



**GUAM SOLID WASTE AUTHORITY  
BOARD OF DIRECTORS MEETING  
AGENDA**

Wednesday, December 18, 2024 1:00p.m.  
VIA VIDEO CONFERENCE

- I. CALL TO ORDER
- II. ROLL CALL
- III. DETERMINATION OF PROOF OF PUBLICATION
- IV. APPROVAL OF AGENDA ITEMS
- V. APPROVAL OF MINUTES
- VI. REPORTS
  - a. MANAGEMENT REPORTS
    - i. OPERATIONAL UPDATE
    - ii. FINANCIAL UPDATE
  - b. LEGAL COUNSEL'S REPORT
  - c. COMMITTEE REPORTS
- VII. UNFINISHED BUSINESS
  - a. ORDOT POST CLOSURE PLAN UPDATE
    - i. FEDERAL RECEIVERSHIP UPDATES / INFORMATION
    - ii. GSWA TRANSITION PLAN
  - b. RATE CASE WITH PUBLIC UTILITIES COMMISSION
  - c. ISLAND WIDE TRASH COLLECTION INITIATIVE
  - d. LAYON CELLS 1 AND 2 CLOSURE
- VIII. NEW BUSINESS
  - a. GSWA BOARD RESOLUTION 2025-004 RELATIVE TO THE APPROVAL OF THE SETTLEMENT OF CLAIM NO. GSWA 2024-C008 AGAINST THE GUAM SOLID WASTE AUTHORITY
- IX. COMMUNICATIONS AND CORRESPONDENCE
- X. PUBLIC FORUM - MEMBERS OF THE PUBLIC TO CONTACT GSWA TO BE PLACED ON THE AGENDA IF THEY WISH TO ADDRESS THE BOARD.
- XI. NEXT MEETING
- XII. ADJOURN



**Guam Solid Waste Authority Board of Directors Regular Meeting**  
**Thursday, December 18, 2024 – 1:00 PM (ChST)**

**Join Zoom Meeting**

Link: <https://zoom.us/j/9140408814?pwd=TjZ3U0dHSVd0ajlKRjBhcWFrClZYZ09>  
 Meeting ID: 914 040 8814 Passcode: 777546

THE GUAM SOLID WASTE AUTHORITY BOARD OF DIRECTORS WILL HAVE A REGULAR BOARD MEETING DECEMBER 18, 2024 AT 1:00 PM. THE MEETING WILL BE CONDUCTED VIA ZOOM.

**Agenda:**

I. Call to Order, II. ROLL CALL, III. DETERMINATION OF PROOF OF PUBLICATION, IV. APPROVAL OF AGENDA ITEMS, V. APPROVAL OF MINUTES, VI. REPORTS, INCLUDING A. MANAGEMENT REPORTS WITH I. OPERATIONAL UPDATE AND II. FINANCIAL UPDATE, B. LEGAL COUNSEL'S REPORT, AND C. COMMITTEE REPORTS. VII. UNFINISHED BUSINESS, INCLUDING A. ORDOT POST CLOSURE PLAN UPDATE WITH I. FEDERAL RECEIVERSHIP UPDATES/INFORMATION AND II. GSWA TRANSITION PLAN, B. RATE CASE WITH PUBLIC UTILITIES COMMISSION, C. ISLAND-WIDE TRASH COLLECTION INITIATIVE, AND D. LAYON CELLS 1 AND 2 CLOSURE. VIII. NEW BUSINESS, INCLUDING A. GSWA BOARD RESOLUTION 2025-004 RELATIVE TO THE APPROVAL OF THE SETTLEMENT OF CLAIM NO. GSWA 2024-C008 AGAINST THE GUAM SOLID WASTE AUTHORITY. IX. COMMUNICATIONS AND CORRESPONDENCE, X. PUBLIC FORUM – MEMBERS OF THE PUBLIC TO CONTACT GSWA TO BE PLACED ON THE AGENDA IF THEY WISH TO ADDRESS THE BOARD, XI. NEXT MEETING, AND XII. ADJOURN.

Access live stream of the meeting on GSWA website: <https://www.gswa.guam.gov/>

For more information, please contact GSWA Admin at [kellani.mesa@gswa.guam.gov](mailto:kellani.mesa@gswa.guam.gov) or 671-646-3215. Persons needing telecommunication device for the Hearing/Speech Impaired (TDD) may contact 671-646-3111. This advertisement was paid for by GSWA.



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**Guam Solid Waste Authority Board of Directors Regular Meeting**  
**Thursday, December 18, 2024 – 1:00 PM (ChST)**

**Join Zoom Meeting**

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 Meeting ID: 914 040 8814 Passcode: 777546

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**PUBLIC NOTICE**  
**ANNOUNCEMENT**

The Guam Visitors Bureau will hold a Regular Meeting of the Board of Directors on **Monday, December 23, 2024, at 1:30 p.m.** in GVB's main conference room and by Teleconference - via GoToMeeting. Anyone desiring to join the virtual meeting may enter the following link in a browser: <https://meet.goto.com/GUAMVISITORSBUREAU/gvb-board-meeting>. Our livestreaming events link for all Regular Board Meetings is available at the Bureau website: <https://www.guamvisitorsbureau.com/>. The Board of Directors herein notifies the public that it will discuss the following:

**AGENDA**

- I. CALL TO ORDER
- II. ROLL CALL
- III. MINUTES OF THE PREVIOUS MEETING
  - Approval of the previous Board of Directors meeting minutes dated 12/5/24
- IV. ACTION BY THE BOARD
- V. CHAIRMAN'S REPORT
- VI. MANAGEMENT'S REPORT
  - Approval of FY2025 purchase orders
- VII. REPORT OF THE BOARD COMMITTEES
  - A. Executive Committee
  - B. Administration & Government
  - C. Destination Management / Visitor Safety & Satisfaction
  - D. Cultural Heritage & Community Outreach
  - E. Research
  - F. Sports & Events
  - G. Japan
  - H. Korea
  - I. Taiwan
  - J. North America, Pacific, Philippines & New Markets
  - K. Membership
- VIII. OLD CORPORATION BUSINESS
  - Report and Discussion of Search Committee and Possible Action
  - Report and Update on Recovery Documents from Chairman of the Recovery Committee
- IX. NEW CORPORATION BUSINESS
- X. EXECUTIVE SESSION
  - as needed
- XI. OTHER BUSINESS
  - as needed
- XII. AGENDA ITEMS FOR THE NEXT MEETING
- XIII. ANNOUNCEMENTS
  - Upcoming Board Meeting: January 9, 2025
- XIV. ADJOURNMENT

Information on individual committees is available at <https://www.guamvisitorsbureau.com/>, along with other bureau meeting materials. Detailed materials, if applicable, will be available on the website one day before the meeting. Please call 671-646-5278 if you require additional detail about any agenda item. Individuals requiring special accommodations or information may contact GVB at 671-646-5278 for assistance. This advertisement was paid for by the Tourist Attraction Fund.

GUAM VISITORS BUREAU | SETBISION BISITAN GUÅHAN  
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**PUBLICATION NOTICE**

In accordance with the provisions of Guam Code Annotated, Title XI, Chapter III, Section 3315, notice is hereby given that:

**Perfectu Corporation**  
**DBA: Ta'lu Eats**

has applied for a Class: (Four) 4 General On-Sale Alcoholic Beverage License said premises being marked as Lot: 2025-1-4NEW 960 S Marine Corps Dr., Ste. 105 Tamuning - Tumon - Harmon

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**GUAM SOLID WASTE AUTHORITY  
BOARD OF DIRECTORS' MEETING MINUTES  
Thursday, November 21, 2024  
Via Video Conference**

**I. Call to Order**

Chairman Gayle called the meeting to order for the Guam Solid Waste Authority (GSWA) Board of Directors' meeting at 1:04 p.m.

**II. Roll Call**

**Board Members:**

Andrew Gayle	Chairman
Minakshi Hemlani	Vice Chair
Peggy Denney	Secretary
Cora Montellano	Member
Jim Oehlerking	Member

**Management & Staff:**

Irvin Slike	General Manager
Kathrine Kakigi	Comptroller
Alicia Fejeran	Chief of Administration
Roman Perez	Operations Superintendent
Keilani Mesa	Administrative Officer
Shannon Taitano	GSWA Legal Counsel

**Guests:**

Harvey Gershman	GBB Federal Receiver Representative
Christopher Lund	GBB Federal Receiver Representative
Chace Anderson	GBB Consultant
Joyce Tang	Attorney for GBB Federal Receiver
Joe Taitano	Pacific Daily News
Matthew Strader	Office of the Attorney General

**III. Determination of Proof of Publication**

1st Publication with Guam Daily Post, Thursday, November 14, 2024  
2nd Publication with Guam Daily Post, Tuesday, November 19, 2024



#### **IV. Approval of Agenda Items**

Chairman Gayle proposed moving the Receiver Presentation before the management reports. Vice Chair Minakshi Hemlani made a motion to proceed with the agenda and modifications proposed by Chairman Gayle. Member Oehlerking seconded the motion, and it passed unanimously.

#### **V. Approval of Minutes**

Secretary Denney motioned to approve the minutes for both the October 17th and October 30th meetings. Member Montellano seconded the motion, and it passed unanimously.

#### **VI. Reports**

##### **a. Management Reports**

##### **i. Operational Update**

General Manager Irvin Slike presented the current status of the ARPA funding and the previously allocated Island-Wide Cart funds. He stated that GSWA is in the process of procuring equipment for the agency and presented a timeline for the delivery of some of the purchased equipment.

He also mentioned that \$1M of the ARPA funding may be redirected by the Governor for use on other government projects. He explained that what appeared to be excess revenue was consumed by Court-ordered interest payments for Ordot, as well as other expenditures incurred due to the Typhoon and additional soil received from the Dededo site. General Manager Slike stated that a complete resolution had not yet been reached as of the Board meeting, but he would provide an update at the next meeting.

Member Oehlerking inquired whether management had any forecasts regarding service improvements or beneficial impacts from the newly purchased equipment. In response, General Manager Slike presented an example using the newly purchased scales. He explained that, generally, new scales result in an approximate 1-2% increase in tonnage due to improved accuracy. He also discussed how the newly acquired stake-body flatbed enables GSWA to handle double the amount of bulk waste.

General Manager Slike informed the Board that the third electric truck could not be delivered due to a battery issue with the type of truck. He is working with FedGSA to explore possible options. He then presented other vehicle and equipment purchases, including a mobile car crusher and a service truck for the mechanic.

He mentioned that he has been meeting with DPW and the Lt. Governor to discuss actions they can take to clean up abandoned vehicles at the Dededo Aquifer.

Secretary Denney asked if the Mayors of Guam have been involved and whether



they will be able to help individual villages. He noted that, initially, this effort was focused on handling the Dededo site. He further mentioned that, with discussions involving DPW, there is no shortage of need for the mobile car crusher. Secretary Denney also inquired whether the equipment would be operated by GSWA personnel or DPW personnel. General Manager Slike explained that it would be a combination of both, depending on GSWA's workload, adding that the machine is fairly easy to operate. Secretary Denney also asked about the staging area location. General Manager Slike stated that the details have not yet been finalized.

General Manager Slike reported that since attending WASTECON, he has made several contacts in the plastic recycling markets. He is working with Mr. Rubbishman to explore these contacts and direct the plastics to responsible recycling facilities. He also reached out to several shredder vendors and hopes this will improve the market. While acknowledging that this could be expensive, he emphasized the importance of considering these expenses in lieu of filling up the landfill with recyclable items.

General Manager Slike reported that additional material was received in 2024 due to Typhoon Mawar, but the landfill is still on track for Cell 3 to last until 2031. He explained that Layon's density normally averages around 1,100–1,200 pounds per cubic yard, but this year it has reached 1,600 pounds per cubic yard. He stated that this increased density is beneficial and positively affects the landfill, including reducing the potential for landfill fires.

General Manager Slike then reviewed the fill sequencing plan and noted that an annual report is required to be submitted to GEPA regarding the landfill's filling process. He briefly discussed the proposed area for waste placement in 2024-2025 and mentioned that Cell 4 soil is being used as cover for Cell 3. This, he explained, would result in time and cost savings when Cell 4 is ready to be developed.

Chief of Administration Alicia Fejeran presented the customer service and phone data. She stated that staffing levels have remained consistent, with five customer service representatives. In October, there was an increase of 188 walk-in customers compared to September. The phone activity remained relatively the same in October as in September. She expressed satisfaction with the answer rate, which has remained around 80%, but emphasized that they are always striving to improve. Secretary Denney inquired whether a system had been implemented to track the reasons for calls. Chief of Administration Fejeran responded that they are working with their vendor to implement this feature.



**ii. Financial Update**

General Manager Slike reviewed the Operating Budget Report. He stated that GSWA continues to achieve better-than-expected year-to-date budget numbers, particularly in commercial and government waste, which is largely attributed to the GWA sludge. He noted that the figures are running ahead of budget projections. On the residential collection side, GSWA is slightly behind but not significantly. Overall, GSWA exceeded revenue projections by \$174,000. He mentioned that they have kept expenses as controlled as possible.

Comptroller Kakigi stated that moving forward, she would present on the new special fund established by Public Law 37-64, which created the Ordot Dump Reserve Fund. She explained that there was a net increase of \$240,000 in the Operational Fund, but after transferring funds to the Ordot account, the net effect resulted in a deficit of \$1.9M for the fiscal year. The total impact on the fund balance is a negative \$1.6M.

She further explained that the Ordot Dump account's beginning balance is \$30.7M, which is being used to make the account whole and satisfy the USEPA financial assurance for the order liability, bringing the ending balance to \$32.5M. This amount is equivalent to the cash in the bank as of October 31, 2024.

Member Montellano asked if the Ordot account is fully funded with the current balance and whether interest earnings will remain in that fund. Comptroller Kakigi confirmed that the interest earnings will remain in the fund to cover inflation, which increases the liability rate each year. She explained that the fund is restricted, with uses limited to specific purposes, primarily the closure and maintenance of the Ordot Dump. Additional funds can also be used for the opening and expansion of the Layon Landfill, monitoring costs for permit compliance, and administrative expenses to manage the fund.

Member Oehlerking inquired if there would be an overrun in the budget each month as long as the Receivership is still in place. General Manager Slike explained that the overage in this fiscal year reflects the fact that when the budget was initially submitted for 2024, no receivership fees were included because it was anticipated that the Receivership would end in July 2024.

Chairman Gayle requested clarification on where the Board could see the impact of not paying the Ordot post-closure costs in the report. Comptroller Kakigi responded that this would be reflected in the Operating Budget Report. She added that funds had been reprogrammed to cover some contractual shortfalls and other



expenditures, reiterating General Manager Slike's point that GSWA has managed to maintain and control expenses.

**b. Legal Counsel's Report**

Attorney Shannon Taitano reported that she has one personnel matter that was taken to the Civil Service Commission (CSC). She has filed a motion to dismiss based on the employee's probationary status, and a status call hearing is scheduled for 12/12/2024. She also reported that the Morrico appeal is currently with the Attorney General's office, and they are awaiting a response. Additionally, she stated that she is working with GSWA on two government claims.

**c. Committee Reports**

None.

**VII. Unfinished Business**

**a. Ordot Post Closure Plan Update**

**i. Federal Receivership Updates / Information**

Receiver Representative Harvey Gershman reviewed the items that the Receiver had prepared to address, including the Leachate Flow Update, Trust Fund Status, Transition Plan Status, GWA Claim Status, Cessation Certification, and a discussion of any questions or topics for the upcoming meeting.

Receiver Representative Christopher Lund presented the updated daily average flow and rainfall by month, as of October 2024, based on data collected from the GWA meter. He reported that, through October 2024, the total leachate volume was 6,912,261 gallons. He estimated a reduction in leachate by the end of 2024. Additionally, he noted that the amount paid for leachate in 2023 was \$358,176.30, compared to \$109,501.56 through October 2024. He also pointed out that the GWA rate for treatment of wastewater was increased to \$16.41/1000 gals in October 2024; prior rate was \$14.72/1000 gals. Highest rate prior to this increase was \$28.92.

Receiver Representative Harvey Gershman presented a summary of the various RCRA trust funds and custodial accounts. He noted that the Receiver had transferred funds to fully fund the GEPA/EPA PCCE at \$32.5M. As of October 31, 2024, the estimated annual income from investments is 4.46% per annum. Monthly payments by GSWA into the custodial accounts have been suspended. He further explained that future escalation payments will be covered by future interest income, as long as the \$32.5M funding remains in place. He also presented a snapshot of the account





values at the end of September and October, which reflected the annual estimated income reported by the bank to the Receiver each month.

Receiver Representative Harvey Gershman reported that Trust Account #1 had a balance of \$1,097,135.34 at the end of October 2024. Trust Account #2, the interest-bearing account, had a current balance of \$5,629,919.07. He noted that last month, he, General Manager Slike, and Comptroller Kakigi worked together to provide the bank with instructions regarding investments for this account and the RCRA account. He mentioned that deposits were primarily from interest income (\$7,240), while expenses were approximately \$1.7M. The presentation also included a portfolio summary of the accounts.

Chairman Gayle inquired about the transition between cash equivalents and securities. In response, Receiver Representative Gershman explained that a T-bill had been cashed in, and the funds were moved to short-term investments. He clarified that they had been waiting for the T-bill to mature in order to avoid penalties, which was completed in October.

Receiver Representative Harvey Gershman stated that the transition plan had been submitted to the court and they were awaiting feedback from GSWA counsel and the Attorney General regarding the expansion of the EA contract for additional Ordot services. He noted that Brown and Caldwell had begun preparing the training course, which is part of the transition plan. Member Oehlerking asked if there was an estimated date for the transition. General Manager Slike responded that the transition plan specifies a 60-day turnover period once a transition date is set which is set by the court.

Attorney Joyce Tang reported that a lawsuit was filed on behalf of GSWA on October 31, 2024, in the Superior Court of Guam against the Guam Waterworks Authority and Donbu Insurance Company. She stated that the defendants have been served with the summons and complaint and have since contacted them, but no confirmed details regarding the claim have been provided. Member Oehlerking inquired about the dollar amount of the claim and was informed that it was \$4.4M.

Attorney Tang also provided an update on the Cessation Certification, stating that the Court had ordered the Department of Justice (DOJ) and USEPA to comment on three different reports, including the GeoSyntec and Brown and Caldwell reports. She noted that the DOJ sought reconsideration on this, and the Court issued an order allowing the DOJ and USEPA not to respond at this time. She also mentioned that the USEPA did respond to the Brown and Caldwell report on seeps and leachate, and the Receiver is currently reviewing the reports and will respond in due course.



Receiver Representative Gershman asked the Board if they had any questions or concerns. Chairman Gayle inquired whether the Receiver could highlight the key outstanding items related to ending the Receivership.

Receiver Representative Gershman responded that a cessation certification should be in place, and that the GEPA's portion of the Consent Decree for the special environmental project (SEP) must be addressed. He stated that ultimately, it is up to the Court, not the Receiver, to make the final decision.

Secretary Denney asked whether the certification of cessation is solely approved by the USEPA. Receiver Representative Gershman confirmed that only the EPA has the authority to approve it. He explained that the Receiver can issue a cessation certification, after which the EPA will review it and decide whether to agree with it and approve it.

Receiver Representative Gershman reiterated that GEPA needed to complete their portion of the SEP report to be approved by EPA. He informed Attorney Tang that they could request a status update on the report.

**ii. GSWA Transition Plan**

Transition plan was submitted to the Court. No feedback at this time.

**b. Rate Case with Public Utilities Commission**

Attorney Taitano reported that the rate case has been submitted to the PUC, but no updates have been received as of now. General Manager Slike stated that the last update received indicated that MSW was expected to complete their review in November, but there has been no further communication. He anticipates that GSWA will be placed on the PUC's January 2025 docket.

**c. Island Wide Trash Collection Initiative**

No updates at this time.

**d. Layon Cells 1 and 2 Closure**

General Manager Slike stated that one of the tasks for the new EA contract will be to assess these cells and evaluate the feasibility of installing solar panels on the caps of these cells.

**VIII. New Business**

**a. Comptroller Evaluation and Salary Adjustment**

General Manager Slike stated that no evaluation was conducted in the first year, so the 5% increase was not given to the Comptroller. He requested to combine the two years and proposed a 10% increase. He assured the Board that GSWA has the funding to support this recommendation. Board members discussed the recommendation and



agreed. Member Oehlerking made a motion to approve General Manager Slike's recommendation to grant Comptroller Kakigi a 10% increase, effective the next pay period. The motion was seconded by Member Montellano. The motion passed.

**b. GSWA BOARD RESOLUTION 2025-002 RELATIVE TO THE APPROVAL OF THE SETTLEMENT OF CLAIM NO. GSWA 2024-C007 AGAINST THE GUAM SOLID WASTE AUTHORITY**

General Manager Slike reviewed the claim and its validity. Attorney Taitano stated that approval to settle the claim by the GSWA Board was based on GSWA's enabling statute. Vice Chair Hemlani made a motion to approve GSWA Board Resolution 2025-002, which was seconded by Secretary Denney. The motion passed.

**c. GSWA BOARD RESOLUTION 2025-003 RELATIVE TO APPROVING THE CREATION OF POSITION FOR SOLID WASTE DISPATCHER**

General Manager Slike reported that GSWA staff has been working on creating this much-needed position and is ready to proceed with the next steps, which require a Board resolution. Secretary Denney made a motion to approve GSWA Board Resolution 2025-003, which was seconded by Vice Chair Hemlani. The motion passed.

**d. GSWA BOARD RESOLUTION 2025-004 RELATIVE TO THE APPROVAL OF THE SETTLEMENT OF CLAIM NO. GSWA 2024-C008 AGAINST THE GUAM SOLID WASTE AUTHORITY**

Tabled.

**IX. Communications and Correspondence**

None.

**X. Public Forum – Members of the Public to contact GSWA to be placed on the agenda if they wish to address the Board.**

None.

**XI. Next Meeting**

The next Board meeting will be December 18, 2024 at 1:00pm.

**XII. Adjourn**

A motion to adjourn the GSWA Board of Directors meeting was made by Secretary Denney and seconded by Member Montellano. The meeting was adjourned at 2:49 p.m.

The following is the current Status of ARPA spending.

**ARPA CAPITOL REPORT**

<b>ARPA GSWA CAPITAL</b>	<b>\$ 7,920,000.00</b>
<b>MODIFICATION OF ALLOTMENT</b>	
<b>TOTAL FUNDING AVAILABLE:</b>	<b>\$ 7,920,000.00</b>

<b>ENCUMBERED PURCHASE ORDERS</b>			
P.O. #	DELIVERY DATE	DESCRIPTION	AMOUNT
P236R00055	10/16/2023	MIDPAC FAR EAST - 3EA 24CY MULTIPACK REFUSE TRUCKS	\$ 1,330,000.00
P236R00126	6/16/2023	WANG BROTHERS - 968EA TRASH CARTS, 968EA RECYCLE CARTS	\$ 230,384.00
P236R00191	10/25/2023	WANG BROTHERS - 968EA TRASH CARTS	\$ 115,192.00
P236R00143	12/15/2023	GLOBAL ENTERPRISE, INC. - 3EA MINI ELECTRIC REFUSE TRUCK, 1EA CHARGER	\$ 952,942.01
P246R00074	8/21/2025	FAR EAST EQUIP CO - 2EA 24CY SIDE LOADING REFUSE TRUCKS	\$ 986,399.84
P246R00096	8/21/2025	WORLDWIDE ENTERPRISES INC - 2EA 24CY REFUSE TRUCK W/REAR LOADER	\$ 847,645.60
P246R00158	9/13/2024	FAR EAST EQUIP CO - TOWER LIDS & PARTS	\$ 38,930.00
P246R00171	9/5/2024	FAR EAST EQUIP CO - 1,115EA 95GAL ROLL OUT CARTS, 8EA 95GAL BEAR PROOF CARTS	\$ 117,577.12
P246R00215	11/15/2024	CARS PLUS - 3EA CREW CAB PICK UP TRUCKS	\$ 220,545.00
P246R00234	1/10/2025	FAR EAST EQUIP CO - 3EA STATIONARY COMPACTOR & 6EA ROLL OFF CONTAINERS	\$ 445,500.00
P246R00235	3/10/2025	FAR EAST EQUIP CO - 1EA MOBILE CAR CRUSHER	\$ 336,000.00
P246R00237	6/30/2025	CARS PLUS - 1EA FLAT BED TRUCK	\$ 128,285.00
P256R00082	1/31/2025	FAR EAST EQUIP CO - 1EA COMPACT LOADER W/ ATTACHMENTS	\$ 228,261.18
P256R00083	4/19/2025	MORRICO - 1EA COMPACT LOADER W/ ATTACHMENTS	\$ 180,557.00
P256R00087	7/17/2025	CARS PLUS - 1EA UTILITY SERVICE TRUCK	\$ 212,423.00
P256R00096	5/15/2025	ELEVATOR UNIT & INSTALLATION	\$ 113,874.00
P256R00111	6/3/2025	BIO DIESEL PRODUCTION EQUIPMENT	\$ 488,620.00
		RECLASSIFIED EXPENSES	\$ 115,192.00
<b>TOTAL ENCUMBERED AS OF 12/11/2024:</b>			<b>\$ 7,088,327.75</b>

<b>TO BE ENCUMBERED</b>			
		GGH - LAYON SCALES	\$ 281,524.00
P256R000130	9/19/2025	2EA BABY PACKERS	\$ 268,613.30
		DIESEL REPLACEMENT FOR MINI ELECTRIC	\$ 185,126.00
		TRASH CARTS	
<b>TO BE ENCUMBERED:</b>			<b>\$ 735,263.30</b>

**GRAND TOTAL OF PURCHASES: \$ 7,823,591.05**  
**REMAINING FUNDING: \$ 96,408.95**

The budget office as reported earlier inquired about withdrawing \$1,000,000 in unencumbered ARPA monies. The AG's office has concluded the review of an additional Side Loader and \$509,345.76 has been retrieved from the ARPA monies to fund this award.

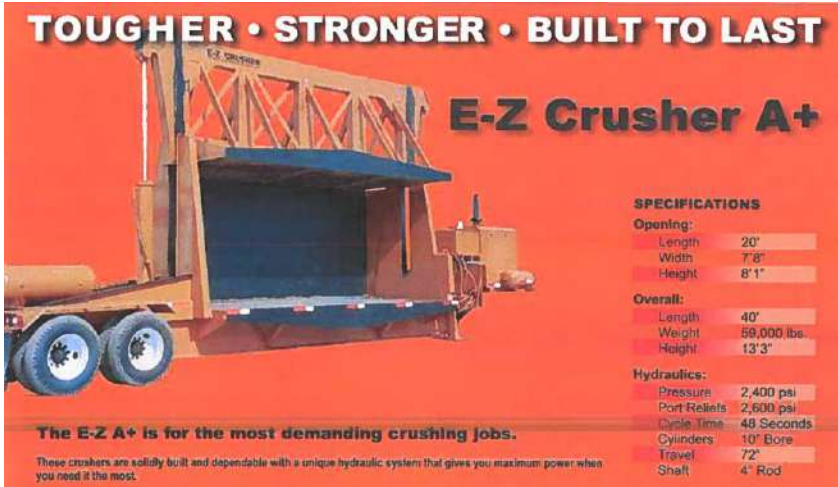
However, \$2,604,310.06 was removed by BBMR (yellow shading) and is still in limbo as to its replenishment. All of this amount has been encumbered in previously issued PO's.

GSWA has nine functioning large refuse trucks.

Truck 5269 a 2010 rear loading packer has structural damage to packing body. We are getting an estimate from Fleet for the repair.

The Mobile Car Crusher should be delivered in Feb-Mar time frame. Will team up with DPW and Global Recycling and tackle the burned-out abandoned vehicles first. These are the easiest to handle and have less contamination concerns for overseas markets.

**TOUGHER • STRONGER • BUILT TO LAST**



**E-Z Crusher A+**

**SPECIFICATIONS**

**Opening:**

Length	20'
Width	7'8"
Height	8'1"

**Overall:**

Length	40'
Weight	59,000 lbs.
Height	13'3"

**Hydraulics:**

Pressure	2,400 psi
Port Reliefs	2,600 psi
Cycle Time	48 Seconds
Cylinders	10" Bore
Travel	72"
Shaft	4" Rod

**The E-Z A+ is for the most demanding crushing jobs.**

These crushers are solidly built and dependable with a unique hydraulic system that gives you maximum power when you need it the most.

GSWA has made employment offers to two Driver positions. Current staffing vacancies are

Four permanent sanitation workers. Other positions being classified include

Mechanic II

Accountant

Dispatcher

These positions are scheduled to be advertised and filled in 3<sup>rd</sup> Q of 2025.

The Dededo soil project is proceeding. Hauling of soil into Layon scheduled for March 2025.

**Guam Solid Waste Operations Fund**  
**Operating Budget Revenues, Expenditures, Reserves**  
**As of November 30, 2024**

Unaudited	Annual	FY25 Budget	Rate	Budgeted	Total	November	November	Variance	% Variance	YTD	YTD	Variance	% Variance
	Budget	(PL 37-125 )				Budget	2024			Budget	Budget		
	Operations	Excess Revenues	Increase	Revenues	Budget								
<b>Revenues:</b>													
Commercial Fees (Large)	10,506,710	0	0	0	10,506,710	863,565	882,303	18,738	2%	1,755,916	1,887,957	132,041	8%
Others - Government/Commercial Fees	1,092,071	0	0	0	1,092,071	89,759	154,665	64,905	72%	182,510	311,950	129,439	71%
Residential Collection Fees, net 3% Bad Debt	7,848,739	0	0	0	7,848,739	645,102	652,754	7,652	1.2%	1,311,707	1,308,280	(3,428)	-0.3%
Host Community Fees	300,000	0	0	0	300,000	24,658	24,658	0	0%	65,333	65,333	0	0%
Other Revenues	439,803	0	0	0	439,803	36,148	36,434	286	1%	73,501	73,371	(130)	-0.2%
Reimbursements	0	0	0	0	0	0	53,250	53,250	n/a	0	53,250	53,250	n/a
Interest Income	25,000	0	0	0	25,000	3,612	3,612	0	0%	7,106	7,106	0	0%
Budgeted Add'l Revenues	0	2,121,131	0	0	0	0	0	0	n/a	0	0	0	n/a
<b>Total revenues</b>	<b>20,212,323</b>	<b>2,121,131</b>	<b>0</b>	<b>0</b>	<b>20,212,323</b>	<b>1,662,844</b>	<b>1,807,676</b>	<b>144,832</b>	<b>9%</b>	<b>3,396,074</b>	<b>3,707,247</b>	<b>311,173</b>	<b>9%</b>
Fund Balance Allocation	377,459	0	0	0	377,459	0	0	0	0%	0	0	0	0%
Transfer In - Recycling Revolving Fund	400,000	0	0	0	400,000	33,333	33,333	0	0%	66,667	66,667	0	0%
<b>Total Revenues/Transfers In</b>	<b>20,989,782</b>	<b>2,121,131</b>	<b>0</b>	<b>0</b>	<b>20,989,785</b>	<b>1,696,178</b>	<b>1,841,009</b>	<b>144,831</b>	<b>9%</b>	<b>3,462,741</b>	<b>3,773,914</b>	<b>311,173</b>	<b>9%</b>
<b>Expenditures by Object:</b>													
Salaries and wages	4,325,376	0	0	0	4,325,376	331,810	311,834	(19,976)	-6.0%	556,966	521,027	(35,939)	-6%
<b>Contractual services:</b>													
Layon Operator	4,224,133	0	0	0	4,224,133	326,715	320,990	(5,725)	-2%	653,431	645,698	(7,732)	-1%
Layon Monitoring	644,000	0	0	0	644,000	53,667	49,470	(4,196)	-8%	107,333	100,191	(7,143)	-7%
Harmon Hauler Station Operations	4,052,676	0	0	0	4,052,676	321,989	302,227	(19,762)	-6%	675,446	641,139	(34,307)	-5.1%
Ordot Postclosure care	262,056	0	0	0	262,056	0	0	0	0%	0	0	0	0%
Recycling Programs	615,512	0	0	0	615,512	51,293	39,325	(11,968)	-23%	102,585	88,329	(14,256)	-14%
GEPA Appropriation	202,992	0	0	0	202,992	0	0	0	0%	0	0	0	0%
Contractual Employees	748,000	0	0	0	748,000	62,333	82,776	20,443	33%	124,667	157,905	33,238	27%
Vehicle Maintenance	403,570	0	0	0	403,570	33,631	22,514	(11,117)	-33%	67,262	47,668	(19,594)	-29%
PUC/Rate Study Consultant/Legal Expenses/Ordot Expens	320,879	0	0	0	320,879	8,333	2,160	(6,173)	-74%	124,667	113,240	(11,427)	-9%
Others	403,324	0	0	0	403,324	33,610	20,158	(13,453)	-40%	67,221	50,853	(16,368)	-24%
<b>Total contractual services:</b>	<b>11,877,142</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>11,877,142</b>	<b>891,571</b>	<b>839,620</b>	<b>(51,952)</b>	<b>-6%</b>	<b>1,922,611</b>	<b>1,845,022</b>	<b>(77,589)</b>	<b>-4%</b>
Receiver	0	0	0	0	0	0	80,000	80,000	n/a	0	80,000	80,000	n/a
Travel	24,575	0	0	0	24,575	0	0	0	0%	0	0	0	0%
Supplies	420,000	0	0	0	420,000	57,000	60,522	3,522	6%	92,000	108,283	16,283	18%
Vehicle Supplies	400,000	0	0	0	400,000	33,333	38,945	5,612	17%	66,667	69,653	2,986	4%
Worker's compensation	1,000	0	0	0	1,000	0	0	0	0%	0	0	0	0%
Drug testing	1,000	0	0	0	1,000	0	0	0	0%	219	219	0	0%
Equipment	5,305	0	0	0	5,305	0	0	0	0%	0	0	0	0%
Utilities - power	111,309	0	0	0	111,309	9,276	9,084	(192)	-2%	18,552	18,504	(48)	-0.3%
Utilities - water	18,720	0	0	0	18,720	1,560	1,090	(470)	-30%	3,120	2,394	(726)	-23%
Communications	62,247	0	0	0	62,247	5,187	5,009	(178)	-3%	10,375	9,824	(551)	-5%
Capital outlays	0	0	0	0	0	0	0	0	0%	0	0	0	0%
Miscellaneous	246,608	0	0	0	246,608	20,551	10,566	(9,984)	-49%	41,101	20,444	(20,657)	-50%
Reserves - Layon Landfill	200,000	0	0	0	200,000	16,667	16,667	0	0%	33,333	33,333	0	0%
Transfers to Host Community Fund	300,000	0	0	0	300,000	32,392	32,392	0	0%	65,333	65,333	0	0%
Transfer out to General Fund (Debt Service), Cell 3 Expense	2,996,500	0	0	0	2,996,500	249,708	254,000	4,292	2%	499,417	508,000	8,583	2%
Other Expenditures	4,787,265	0	0	0	4,787,264	425,674	428,274	2,600	0.6%	830,116	835,987	5,871	0.7%
<b>TOTAL EXPENDITURES:</b>	<b>20,989,782</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>20,989,785</b>	<b>1,649,056</b>	<b>1,659,729</b>	<b>10,673</b>	<b>0.6%</b>	<b>3,309,694</b>	<b>3,282,037</b>	<b>(27,656)</b>	<b>-0.8%</b>
Excess (deficiency) of revenues over (under expenditures)							<b>181,280</b>				<b>491,876</b>		

**Note:**

This report is based on preliminary month end numbers and is subject to change based on DOA updates and accounting adjustments.

Carry over encumbrances such as contracts and purchase orders funded by prior year receipts but expended this fiscal year.

Allowance for Uncollectible is estimated at 3% of Residential Revenues.

Public Law 37-125 allocated to GEPA \$202,992 to fund duties and responsibilities related to the closure, monitoring and opening of the island's landfill. Funds not expended during Fiscal Year 2025 shall revert to the Solid Waste Operations Fund.

P.L. 37-125 allocated \$22,308,454 to fund GSWA's budget.

P.L. 36-115 allocated \$400,000 to from the Recycling Revolving Fund to GSWA to fund the Residential Recycling Program and is a continuing appropriation.

10 GCA , Chapter 51, § 51310. Guam Solid Waste Authority Residential Recycling Program.

The Administrator is authorized to annually reimburse Guam Solid Waste Authority, as a government entity, up to Four Hundred Thousand Dollars (\$400,000) in accordance with the Guam Zero Waste Masterplan for expenses that includes, but is not limited to, curbside recycling, household hazardous waste, electronic, and white goods collection, processing, and marketing/shipping. GSWA shall submit a proposal, including total costs, to the Administrator and Board for approval.

**GUAM SOLID WASTE AUTHORITY FUNDS**

**FUND BALANCE as of November 30, 2024**

*Unaudited*

	Operational Fund	Ordot Post Closure Fund	Total	Ordot Dump PCC Reserve (RCRA) Trust Fund
Fund Balance, September 30, 2024, Unaudited	7,316,604	7,892,565	15,209,169	30,715,554
Add: Revenues/Other Sources:	3,773,914	21,865	3,795,779	168,856
Transfers In- SWOF	0	0	0	1,746,630
	3,773,914	21,865	3,795,779	1,915,486
Less: Expenditures/Reserves:	3,282,037	265,670	3,547,707	0
Transfers Out - OPCC Reserve Fund	0	1,746,630	1,746,630	0
Carry Over Encumbrances	0	0	0	0
	3,282,037	2,012,300	5,294,337	0
Net Operating Budget	491,876	-1,990,434	-1,498,558	1,915,486
Add back:				
Capital Outlay - Equipment Replacement reserves set asides	0	0	0	0
Layon Reserves	33,333	0	33,333	0
<b>Total Net change in Fund Balance</b>	<b>525,210</b>	<b>-1,990,434</b>	<b>-1,465,224</b>	<b>1,915,486</b>
Ending Fund Balance, November 30, 2024 (Unaudited)	7,841,814	5,902,131	13,743,946	32,631,041
				<b>Cash Balance, November 30, 2024:</b>
				<b>32,631,041</b>

Notes:

On February 9, 2024, Public Law 37-64 established the Ordot Dump Reserve Fund. Eligible costs include the closure and maintenance of Ordot Dump and the opening and recent expansion of the Layon Landfill. Also included are monitoring, testing, ensuring compliance with permits and laws, litigation fees and costs, consultant fees, and fees and costs to ensure compliance with permits. Expenditures attributable to costs of administering the Fund including administrative support to GSWA.

July 30, 2024, \$30,579,439 was deposited to DOA Ordot Settlement Fund - \$30,579,439.

On September 20, 2024 DOA authorized BOG to transfer \$30,715,554 to the Ordot PCC Reserve account.

Operating Budget Revenues, Expenditures

As of November 30 2024

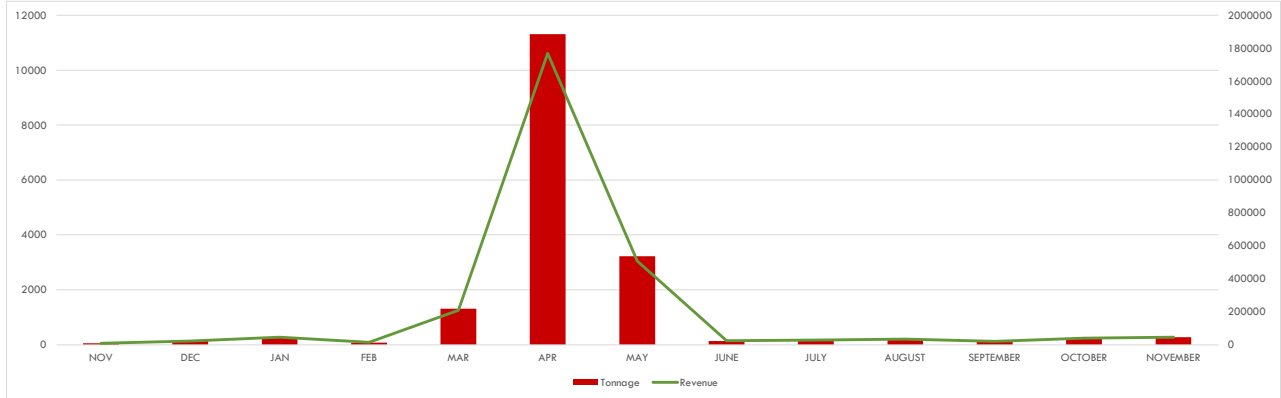
Unaudited

	FY2025 Actuals to Date	FY2024 Actuals to Date	Variance	% Increase (Decrease)
<b>Revenues:</b>				
Commercial Fees (Large)	1,887,957	3,040,482	(1,152,525)	-37.9%
Others - Government/Commercial Fees	311,950	364,852	(52,902)	-14.5%
Residential Collection Fees (net 3%)	1,308,280	1,305,567	2,713	0.2%
Host Community Fees	65,333	91,922	(26,589)	-28.9%
Other Revenues	73,371	74,731	(1,360)	-1.8%
Interest Income/Gains/Losses	7,106	173	6,933	3998.5%
Prior Year Revenues	53,250	0	53,250	0.0%
<b>Total Revenues</b>	<b>3,707,247</b>	<b>4,929,369</b>	<b>(1,170,481)</b>	<b>-23.7%</b>
Transfers In- Reimb from Cell 3	0	0	0	0.0%
Transfers In - Recycling Revolving Fund	66,666	66,667	(1)	0.0%
Total Other Resources/Transfers In	66,666	66,667	(1)	0.00%
<b>Total Revenues/Other Resources/Transfers In</b>	<b>3,773,913</b>	<b>4,996,036</b>	<b>(1,170,482)</b>	<b>-23.4%</b>
<b>Expenditures by Object:</b>				
Salaries and wages - regular	340,882	324,820	16,062	4.9%
Salaries and wages - overtime	21,365	33,158	(11,793)	-35.6%
Salaries and wages - fringe benefits	158,780	132,441	26,339	19.9%
	521,027	490,419	30,608	6.2%
<b>Contractual services:</b>				
Layon Operations	645,698	661,755	(16,056)	-2.4%
Layon Others	100,191	99,798	392	0.4%
Harmon Hauler Station Operations	641,139	658,840	(17,701)	-2.7%
Ordot Postclosure care (OPCC)	0	333,333	(333,333)	0.0%
Recycling/Other Programs	88,329	62,765	25,564	40.7%
GEPA Appropriation	0	0	0	0.0%
Contractual Employees	157,905	186,561	(28,656)	-15.4%
Vehicle Maintenance	47,668	28,267	19,401	68.6%
PUC/Legal Expenses	113,240	121,667	(8,427)	-6.9%
Other Contractual	50,853	62,183	(11,330)	-18.2%
<b>Total Contractual</b>	<b>1,845,022</b>	<b>2,215,168</b>	<b>(370,147)</b>	<b>-16.7%</b>
Receiver	80,000	69,675	10,325	14.8%
Travel	0	0	0	0.0%
Supplies	108,283	68,924	39,359	57.1%
Vehicle Supplies	69,653	69,514	139	0.2%
Worker's compensation	0	0	0	0.0%
Drug testing	219	82	137	167.1%
Equipment	0	0	0	0.0%
Utilities - power	18,504	16,817	1,687	10.0%
Utilities - water	2,394	1,441	953	66.1%
Communications	9,824	9,421	403	4.3%
Miscellaneous	20,444	41,564	(21,120)	-50.8%
Reserves	0	0	0	0.0%
Transfers to Host Community Fund	65,333	91,922	(26,589)	-28.9%
Transfer out to General Fund (Debt Service)	508,000	508,000	0	0.0%
<b>Total Operating Expenditures</b>	<b>802,654</b>	<b>807,685</b>	<b>(5,031)</b>	<b>-0.6%</b>
<b>TOTAL EXPENDITURES:</b>	<b>3,248,703</b>	<b>3,582,947</b>	<b>-334,245</b>	<b>-9.3%</b>
Excess (deficiency) of revenues over (under expenditures	525,210	1,413,089	(887,878)	-62.8%
Other financing sources (uses),				
Transfers in from other funds	0	0	0	
Transfers out to other funds	0	(1,886,800)	1,886,800	
Total other financing sources (uses), net	0	(1,886,800)	1,886,800	
Net Change in Fund Balance:	<b>525,210</b>	<b>(473,712)</b>	<b>998,922</b>	
Beginning Fund Balance, 09-30	7,316,604	7,032,938	283,666	4.0%
Ending Fund Balance, November (unaudited)	7,841,814	6,559,226	1,282,590	19.6%



Special Waste  
Tonnage and Revenue Report  
November 2023 - November 2024

	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER
Tonnage	54	130	270	81	1,316	11,309	3,220	138	158	196	122	234	270
Revenue	\$ 9,646	\$ 21,730	\$ 46,318	\$ 13,869	\$ 208,256	\$ 1,770,098	\$ 507,263	\$ 23,650	\$ 27,113	\$ 33,670	\$ 20,889	\$ 40,178	\$ 46,281



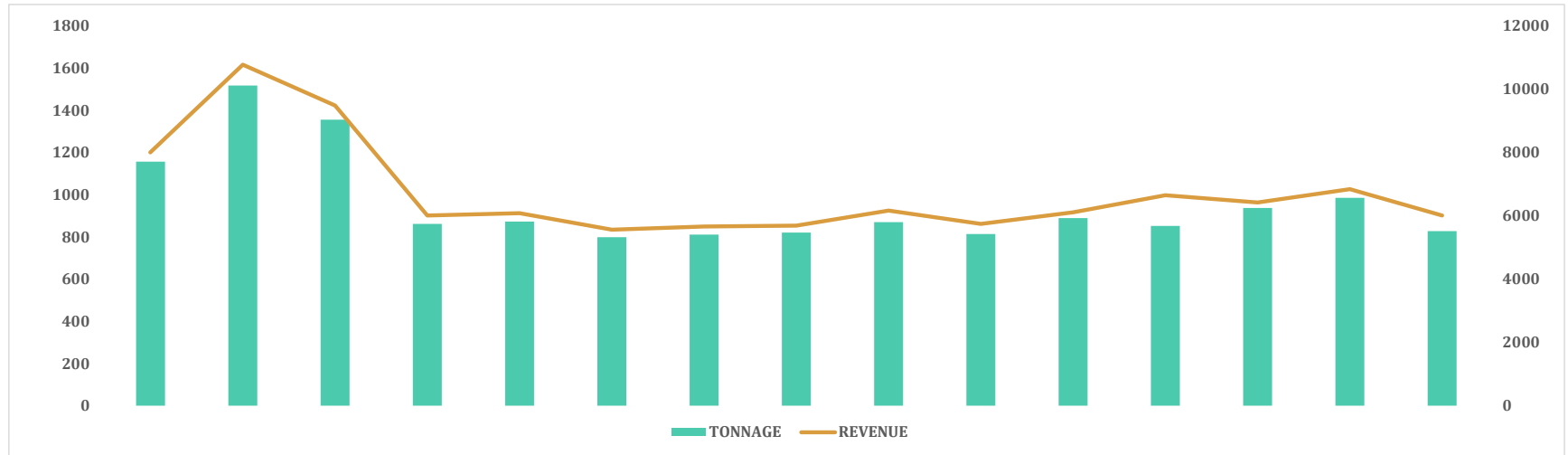
Special Waste Type by Tons:

	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER
Treated Wood	54	130	270	70	142	176	312	138	158	196	122	234	270
Rubberized Paint	0	0	0	11	0	0	0	0	0	0	0	0	0
Regulated Soil	0	0	0	0	1,122	10,936	2,908	0	0	0	0	0	0
Non-Regulated Soil	0	0	0	0	51	197	0	0	0	0	0	0	0
<b>TOTAL</b>	<b>54</b>	<b>130</b>	<b>270</b>	<b>81</b>	<b>1,316</b>	<b>11,309</b>	<b>3,220</b>	<b>138</b>	<b>158</b>	<b>196</b>	<b>122</b>	<b>234</b>	<b>270</b>

**Period September 2023 - November 2024**

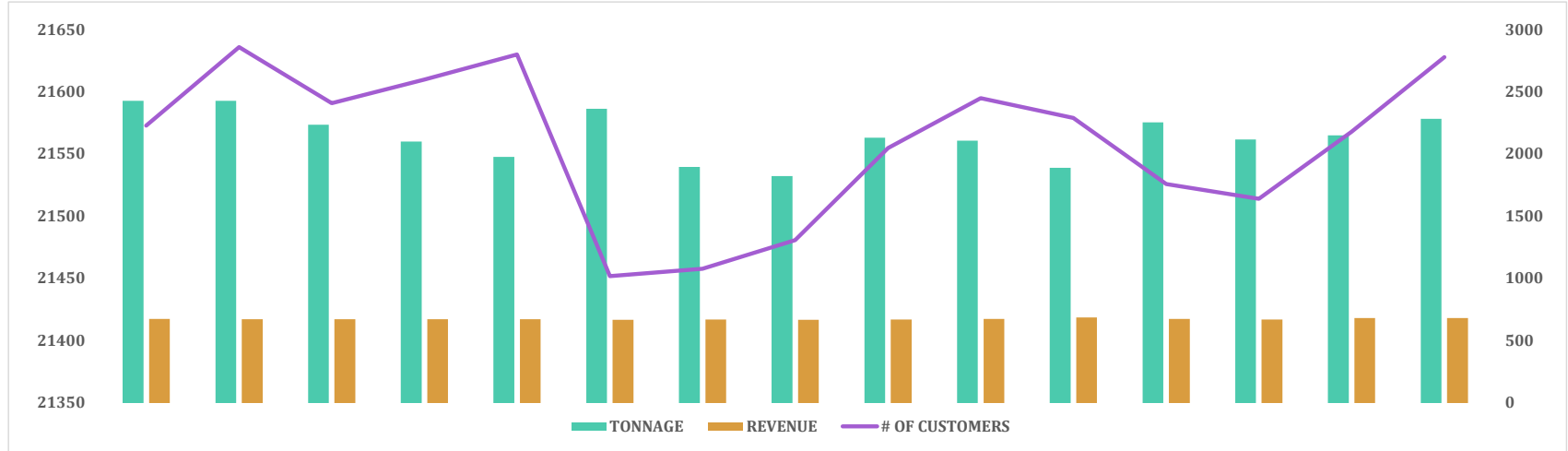
**Fifteen (15) months**

	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEP	OCT	NOV
TONNAGE	7,717	10,130	9,046	5,751	5,829	5,333	5,409	5,480	5,808	5,435	5,938	5,691	6,256	6,573	5,527
REVENUE	\$ 1,202	\$ 1,617	\$ 1,424	\$ 903	\$ 914	\$ 835	\$ 850	\$ 854	\$ 926	\$ 863	\$ 918	\$ 999	\$ 965	\$ 1,006	\$ 882



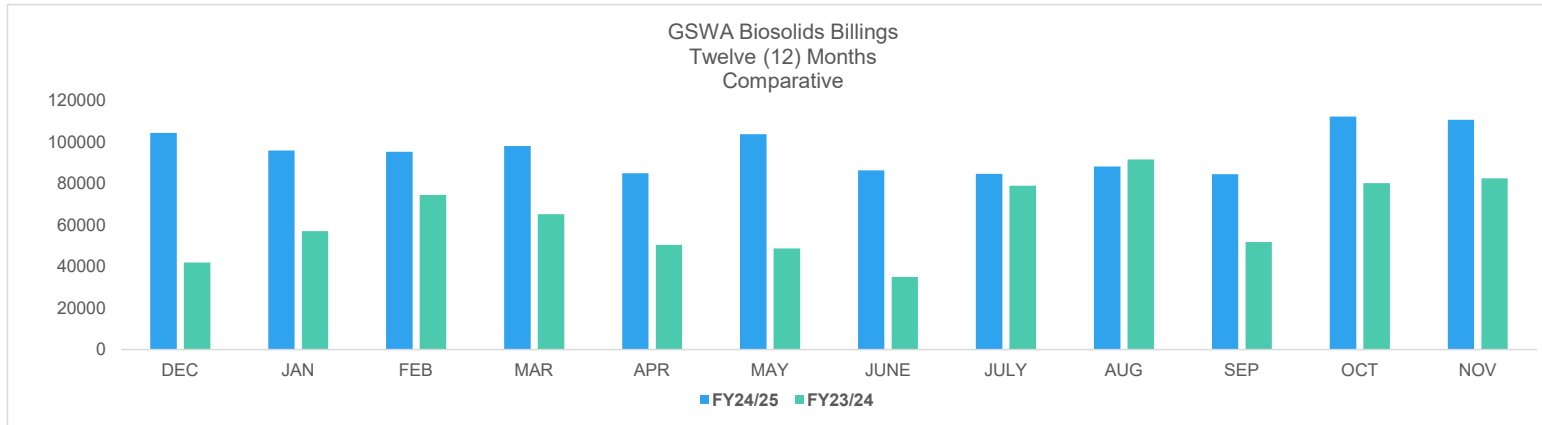
**Residential Revenue & Tonnage**  
**Period September 2023 - November 2024**  
**Fifteen (15) months**

	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEP	OCT	NOV
TONNAGE	2,428	2,236	2,102	1,978	2,365	1,897	1,824	2,133	2,108	1,890	2,256	2,118	2,151	2,283	1,966
REVENUE	\$ 673	\$ 674	\$ 673	\$ 674	\$ 670	\$ 672	\$ 669	\$ 672	\$ 676	\$ 687	\$ 675	\$ 672	\$ 675	\$ 676	\$ 673
# OF CUST	21,636	21,591	21,610	21,630	21,452	21,458	21,481	21,555	21,595	21,579	21,526	21,514	21,568	21,628	21,571



**Guam WaterWorks Authority Biosolids  
Billings Comparative  
Twelve (12) Months Comparative**

	DEC	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEP	OCT	NOV
FY24/25	\$ 104,520	\$ 96,030	\$ 95,429	\$ 98,195	\$ 85,019	\$ 103,850	\$ 86,527	\$ 84,817	\$ 88,352	\$ 84,595	\$ 112,389	\$ 110,748
FY23/24	\$ 41,967	\$ 57,200	\$ 74,600	\$ 65,312	\$ 50,589	\$ 48,860	\$ 35,164	\$ 79,091	\$ 91,761	\$ 51,868	\$ 80,266	\$ 82,601



**KEY INDICATORS**  
**As of November 30, 2024**

Indicators	Target	Sep-24	Oct-24	Nov-24
Days in Cash	90	92	92	91
Residential Collection Rate:				
* Month to Date	98%	94%	97%	87%
* Year to Date	98%	100%	97%	92%
Commercial/Govt/Others Collection Rate:				
* Month to Date	98%	105%	105%	90%
* Year to Date	98%	104%	105%	98%
Account Receivable Days	60	65	63	67
Account Payable Days	30	0	0	0
Residential Customers	21,691	21568	21628	21571
Trucks Procured/Purchased - FY2023	6	6	5	5
Trucks Procured/Purchased - FY2024	4	4	4	4
Trucks Procured/Purchased - FY2025	4	0	3	3
Trucks Not Delivered	7	7	7	7
Plastic Contamination Rate	5%	0	0	0
	25.0%	97%	94%	83%

**PERFORMANCE INDICATORS**

<b>RESIDENTIAL TRASH COLLECTION:</b>	<b>Jan 2024</b>	<b>Feb 2024</b>	<b>Mar 2024</b>	<b>Apr 2024</b>	<b>May 2024</b>	<b>Jun 2024</b>	<b>Jul 2024</b>	<b>Aug 2024</b>	<b>Sept 2024</b>	<b>Oct 2024</b>	<b>Nov 2024</b>	<b>DIFFERENCE</b>
NO. OF TRASH COLLECTIONS:	85,808	85,832	85,924	86,220	86,380	86,316	86,104	86,056	86,272.00	86,512.00	86,284	<b>(228)</b>
MISSED SERVICE:	362	434	491	272	650	437	334	439	463	353	263	<b>-90</b>
<b>CUSTOMER SERVICE:</b>												
EMPLOYEE COUNT (PHONES):	2	2	2	3	3	3	2	2	2	2	2	-
EMPLOYEE COUNT (WALK IN):	2	2	2	1	1	1	1	2	2	2	2	-
EMPLOYEE COUNT (EMAILS & SUPERVISION):	1	1	1	1	1	1	1	1	1	1	1	-
TOTAL EMPLOYEE COUNT:	5	5	5	5	5	5	4	5	5	5	5	-
TOTAL WALK-INS:	1125	933	930	1,074	818	794	953	952	802	990	670	<b>(320)</b>
CALLS RECEIVED:	4,901	3,438	4,231	6,691	3,931	3,228	4,157	3,454	3,471	3,439	3,094	<b>(345)</b>
CALLS ANSWERED:	1,584	1,755	1,860	2,568	2,893	2,551	2,792	2,461	2,909	2,864	2,248	<b>(616)</b>
CALLS ABANDONED	3,132	1,665	2,039	4,079	1,038	668	1,355	993	562	573	844	<b>271</b>
ANSWER RATE:	32.32%	51.05%	47.67%	38.38%	73.60%	79%	67%	71%	84%	83%	73%	<b>-11%</b>
AVERAGE WAIT TIME:	6:29	5:00	4:54	6:46	2:30	1:53	3:02	2:37	1:14	1:16	1:58	<b>0:42</b>
AVERAGE HANDLE TIME:	3:32	3:23	3:25	2:56	2:51	2:34	2:51	3:06	2:45	2:54	2:41	<b>-13</b>
AVERAGE TIME TO ABANDONMENT:	5:39	4:28	4:04	6:27	3:18	2:32	4:10	3:56	1:57	1:58	1:44	<b>-14</b>



# GUAM SOLID WASTE AUTHORITY

**LOURDES A. LEON GUERRERO**  
Governor of Guam

**JOSHUA F. TENORIO**  
Lt. Governor of Guam

**IRVIN L. SLIKE**  
General Manager



GSWA BOARD RESOLUTION NO.2025-004

**GSWA Board Resolution No. 2025-004**  
**RELATIVE TO THE APPROVAL OF THE SETTLEMENT OF CLAIM NO. GSWA 2024-C008**  
**AGAINST THE GUAM SOLID WASTE AUTHORITY**

**WHEREAS**, EA Engineering, Technology, and Science, Inc., PBC (the “Claimant”), has submitted a claim totaling twenty-one thousand five hundred fifty-four dollars and forty-seven cents (\$21,554.47) against the Guam Solid Waste Authority (GSWA). This claim pertains to the completion of task orders under contract, with the delay in submission of invoices for these task orders occurring in FY2023, as detailed in Attachment A; and

**WHEREAS**, GSWA has conducted an independent review and does not dispute the factual basis of the claim; and

**WHEREAS**, supporting documentation, including invoices, email exchanges, and amendments related to this claim, has been submitted. The Guam Solid Waste Authority (GSWA) has reviewed the submission and determined it to be a fair and reasonable settlement of the claim.; and

**WHEREAS**, Claimant has agreed to settle the claim in the amount of \$21,554.47; and

**WHEREAS**, GSWA legal counsel has determined that claims exceeding three thousand dollars (\$3,000.00) require Board approval before submission for signature to the Office of the Attorney General of Guam and the Governor of Guam; and

**NOW, THEREFORE, BE IT RESOLVED** that the Board of the Guam Solid Waste Authority hereby approves the Release and Settlement Agreement of Claim No. GSWA 2024-C008 in the amount of \$21,554.47.

Ayes: 5

Nays: 0

Absent: 0

Abstain: 0



# GUAM SOLID WASTE AUTHORITY

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Governor of Guam

**JOSHUA F. TENORIO**  
Lt. Governor of Guam

**IRVIN L. SLIKE**  
General Manager



GSWA BOARD RESOLUTION NO.2025-004

Upon said roll call, the text of the foregoing was duly enacted as a Resolution of the Board of Guam Solid Waste Authority, Guam, on the 18<sup>th</sup> day of December 2024.


**GUAM SOLID WASTE AUTHORITY**  
**BOARD OF DIRECTORS**

  
\_\_\_\_\_  
Andrew Gayle, Chairman

**ATTEST:**

**ALICIA FEJERAN, CLERK**

**BY:**   
\_\_\_\_\_

  
\_\_\_\_\_  
Margaret Denney, Secretary





# GUAM SOLID WASTE AUTHORITY

**LOURDES A. LEON GUERRERO**  
Governor of Guam

**JOSHUA F. TENORIO**  
Lt. Governor of Guam

**IRVIN SLIKE**  
General Manager



## Letter of Transmittal

Date: December 18, 2024  
To: Office of the Attorney General of Guam  
Via Attn: Brenda Aguon  
From: Guam Solid Waste Authority

Re: Gov't. Claim of EA Engineering, Technology, and Science, Inc. PBC  
Claim No. GSWA 2024-C008

We are sending herewith the following:

Letter dated November 8, 2024 re: Proposed Settlement

Original Release and Settlement Agreement

GSWA Resolution No. 2025-004

These are transmitted for review and approval.

After the Attorney General of Guam has reviewed and signed, please contact Keilani Mesa, Administrative Officer of GSWA at 671-646-3215 or via email at keilani.mesa@gswa.guam.gov.



# GUAM SOLID WASTE AUTHORITY

**LOURDES A. LEON GUERRERO**  
Governor of Guam

**JOSHUA F. TENORIO**  
Lt. Governor of Guam

**IRVIN SLIKE**  
General Manager



VIA HAND-DELIVERY

Attorney General of Guam  
OFFICE OF THE ATTORNEY GENERAL OF GUAM  
Suite 901, ITC Building  
590 South Marine Corps Drive  
Tamuning, Guam 96913

Re: Proposed Settlement of Claim Against the Guam Solid Waste Authority by EA Engineering, Technology, and Science, Inc. PBC; GSWA GC File No. GSWA-C008

Dear Attorney General,

Pursuant to 10 G.C.A. § 51A115, the proposed Release and Settlement Agreement is attached for your review and approval. It was approved by the Board of Guam Solid Waste Authority through Resolution 2025-004

## BACKGROUND

The subject claim was received by the Guam Solid Waste Authority on November 8, 2024. Reference Exhibit "A."

This claim pertains to the completion of task orders under contract, with the delay in submission of invoices for task orders completed in FY23.

## STATEMENT OF FACTS

Claimant is the selected vendor hired to complete task orders under P236R00077 and P236R00078. Reference Attachment "A."

Claimant is seeking compensation in the amount of \$21,554.47 for completion of task orders under purchase agreement. Reference Exhibit "A."



# GUAM SOLID WASTE AUTHORITY

**LOURDES A. LEON GUERRERO**  
Governor of Guam

**JOSHUA F. TENORIO**  
Lt. Governor of Guam

**IRVIN SLIKE**  
General Manager



## ANALYSIS OF LIABILITY

Claimant provided a purchase orders, amendments, and email exchanges referencing the work completed and seeks payment for work completed. Reference Attachment "A".

## ANALYSIS OF DAMAGES

Attached is the original Release and Settlement Agreement for the above-subject claim in the amount of twenty-one thousand five hundred fifty-four dollars and 47/100 Dollars (\$21,554.47), which requires your review and signature and subsequently the signature of the Governor of Guam.

In closing, I confirm that GSWA has sufficient funds and budget approval from the GSWA Board to pay this claim. If you have any questions, comments, or concerns, please contact me at 671-646-3239 or via email at [irvin.slike@gswa.guam.gov](mailto:irvin.slike@gswa.guam.gov).

Sincerely,

[Irvin Slike](#)

General Manager

Enclosures:  
Attachment A;  
Release and Settlement Agreement (Original);  
GSWA Resolution No. 2025-004;



# Guam SOLID WASTE RECEIVER



## Ninth Joint Status Report to the United States District Court of Guam (Receiver's Presentation of its Position)

Presented by  
Gershman, Brickner & Bratton, Inc.  
December 18, 2024





# Guam SOLID WASTE RECEIVER



## Ninth Joint Status Report Topics

- I. Leachate Flow and Seep Investigations
- II. Claim Against the Guam Waterworks Authority
- III. SEP Completion Reports
- IV. Post-Closure Care Funding and Trust Agreement
- V. Transition Plan and Termination of Receivership





# Guam SOLID WASTE RECEIVER



## I. Leachate Flow and Seep Investigations

### Two Topics Being Presented

- A. Overview of Ordot Dump Performance: Pre-Closure and Post-Closure
- B. What is Covered in the Joint Status Report by the Receiver





**FIGURE 2-2**  
**SITE PLAN**  
**ORDOT DUMP POST-CLOSURE FACILITY**  
**GUAM**

# LEACHATE TREATMENT PROCESS

1

LEACHATE COLLECTION AT ORDOT DUMP



4

DETRY TRUCK EMERGENCY BACKUP FOR EXCESS LEACHATE



5

GWA PLANT TREATS LEACHATE IN HAGATNA



2

LEACHATE GOES THROUGH METER



3

LEACHATE CONVEYED TO GWA SYSTEM VIA MANHOLE







# Guam SOLID WASTE RECEIVER



## I. Leachate Flow and Seep Investigations (cont'd)

### A. Overview of Ordot Dump Performance:

#### 1. Pre-Closure Facility Performance Review

- Uncontrolled discharge of approximately 58 million gallons every year of untreated leachate into waters of the U.S.

#### 2. Post-Closure Facility Performance Overview

- Leachate Collection and Removal System (LCRS) operates in compliance with all applicable permits
- LCRS has been hardened for more resiliency and reliable performance during severe weather events
- Leachate production continues to decline annually



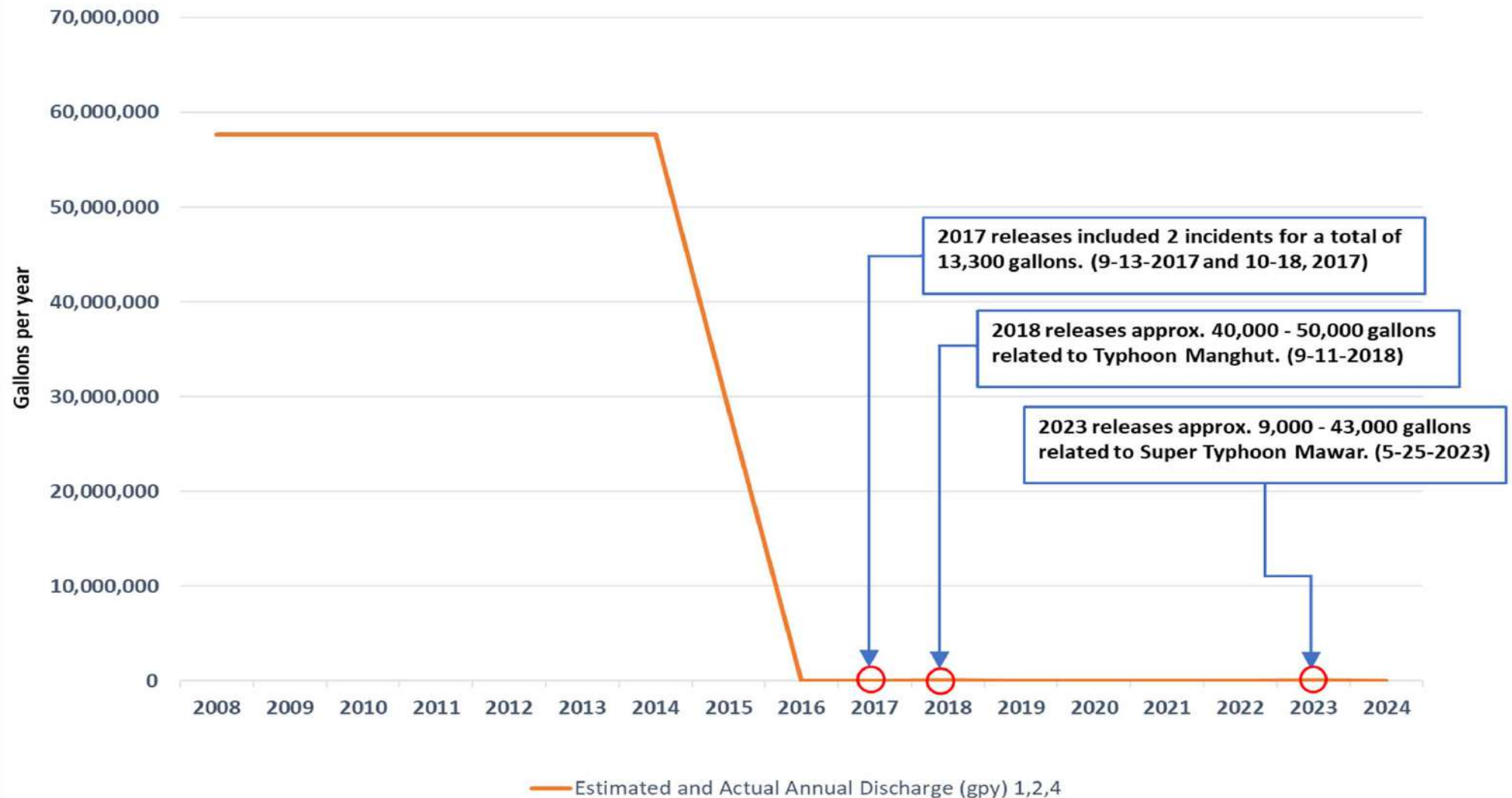


# Guam SOLID WASTE RECEIVER



## ORDOT DUMP POST-CLOSURE PERFORMANCE

Ordot Dump Pre-Closure and Post-Closure Leachate Discharge





# Guam SOLID WASTE RECEIVER



## ORDOT DUMP POST-CLOSURE PERFORMANCE

Release Event Date	Estimated Release (Gallons)	Percentage of Release relative to Pre-Closure Annual Discharge
Sept. 13, 2017 (4-inch HDPE force-main leak)	6,000	0.01034%
Oct. 18, 2017 (GPA power outage and excessive rain)	7,300	0.01259%
Sep. 11, 2018 (Typhoon Manghut)	40,000 – 50,000	0.08621%
May 25, 2023 (Super Typhoon Mawar)	9,000 – 43,000	0.07414%
<b>Pre-Closure Annual Discharge is estimated to be 58,000,000 Gallons</b>		

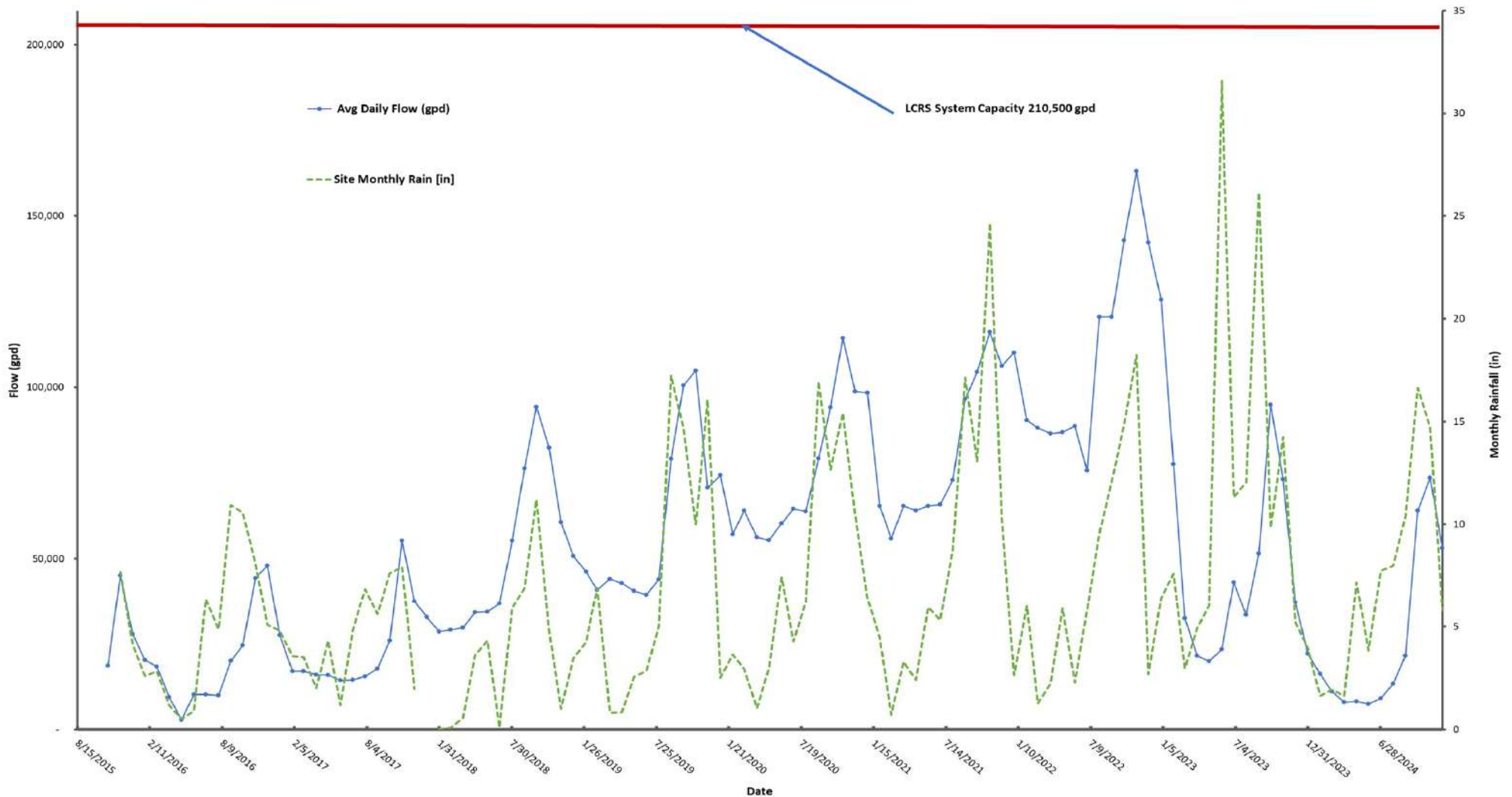


# Guam SOLID WASTE RECEIVER



## Leachate Flow Update

Daily Average Flow and Rainfall by Month Based on GWA Meter





# Guam SOLID WASTE RECEIVER



## Leachate Flow Update (cont'd)

With eleven (11) months behind us in 2024, leachate rate approaching level of 2016 and 2017 flows now that GWA Dero Road leaks no longer impact the Ordot Dump Facility

Year	Leachate (Gallons)
2016	7,397,019
2017	8,518,884
2018	18,658,285
2019	23,952,805
2020	27,748,045
2021	30,040,379
2022 (GWA leaks repaired in Dec.)	40,976,930
2023	15,870,700
<b>2024 (11 months)</b>	<b>8,615,694</b>





# Guam SOLID WASTE RECEIVER



## Leachate Flow Update (cont'd)

### GWA Leachate Treated and Charges

Year	Leachate (Gallons)	Charges
2022	40,976,930	\$1,126,653.88
2023	15,870,700	\$358,176.30
2024 (11 months)	8,615,694	\$137,445.53



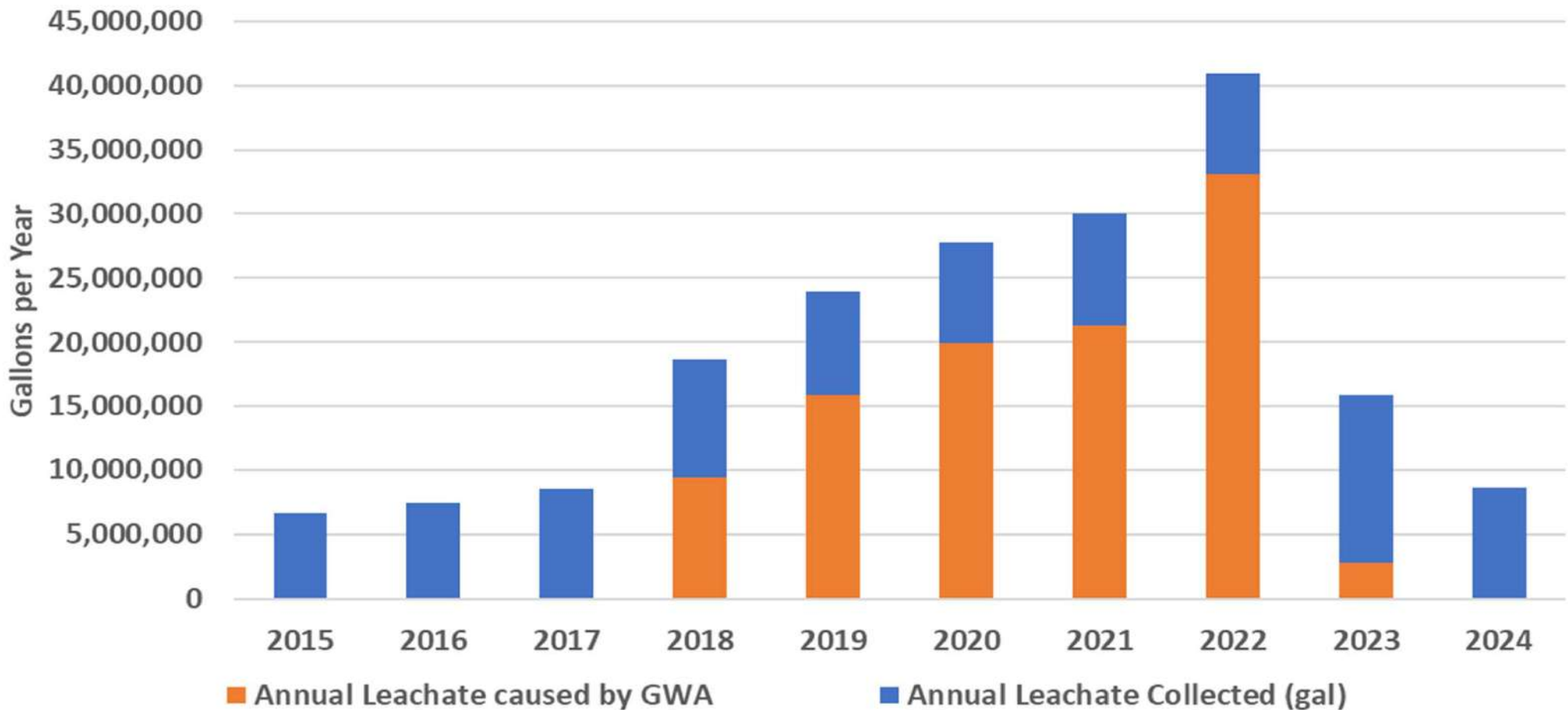


# Guam SOLID WASTE RECEIVER



## POST-CLOSURE PERFORMANCE

Ordot Dump Closure Facility - Total Leachate Collected and Treated by Year  
(Through 11-30-2024)





# Guam SOLID WASTE RECEIVER



## GK2, Inc. Independent Report

- Corroborates findings of B&C report
- Evaluated GWA Waterline Leaks impact on Dero Road to Ordot Dump Leachate Flow
- Found leachate flow driven by rainfall trends
  - since landfill is unlined
  - trends should match but during 2017 to 2023 leachate flow much more than projected, trend lines separated
  - Only in 2023, after the December 2022 leak fixes were completed did trend lines closely match again







# Guam SOLID WASTE RECEIVER



## I. Leachate Flow and Seep Investigations (cont'd)

### B. What is Covered in the Joint Status Report by the Receiver

Brown and Caldwell Report Dated May 3, 2024:

- Brown and Caldwell Report concluded, based on sufficient data collection culminates the investigations on all data, that discharges have ceased
- U.S. EPA provided comments on this report on November 15, 2024
- The Receiver and Brown and Caldwell are reviewing the comments and plan to discuss with EPA in the very near future
- The Receiver will consult with the U.S. EPA/DOJ regarding the final form and content of the Cessation Certification required by the Consent Decree





# Guam SOLID WASTE RECEIVER



## II. Claim Against the GWA

- Court directed Receiver to take the lead and to pursue the GWA Claim
- Receiver has provided regular updates to the Court regarding the progress and next steps
  - 5/10/23 Status Hearing (ECF 1992)
  - 5/8/2024 Status Hearing (ECF 2068)
  - 9/11/24 Status Hearing (ECF 2094)
- Receiver has provided monthly updates to the GSWA Board at the GSWA board meetings (May 2024-November 2024) (ECF 2136, Exhibits A-G)





# Guam SOLID WASTE RECEIVER



## Receiver's Efforts to Settle with GWA Relating to Dero Road Waterline Leaks

- 8/13/2023 Receiver's Request for Compensation for Dero Road Waterline Leaks for \$2.65MM (***rejected by GWA and requested an additional year of leachate collection data***)
- 8/21/2024 Letter with Calculation of Damages Report from Dero Road (with additional year of data) for \$4.4MM with supporting reports and calculations
  - *Brown & Caldwell Report on Leachate Flow Evaluation and Cessation of Discharges to Waters of the U.S.*
  - *GK2, Inc.'s Evaluation of Contribution of GWA Waterline Leaks on Dero Road to Ordot Dump Leachate Flow & Volume Report*





# Guam SOLID WASTE RECEIVER



## II. Claim Against the GWA Cont'd

- Receiver's counsel made seven (7) requests for a settlement meeting with GWA between 8/21/24 to 10/16/2024. (***GWA did not agree to meet***)
- 9/11/24 Receiver informed the Court that if matter cannot be settled then a lawsuit would have to be brought against GWA (ECF 2092 at 24:1-5)
- 9/17/24 Letter from Receiver's Counsel to DB Insurance Co., Ltd. notifying insurance company of claim against GWA insurance policies – attached the 8/21/2024 Letter with Calculation of Damages Report (***No response from DB Insurance***)
- 10/17/24 Receiver informed GSWA Board regarding GWA's lack of response and that Receiver will be filing lawsuit against GWA (ECF 2136 Exhibit F&I) (***no objections from the Board***)





# Guam SOLID WASTE RECEIVER



## II. Claim Against the GWA Cont'd

- 10/31/2024 Receiver filed Complaint as Federal Receiver for GSWA against Guam Waterworks Authority and DB Insurance Co., Ltd. in the Superior Court of Guam (CV593-24) (ECF 2136, Exhibit H)
  - Claim for negligence for failure to construct and maintain its distribution waterlines safely and in according with good engineering practices
  - Direct action against DB Insurance under GWA commercial general policies which cover liability of GWA to pay damages in the GWA Lawsuit
  - Claim for breach of contract for overbilling leachate treatment cost generated by GWA from Dero road waterline leaks
- 11/20/24 Receiver informed the GSWA Board regarding filing of the GWA Lawsuit (ECF 2136, Exhibit G)





Gu

# Breakdown of Damages Against GWA (ECF 2078-1)

August 21, 2024

Mr. Miguel C. Bordallo

Guam Waterworks Authority

Gloria B. Nelson Public Service Building

688 Route 15

Mangilao, Guam 96913

RE: GWA Calculation of Damages Report

Dear Mr. Bordallo:

The Receiver has prepared the attached GWA Calculation of Damages Report to support the claim for excessive leachate charges and cost incurred between 2018 to 2022. The Receiver has calculated the total damages from the excessive leachate charges and related costs to be \$4,407,241.20 ("GSWA Damages"), which is broken down as follows:

Report Section	Description of Cost	Amount
1	Original claim based on letter dated 8/16/23	\$2,650,222.00
2	Additional Leachate Quantities (01/01/23 - 10/31/23)	\$60,075.02
3	BC Work Orders (2018 - Current)	\$650,543.00
4	Estimated Receiver's Cost 2018 - 05/31/2024	\$737,595.19
5	Detry Truck Charges	\$187,214.12
6	Pump Power Costs	\$95,007.86
7	Repair Work Costs	\$26,584.01
	<b>Total</b>	<b>\$4,407,241.20</b>



SOLID WASTE  
MANAGEMENT  
CONSULTANTS  
RECEIVER

Innovative, Sustainable Solutions  
for Solid Waste Management



Gershman, Brickner & Bratton, Inc.  
8300 Boone Blvd.  
Suite 500  
Vienna, VA 22182



Gershman, Brickner & Bratton, Inc.



# Guam SOLID WASTE RECEIVER



## \$1 Million Credit Settlement Disclosed at 9/11/24 Status Conference

*“I worked out an agreement before the PUC on a credit – million dollar credit, which I have been pursuing with Miguel [GWA General Manager].”*

Irv Slike (GSWA GM, 9/11/24 Status Conference)

- Not disclosed or discussed with Receiver or GSWA Board
- No documents presented regarding this settlement
- Discount of \$3.4 Million (75%) from \$4.4 Million GWA Claim
- Credit not cash payment – GWA has the cash to pay
- PUC approval not required if GWA rates are not impacted
- Bad deal for GSWA





# Guam SOLID WASTE RECEIVER



## GWA Lawsuit Next Steps

- Settling for \$1 million credit is not in the best interest of GSWA.
- According to GWA counsel, the Office of the Attorney General defends this lawsuit unless a Special AG is appointed. Settlements requires the Attorney General's approval.
- Liability for Dero Road Leaks has not been disputed by GWA and is well substantiated in GK2, Inc. and B&C Reports
- The Receiver will continue pursuing the claims against GWA in the Superior Court, including mediation and arbitration (if GWA/OAG agrees) if so ordered.







# Guam SOLID WASTE RECEIVER



## III. SEP Completion Report

- Receiver has completed its portion of the SEP Completion Report and U.S. EPA approved it on July 9, 2024 (see ECF 1995-2)





# Guam SOLID WASTE RECEIVER



## IV. Post-Closure Care Funding and Trust Agreement

- In September 2024, the GSWA Board approved the new RCRA Trust Agreement
- The Department of Administration transferred the \$30+ million settlement proceeds into a new RCRA compliant trust set up with the Bank of Guam per the requirements of the U.S. EPA
- The Receiver augmented the funds with \$1.7+ million deposit the balance so that full funding of \$32.5 million post-closure cost estimate has been reached
- GSWA monthly deposits for the \$2 million per year funding have been suspended





# Guam SOLID WASTE RECEIVER



## IV. Post-Closure Care Funding and Trust Agreement (cont'd)

- Transaction authorizations require both GSWA and the Receiver while the Receivership is still active
- Upon termination of the Receivership, the Receiver's signature authorization will be dropped
- Estimated future interest income may be adequate to cover future annual escalation payments
- The Receiver has approximately \$6.7 million in the custodial accounts adequate to fund approximately 5 years of currently estimated post-closure costs





# Guam SOLID WASTE RECEIVER



## V. Transition Plan and Termination of Receivership

- The Receiver and GWSA filed their signed transition plan with the Court on October 31, 2024
- The transition plan estimates that once the Court has ordered transition to occur, transition could be done within 60 days
- In the transition plan, GSWA is required to provide a written opinion from the Attorney General's office confirming that GSWA can amend its engineering consultant's contract for Layon Landfill services to add the Ordot Dump Post-Closure Facility
  - That has yet to be provided
  - When provided, the transition plan will be ready for implementation





# Guam SOLID WASTE RECEIVER



## V. Transition Plan and Termination of Receivership (cont'd)

- The Receiver is of the opinion that GSWA and GovGuam are not committed to pursuing the full amount of the damages the Receiver has alleged in the GWA and DB lawsuit
- The Receiver believes it is in the best position to continue pursuing the claim until it is fully resolved
  - Gov Guam disagrees, and engaged in negotiation GSWA without the Receiver's knowledge or agreement
- The Consent Decree requirements remaining to be met are:
  1. GEPA Portion of the SEP Completion Report accepted by US EPA
  2. Certification of Cessation of Discharges to US waters filed and accepted by the US EPA





# Guam SOLID WASTE RECEIVER



## *Si Yu'us Ma'ase*



**GBB**  
SOLID WASTE  
MANAGEMENT  
CONSULTANTS