913

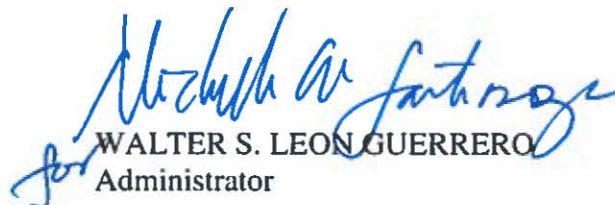
If you file a Notice of Intent to Appeal/Notice of Defense, the Guam EPA's Board of Directors shall hold a public hearing, not more than sixty (60) calendar days after receipt of such Notice of Intent to Appeal/Notice of Defense, at which time you may appear and present evidence in person or through counsel in support of this Petition.

Failure to file a Notice of Intent to Appeal and Verified Petition within the period specified above will constitute a waiver of your right to a hearing. If you waive your rights to a hearing, the Order of Compliance and Administrative Penalty Order will become final, and Guam EPA may proceed upon the Orders without a hearing and further notice to you.

Should you have any questions concerning the NOV/OC/APO, please get in touch with the Solid Waste Program, Mr. Glenn V. San Nicolas, at 300-4751.

*Dangkolu na si Yu'us ma'ase'.*

*Senseramente,*

  
WALTER S. LEON GUERRERO  
Administrator

Attachments: CEI Report  
Notice of Intent to Appeal





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## **Solid Waste Compliance Evaluation Inspection Report**

**Purpose:** NOV/OC

**Date of Investigation:** July 12, 2021

**Facility Name:** UMS Hardfill

**SWMF Permit Number:**

**Site Location:** Lot No.339-4A-R5,-1,-2,-3,-4,&-5, Salas Street  
Mangilao Guam 96913

**General Manager:** Sivalingam (Silva) Subramaniam

**Alleged Violator:** Sivalingam (Silva) Subramaniam

**Mailing Address:** P.O. Box 71 Chalan Pale RH STE 116-639  
Yigo

**Contact Number:** 671-888-3384

**GEPA Representatives:** Glenn San Nicolas & Derien K. Mitchell

**Phone:** 300-4751

**Report Date:** 07-12-2021

UMS Hardfill, Mangilao  
Lot #: M05 L5231-2-2  
Dededo, Guam

Site Map



Figure 1: Disposal Site locations: D1, D2, and D3



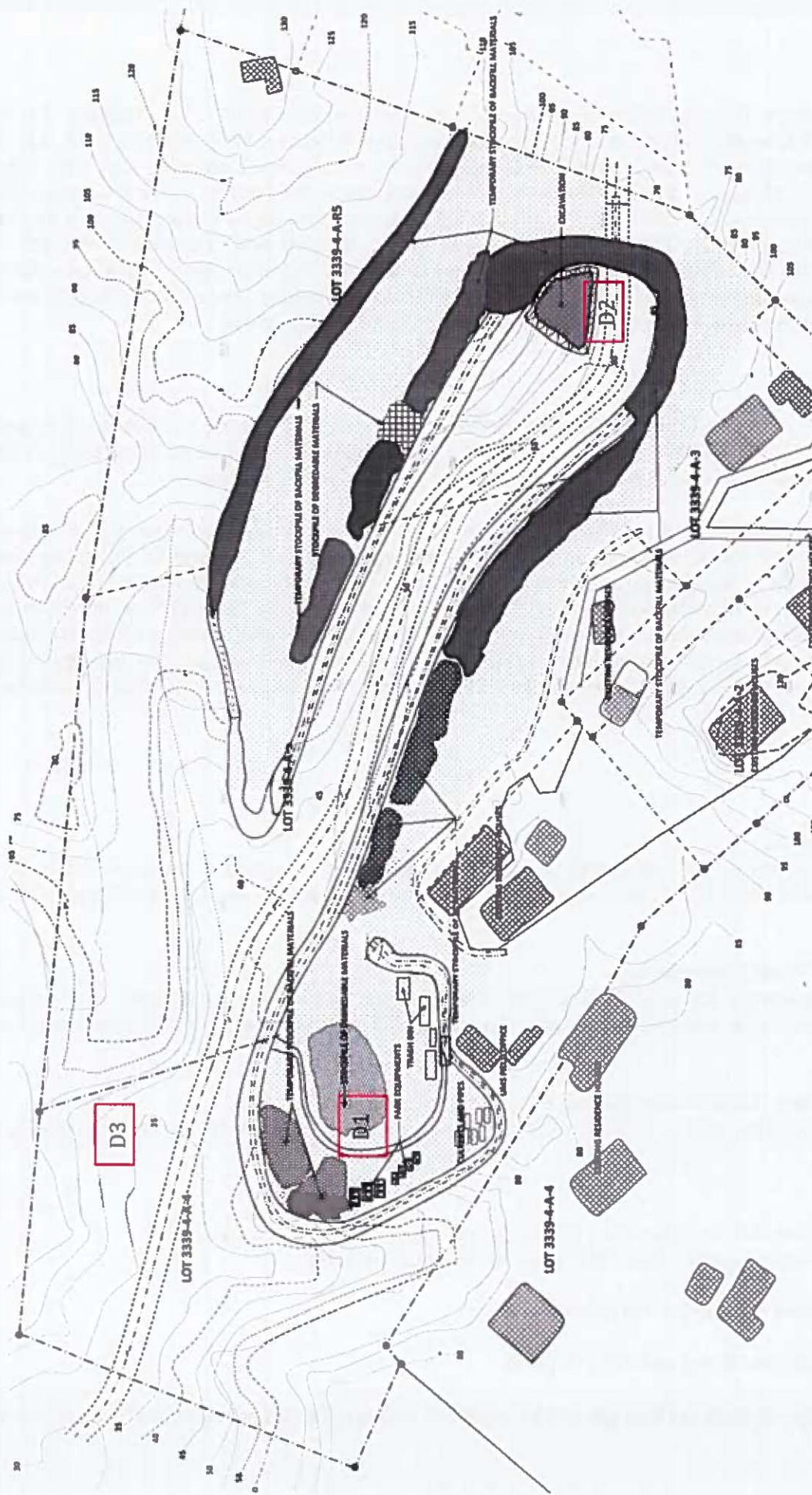


Figure 2: Lot locations: L339-4A-4, L339-4A-5, L339-4A-R5, Mangilao.



## **Background**

According to the Land Records Division Office of the Recorder document number 768827, Lot Numbers: L339-4A-4, L339-4A-5, & L339-4A-R5 Mangilao, the property owned by Mr. Jesus Salas (Donee) is Deed of Gifted to Mr. Mariano C. Salas and Ms. Marie C. Salas (Donors). The Deed of Gift allowed for rents, issues, profits, property, and estate, right, title, interest, property, possession, claim, and demand whatsoever, all on the property. The lots are located just outside the 1000 ft. well protection zone of the GWA A13 DW well. According to the National Hydrography Dataset, a stream runs through the property. As a water thoroughway, a forty-eight (48) inch culvert was installed under the hardfill by UMS. UMS Equipment Rental operates the UMS Hardfill Mangilao which allows for the screening of De Minimis residual waste (paper, plastic, wood, etc....) to ensure the integrity of hardfill (concrete rubble, tile, porcelain, cement board, fiber glass material, and similar waste). UMS also operates a wood processing facility for wood chips and mulch.

## **Introduction**

On July 12, 2021, at approx. 1450 hrs. Guam Environmental Protection Agency (Guam EPA) conducted a Compliance Evaluation Inspection (CEI) due to a solid waste complaint of illegal dumping of solid waste, specifically comingled construction debris, trash, disposal of a helicopter, and hard filling of mixed construction debris.

After proper introductions and explaining the purpose of inspection to Ms. Yvonne Asuncion, Cashier/Initial Screener/Site Representative, Guam EPA representatives Glenn San Nicolas and Derien K. Mitchell conducted a CEI of the screening area (Disposal Site 1 (D1)), pit by wood processing area (Disposal Site 2 (D2)), and the northwestern end of the hardfill (Disposal Site 3 (D3)) past the wood processing area. Ms. Asuncion was not able to join Guam EPA on the site inspection since she was manning the office. According to Ms. Asuncion, she was unaware of the illegal storage of mixed construction debris, trash, wood, metals, and tires (comingled waste) by D2, buried waste located at D3, and any helicopters illegally buried or dumped at the site. Since she only screens and directs the incoming loads to the receiving area for screening. Site photos were taken.

## **Inspection**

July 12, 2021:

Disposal Site 1: Screening Area

Guam EPA observed approximately 150 cubic yards (cy) of mixed solid waste consisting of metals, wood, trash, white goods, waste tires, electronics, about forty (40) sorted waste tires by the 20' shipping container, and 7 junk UMS dump trucks stored for parts.

Disposal Site 2: Pit next to Wood Processing area

Guam EPA observed approximately 222 cy (150'x8'x5') of comingled solid waste consisting of trash, wood, and metals, along the ridge of the pit next to the wood processing area. Between the pit and the wood processing area, about 50 waste tires and a metal pile.

Disposal Site 3: North Western side of the hardfill past the wood processing area

Guam EPA observed approximately 644 cy (145x20x6) of partially buried comingled construction debris consisting of wood, trash, and metals.

July 20, 2021:

Disposal Site 1: Screening Area Site unauthorized waste sorted and removed with the exception of Approx. forty (40) sorted waste tires and 7 junk UMS dump trucks stored for parts.

Disposal Site 2: Site cleaned of all unauthorized debris.

Disposal Site 3: All debris unearthed, and sorted for disposal.

Debris Disposition Summary and Disposal Receipts will be submitted to Guam E.P.A. once completed. Site photos were taken.



## Chronology:

Date	Time	Guam EPA Rep.	UMS Rep.	Location	Remarks
7/12/2021	1450	GVSN/DKM	Yvonne Asuncion	UMS Mangilao	Site inspection of D1,D2, & D3
7/13/2021	1403	GVSN	Mr. Silva, President Bob Camba, Operator	UMS D1, D2, & D3	D1& D2 cleanup underway: Debris from ridge removed. D2/1405: 2-30 cy roll off bins (ROB), 1-12 cy ROB/ 4 Sorted piles: 1-waste tire, 1 mixed waste from ridge area, 1 metal, and 1 wood. Wood processing underway for pallets. D3 Visit: Mr. Silva and Mr. Camba was instructed not to start debris removal on D3 until D1 & D2 is complete and Guam EPA is on site to delineate extent of contamination. D1/1516: 2-14 cy dump trucks, and 2- 24 cy & 1-12 cy ROB on site. Sorting in progress. Mr. Silva was instructed to keep all disposal receipts and submit a waste summary once the site is cleaned.
7/14/2021	1637	GVSN	Mr. Silva	D1& D2	D2: Site cleaned. Mr. Silva was instructed to keep all disposal receipts and submit a waste summary once the site is cleaned. D1: 2-12 cy & 1-30 cy ROB full of trash. Tires still on site. Approx. 28 cy of mixed debris pile remains.
7/15/2021		GVSN/WLG/DKM	Mr. Silva	D2	D2: Site cleanup status/ D3 ready to begin. (Rain Delay) No Activity. Start 7/16/2021
7/16/2021	10-11 10-5	DKM/RD/GVSN DKM/RD	Mr. Silva	D3	D3 Delineation: Exploratory trench (ET) approx. 4 ft. bellow ground (bg) starting from approx. 145ft from the end were visible signs of buried debris 2ft bg. are visible along the side slopes. 10ft increment ET until no signs of debris. At Site delineated starting at the end of D3 to delineation mark approx. 155 ft. from the end. Start of D3 Cleanup unearth waste stockpiled across Wood Processing area for screening/sorting. Photos taken
7/17/2021	8-4	RD		D3	Removal: Starting from end of partially covered debris to the exploratory trench. Observing the removal of soil cover and comingled construction waste. Majority wood waste.
7/17/2021	1035	GVSN	Mr. Silva	D3/ Container yard	D3 Site visit/ Mr. Silva was asked if he had a helicopter on site. He stated that a friend's helicopter is stored in a shipping container that has not yet been removed. I compared the photo of the supposed helicopter that was buried with the helicopter stored in the

					shipping container and it is the same. Helicopter, is aluminum w/ plexy-glass with engine still intact.
7/18/2021	10-12	RD	Mr. Silva	D3	Site monitoring
7/19/2021		Sunday			
7/20/2021	0900-1800	RD/GVSN	Mr. Silva	D3	Site photos

Site Photos  
UMS Hardfill Mangilao



Pic. 1  
Date: July 12, 2021  
Time: 1542 hrs.  
Location: Lot No. 3339-4-A-4 , Disposal Site 1: Screening Area  
Description: Left of the pic. Junk heavy equipment and mixed metals; Center mixed solid waste, Tire piles next to 20' shipping container



Pic. 2  
Page 6 of 20 NOV/OC



Date: July 12, 2021

Time: 1542 hrs.

Location: Lot No. 3339-4-A-4 , Disposal Site 1: Screening Area

Description: Left side of screening area: Junk heavy equipment and mixed metals



Pic. 3

Date: July 12, 2021

Time: 1542 hrs.

Location: Lot No. 3339-4-A-4, Disposal Site 1: Screening Area

Description: Center area: Mixed solid waste trash, wood, metal, appliances



Pic. 4

Date: July 12, 2021

Time: 1544 hrs.

Location: Lot No. 3339-4-A-4, Disposal Site 1: Screening Area

Description: Right side of screening area: Waste tires by the storage shipping container.





Pic. 5

Date: July 12, 2021

Time: 1504 hrs.

Location: Lot No. 3339-4-A-R5, Disposal Site 2: Pit area ridge

Description: Comingled waste consisting of trash, cardboard, scrap metal, tires, & wooden/plastic pallets



Pic. 6

Date: July 12, 2021

Time: 1505 hrs.

Location: Lot No. 3339-4-A- R5, Disposal Site 2: Pit area ridge

Description: Miscellaneous solid waste consisting of trash, cardboard, metal tanks scrap metal wooden pallets, plastic pallets, and mattresses.





Pic. 7

Date: July 12, 2021

Time: 1510 hrs.

Location: Lot No. 3339-4-A-R5, Disposal Site 2: Between ridge and Wood Processing area

Description: Miscellaneous solid waste consisting of miscellaneous metal, wooden pallets and waste tire



Pic. 8

Date: July 12, 2021

Time: 1517 hrs.

Location: Lot No. 3339-4-A-4, Disposal Site 3: North Western area

Description: Miscellaneous metal, vegetation, and concrete rubble





Pic. 9

Date: July 12, 2021

Time: 1528 hrs.

Location: Lot No. 3339-4-A-4, Disposal Site 3: North western area

Description: Start of visible signs of partially buried solid waste consisting of wood, trash, metal, & cardboard



Pic. 10

Date: July 12, 2021

Time: 1526 hrs.

Location: Lot No. 3339-4-A-4, Disposal Site 3: North Western area

Description: End of partially buried miscellaneous solid waste consisting of vegetation, wood, trash, & metal





Pic.11

Date: July 12, 2021

Time: 1524 hrs.

Location: Lot No. 3339-4-A-4, Disposal Site 3: North Western area

Description: North side of partially buried miscellaneous waste consisting of vegetation, wood, trash, & metal



Pic. 12

Date: July 12, 2021

Time: 1524 hrs.

Location: Lot No. 3339-4-A-4, Disposal Site 3: North Western area

Description: End of partially buried miscellaneous solid waste consisting of vegetation, wood, trash, & metal





Pic. 13

Date: July 12, 2021

Time: 1526 hrs.

Location: Lot No. 3339-4-A-4, Disposal Site 3: North Western area

Description: End of partially buried miscellaneous solid waste consisting of vegetation, wood, trash, & metal



Pic.14

Date: July 12, 2021

Time: 1524 hrs.

Location: Lot No. 3339-4-A-4, Disposal Site 3: North Western area

Description: North side of partially buried miscellaneous waste consisting of vegetation, wood, trash, & metal





Pic. 15

Date: July 12, 2021

Time: 1524 hrs.

Location: Lot No. 3339-4-A-4, Disposal Site 3: North Western area

Description: End of partially buried miscellaneous solid waste consisting of vegetation, wood, trash, & metal



Pic. 16

Date: July 13, 2021

Time: 1542 hrs.

Location: Lot No. 3339-4-A-4, Disposal Site 1: Screening Area

Description: Site 70% sorted and removed.





Pic. 17

Date: July 13, 2021

Time: 1405 hrs.

Location: Lot No. 3339-4-A- R5, Disposal Site 2: Pit area ridge

Description: Debris removed for sorting (tires, metals, wood, and trash) and disposal



Pic. 18

Date: July 14, 2021

Time: 1637 hrs.

Location: Lot No. 3339-4-A- R5, Disposal Site 2: Pit area ridge

Description: Last of Disposal Site 2 debris collected for disposal.





Pic. 19

Date: July 14, 2021

Time: 1642 hrs.

Location: Lot No. 3339-4-A-4, Disposal Site 1: Screening Area

Description: Site 80% sorted and removed.



Pic. 19

Date: July 16, 2021

Time: 1126 hrs.

Location: Lot No. 3339-4-A-4, Disposal Site 3: North Western area

Description: Exploratory trench starting from visible signs of debris along the side slope excavating back every 10 ft.





Pic. 20

Date: July 16, 2021

Time: 1128 hrs.

Location: Lot No. 3339-4-A-4, Disposal Site 3: North Western area

Description: Exploratory trench stop at approx. 155 ft. concrete rubble and dirt.



Pic. 21

Date: July 16, 2021

Time: 1452 hrs.

Location: Lot No. 3339-4-A-4, Disposal Site 3: North Western area

Description: Debris removal starting at the end of the NWA





Pic. 22

Date: July 16, 2021

Time: 1444 hrs.

Location: Lot No. 3339-4-A- R5, across wood chipping area

Description: Debris staging from NWA across Wood Processing area



Pic. 23

Date: July 16, 2021

Time: 1602 hrs.

Location: Lot No. 3339-4-A- R5, across wood processing area

Description: Debris staging for D3 site





Pic. 24

Date: July 17, 2021

Time: 0945 hrs.

Location: Lot No. 3339-4-A- R5, across Wood Processing area

Description: Debris staging site for D3 waste



Pic. 25

Date: July 17, 2021

Time: 1635 hrs.

Location: Lot No. 3339-4-A- R5, across Wood Processing area

Description: Debris staging site for D3 waste





Pic. 26

Date: July 20, 2021

Time: 1758 hrs.

Lot No. 3339-4-A-4 Disposal Site 1: Screening Area

Description: Trash removed and metals separated for removal



Pic. 27

Date: July 20, 2021

Time: 1737 hrs.

Location: Lot No. 3339-4-A- R5, across Wood Processing area

Description: Debris staging site for D3 waste





Pic. 28

Date: July 20, 2021

Time: 0945 hrs.

Location: Lot No. 3339-4-A-4, Disposal Site 3: North Western area

Description: Debris staging from NWA across Wood Processing area Roll off bins prepositioned for waste disposal



Pic. 29

Date: July 20, 2021

Time: 1728 hrs.

Location: Lot No. 3339-4-A-4, Disposal Site 3: North Western area

Description: Site 3 cleaned





AHENSIAN PRUTEKSION LINA'LA GUÅHAN

**NOTICE OF INTENT TO APPEAL – NOTICE OF DEFENSE**

I, \_\_\_\_\_, have received your Notice of Violation, Order of Compliance and/or Administrative Penalty Order dated \_\_\_\_\_, charging me for violations and/or imposing penalties and/or other orders, and I wish to:

☐ **REQUEST FOR A HEARING AND**

- ☐ Object to the accusation on the ground that it does not state acts or omissions upon which the agency can proceed.
- ☐ Object to the form of the accusation on the ground that it is so indefinite or ambiguous that I cannot identify the infraction or prepare my defense.
- ☐ Wish to prepare a new matter in my defense
- ☐ Admit to the accusation in part

☐ **ADMIT TO THE ACCUSATION IN WHOLE**

☐ **VERIFIED PETITION:** *Under penalty of perjury*, I hereby declare that the following constitutes my legal and factual basis for this appeal (USE ADDITIONAL SHEETS IF NECESSARY):

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My mailing address is: \_\_\_\_\_

PRINTED NAME

SIGNATURE

DATE

GUAM EPA CASE#: SW 21-002



