



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

Thursday, February 20, 2025 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. RECEIVER REPORTS
 - i. RECEIVERSHIP UPDATE
 - ii. TRANSITION PLAN UPDATE
 - b. MANAGEMENT REPORTS
 - i. OPERATIONAL UPDATE
 - ii. FINANCIAL REPORT
 - c. LEGAL COUNSEL'S REPORT
 - d. COMMITTEE REPORTS
- VII. UNFINISHED BUSINESS
 - a. RATE CASE WITH PUBLIC UTILITIES COMMISSION
 - b. ISLAND WIDE TRASH COLLECTION INITIATIVE
 - i. PROPOSED BILL
 - c. LAYON CELLS 1 AND 2 CLOSURE
- VIII. NEW BUSINESS
- IX. COMMUNICATIONS AND CORRESPONDENCE
- X. PUBLIC FORUM
 - a. BART CRUZ – RECYCLE SERVICE
- XI. NEXT MEETING
- XII. ADJOURN

Guam Solid Waste Authority Board of Directors Meeting

Thursday, February 20, 2025 – 1:00 PM (ChST)

Join Zoom Meeting

Link: <https://zoom.us/j/9140408814?pwd=TjZ3U0dHSVd0ajlKRjBhcWFrc1ZYZZ09>

Meeting ID: 914 040 8814

Passcode: 777546

THE GUAM SOLID WASTE AUTHORITY BOARD OF DIRECTORS WILL HAVE A REGULAR BOARD MEETING FEBRUARY 20, 2025 AT 1:00 P.M. 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, A. RECEIVER REPORTS WITH I. RECEIVERSHIP UPDATE AND II. TRANSITION PLAN UPDATE, B. MANAGEMENT REPORTS WITH I. OPERATIONAL UPDATE AND II. FINANCIAL REPORT, C. LEGAL COUNSEL'S REPORT, AND D. COMMITTEE REPORTS, VII. UNFINISHED BUSINESS, A. RATE CASE WITH PUBLIC UTILITIES COMMISSION, B. ISLAND WIDE TRASH COLLECTION INITIATIVE WITH I. PROPOSED BILL, AND C. LAYON CELLS 1 AND 2 CLOSURE, VIII. NEW BUSINESS, IX. COMMUNICATIONS AND CORRESPONDENCE, X. PUBLIC FORUM, A. BART CRUZ - RECYCLE SERVICE, XI. NEXT MEETING, XII. ADJOURN.**

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

For more information, please contact GSWA Admin at keilani.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.



CIVIL SERVICE COMMISSION

KUMISION / SETBISION SIBIT
Bell Tower Suite 201, 710 W. Marine Corps Drive, Hagåtña, Guam 96910
Tel: (671) 647-1855 • Fax: (671) 647-1867

NOTICE OF MEETING

IN-PERSON MEETING AT 9:00 A.M. ON THURSDAY, FEBRUARY 20, 2025.

The public can access a live stream of this meeting on the CSC website at: csc.guam.gov or via zoom at: <https://us06web.zoom.us/j/82423026323?pwd=EbaJbJhDL12AEJbgxHTJNKfh7a1Hh.1>
(Meeting ID: 824 2302 6323 / Passcode: 108832)

AGENDA:

- I. CALL TO ORDER.
- II. APPROVAL OF MINUTES: 10/22/24; 10/24/24; and 10/31/24.
- III. NEW BUSINESS: None.
- IV. OLD BUSINESS:
 - (1) SIGNING: JUDGMENT OF DISMISSAL. *Glenn E. Cruz vs. Guam Power Authority (GPA); CSC Case No.: 23-AA02T.*
 - (2) HEARING ON THE MERITS.
- V. GENERAL BUSINESS:
 - (1) Bills and Laws affecting CSC: None.
 - (2) Administrative Counsel Litigation Update.
 - (3) Board Training: Civil Service Commission Board Members.
- VI. ADJOURNMENT.

Byron J. Duenas vs. Guam Police Department (GPD); CSC Case No.: 24-AA11S.

For special accommodations, please contact Maria P. Masnagon, CSC ADA Coordinator at (671) 647-1872 / (671) 647-1855. /s/ Daniel D. Leon Guerrero, Executive Director
Paid by the Civil Service Commission

GUAM ENVIRONMENTAL PROTECTION AGENCY
A HENSIAN PROTEKSION LINA'LA GUAHAN

BOARD OF DIRECTORS REGULAR BOARD MEETING: Thursday, February 20, 2025 • 4:00PM
Guam EPA Administration Conference Room: 17-3304 Mariner Avenue Tiyán Barrigada, Guam

AGENDA:

- I. Call to order
- II. Determination of quorum
- III. Proof of due notice of meeting
- IV. Approval of agenda
- V. Approval of meeting minutes: January 30, 2025 regular meeting
- VI. Administrator's report
- VII. SO2 State Implementation Plan Report
- VIII. Status update on existing Notices of Violation (NOV) and any new NOV's
- IX. Public comments
- X. Next meeting date and adjournment



Livestreamed on [youtube.com/guamepa](https://www.youtube.com/guamepa) - This advertisement is paid for with local funds
Individuals requiring special accommodations, auxiliary aids or services may call Guam EPA at 671.588.4751 or email: arlene.acfalle@epa.guam.gov • Connect with Guam EPA today: [f](https://www.facebook.com/guamepa) [i](https://www.instagram.com/guamepa) [t](https://www.tiktok.com/guamepa)



Guam Solid Waste Authority Board of Directors Meeting
Thursday, February 20, 2025 – 1:00 PM (ChST)

Join Zoom Meeting

Link: <https://zoom.us/j/9140408814?pwd=TjZ3U0dHSVd0ajlKRjBhcWFrc1ZYz09>

Meeting ID: 914 040 8814 Passcode: 777546

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OFFICE OF THE ATTORNEY GENERAL

590 S. Marine Corps Drive, ITC Bldg. Ste 902,
Tamuning, Guam 96913 Phone : 671-475-3324
grants@oagguam.org

NOTICE OF FUNDING AVAILABILITY
FY 2022 VICTIMS OF CRIME ACT (VOCA)
GRANT PROGRAM

The Office of the Attorney General (OAG) Guam is hereby providing public notice of funding availability under the FY 2022 Victims of Crime Act (VOCA) Grant Program, Grant Award No.: 15POVC-22-GG-0078-ASSI.

Interested parties may review the FY 2022 VOCA Call for Proposals and required forms at <http://oagguam.org/grants/>.

An original plus an electronic copy of the completed grant proposals and required form must be received by the OAG at the address above by 4:00 p.m. Friday, March 14, 2025.

If you have any questions or require ADA accommodations, please contact Maria Isabel Perez at 475-3324 extension 5032 or mperez@oagguam.org.

/s/ **DOUGLAS B. MOYLAN**
Attorney General of Guam

Office of the Attorney General
Douglas B. Moylan · Attorney General of Guam

590 S. Marine Corps Drive, ITC Bldg. Ste. 902 · Tamuning, Guam, 96913 · USA
Phone 671-475-3324 · Fax 671-477-4703 · publicservice@oagguam.org · www.oagguam.org

"Guam's Toughest Law Enforcers"

LAW OFFICES

CUNLIFFE & COOK
210 Archbishop Flores Street, Ste. 200
Hagåtña, GU 96910-5189
Telephone: (671) 472-1824
Telefax: (671) 472-2422

Attorneys for: Administratrix

IN THE SUPERIOR COURT OF GUAM
IN THE MATTER OF THE ESTATE

OF
FRANCISCO MAFNAS CRUZ,
Deceased.

Probate Case No. PRO203-24

NOTICE TO CREDITORS

NOTICE IS HEREBY GIVEN by the attorneys for TINAMARIE CRUZ GUZMAN, Administratrix of the Estate of FRANCISCO MAFNAS CRUZ, Deceased, to the creditors of, and all persons having claims against said estate or against said deceased, that within sixty (60) days after the first publication of this notice, they either file them with the necessary vouchers with the Clerk of Court, Superior Court of Guam, Guam Judicial Center, 120 West O'Brien Drive, Hagåtña, Guam, 96910, or exhibit them with the necessary vouchers to the Administratrix's attorneys, law offices of CUNLIFFE & COOK, A Professional Corporation, 210 Archbishop Flores Street, Suite 200, Hagåtña, Guam, 96910, the same being the place of transaction for said estate.

DATED: January 31, 2025.

CUNLIFFE & COOK
A Professional Corporation
Attorneys for Administratrix
By/s/ Jeffrey A. Cook, ESQ.

VANESSA L. WILLIAMS, ESQ.
LAW OFFICE OF VANESSA L. WILLIAMS, P.C.

414 WEST SOLEDAD AVENUE, GCIC BLDG., SUITE 500
HAGATNA, GUAM 96910
TELEPHONE: 671-477-1389, 671-777-5689
EMAIL: SERVICE@VLWILLIAMS.COM

Attorney for Petitioner Sandra M. McDaniel

IN THE SUPERIOR COURT OF GUAM
IN THE MATTER OF THE ESTATE

OF
DOLORES BORJA MC AULIFFE,
Deceased.

PROBATE CASE NO. PRO139-24

NOTICE TO CREDITORS

NOTICE IS HEREBY GIVEN by Petitioner, Administratrix of the Estate of Dolores Borja McAuliffe, decedent, to the creditors of and all persons having claims against the said estate or against said decedent, that within two (2) months after the first publication of this notice, all claims must be filed with the necessary vouchers in the office of the Clerk of the Superior Court of Guam, or must be established with the necessary vouchers to the Law Office of Vanessa L. Williams, P.C., 414 West Soledad Avenue, GCIC Building Suite 500, Hagåtña, Guam 96910, the same being the place for the transaction of said Estate.

Dated this 27th day of January, 2025.

LAW OFFICE OF VANESSA L. WILLIAMS, P.C.
Attorney for Petitioner
By: /s/ VANESSA L. WILLIAMS, ESQ.



DIPATTAMENTON I KAOHAO GUINAHAN CHAMORU
DEPARTMENT OF CHAMORU AFFAIRS

193 Chalan Santo Papa Juan Pablo Dos
Hagåtña, Guam 96910
Tel: (671) 989-2426/4455 • Fax: (671) 989-7219

INETNON INATBISON TINIGUE' FINA' LOFFAN GUAHAN
(GUAM HISTORICAL RECORDS ADVISORY BOARD)

REGULAR BOARD OF TRUSTEES MEETING

Thursday, February 20, 2025 - 10:00 a.m.
Guam Museum Conference Room and Zoom Video Conference

Zoom Link: <https://us02web.zoom.us/j/87052443472>
Meeting ID: 870 5244 3472 Passcode: 898940

AGENDA

- I. CALL TO ORDER
- II. ROLL CALL
- III. APPROVAL OF MINUTES
 - a. August 1, 2024
 - b. December 5, 2024
- IV. PRESIDENT'S REPORT
 - a. Mes Chamoru 2025
 - b. Chamorro Village
 - c. Guam Museum
 - d. Guam Cultural Repository
 - e. Finance / Admin
 - i. Financial Reports
- V. OLD BUSINESS - None
- VI. NEW BUSINESS
 - a. Resolution for Darlene Taitano, DCA Board of Trustees Secretary
 - b. Guam Cultural Repository Memorandum of Understanding Extension
 - c. Department of Chamorro Affairs/Junior Achievement Partnership
- VII. ADJOURNMENT

For special accommodations, please contact Nathan Jon Cruz at (671) 989-2426 or via email at athan.cruz@dca.guam.gov

/s/ **Melvin Won Pat-Borja, DCA President**
This Ad was paid for with Government funds.



VEHICLES FOR BID
"AS IS"

2023 Toyota Tundra
2019 Nissan Versa

Vehicles may be viewed at Bank of Guam Hagåtña Branch by appointment only, Tuesday through Friday, from 9:00am to 4:00pm. Last day for bidding will be on Friday, February 21, 2025 at 4:00pm. For more information, please contact Tatum Santos at (671) 472-5336/988-3326 or Kiana Aquino at (671) 472-5324/688-7784. Bank of Guam reserves the right to refuse any or all bids.

111 Chalan Santo Papa
Hagåtña, Guam 96910
(671) 472-5300
bankofguam.com



Guam Community Health Centers Board of Director's Meeting

Thursday, February 20, 2025 at 10:00am
Northern Region Community Health Center
520 West Santa Monica Avenue, Dededo, Guam

<https://www.facebook.com/profile.php?id=61550963051973>

AGENDA

- I. Call to Order
- II. Review and Approval of Minutes
- III. Public Forum
- IV. Old Business
 - A. Operations Report
 - 1. Recruitment of CEO and other vacancies
 - a. Ratify Selection of CEO position
 - 2. Procurement
 - B. Policies and Procedures Updates
 - C. Grants
 - 1. EHR
 - 2. SAC Grant Status
 - 3. ARPA Grant (Northern Expansion)
 - 4. Behavioral Health Grant (uploaded Feb 2, 2025)
 - a. Update Form 424a
 - b. Personal Information
 - 5. FEMA Grant (Typhoon Manwar) (4715DR-GU); Project 730372 (SRCHC) & 730373 (NRCHC)
 - D. Outreach Lions Club
 - a. In Reach (March 8, 2025)
 - E. Task Force for Greater Autonomy
- V. Projects, Activities and Events for the month
 - 1. SDA Medical Conferences, Feb 9-10, 2025
 - 2. Public Health Proclamation Signing (Lead Prevention E.O.), April 4, 2025
 - 3. Fund Raising BPCS/Board
- VI. Chief Medical Director
 - A. Provider Contracts
 - B. QA/QI
- VII. FY25 Fiscal Year Budget
- VIII. New Business
 - A. Alternate Site
 - B. 2025 Sliding Fee Scale
- IX. Business and Finance Report
- X. Treasurer's Report
- XI. Travel
- XII. Announcements/Open Discussion
- XIII. Next Meeting
- XIV. Adjournment

For special accommodations please call 671 635-7447
This ad is paid by the GCHC Program Income



Guam Solid Waste Authority Board of Directors Meeting
Thursday, February 20, 2025 – 1:00 PM (ChST)

Join Zoom Meeting

Link: <https://zoom.us/j/9140408814?pwd=TjZ3U0dHSVd0ajlKRjBhcWFRc1ZYz09>

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JUDICIAL COUNCIL OF GUAM
REGULAR MEETING

THURSDAY, FEBRUARY 20, 2025
12:00 PM

GUAM JUDICIAL CENTER
AND VIA VIDEOCONFERENCE

AGENDA

- I. CALL TO ORDER
- II. PROOF OF DUE NOTICE OF MEETING:
 - February 13, 2025
 - February 18, 2025
- III. DETERMINATION OF QUORUM
- IV. READING AND DISPOSAL OF MINUTES:
 - January 16, 2025 Regular Meeting
- V. OLD BUSINESS
 - A. C. Judiciary FY 2025 Remittances Pursuant to Applicable Law
 - B. eCourt and eSupervision Transition Resolution, JC - Relative to Updating Law Enforcement Physical Fitness Qualifications Test
- VI. NEW BUSINESS
 - A. Workplace Wellness
 - B. Notice of the Next Meeting (Thursday, March 20, 2025)
- VII. COMMUNICATIONS
- VIII. PUBLIC COMMENT
 - A. Guam Bar Association – President's Report
 - B. Court Employees Association
- IX. ADJOURNMENT

CANNABIS CONTROL BOARD
NOTICE OF REGULAR MEETING

The Cannabis Control Board will be meeting on Tuesday, February 25, 2025 at 2:00pm via Zoom Video Conference
Meeting Link: <https://us06web.zoom.us/j/89812463380>
Livestream: Guam Department of Revenue and Taxation - Facebook page

AGENDA:

- I. Call to Order
- II. Roll Call of Members/Quorum:
- III. Secretary's Report:
 - (A) CCB Mtg #53 Minutes-April 01, 2024 (Pending)
 - (B) CCB Mtg #54 Minutes-June 10, 2024 (Pending)
 - (C) CCB Mtg #55 Minutes-October 28, 2024 (Pending)
- IV. Old Business:
 - (A) Annual Cannabis Summit
 - (B) DRT-CEL-2023-001: Greenland Farms, Inc. (Tabled)
 - (C) DRT-CEL-2023-002: Blue Wave, Inc. (Tabled)
 - (D) DRT-CEL-2023-003: Pacific Root, LLC (Tabled)
 - (E) DRT-CEL-2023-004: Guam Real Deal LLC (Tabled)
- V. New Business:
 - (A) DRT-CICA-2025-018 Fujisaki, Tomotaka DBA: Same
- VI. Cannabis Application & Licensee Status
- VII. Other Discussions:
 - (A) Cannabis Regulators Association (CANNRA) membership
 - (B) Metrc new state user training
- VIII. Next CC Board Meeting:
- IX. Open Forum/Public Comment:
- X. Meeting Adjourned:

For any special accommodations, please contact: 635-1806/02
This ad is paid with the Department of Revenue & Taxation's General Fund

LOURDES A. LEON GUERRERO
Honorable Governor
Maga'hga

JOHN "JO" GUINATA
Executive Manager

AIRPORT GUAM

R.F.D. Box #770 Tamuning, GU 96933 • Tel: (671) 646-0300

JOSHUA F. TENORIO
Honorable Lt. Governor
Sigundo Maga'hga

ARTEMIO "RICKY" HERNANDEZ, Ph.D.
Deputy Executive Manager

REQUEST FOR PROPOSALS

CREATIVE DESIGN, PRODUCTION, AND PASSENGER & CUSTOMER SERVICE PROGRAMS

RFP No. RFP-005-FY25

<p>Deadline for Receipt of Written Questions (Single Point of Contact)</p> <p style="text-align: center;">02/26/2025, 5:00 p.m. (ChST)</p>	<p>Proposal Submission Deadline (GIAA Admin Office - 3rd floor)</p> <p style="text-align: center;">03/11/2025, 4:00 p.m. (ChST)</p>
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For additional information, contact Ms. Jenielle Meno, the Single Point of Contact, via email at: giaarfp525@guamairport.net

The complete RFP packet and any addenda are available for public inspection at the GIAA Administration Office and for download from GIAA's website at www.guamairport.com. All Prospective offerors must register by submitting to GIAA the Acknowledgement of Receipt Form included as part of this RFP. GIAA shall not be liable for failure to provide notice(s) or addenda to any prospective offeror who does not submit an Acknowledgement of Receipt Form. GIAA reserves the right to reject any and all proposals or offers and to waive any and all formalities, and such rejection or waiver will be in GIAA's best interest.

AD PAID FOR BY: ATUJIDAT FUETTON BAKON AIRZEN ENTENASIONAT GUANAN

GHURA

Guam Housing and Urban Renewal Authority

Aturidat Ginima' Yan Rinueban Siudad Guahan
117 Bien Verida Avenue, Sinajana, GU 96910
Phone: (671) 477-9851 • Fax: (671) 300-7565 • TTY: (671) 472-3701
Website: www.ghura.org

Loures A. Leon Guerrero
Governor of Guam



Joshua F. Tenorio
Lieutenant Governor of Guam

Board of Commissioners Meeting
Tuesday, February 25, 2025 at 12:00 PM.
This meeting is open to the public via Zoom.

Topic: GHURA BoC Meeting, Tuesday, Feb. 25, 2025
Time: Feb 25, 2025 12:00 PM Guam, Port Moresby

Join Zoom Meeting:

<https://us06web.zoom.us/j/84401540071?pwd=7DpZwEUKhV4pximpTR9n0HWd019W8u.1>

Meeting ID: 844 0154 0071 Passcode: 733812

Watch Youtube Live Stream: <https://www.youtube.com/channel/UCGqKWU0k0mTOF0LYn48UJag>

AGENDA:

- I. ROLL CALL
- II. BOARD MEETING PUBLIC ANNOUNCEMENTS
- III. APPROVAL OF PREVIOUS BOARD MINUTES – February 06, 2025
- IV. NEW BUSINESS
 - 1. Resolution No. FY2025-015; Resolution approving Above-Step Recruitment for the Accountant I (Permanent Position)
 - 2. Resolution No. FY2025-016; Resolution approving Above-Step Recruitment for the Accountant III (Temporary Position)
 - 3. Resolution No. FY2025-012; Resolution approving the Write-Off of Tenant Accounts Receivable
 - 4. Intent of Award; IFB GHURA-25-001; Rehabilitation of the Hagatna Soup Kitchen
 - 5. Intent of Award; IFB GHURA-25-002; Renovation of MOD 9 for AMPs 1, 2 & 4
 - 6. Change Order #1; IFB GHURA-24-004; Renovation and Upgrade of Basketball Court at Toto Gardens and Construction of Generator Room
- V. EXECUTIVE DIRECTOR'S REPORT
 - 1. Project Updates
 - 2. Division Updates
- VI. GENERAL DISCUSSION / ANNOUNCEMENTS
 - 1. Next proposed scheduled Board Meeting – Tuesday, March 25, 2025 @ 12:00 p.m.
- VII. ADJOURNMENT

The complete Board packet may be viewed on our website at www.ghura.org.

For more information, please contact Audrey Agon at 475-1378 and for special accommodations, please contact Chief Planner – Designated Section 504 / ADA Coordinator at 475-1322 or TTY 472-3701.

This advertisement was paid for by GHURA.



**GUAM SOLID WASTE AUTHORITY
BOARD OF DIRECTORS' MEETING MINUTES
Thursday, January 16, 2025
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 1:02 p.m.

II. Roll Call

Board Members:

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

Management & Staff:

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

Guests:

Harvey Gershman	GBB Federal Receiver Representative
Christopher Lund	GBB Federal Receiver Representative
Joyce Tang	Attorney for GBB Federal Receiver
Joe Taitano	Pacific Daily News

III. Determination of Proof of Publication

1st Publication with Guam Daily Post, Thursday, January 9, 2025
2nd Publication with Guam Daily Post, Tuesday, January 14, 2025

IV. Approval of Agenda Items

Chairman Gayle proposed moving the Receiver's presentation before the management reports. Vice Chair Minakshi Hemlani made a motion to approve the agenda, including the modifications suggested by Chairman Gayle. Member Montellano seconded the motion, which passed unanimously.



V. Approval of Minutes

Secretary Denney made a motion to approve the minutes of the December 18, 2024 meeting. Member Montellano seconded the motion, and it passed unanimously.

VI. Reports

a. Management Reports

i. Operational Update

General Manager Irvin Slike reported that as of December 31, 2024, some ARPA funding was reallocated by the Governor's office for other projects. As a result, GSWA is requesting \$622,989 from the Fund balance to cover commitments for purchase orders that have already been submitted for equipment replacement. Chairman Gayle asked if the loss of ARPA funding was due to timing issues. GM Slike confirmed that it was, explaining that clearance from the AG's office did not allow sufficient time for the full procurement timeline, including the 14-day protest period, which extended beyond the December 31, 2024 deadline. This caused the need for funding to come from the GSWA local fund.

GM Slike reported that Comptroller Kakigi has been following up with Homeland Security regarding the \$600,000 reimbursement owed to GSWA for services provided during Typhoon Mawar and anticipates that GSWA will be able to replenish the funding once all reimbursements are received. Chairman Gayle reminded the Board members that there were two potential sources of windfall: the FEMA reimbursement and the Dededo soil project. He inquired whether either of these had been factored into the revenue. GM Slike responded that he and Comptroller Kakigi had not included these in the budget, as they are anticipated revenues rather than actual funds received.

Member Montellano asked for clarification on the \$2 million budget for the Ordot Transfer and where this was programmed. Comptroller Kakigi explained that, during the last Board meeting, she had projected a budget shortfall and asked GM Slike if she could reprogram the \$2 million for contracts, such as the Layon Landfill Operator and the Guahan Waste Commercial Hauler. She added that she had budgeted conservatively, and those funds were not included. The Board members agreed that GSWA is in a strong financial position.

Comptroller Kakigi stated that she needed to establish an account for the purpose of allocating funds to pay for capital equipment, noting that the Department of Administration (DOA) may require Board of Directors approval. Vice Chair Hemlani made a motion to establish an expenditure account for the Equipment Replacement



Fund, which was seconded by Secretary Denney. The motion passed unanimously. Vice Chair Hemlani then made a motion to transfer \$622,989.00 from the Fund balance into the Equipment Replacement Fund to cover the equipment listed in the operations report. The motion was seconded by Secretary Denney and passed unanimously.

General Manager Slike stated that he included a response to the EIAMD regarding the impacts, noting that GSWA reported a trash generation rate of 5.2 pounds per person per day for stateside individuals due to the buildup, which translates to more waste than is currently generated by residents. He also mentioned that GSWA disputes the 60% C&D recycling rate, as there is no on-site facility to handle this, and responded to DOD's inquiry about how this issue would be managed. He added that he had requested the rate model consultants to include a study on the buildup and its impact on the landfill and is currently awaiting a response from UFS. Chairman Gayle asked if there was a timeline for this. Secretary Denney inquired about the letter that was submitted, noting that the per capita waste generation rate on Guam was 5 pounds per person, and asked where the U.S. rate of 5.2 pounds came from. She also inquired about the capacity for recycling materials and expressed curiosity as to why it was indicating that cardboard and scrap metal are not being recycled on Guam, when in fact they are. General Manager Slike clarified that he was referring specifically to the C&D waste.

Beginning February 3, 2025, the Harmon Transfer Station will be open on Mondays. General Manager Slike reported that GSWA has received its new roll-off container and that the side-loading automated arm routes have been expanded. Chairman Gayle asked about the proper placement of the bin and what would happen if it was not positioned correctly. GM Slike explained that improper placement could cause spills and mentioned that there will be a training and informational presentation on proper bin placement.

GM Slike discussed the Guam CDL program, noting that GSWA is exploring a partnership with GCC. GSWA has already signed the MOA but is awaiting GCC's signature. He also outlined the stipulations GSWA has agreed to.

GM Slike informed the Board that GSWA may need to proceed with a sole-source procurement for the GSWA permit.

ii. Financial Update

General Manager Slike highlighted the increase in biosolids. Chairman Gayle encouraged Board members to review the packet and go over the reports.



b. Legal Counsel's Report

Attorney Shannon Taitano reported that the CSC granted management's motion to dismiss last week, and there are no longer any cases pending before the CSC.

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 the Receiver had prepared to address, which included the Court Order review and updates on Leachate Flow, Post-Closure Accounts, the Transition Plan, Cessation Certification, and the Guam Waterworks Authority (GWA) Claim.

Receiver Representative Harvey summarized key points of Court Order (ECF 2145) issued during a December 18, 2024 court hearing. He noted that, as part of the court order, GSWA is relieved of its payment obligation of \$2 million per year into the Ordot funds. He also stated that the Receiver is authorized to continue handling negotiations regarding the GWA Claim and is directed to work cooperatively with Irvin Slike, the GSWA Board, and its legal counsel to ensure they remain on track with the GWA negotiations. Furthermore, the court agreed that the Cessation Certification should be delayed until EPA concerns are addressed. The court also stated that GEPA should respond to U.S. EPA's concerns regarding the SEP Completion Report by February 14, 2025, that approval of the Transition Plan is premature until the AG's opinion is issued, and that the Receiver will remain in place until compliance with the Consent Decree or further order of the court. The next status hearing is scheduled for March 19, 2025.

Receiver Representative Harvey addressed a request from the GSWA Board at the last meeting for information regarding the quantification of legal costs to pursue claims against GWA and research on similarly closed dump facilities regarding leachate generation and treatment. He stated that they plan to have these answers ready by the next Board meeting.

Receiver Representative Lund provided data comparing the average daily flow of leachate from November to December 2024, noting an overall decrease, including a reduction of up to 50% compared to initial projections.



Receiver Attorney Joyce Tang provided an update on the GWA claim, stating that settlement discussions began on January 15, 2025, between Chairman Gayle, GSWA GM Slike, the Receiver, and GWA. She noted that all parties agreed the settlement discussions would be subject to a confidentiality agreement, so the Receiver could not provide specific details. She also mentioned that a counteroffer was made to GWA the same day discussions commenced and is currently awaiting a response. Additionally, Receiver Attorney Tang informed the Board that DB Insurance, a named party in the lawsuit, had defaulted on responding to the complaint and had requested extensions twice. The extensions were granted by the Receiver, with the new deadline for a response set for January 28, 2025.

Receiver Representative Harvey Gershman also provided an update on the various RCRA trust fund and custodial accounts. He reported that Trust Account #1 has a balance of \$756,715.48, Trust Account #2 has a balance of \$5,668,026.23, and the RCRA account has grown to \$32,758,390.34. He concluded his summary by noting the combined total of all three accounts as of December 31, 2024, is \$39,183,132.05.

ii. GSWA Transition Plan

Receiver Representative Gershman provided an update on the Transition Plan, emphasizing that two components remain to fulfill the consent decree and end the receivership. These components are the acceptance of the GEPA portion of the SEP Completion Report by USEPA and the filing and acceptance of the Certification of Cessation of Discharges to U.S. Waters by USEPA.

Secretary Denney inquired with Receiver Attorney Joyce Tang if she could disclose who the legal counsel for DB Insurance is. She responded that she could, and that the Receiver had been contacted by John Ramos from the law firm of Cesar Cabot.

b. Rate Case with Public Utilities Commission

GM Slike stated that GSWA is not on the January docket but is hopeful that the organization will be included on the February or March PUC docket.

c. Island Wide Trash Collection Initiative

Chairman Gayle mentioned that Senator Sabina Perez had reached out to both him and GM Slike, expressing her intention to move forward with the initiative. He noted that he had asked GM Slike to have staff meet with Senator Jesse Lujan, the oversight chair, to discuss the IWC initiative. Finally, he expressed his desire for both himself and GM Slike to meet with Senator Perez to confirm the next steps for the IWC.



d. Layon Cells 1 and 2 Closure

No updates at this time.

VIII. New Business

a. GSWA BOARD RESOLUTION 2025-005 RELATIVE TO GRANTING SETTLEMENT AUTHORITY FOR CLAIM WITH GUAM WATERWORKS AUTHORITY

Chairman Gayle provided an overview of Resolution 2025-005, stating that it authorizes him and GM Slike to proceed with negotiations with GWA. He explained that there will be three forms of payment accepted from GWA: cash, credit, or in-kind services. Secretary Denney asked for clarification on who will approve the settlement. Chairman Gayle responded that the final settlement will be approved by the GSWA Board of Directors. Vice Chair Hemlani inquired if the Office of the Attorney General would be involved. Chairman Gayle confirmed that they would be. Member Montellano asked if PUC would be involved. Chairman Gayle explained that once the ALJ is informed, he will need to verify PUC's involvement. Vice Chair Hemlani made a motion to approve GSWA Board Resolution 2025-005, which was seconded by Secretary Denney. The motion passed unanimously.

IX. Communications and Correspondence

Member of the Public, Bart Cruz, will be placed on the agenda for the next board meeting on February 20, 2025.

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 February 20, 2025 at 1:00pm.

XII. Adjourn

A motion to adjourn the GSWA Board of Directors meeting was made by Vice Chair Hemlani and seconded by Secretary Denney. The motion passed unanimously. The meeting was adjourned at 2:07 p.m.



Guam SOLID WASTE RECEIVER



Briefing for the GSWA Board



February 20, 2025

1:00 PM ChST





Guam SOLID WASTE RECEIVER



Topics

1. Leachate Flow Update
2. GWA Claim Update
3. Requested Topic – GWA Legal Cost
4. Post-Closure Accounts Update
5. Transition Plan and Termination of Receivership
6. Requested Topic – Similarly Closed Dumps Research



Ordot Dump, Ordot, Guam
Source: Google Maps



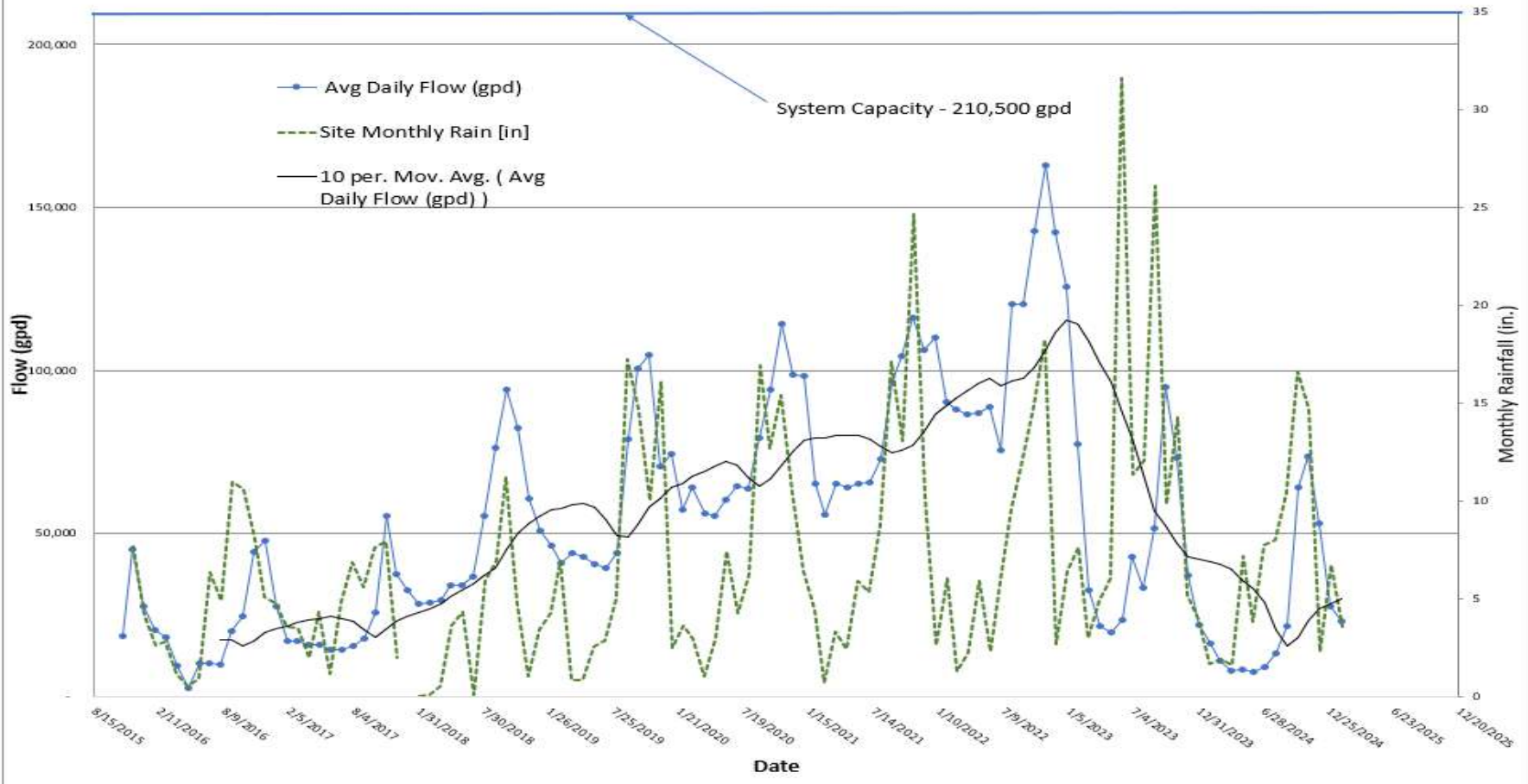


Guam SOLID WASTE RECEIVER



1. Leachate Flow Update

Daily Average Flow and Rainfall by Month Based on GWA Meter





Guam SOLID WASTE RECEIVER



1. Leachate Flow Update (cont'd)

2024 leachate flows now closer to those levels experienced in 2016 and 2017 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 December)	40,976,930
2023	15,870,700
2024	9,473,154
2025 (January Only)	713,713 (est)





Guam SOLID WASTE RECEIVER



1. 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	9,473,154	\$152,382.65
2025 (Through 1/31/25)	713,713 (est)	\$12,120(est)





Guam SOLID WASTE RECEIVER



2. GWA Claim Update

- 12/23/24 - Court's Order (ECF 2145) "Irvin Slike, GSWA Board and legal counsel to work cooperatively with Receiver and its legal counsel to resolve this matters as expeditiously as possible.... and the Receiver and its counsel will take the lead and must be full participants in said negotiations."
- 1/15/25 - Receiver, GWA, GSWA Chairman commenced settlement discussions - subject to confidential agreement
- 1/15/25 - Receiver made a counter-offer to GWA
- 2/14/25 - GWA responded to 1/15/25 Receiver Counteroffer
- Receiver is preparing response and will confer with GSWA Chairman, Irvin Slike, and GSWA counsel regarding response to 2/14/25 GWA response

DB Insurance defaulted on complaint and requested an extension to respond to January 28, 2025, which the Receiver has granted. Motion to Dismiss filed by DB Insurance & GWA. GBB/GSWA opposition due 2/27/25





Guam SOLID WASTE RECEIVER



3. Requested Topic – GWA Legal Costs

GWA Claim - Legal Service Cost Summary	
Culhane Meadows PLLC	\$3,996.00
Civille & Tang, PLLC	\$24,704.50
10% Fee on Expenses	\$2,870.05
Total Civille & Tang, PLLC + Culhane Meadows PLLC	\$31,570.55
GK2, Inc. Expert Report and Services (includes 10% Fee on Expenses)	\$30,624.94
Total GWA Claim Legal Service Costs (June 2023 - December 2024)	\$62,195.49





Guam SOLID WASTE RECEIVER



4. Post-Closure Funds Status

Bank of Guam Account	Balances As of December 31, 2024	Balances As of January 31, 2025
TDOA Treasurer***3788	\$ 756,715.48	\$ 292,454.68
Investment 5159***	\$ 5,668,026.23	\$ 5,687,696.42
RCRA Trust 5175***	\$ 32,758,390.34	\$ 32,869,616.69
Total	\$ 39,183,132.05	\$ 38,849,767.79





Guam SOLID WASTE RECEIVER



5. Transition Plan and Termination of Receivership

- **Remaining Consent Decree Requirements**
 - GEPA Portion of the SEP Completion Report accepted by US EPA
 - Certification of Cessation of Discharges to US waters filed and accepted by the US EPA
- **12/23/24 Court Order (ECF 2145):**
 - "Since the Attorney General has not yet issued its opinion on the issue and because it is not clear whether further investigation or remediation work is necessary with regard to the SEEP investigations, it is premature to approve the Transition Plan."
 - "The Receiver shall remain until compliance with the Consent Decree is achieved or until further order of this Court."





Guam SOLID WASTE RECEIVER



6. Requested Topic - Similarly Closed Dumps Research

- GSWA Board has asked how Florida landfills referenced by the General Manager compare to the Ordot Dump
- Sources include permits, permit applications, monitoring reports, etc. available on the Florida Department of Environmental Protection Information Portal:
 - <https://prodenv.dep.state.fl.us/DepNexus/public/searchPortal>





Guam SOLID WASTE RECEIVER



6. Similarly Closed Dumps Research (cont'd)

Ordot Dump Post-Closure Facility Ordot, Guam

- Use of this site for disposal goes back to World War II
- Site designated a Superfund site subject to CERCLA and under a Consent Order and Decree
- Unlined dump with waste believed to have been placed on saprolitic soils or the exposed bedrock surface
- Perimeter leachate collection to collect leachate from the waste mass and leachate impacted groundwater
- Modern cover system minimizes infiltration of precipitation into the waste mass





Guam SOLID WASTE RECEIVER



Florida Closed Landfills Reviewed

- Umatilla Landfill – Lake County
- Log House Landfill – Lake County
- Lake County Central Landfill Lake County
- Orange County Landfill – Orange County
- St. Cloud Landfill – Osceola County
- Bass Road Landfill – Osceola County
- Plymouth Ave Landfill – Volusia County
- Quincy Byrd Landfill – Gadsden County





6. Similarly Closed Dumps Research (cont'd)

Umatilla Landfill – Lake County Florida (Facility ID No. 19814)

- Unlined landfill with low-permeability soil cover
- No leachate collection system
- Leachate is expected to flow into groundwater
- Unable to determine the impact of precipitation on leachate generation
- Not a Superfund Site





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6. Similarly Closed Dumps Research (cont'd)

Log House Landfill – Lake County Florida (Facility ID No. 19821)

- Unlined landfill with medium to low permeability soil cover (1-foot)
- Sub-grade soils consist of poorly graded sand with high permeability
- No leachate collection system
- Unable to determine the impact of precipitation on leachate generation
- Not a Superfund Site





6. Similarly Closed Dumps Research (cont'd)

Lake County Central Landfill – Lake County Florida (Facility ID No. 19823)

- Modern landfill with impermeable liner and cover system (like Layon)
- Landfill was closed in 2016
- Liner and cover will prevent infiltration from all directions
- Experienced a leachate spill in 2009 due to heavy precipitation (18.5 inches in May 2009)
- Ordot received over 29 inches during Typhoon Mawar in two days
- Not a Superfund Site





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6. Similarly Closed Dumps Research (cont'd)

Orange County Landfill – Orange County Florida (Facility ID No. 21847)

- Most cells are developed with modern impermeable liners and cover systems
- Early cells were used by USEPA to study the transmission of leachate and pollutants to shallow groundwater
- Modern liner and cover systems will prevent infiltration from all directions
- In 2022 a leachate spill occurred due to Hurricane Ian
- Not a Superfund Site

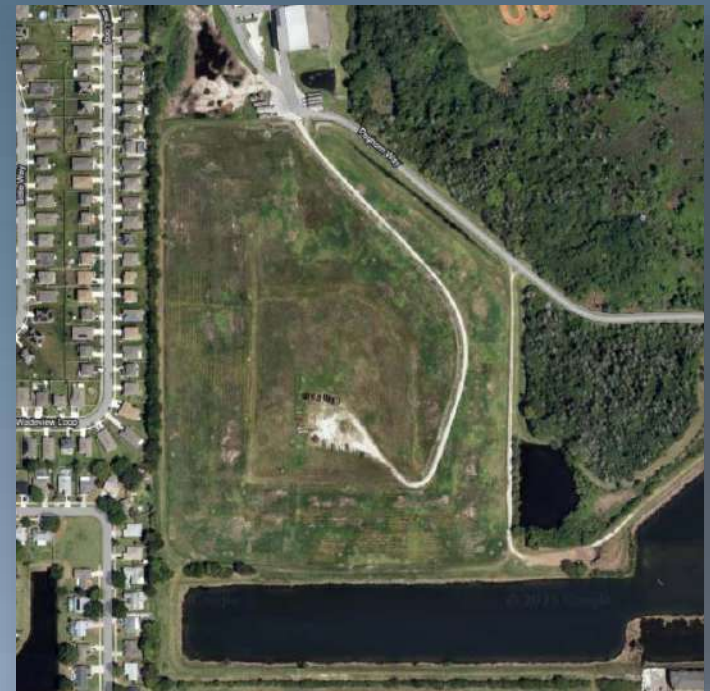




6. Similarly Closed Dumps Research (cont'd)

St. Cloud Landfill – Osceola County Florida (Facility ID No. 25469)

- Unlined landfill with a Geosynthetic Clay Liner on side slopes and a 40-mil polyethylene liner on top of the landfill
- A perimeter slurry wall with an interior leachate collection pipe is used to contain leachate
- 2014 Stabilization report shows leachate production correlates with precipitation
- Not a Superfund Site





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6. Similarly Closed Dumps Research (cont'd)

Bass Road Landfill – Osceola County Florida (Facility ID No. 25470)

- Unlined landfill approximately 50 acres in size with a 40-mil polyethylene liner in the composite cover
- There is no leachate monitoring or collection
- The impact of precipitation on leachate production is unknown
- Not a Superfund Site

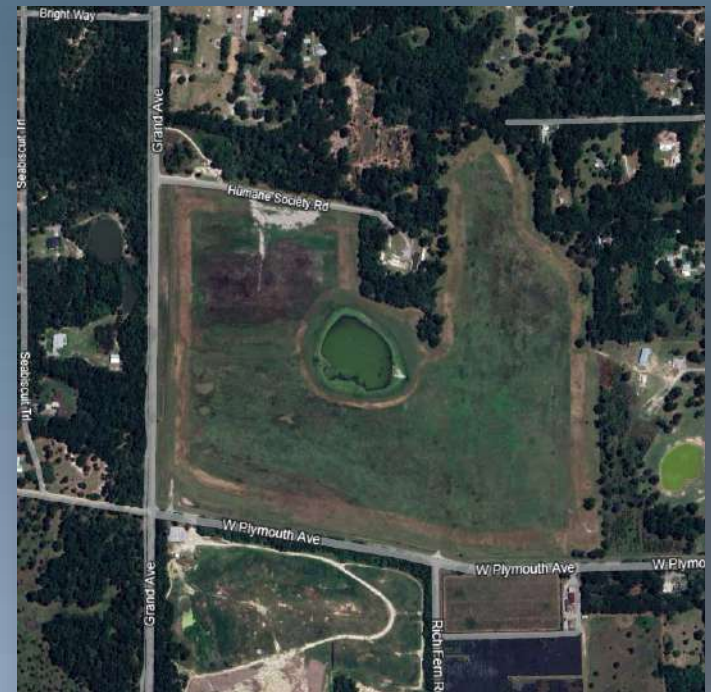




6. Similarly Closed Dumps Research (cont'd)

Plymouth Ave Landfill – Volusia County Florida (Facility ID No. 27539)

- Unlined landfill with a geosynthetic clay barrier as a low-permeability cover
- There is no leachate monitoring or collection
- Hydrologic studies show a high vertical flow rate, allowing leachate to migrate to groundwater
- There have been documented migration of contaminants from this landfill
- Not a Superfund Site





6. Similarly Closed Dumps Research (cont'd)

Quincy Byrd Landfill – Gadsden County Florida (Facility ID No. 5729)

- Partially lined landfill with a low-permeability cover system
- Located on soil formations above Quincy Creek
- Post-Closure Care estimates indicate 36,000 gallons per year is collected
- Waste bottom is in the sandy formation, well above bedrock (approx. 30-70 feet)
- Not a Superfund Site





Guam SOLID WASTE RECEIVER



Si Yu'us Ma'ase



GBB
SOLID WASTE
MANAGEMENT
CONSULTANTS

February 20, 2025 Operations Report

The Governor's office has signed off on EA contract Feb 6th

Small Wheeled Loader with Tink bucket. Ability to pick up curbside trash and place directly into rear loader. This equipment will be used to handle operations at Transfer Stations. Will look at equipment budget to secure a third unit with attachments.

<https://mail.google.com/mail/u/0?ui=2&ik=494c116229&attid=0.1&permmsgid=msg-a:r-2200210271722181132&th=194ce4be80d567b7&view=att&disp=safe&realattid=194ce4b9ae5a38da6771&zw>

<https://mail.google.com/mail/u/0?ui=2&ik=494c116229&attid=0.1&permmsgid=msg-a:r5559656063249069675&th=194ce53dc32a9458&view=att&disp=safe&realattid=194ce53cab3e8d5ff751&zw>

GSWA has nine functioning large refuse trucks.

Truck 5524(2008 model) rear loading packer has structural damage to the packing blade that is in weld shop.

The Dededo soil project has been halted. The EPA crew has been assigned to the LA fires.

The Auto Pay feature is now available for customers



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105-3901

February 5, 2024

Mr. Christopher A. Lund, P.E.
Receiver Representative
Gershman, Brickner & Bratton, Inc.
8300 Boone Blvd., Suite 500
Vienna, VA 22182
Via e-mail; hard copy not to follow

Re: United States Environmental Protection Agency review of 11/11/2024 LEAS-2 seep sampling results transmitted by email of 1/31/2025

Dear Mr. Lund,

The United States Environmental Protection Agency (U.S. EPA) has reviewed the 11/11/2024 LEAS-2 seep sampling results that you transmitted by email on 1/31/2025. Thank you for sharing the results.

After reviewing and comparing the results, U.S. EPA remains concerned that the seep at LEAS-2 is likely impacted by landfill waste and/or leachate and resembles the leachate that is captured for off-site disposal. See Attachment 1, also excerpted, below. Without supporting hydrogeologic information to the contrary and based on the Receiver's Conceptual Site Model, it is reasonable to conclude the following:

- a. Groundwater recharge through the bottom of unlined Pond 4 and its vicinity enters the fractured bedrock below the dump's waste.
- b. This waste-impacted and/or leachate-impacted groundwater follows the pre-dump fracture-controlled surface water drainage and flows below the Perimeter Leachate Collection Trench (PLCT) to LEAS-2, where it surfaces as a seep.
- c. The seep at LEAS-2 discharges to the Lonfit River.

U.S. EPA stands by its letter of November 15, 2024, ECF 2131-1 (Attachment 2), and is concerned that notwithstanding numerous technical discussions on this matter, there has been limited progress toward resolution. Therefore, it seems appropriate to develop and perform a hydrogeologic investigation of the eastern side of the dump, then, as described in the Fifth Joint Report (ECF 1985), move to Phases 2 and 3 (feasibility study for remediation, and implementation/operation of the remedy), as appropriate.

At a minimum, an investigation of the eastern hydrogeology should include the following:

1. Address where groundwater not captured by the eastern leg of the PLCT goes. The *Report on Leachate Flow Evaluation and Cessation of Discharges to Waters of the United States*, dated May 3, 2024, and prepared by Brown & Caldwell for the Receiver ("B&C Leachate

Report”¹), states that the groundwater elevations in the upper bedrock east of the dump (including the Pond 4 area) rapidly rise in response to rainfall. The B&C Leachate Report also states that the groundwater elevation does not often intersect the eastern leg of the PLCT. Please address where all that groundwater recharge east of the dump goes if it is not captured by the eastern leg of the PLCT.

2. Address where the groundwater from Pond 4 goes. According to the B&C Leachate Report (Figure 3-5), Pond 4 directly overlays the headwaters of the large pre-dump fracture-controlled surface water drainage system. Per the Receiver, the Pond 4 bottom is composed of relatively permeable fractured bedrock and saprolite, and Pond 4 concentrates the large rainfall volume that falls on the northern portion of the dump into the small area of the pond. A large volume of water flows into the pond, most of which continues to flow as surface water drainage out of the pond. However, it is likely that a substantive portion also recharges the local groundwater as discussed above and in our technical meetings. Please address where the groundwater from Pond 4 goes (see No.1, above).
3. Address the likelihood that the eastern pre-dump drainage channel could facilitate and direct leachate flow to the southern edge of the capped dump. (See Figure 3-5, B&C Leachate Report). If, as the Receiver states that the western pre-dump fracture-controlled surface water drainage channel could act as a pathway for the GWA pipeline leak water to enter the WLIT, it is plausible that the eastern pre-dump drainage channel acts in the same way, and channels leachate to the southern edge of the capped dump.
4. Address that if, as the Receiver states, the PLCT crosses the V-shaped pre-dump fractured bedrock-controlled surface water drainage channel at right angles, how the PLCT can maintain gravity drainage to the southwest. The Receiver states that the eastern leg of the PLCT collects all leachate from the dump.
5. Provide proof that the eastern leg of the PLCT captures leachate flowing in the fractured bedrock when it appears to have been designed to be no lower than the top of the bedrock.
6. Address the possibility that existing or new seeps may have been covered up by the road construction, and that remediating the existing seep at the location where the pre-dump drainage channel exits the closure cap does not preclude the existence of additional seeps downgradient. It appears that the perimeter road constructed outside the cap footprint used a significant volume of fill to construct the roadbed.

¹ The Receiver filed the B&C Leachate Report on May 6, 2024 (ECF No. 2059-1).

Excerpt, Attachment 1:

U.S. EPA LEACHATE AND SEEP SUMMARY TABLE BASED ON RECEIVER AND GSWA DATA

Data Source:			Receiver ¹	Receiver ³	Receiver ⁵	Receiver ⁸	GSWA ²	Receiver ¹	Receiver ⁴	Receiver ⁴	
Sample Description:			Southern Seep LEAS-2	Southern Seep LEAS-2	Southern Seep LEAS-2	Southern Seep LEAS-2	Southern Seep LEAS-2	Combined Leachate ¹	LEA SEEP-E	LEA SEEP-W	
Sample Identification:			LEAS-2_20221204	LEAS-2	LEAS-2_20231001	LEAS-2_20241111	LEAS 2_063023	PUMP STATION_202212 04	SEEP PIPE EAST	SEEP PIPE WEST	
Collection Date:			12/4/2022	6/26/2023	10/1/2023	11/11/2024	6/30/2023	12/4/2022	9/11/2024	9/11/2024	
Chemical Name	Method	Units	Limit								
Laboratory Parameters											
Alkalinity, Total (as CaCO3)	A232DB	mg/L	< 1.0	480	500	430	450	474 J	420	340 J	350 J
Total Dissolved Solids (TDS)	A254DC	mg/L	< 5	560	520	450	470	562	490	400 J	510 J
Chemical oxygen demand (COD)	A522DD	mg/L	< 10	7.0 J	7.1 J	< 10	7.7 J	< 5.3	12 J	< 6.4 UJ	< 6.4 UJ
Total Organic Carbon	A531DB	mg/L	< 1.0	3.0	3.7	2.3	2.1	3.1	4.6	2.5 J	2.3 J
Total Hardness	E130.2	mg/L	< 10	370	400	310	350	380	NP	250 J	450 J
Calcium	E200.8	mg/L	< 0.25	89	96	76	90	88	87	63	100
Copper	E200.8	mg/L	< 0.0025	0.0060	0.0071	0.0044	0.0023 J	0.0025 J	0.0013 J	0.0028 J	0.0015 J
Iron	E200.8	mg/L	< 0.13	1.6	4.0	0.71	< 0.10 U	0.0956 J	5.2	0.027 J	< 0.025 U
Magnesium	E200.8	mg/L	< 0.13	37	38	34	40	37.9	22	29	44
Manganese	E200.8	mg/L	< 0.013	0.63	0.880	0.210	0.10	0.139	0.68	< 0.0022 U	< 0.0022 U
Zinc	E200.8	mg/L	< 0.020	0.015 J	< 0.040	< 0.020	< 0.020 U	0.0063 J	0.041	< 0.010 U	< 0.010 U
Chloride	F300	mg/L	< 1.0	36	45	36	27	42.7	35	49 J	85 J
Sulfate	E300	mg/L	< 1.0	3.6	3.4	2.5	5.9	4.2 J	1.0	2.6 J	17 J
Ammonia (as N)	E350.1	mg/L	< 0.050	0.17	0.19	0.090	< 0.050 U	< 0.050	12	< 0.046 UJ	0.068 J
Total Kjeldahl Nitrogen	E351.2	mg/L	< 0.50	0.38 J	0.76	< 0.50	< 0.50 U	< 0.14	10	0.49 J	0.72 J
Nitrate-Nitrite (as N)	E353.2	mg/L	< 0.050 U	< 0.050 U	0.047 J	0.067	0.061	0.31	0.65	1.9 J	18 J
Field Parameters											
Dissolve Oxygen (DO)		mg/L		0.75	NP	4.73	NP	NP	4.42	NP	NP
Oxidation Reduction Potential (ORP)		mV		-89	NP	51	NP	38	177	NP	NP
pH		pH units		9.33	NP	6.85	NP	6.96	5.25	NP	NP
Specific Conductivity		us/cm		0.918	NP	0.737	NP	0.802	0.805	NP	NP
Temperature		Deg C		27.49	NP	27.56	NP	28.21	27.45	NP	NP
Turbidity		NTU		11.9	NP	0.8	NP	< 1.0	268	NP	NP

Notes:
 < RL (Reporting Limit)
 Detections are boldfaced
 J - The analyte was positively identified; the associated numerical value is the approximate concentration of the analyte in the sample
 mg/L - milligrams per liter
 NP - not provided to U.S. EPA
 U - The analyte was analyzed for, but was not detected above the sample reporting limit

Sources for Data Summaries:
¹ Table distributed by the Receiver on 2/4/2023 titled "Preliminary Draft Table 1 - Seep Investigation Analytical Results."
² Report distributed by GSWA titled "Technical Memorandum for the Sampling and Analysis of Seep Sampling at Onkot Closure Facility, Onkot-Chalan Pago, Guam," dated August 8, 2023 (Table 1).
³ Report distributed by the Receiver titled "Leachate Flow and Seep Investigation Update TM No. 2," dated July 21, 2023 (Attachment C).
⁴ Excel file titled "Seeps Sept 2024_110424" provided by the Receiver
⁵ ECD file "EPA Submittal_October 2023 Seep Results_(2023-12-04)." Note: Not all validation flags are presented in this table.
⁶ Excel file titled "Seeps Dec 2024_121824" provided by the Receiver

Date: February 2025

U.S. EPA looks forward to an immediate and timely technical path forward.

Sincerely,

Karen Ueno
 U.S. EPA
 Region 9

Attachments

Cc: with Attachments

Mr. Irv Slike, Guam Solid Waste Authority
 Mr. Glenn San Nicholas, Guam EPA

Attachments

Attachment 1

U.S. EPA LEACHATE AND SEEP SUMMARY TABLE BASED ON RECEIVER AND GSWA DATA

Data Source:		Receiver ¹	Receiver ³	Receiver ⁵	Receiver ⁶	GSWA ²	Receiver ¹	Receiver ⁴	Receiver ⁴		
Sample Description:		Southern Seep LEAS-2	Southern Seep LEAS-2	Southern Seep LEAS-2	Southern Seep LEAS-2	Southern Seep LEAS-2	Combined Leachate ¹	LEA SEEP-E	LEA SEEP-W		
Sample Identification:		LEAS-2_20221204	LEAS-2	LEAS-2_20231001	LEAS-2_20241111	LEAS-2-063023	PUMP STATION_20221204	SEEP PIPE EAST	SEEP PIPE WEST		
Collection Date:		12/4/2022	6/26/2023	10/1/2023	11/11/2024	6/30/2023	12/4/2022	9/11/2024	9/11/2024		
Reporting Limit											
Chemical Name	Method	Units	Limit								
Laboratory Parameters											
Alkalinity, Total (as CaCO3)	A2320B	mg/L	< 1.0	480	500	430	450	474 J	420	340 J	350 J
Total Dissolved Solids (TDS)	A2540C	mg/L	<5	560	520	450	470	562	490	400 J	510 J
Chemical oxygen demand (COD)	A5220D	mg/L	<10	7.0 J	7.1 J	< 10	7.7 J	< 5.3	12 J	< 6.4 UJ	< 6.4 UJ
Total Organic Carbon	A5310B	mg/L	< 1.0	3.0	3.7	2.3	2.1	3.1	4.6	2.5 J	2.3 J
Total Hardness	E130.2	mg/L	<10	370	400	310	350	380	NP	250 J	450 J
Calcium	E200.8	mg/L	<0.25	89	96	76	90	88	87	63	100
Copper	E200.8	mg/L	<0.0025	0.0060	0.0071	0.0044	0.0023 J	0.0025 J	0.0013 J	0.0028 J	0.0015 J
Iron	E200.8	mg/L	< 0.13	1.6	4.0	0.71	< 0.10 U	0.0956 J	5.2	0.027 J	< 0.026 U
Magnesium	E200.8	mg/L	< 0.13	37	38	34	40	37.9	22	29	44
Manganese	E200.8	mg/L	<0.013	0.63	0.880	0.210	0.10	0.139	0.68	< 0.0022 U	< 0.0022 U
Zinc	E200.8	mg/L	< 0.020	0.015 J	< 0.040	< 0.020	< 0.020 U	0.0063 J	0.041	< 0.010 U	< 0.010 U
Chloride	E300	mg/L	< 1.0	36	45	26	27	42.7	35	49 J	85 J
Sulfate	E300	mg/L	< 1.0	3.6	3.4	2.5	5.9	4.2 J	1.0	2.6 J	17 J
Ammonia (as N)	E350.1	mg/L	< 0.050	0.17	0.19	0.090	< 0.050 U	< 0.089	12	< 0.046 UJ	0.068 J
Total Kjeldahl Nitrogen	E351.2	mg/L	< 0.50	0.38 J	0.76	< 0.50	< 0.50 U	< 0.14	10	0.49 J	0.72 J
Nitrate-Nitrite (as N)	E353.2	mg/L	< 0.050	< 0.050 U	0.047 J	0.067	0.061	0.31	0.65	1.9 J	18 J
Field Parameters											
Dissolve Oxygen (DO)		mg/L		0.75	NP	4.73	NP	NP	4.42	NP	NP
Oxidation Reduction Potential (ORP)		mV		-89	NP	51	NP	38	177	NP	NP
pH		pH units		9.33	NP	6.85	NP	6.56	5.25	NP	NP
Specific Conductivity		us/cm		0.918	NP	0.737	NP	0.802	0.809	NP	NP
Temperature		Deg C		27.49	NP	27.56	NP	28.21	27.45	NP	NP
Turbidity		NTU		11.9	NP	0.8	NP	< 1.0	268	NP	NP

Notes:

< RL (Reporting Limit)

Detections are boldfaced

J - The analyte was positively identified; the associated numerical value is the approximate concentration of the analyte in the sample.

mg/L - milligrams per liter

NP - not provided to U.S. EPA

U - The analyte was analyzed for, but was not detected above the sample reporting limit.

Sources for Data Summaries:

¹ Table distributed by the Receiver on 2/4/2023 titled "Preliminary Draft Table 1 - Seep Investigation Analytical Results."

² Report distributed by GSWA titled "Technical Memorandum for the Sampling and Analysis of Seep Sampling at Ordot Closure Facility, Ordot-Chalan Pago, Guam," dated August 8, 2023 (Table 1).

³ Report distributed by the Receiver titled "Leachate Flow and Seep Investigation Update TM No. 2," dated July 21, 2023 (Attachment C).

⁴ Excel file titled "Seeps Sept 2024_110424" provided by the Receiver

⁵ EDD file "EPA Submittal_October 2023 Seep Results_(2023-12-04)." Note: Not all validation flags are presented in this table.

⁶ Excel file titled "Seeps Dec 2024_121824" provided by the Receiver

Date: February 2025

1 TODD KIM
Assistant Attorney General
2 Environment & Natural Resources Division
PETER KRZYWICKI
3 Trial Attorney
Environmental Enforcement Section
4 Environment and Natural Resources Division
U.S. Department of Justice
5 450 Golden Gate Avenue,
Suite 07-06714,
6 San Francisco, CA 94102
Phone: 202-532-3128

7 *Attorneys for the United States of America*

8
9 **IN THE UNITED STATES DISTRICT COURT
FOR THE TERRITORY OF GUAM**

10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 vs.

13 GOVERNMENT OF GUAM,

14 Defendant.

CASE NO. 02-CV-00022

**NOTICE OF FILING USEPA'S
COMMENTS ON THE B&C LEACHATE
REPORT PER THE COURT'S ORDER
DKT. NO. 2128**

15
16 The Court ordered USEPA to file and serve its comments on the B&C Leachate Report
17 on or before November 15, 2024. Dkt. No. 2128. Attached to this Notice as an exhibit are
18 USEPA's comments on the B&C Leachate Report. These comments were also sent
19 electronically to the Receiver.
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1 RESPECTFULLY submitted this 15th day for November, 2024.

2
3 FOR THE DEPARTMENT OF JUSTICE

4
5 By: s/ Peter Krzywicki
6 PETER KRZYWICKI
7 Trial Attorney
8 Environmental Enforcement Section
9 Environment and Natural Resources Division
10 U.S. Department of Justice
11 450 Golden Gate Avenue,
12 Suite 07-06714,
13 San Francisco, CA 94102
14 Phone: 202-532-3128
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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105-3901

November 15, 2024

Mr. Christopher A. Lund, P.E.
Receiver Representative
Gershman, Brickner & Bratton, Inc.
8300 Boone Blvd., Suite 500
Vienna, VA 22182
Via e-mail; hard copy not to follow

Re: United States Environmental Protection Agency Review of *Report on Leachate Flow Evaluation and Cessation of Discharges to Waters of the United States, Prepared for Gershman, Brickner & Bratton, Inc. (GBB), Receiver for the Guam Solid Waste Authority, May 3, 2024*

Dear Mr. Lund,

As required by Order of the Federal District Court of Guam (ECF No. 2128), the United States Environmental Protection Agency (“U.S. EPA”) has reviewed and provides comments on the *Report on Leachate Flow Evaluation and Cessation of Discharges to Waters of the United States*, dated May 3, 2024, and prepared by Brown & Caldwell for the Receiver (“B&C Leachate Report”). The Receiver filed the B&C Leachate Report on May 6, 2024 (ECF No. 2059-1).

Pursuant to Paragraph 8(i) of the Consent Decree ((ECF No. 55), the Receiver (or the Government of Guam) “shall cease all discharges to waters of the United States and submit a certification to U.S. EPA that discharges to waters of the United States from the Ordot Dump have ceased.” It is the Receiver’s (or the Government of Guam’s) responsibility to certify that discharges have ceased as required by Paragraph 42 of the Consent Decree. It is not U.S. EPA’s. Consequently, U.S. EPA’s comments are not a warranty, guarantee, pathway, or assumption of responsibility for the cessation of discharges to waters of the United States. Nor should U.S. EPA’s comments be conflated as a position on the adequacy of closure design.

U.S. EPA’s comments focus on its long-standing concern regarding seep discharges to the Lonfit River, the latter which is waters of the United States.¹ We also add our clarification on a few statements that appeared to benefit from such clarification. An absence of comment, however, does not necessarily reflect agreement.

Your cover letter suggests that the cessation of discharges certification will enable termination of the Consent Decree. While certifying the cessation of discharges is an element of

¹ Refer to USEPA’s May 27, 2022, letter concerning critical information needs on various seeps and USEPA’s May 12, 2017, letter regarding the rocky point seep. Also refer to the Fifth Joint Report, filed May 3, 2023 (ECF No. 1985).

termination, Paragraph 56 of the Consent Decree requires that the “Consent Decree remains in effect until the later of (1) one year after the Government of Guam completes all activities contained in Sections III, IV, and VII; or (2) the resolution of any matters pending in this Court regarding this Consent Decree.”

U.S. EPA Comments

The B&C Leachate Report discusses four (4) seep locations: LEAS-2; WSU-1A and WSL-1B; Seep Pipe East and Seep Pipe West; and LEAS-3 Upper and LEAS-3 Lower. Each of these are discussed below.

LEAS-2: Located approximately 50 feet from the Lonfit River.



1. The B&C Leachate Report does not consider important hydrogeologic and water quality information that indicate that the seep at LEAS-2 is leachate². In terms of hydrogeology, per the Receiver’s Conceptual Site Model, the fracture-controlled bedrock groundwater pathway, identified as the western pathway that the Guam Water Authority (“GWA”) leak followed, is also present on the eastern side of the dump. On the eastern side, the groundwater recharge through the bottom of unlined Pond 4 and its vicinity appears to enter the fractured bedrock below the dump’s waste. Figure 3-5 of the B&C Leachate Report (reproduced below) indicates that the fractured bedrock pathway follows the “historic surface water flow direction” and “historic surface leachate drainage way” to LEAS-2. The seep at LEAS-2 discharges to the Lonfit River. LEAS-2 is also downgradient of the pre-closure seep LEA SEEP SE. The fractured bedrock groundwater pathway is both below the waste and below the Perimeter Leachate Collection Trench (PLCT). *See infra* Figure 3-3, B&C Leachate

² Used in this context “leachate” includes groundwater impacted by Ordot dump waste and/or Ordot dump leachate.

Report. No evidence has been presented that demonstrates that leachate from the Ordot dump does not flow beneath the PLCT.

In terms of water quality, U.S. EPA indicated in technical meetings that the leachate seeps should be compared to the current leachate being captured at the Site for disposal by GWA. The Receiver has compared the leachate seeps to both upgradient groundwater and pre-closure seep concentrations. When compared to the leachate collected for disposal by GWA, however, the seep at LEAS-2, resembles that leachate. See the attached comparison to the current leachate collected for disposal by GWA.

Figure 3-5

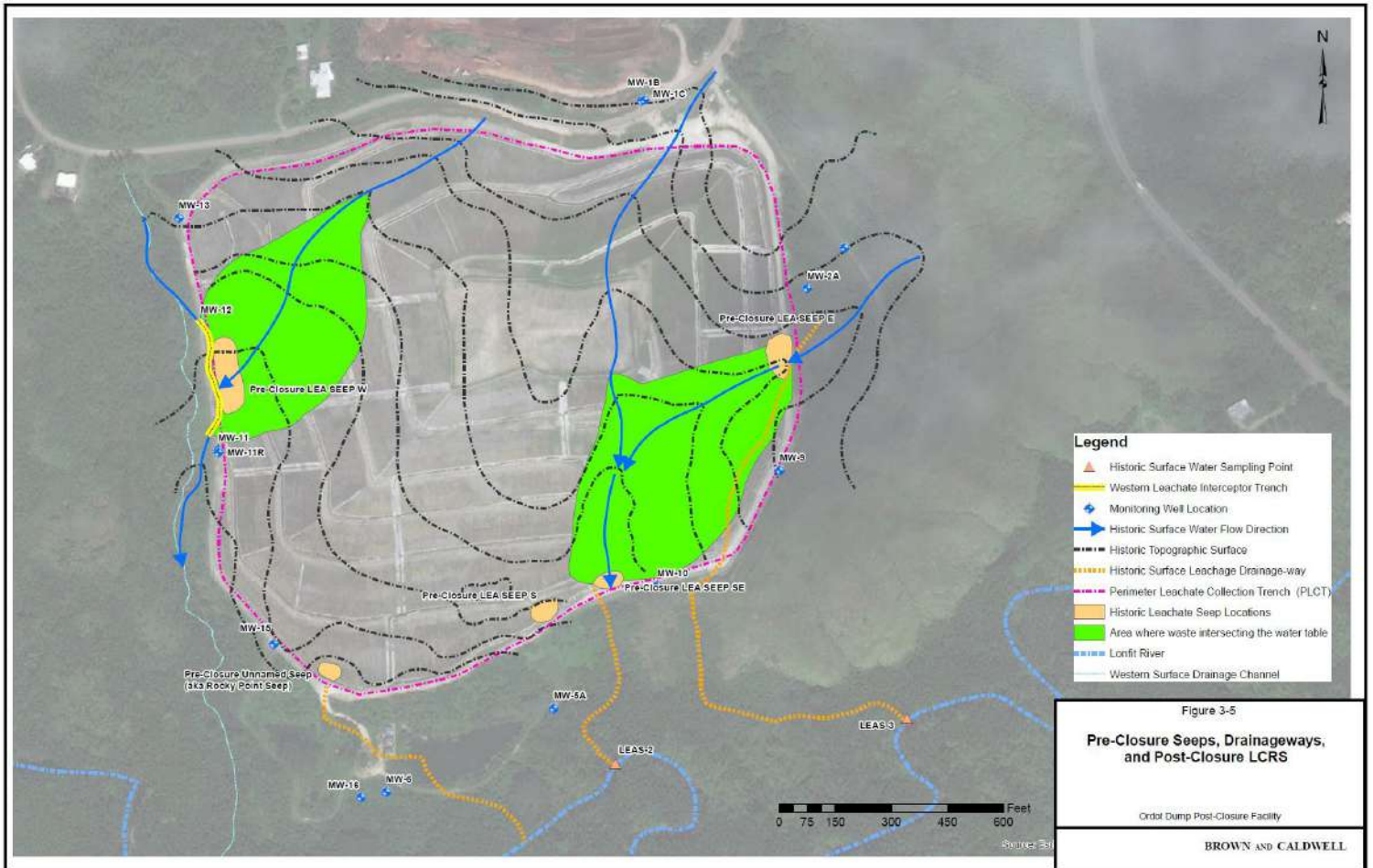
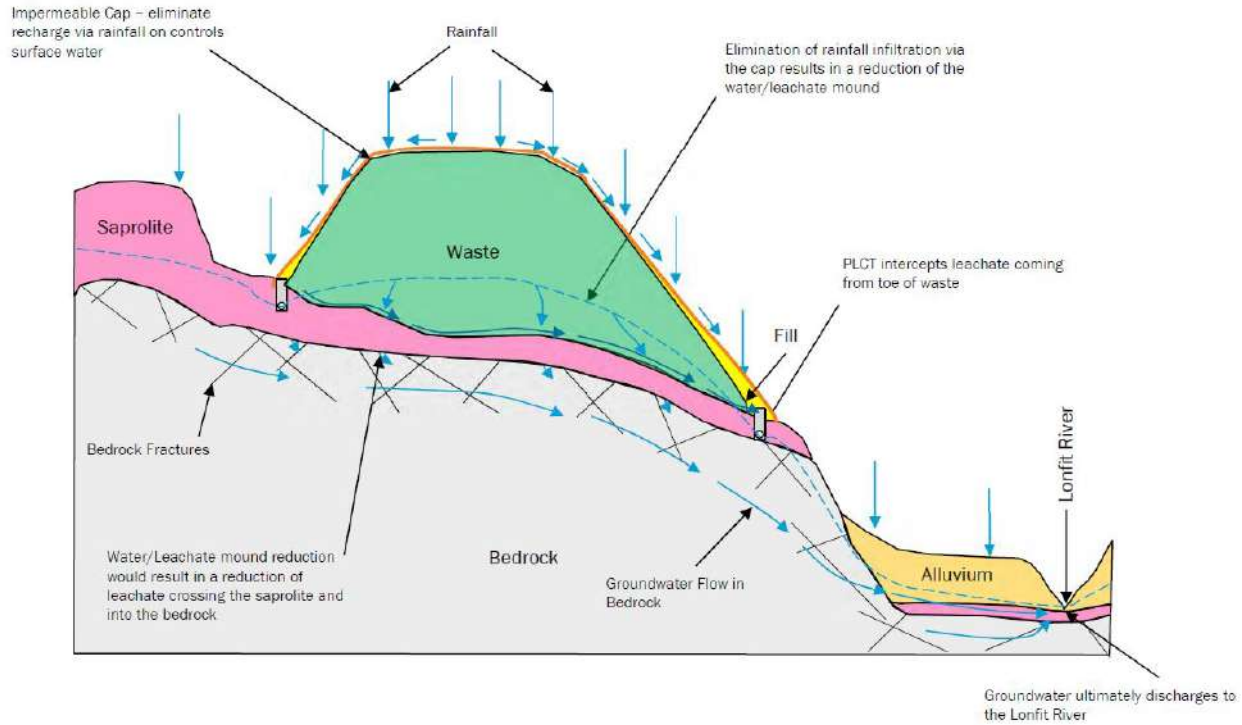


Figure 3-3



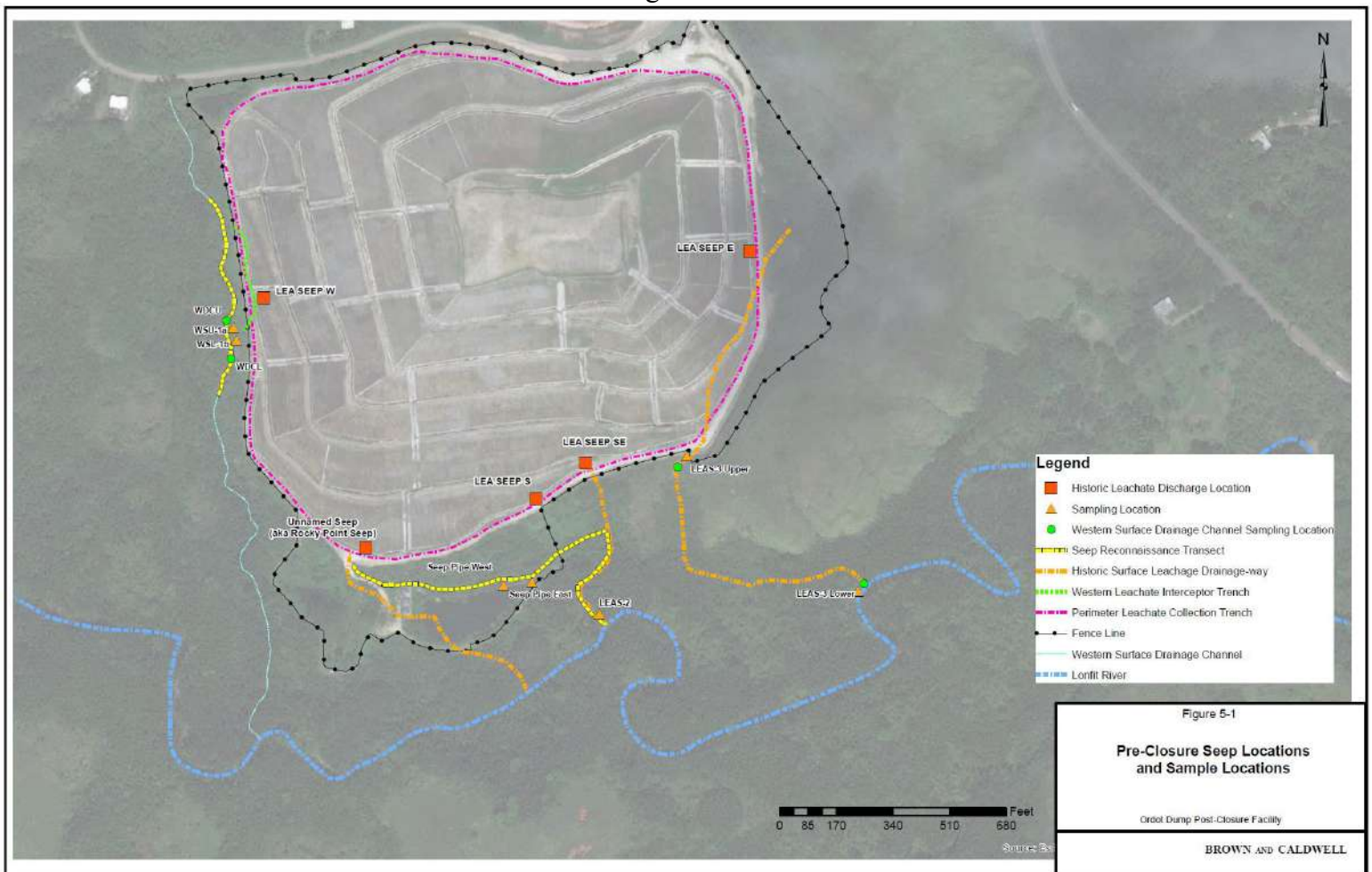
2. The Fifth Joint Report (ECF 1985) contemplated both Phase 2 and Phase 3 of the seeps investigation if Phase 1 identified leachate-impacted seeps. Phase 2 is the development of a feasibility study for remediation, and Phase 3 is the implementation and operation of the selected remedies. From U.S. EPA's perspective, the leachate seep at LEAS-2 triggers Phase 2, which in turn, would trigger Phase 3. The estimated time frame for completing Phases 2 and 3 is likely more than one year.

WSU-1A and WSL-1B: Located Between the Western Leachate Interceptor Trench (WLIT) and the Western Surface Drainage Channel.



3. The western pathway, including the fracture-controlled bedrock groundwater pathway that the GWA leak followed, continues to exist. There is not adequate data to demonstrate that seep discharges have permanently ceased at this location. When compared to the leachate collected for disposal by GWA, the seeps at WSU-1a and WSL-1b resemble that leachate. See attached comparison to the current leachate collected for disposal by GWA. The Receiver believes that the seep discharges ceased after GWA fixed its leaking pipe on Dero Road. However, the conclusion may be premature. Other surface water (e.g., rainfall) continues to enter the Site via this pathway, which would increase the flow in the WLIT and could result in a seep discharge. B&C also acknowledges the potential for a subsequent seep discharge should GWA have another leak. Seeps that have had no remedial action but appear to have been resolved may still require additional sampling and analysis, and/or monitoring to demonstrate no recurrence of discharges. See Figure 5-1, B&C Leachate Report (providing this seep location).

Figure 5-1



Seep Pipe East and Seep Pipe West: Located at the Southern End of the Site.



4. The Receiver recently announced that it was finally able to collect a sample at this seep location for laboratory analysis. U.S. EPA is awaiting the results from the Receiver. Due to the lack of observed flow, the Receiver has not been able to collect any other samples at this location. As such, any conclusion is premature. Additional sampling and analysis and monitoring may be necessary. See supra Figure 5-1, B&C Leachate Report (providing this seep location).

LEAS-3 Upper and LEAS-3 Lower: Located at the Southeastern Side of the Site, Close to the Lonfit River.



5. This seep pathway continues to exist and has not been remediated. There is not enough data to demonstrate that seep discharges are not leachate-impacted and have permanently ceased at this location. Seeps that have had no remedial action but appear to have been resolved may still require additional sampling and analysis, and/or monitoring to demonstrate no recurrence of discharges. *See supra* Figure 5-1, B&C Leachate Report (providing this seep location).

Clarifications

6. As explained in the Fifth Joint Report (ECF No. 1985): “A seep is a surface expression of groundwater. Upon surfacing, groundwater becomes surface water. If a seep at Ordot Dump is impacted by leachate, it could, consequently, become an unpermitted discharge to waters of the U.S.” There is no site-specific NPDES permit for the Site allowing the discharge of leachate or leachate-contaminated groundwater or surface water to the Lonfit River.
7. A regulatory agency performing its responsibility to “accept” or “approve” an owner/operator’s closure design does not shift liability for that design to the regulator. Nor does it provide any warranty, guarantee, or assumption of responsibility that the design will perform as expected.
8. The 2022 B&C Report (*LCRS As-Built Design Capacity Evaluation*) was submitted to Guam EPA as a final document in the Post-closure Care Plan for permit approval. It was not reviewed by U.S. EPA.³ The calculated storage should not include secondary containment which is intended to prevent spills/releases, not to store leachate. In addition, storage tank capacity should not include the volume taken by the liquids on the bottom of the tank and the unusable capacity at the top of the tank. The leachate force-main pump operating at its maximum capacity of 100 gpm may not be available during a storm event, which will impact actual storage capacity.
9. Regarding discussion of the Site’s history, per U.S. DOJ, “it is the US’s understanding at this point based on documentary evidence that Ordot Dump began operations in 1960” not during WWII, and that the 1950 transfer document “does not link to the Ordot Dump, but rather to a different dump (known as X4).⁴
10. In response to U.S. EPA request for a seep reconnaissance effort at the Site⁵, the Receiver consulted with and sought the input from the Technical Representatives, which was appreciated. U.S. EPA, however, could not attend the physical reconnaissance at the Site in November 2022. To facilitate U.S. EPA’s understanding, U.S. EPA tasked its contractor to observe the effort of the physical reconnaissance at the Site “solely for the benefit of U.S. EPA.”⁶ U.S. EPA reminded the participants that the contractor cannot represent itself as U.S. EPA nor can it perform inherently government functions.

³ Refer to October 18, 2021, letter from AUSA to Ms. Joyce Tang and U.S. EPA letter of June 10, 2022.

⁴ Refer to November 21, 2022, email from Valerie Mann RE: Guam Ordot/historical documents.

⁵ Refer to U.S. EPA letter of May 27, 2022.

⁶ Refer to U.S. EPA letter and email of November 10, 2022.

11/15/2024

11. The possibility remains that the responsibility for completing Phases 2 and 3 of the seeps investigation before certifying that discharges to waters of the United States from the Ordot dump have ceased could be left to GSWA/GovGuam, particularly if a multi-year process is likely and if a timely transition is approved by the Court.⁷ The decision whether to certify is solely up to the Receiver, including whether the Receiver believes it can certify without any additional phases of work. The United States remains responsible for determining whether the requirements have been met to terminate the Consent Decree.

In closing, U.S. EPA appreciates the Receiver's technical efforts at the Site, and is poised to help facilitate, as appropriate, a path forward.

Sincerely,

Karen Ueno
U.S. EPA, Region 9

attachment

⁷ Refer to Fifth Joint Report (ECF No. 1985).

Attachment

LEAS-2, WSU-1a, WSL-1b Compared to Leachate Collected for Disposal by GWA

Sample Description	Southern Seep	Southern Seep	Southern Seep	GSWA - Southern Seep	Combined Leachate ¹	Western Seep WSU-	Western Seep	Western Seep
	LEAS-2 ¹	LEAS-2 ²	LEAS-2 ³	LEAS-2 ⁴		1a ¹	(Duplicate) ¹	WSL-1b ¹
Sample ID	LEAS-2_20221204	LEAS-2	2_20231001	LEAS-2-063023	STATION_20221204	WSU-1A_20221204	DUPLICATE_202	1B_20221204
Sample Date	12/4/2022	6/26/2023	10/1/2023	6/30/2023	12/4/2022	12/4/2022	12/4/2022	12/4/2022
Sample Type	N	N	N	N	N	N	FD	N

Chemical Name	Method	Units	Reporting Limit								
Laboratory Parameters											
Alkalinity, Total (as CaCO3)	A2320B	mg/L	< 1.0	480	500	430	474 J	420	490 J	840 J	610
Total Dissolved Solids (TDS)	A2540C	mg/L	<5	560	520	450	562	490	620	600	690
Chemical oxygen demand (COD)	A5220D	mg/L	<10	7.0 J	7.1 J	< 10 U	< 5.3 U	12 J	29 J	29	24 J
Total Organic Carbon	A5310B	mg/L	< 1.0	3.0	3.7	2.3	3.1	4.6	9.0	9.4	1.0
Total Hardness	E130.2	mg/L	<10	370	400	310	380	NA	300 J	410 J	410
Calcium	E200.8	mg/L	<0.25	89	96	76	88	87	93 J	120 J	81
Copper	E200.8	mg/L	<0.0025	0.0060	0.0071	0.0044	0.0025 J	0.0013 J	0.0029 J	0.0069 J	0.0016 J
Iron	E200.8	mg/L	< 0.13	1.6	4.0	0.71	0.0956 J	5.2	14 J	19 J	8.0
Magnesium	E200.8	mg/L	< 0.13	37	38	34	37.9	22	20	21	19
Manganese	E200.8	mg/L	<0.013	0.63	0.880	0.210	0.139	0.68	1.1	1.2	1.1
Zinc	E200.8	mg/L	< 0.020	0.015 J	< 0.040	< 0.020 U	0.0063 J	0.041	0.013 J	0.018 J	0.012 J
Chloride	E300	mg/L	< 1.0	36	45	26	42.7	35	50	51	56
Sulfate	E300	mg/L	< 1.0	3.6	3.4	2.5	4.2 J	1.0	< 1.0 U	< 1.0 U	1.0 J
Ammonia (as N)	E350.1	mg/L	< 0.050	0.17	0.19	0.090	< 0.089 U	12	23	25	24
Total Kjeldahl Nitrogen	E351.2	mg/L	< 0.50	0.38 J	0.76	< 0.50 U	< 0.14 U	10	23	25	25
Nitrate-Nitrite (as N)	E353.2	mg/L	< 0.050	< 0.050 U	0.047 J	0.067	0.31	0.65	0.18	0.19	0.18
Field Parameters											
Dissolve Oxygen (DO)		mg/L		0.75	NA	4.73	NA	4.42	1.3	NA	0.9
Oxidation Reduction Potential (ORP)		mV		-89	NA	51	38	177	4	NA	-18
pH		pH units		9.33	NA	6.85	6.56	5.25	4.09	NA	4.45
Specific Conductivity		us/cm		0.918	NA	0.737	0.802	0.809	1.03	NA	1.02
Temperature		Deg C		27.49	NA	27.56	28.21	27.45	30.42	NA	29.13
Turbidity		NTU		11.9	NA	0.8	< 1.0	268	9.2	NA	24.4

Notes:

- Detections are boldfaced
- < RL - less than the reporting limit (i.e., not detected at limit reported)
- FD - Field Duplicate
- J - The analyte was positively identified; the associated numerical value is the approximate concentration of the analyte in the sample.
- mg/L - milligrams per liter
- N - Normal sample
- NA - not available
- U - The analyte was analyzed for, but was not detected above the sample reporting limit.

Sources of Data Summaries:

- ¹ Table distributed by the Receiver on 2/4/2023 titled "Preliminary Draft Table 1 - Seep Investigation Analytical Results."
- ² Appendix D.2: June 2023 Sampling Event in the "Report of Leachate Flow Evaluation and Cessation of Discharged to Waters of the United States."
- ³ EDD file "EPA Submittal_October 2023 Seep Results_(2023-12-04)." Note: Not all validation flags are listed with these data.
- ⁴ Report distributed by GSWA titled "Technical Memorandum for the Sampling and Analysis of Seep Sampling at Ordot Closure Facility, Ordot-Chalan Pago, Guam," dated August 8, 2023 (Table 1).



GUAM ENVIRONMENTAL PROTECTION AGENCY - AHENSIAN PRUTEKSIÓN LINA LA' GUÁHAN
LOURDES A. LION GUERRERO • GOVERNOR OF GUAM | JOSHUA F. TENORIO • LIEUTENANT GOVERNOR OF GUAM
MICHELLE C. R. LASTIMOZA • ADMINISTRATOR

FEB 13 2025

United States Environmental Protection Agency (U.S. EPA)
Region IX
75 Hawthorne Street
San Francisco, CA 94105-3901

Via electronic mail - hard copy not to follow


Re: U.S. EPA Letter of December 20, 2024, on Government of Guam's Supplemental Environmental Project (SEP) Completion Report

Dear Ms. Ueno,

Pursuant to Paragraph 24 of Section VII of the Consent Decree, the Government of Guam hereby objects to U.S. EPA's rejection of the Government of Guam's SEP Completion Report and notification of deficiency dated December 20, 2024, and seeks the thirty days allowed by Paragraph 24 to reach agreement. The Government of Guam has been in several productive discussions with U.S. EPA and hopes to reach an agreement on the SEP requirement of the Consent Decree soon.

Sincerely,


Michelle Lastimoza
Administrator
Guam Environmental Protection Agency


Concurred: Irvin Slike
General Manager
Guam Solid Waste Authority

Cc: Jon Owens, Assistant Regional Counsel, U.S. EPA
Glenn San Nicolas
Kristen Finney
Fred Nishihira



GUAM EPA | 17-3304 Mariner Avenue Tiyan Barrigada, Guam 96913 1617 | Tel: (671) 588.4751 | Fax: (671) 588.4531 | epa.guam.gov
ALL LIVING THINGS OF THE EARTH ARE ONE - MANUNU TODU I MANLALA'LA

 Like and follow guamepa

PERFORMANCE INDICATORS				
RESIDENTIAL TRASH COLLECTION:	Nov 2024	Dec 2024	Jan 2025	DIFFERENCE
NO. OF TRASH COLLECTIONS:	86,284	86,364	86,636	272
MISSED SERVICE:	263	296	440	144
CUSTOMER SERVICE:				
EMPLOYEE COUNT (PHONES):	2	2	2	-
EMPLOYEE COUNT (WALK IN):	2	2	2	-
EMPLOYEE COUNT (EMAILS & SUPERVISION):	1	1	1	-
TOTAL EMPLOYEE COUNT:	5	5	5	-
TOTAL WALK-INS:	670	921	1028	107
CALLS RECEIVED:	3,094	3,664	4,214	550
CALLS ANSWERED:	2,248	2,532	2,955	423
CALLS ABANDONED	844	1,103	1,221	118
ANSWER RATE:	73%	69%	70.10%	1.00%
AVERAGE WAIT TIME:	0:01:58	0:02:29	0:02:36	0:00:07
AVERAGE HANDLE TIME:	0:02:41	0:02:41	0:02:43	0:00:02
AVERAGE TIME TO ABANDONMENT:	0:01:44	0:02:56	0:03:19	0:00:23

Guam Solid Waste Operations Fund
Operating Budget Revenues, Expenditures, Reserves
As of January 31, 2025

Unaudited	Annual	FY25 Budget		Budgeted	Total	January	January	Variance	%	YTD	YTD	Variance	%
	Budget	(PL 37-125)				Budget	2025						
	Operations	Excess Revenues	Rate Increase	Revenues	Budget	Budget	2025			Budget			
Revenues:													
Commercial Fees (Large)	10,506,710	0	0	0	10,506,710	892,351	864,685	(27,666)	-3%	3,540,656	3,644,416	103,760	3%
Others - Government/Commercial Fees	1,092,071	0	0	0	1,092,071	92,751	973,003	880,252	949%	368,017	1,424,005	1,055,988	287%
Residential Collection Fees, net 3% Bad Debt	7,848,739	0	0	0	7,848,739	666,605	655,323	(11,282)	-1.7%	2,616,246	2,617,888	1,641	0.1%
Host Community Fees	300,000	0	0	0	300,000	49,665	49,665	0	0%	146,151	146,151	0	0%
Other Revenues	439,803	0	0	0	439,803	37,353	36,105	(1,248)	-3%	148,209	150,647	2,437	1.6%
Reimbursements	0			0	0	0	0	0	n/a	0	53,250	53,250	n/a
Interest Income/Investment Earnings	25,000	0	0	0	25,000	2,083	2,936	853	41%	8,425	33,604	25,179	0%
Budgeted Addtl Revenues	0	2,121,131	0	0	0	0	0	0	n/a	0	0	0	n/a
Total revenues	20,212,323	2,121,131	0	0	20,212,323	1,740,809	2,581,716	840,908	48%	6,827,705	8,069,961	1,242,256	18%
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	400,000	33,333	33,333	0	0%	133,332	133,332	0	0%
Total Revenues/Transfers In	20,989,782	2,121,131	0	0	20,989,785	1,774,142	2,615,049	840,907	47%	6,961,037	8,203,293	1,242,256	18%
Expenditures by Object:													
Salaries and wages	4,325,376			0	4,325,376	331,810	353,738	21,928	6.6%	1,386,490	1,338,010	(48,480)	-3%
Contractual services:													
Layon Operator	4,486,189	0	0	0	4,486,189	326,715	327,785	1,069	0%	1,588,385	1,574,681	(13,704)	-1%
Layon Monitoring	644,000	0	0	0	644,000	53,667	42,766	(10,900)	-20%	214,667	183,694	(30,973)	-14%
Harmon Hauler Station Operations	4,052,676	0	0	0	4,052,676	321,989	299,300	(22,689)	-7%	1,287,956	1,263,555	(24,401)	-1.9%
Ordot Postclosure care	0	0	0	0	0	0	0	0	0%	0	0	0	0%
Recycling Programs	615,512	0	0	0	615,512	51,293	54,793	3,500	7%	205,171	182,976	(22,194)	-11%
GEPA Appropriation	202,992	0	0	0	202,992	0	0	0	0%	0	0	0	0%
Temporary Employees	748,000	0	0	0	748,000	57,538	60,667	3,128	5%	244,538	304,157	59,619	24%
Vehicle Maintenance	403,570	0	0	0	403,570	33,631	22,758	(10,873)	-32%	134,523	98,296	(36,228)	-27%
PUC/Rate Study Consultant/Legal Expenses/C	320,879	0	0	0	320,879	8,333	2,600	(5,733)	-69%	125,500	115,840	(9,660)	-8%
Others	403,324	0	0	0	403,324	33,610	26,002	(7,608)	-23%	134,441	127,572	(6,870)	-5%
Total contractual services:	11,877,142	0	0	0	11,877,142	886,777	836,670	(50,107)	-6%	3,935,181	3,850,771	(84,411)	-2.1%
Receiver	0	0	0	0	0	0	80,000	80,000	n/a	0	419,213	419,213	n/a
Travel	24,575	0	0	0	24,575	0	0	0	0%	8,687	8,687	0	0%
Supplies	420,000	0	0	0	420,000	57,000	54,046	(2,954)	-5%	140,000	200,954	60,954	44%
Vehicle Supplies	400,000	0	0	0	400,000	33,333	29,151	(4,182)	-13%	133,333	133,154	(179)	0%
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%	333	373	40	12%
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%	37,103	27,588	(9,515)	-25.6%
Utilities - water	18,720	0	0	0	18,720	1,560	726	(834)	-53%	6,240	3,120	(3,120)	-50%
Communications	62,247	0	0	0	62,247	5,187	4,572	(616)	-12%	20,749	14,352	(6,397)	-31%
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%	82,203	30,014	(52,188)	-63%
Reserves - Layon Landfill	200,000	0	0	0	200,000	16,667	16,667	0	0%	66,667	66,667	0	0%
Transfers to Host Community Fund	300,000	0	0	0	300,000	31,153	31,153	0	0%	146,151	146,151	0	0%
Transfer out to General Fund (Debt Service), Ce	2,996,500	0	0	0	2,996,500	249,708	254,000	4,292	2%	998,833	1,016,000	17,167	2%
Other Expenditures	4,787,265	0	0	0	4,787,264	424,435	409,964	(14,471)	-3.4%	1,640,299	1,647,059	6,760	0.4%
TOTAL EXPENDITURES:	20,989,782	0	0	0	20,989,785	1,643,022	1,680,374	37,352	2.3%	6,961,972	7,255,055	293,083	4.2%
Excess (deficiency) of revenues over (under expenditures)							934,675					948,238	

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.

Solid Waste Operations Fund
Operating Balance Sheet
As of January 31, 2025 and September 30, 2024
(Unaudited)

	As of 31-Jan-25	As of 30-Sep-24	Change	% Change
ASSETS				
Cash and cash equivalents, unrestricted	5,967,091	5,419,275	547,816	10%
Cash and cash equivalents, restricted	292,455	1,097,107	-804,652	-73%
Investments	5,687,696	7,371,131	-1,683,435	n/a
Receivables, net:				
Tipping Fees	3,968,060	3,659,475	308,585	8%
Due from Recycling Revolving Fund	133,333	206,928	-73,595	
Due from component units	0	0	0	
Deposits and other assets	0	0	0	
Total assets	<u>16,048,636</u>	<u>17,753,916</u>	<u>-1,705,280</u>	<u>-10%</u>
LIABILITIES AND FUND BALANCES (DEFICIT)				
Liabilities:				
Accounts payable	0	0	0	
Accrued payroll and other	841,947	1,525,047	-683,100	-45%
Due to component units	0	0	0	
Due to other funds	1,198,162	1,059,374	138,788	13%
Deferred revenue	0	0	0	n/a
Deposits and other liabilities	48,177	48,177	0	
Total liabilities	<u>2,088,286</u>	<u>2,632,598</u>	<u>-544,312</u>	<u>-21%</u>
Fund balance (deficit):				
Restricted, OPCC	5,675,682	7,851,556	-2,175,874	-28%
Committed	0	0	0	
Assigned	8,284,668	7,269,763	1,014,905	14%
Unassigned	0	0	0	
Total fund balance (deficit)	<u>13,960,350</u>	<u>15,121,319</u>	<u>-1,160,968</u>	<u>-8%</u>
Total liabilities and fund balances (deficit)	<u>16,048,636</u>	<u>17,753,916</u>	<u>-1,705,280</u>	<u>-10%</u>

Note:

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

GUAM SOLID WASTE AUTHORITY FUNDS

FUND BALANCE as of January 31, 2025

Unaudited

	Operational Fund	Ordot Post Closure Fund	Total	Ordot Dump PCC Reserve (RCRA) Trust Fund
Fund Balance, September 30, 2024, Unaudited	7,269,763	7,851,556	15,121,319	30,715,554
Add: Revenues/Other Sources:	8,203,293	63,277	8,266,570	407,432
Transfers In- SWOF	0	0	0	1,746,630
	8,203,293	63,277	8,266,570	2,154,062
Less: Expenditures/Reserves:	7,255,055	492,521	7,747,576	0
Transfers Out - OPCC Reserve Fund	0	1,746,630	1,746,630	0
Carry Over Encumbrances	0	0	0	0
	7,255,055	2,239,151	9,494,206	0
Net Operating Budget	948,238	-2,175,874	-1,227,636	2,154,062
Add back:				
Capital Outlay - Equipment Replacement reserves set asides	0	0	0	0
Layon Reserves	66,667	0	66,667	0
Total Net change in Fund Balance	1,014,905	-2,175,874	-1,160,968	2,154,062
Ending Fund Balance, January 31, 2025 (Unaudited)	8,284,668	5,675,682	13,960,351	32,869,617
				Cash Balance, December 31, 2024:
				32,869,617

Notes:

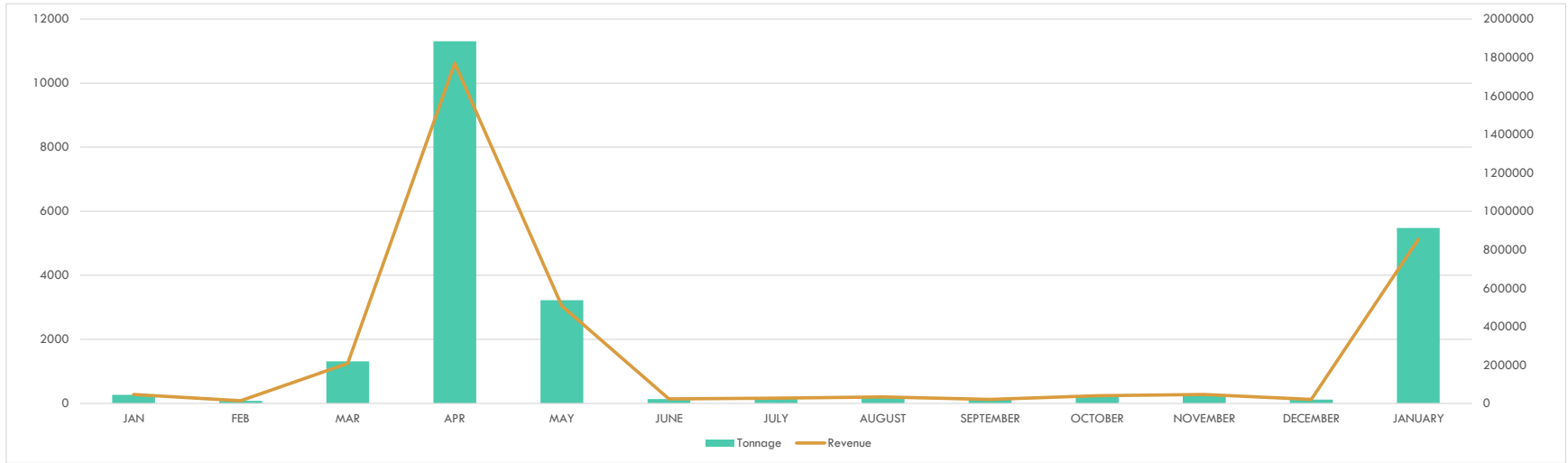
On February 9, 2024, Public Law 37-64 established the Ordot Dump Reserve Fund. Eligible costs includes the closure and maintenance of Ordot Dump and the opening and recent expansion of the Layon Landfill. Also included are monitoring, testing, ensuring compliance with permits and laws, litigation fees 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 January 31 2025

<i>Unaudited</i>	FY2025 Actuals to Date	FY2024 Actuals to Date	Variance	% Increase (Decrease)
Revenues:				
Commercial Fees (Large)	3,644,416	4,856,967	(1,212,551)	-25.0%
Others - Government/Commercial Fees	1,424,005	734,635	689,370	93.8%
Residential Collection Fees (net 3%)	2,617,888	2,609,043	8,844	0.3%
Host Community Fees	146,151	156,721	(10,570)	-6.7%
Other Revenues	150,647	151,877	(1,230)	-0.8%
Interest Income/Investment Earnings	33,604	368	33,236	9027.2%
Prior Year Revenues	53,250	0	53,250	0.0%
Total Revenues	8,069,961	8,509,611	(439,651)	-5.2%
Transfers In - Recycling Fund	133,333	133,333	0	0.00%
Total Revenues/Other Resources/Transfers In	8,203,294	8,642,944	(439,650)	-5.1%
Expenditures by Object:				
Salaries and wages - regular	877,409	831,488	45,921	5.5%
Salaries and wages - overtime	57,449	89,023	(31,574)	-35.5%
Salaries and wages - fringe benefits	403,152	332,123	71,029	21.4%
	1,338,010	1,252,634	85,376	6.8%
Contractual services:				
Layon Operations	1,574,681	1,412,057	162,624	11.5%
Layon Others	183,694	184,855	(1,162)	-0.6%
Harmon Hauler Station Operations	1,263,555	1,241,528	22,027	1.8%
Ordot Postclosure care (OPCC)	0	666,668	(666,668)	-100.0%
Recycling/Other Programs	182,976	120,020	62,956	52.5%
GEPA Appropriation	0	0	0	0.0%
Contractual Employees	304,157	374,638	(70,481)	-18.8%
Vehicle Maintenance	98,296	74,366	23,930	32.2%
PUC/Legal Expenses	115,840	110,000	5,840	5.3%
Other Contractual	127,572	137,440	(9,868)	-7.2%
Total Contractual	3,850,771	4,321,573	(470,802)	-10.9%
Receiver	419,213	331,128	88,085	26.6%
Travel	8,687	8,366	321	0.0%
Supplies	200,954	144,938	56,016	38.6%
Vehicle Supplies	133,154	106,343	26,811	25.2%
Worker's compensation	0	0	0	0.0%
Drug testing	373	262	111	42.2%
Equipment	0	0	0	0.0%
Utilities - power	27,588	31,940	(4,353)	-13.6%
Utilities - water	3,120	2,966	154	5.2%
Communications	14,352	18,984	(4,632)	-24.4%
Miscellaneous	30,014	95,550	(65,536)	-68.6%
Reserves	0	0	0	0.0%
Transfers to Host Community Fund	146,151	156,721	(10,570)	-6.7%
Transfer out to General Fund (Debt Service)	1,016,000	1,016,000	0	0.0%
Total Operating Expenditures	1,580,392	1,582,070	(1,678)	-0.1%
TOTAL EXPENDITURES:	7,188,386	7,487,405	(299,019)	-4.0%
Excess (deficiency) of revenues over (under expenditures	1,014,908	1,155,539	(140,631)	-12.2%
Other financing sources (uses),				
Transfers in from other funds	0	0	0	
Transfers out to other funds	0	(1,886,800)	1,886,800	-100.0%
Total other financing sources (uses), net	0	(1,886,800)	1,886,800	-100.0%
Net Change in Fund Balance:	1,014,905.37	(731,262)	1,746,167	-238.8%
Beginning Fund Balance, 09-30	7,269,763	7,032,938	236,825	3.4%
Ending Fund Balance, January (unaudited)	8,284,668	6,301,676	1,982,994	31.5%

	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	JANUARY
Tonnage	270	81	1,316	11,309	3,220	138	158	196	122	234	270	121	5,476
Revenue	\$ 46,318	\$ 13,869	\$ 208,256	\$ 1,770,098	\$ 507,263	\$ 23,650	\$ 27,113	\$ 33,670	\$ 20,889	\$ 40,178	\$ 46,332	\$ 20,741	\$ 853,790



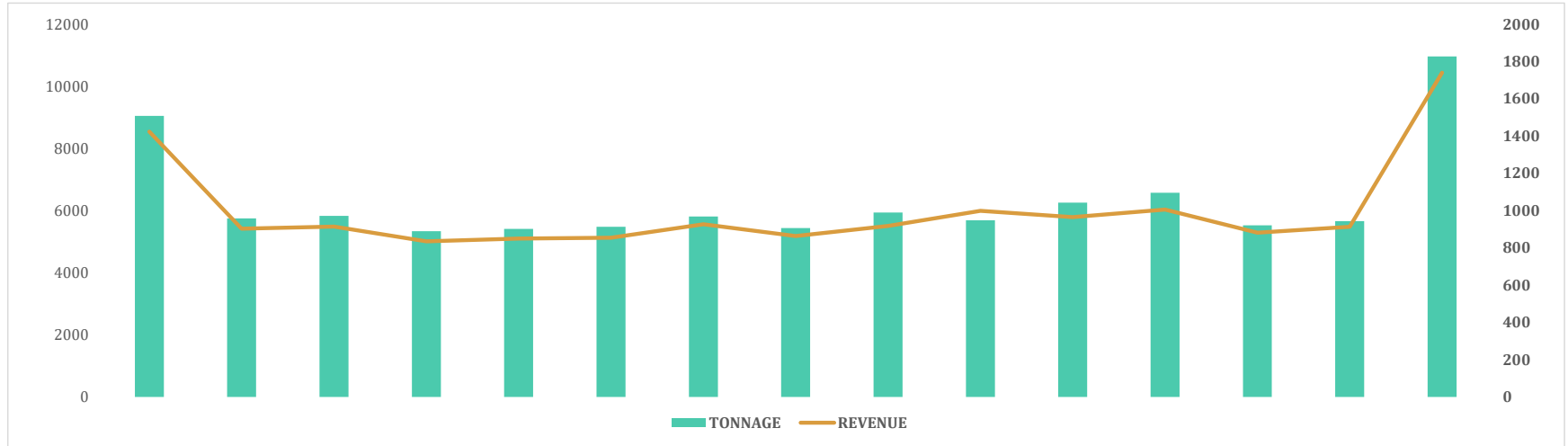
Special Waste Type by Tons:

	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	JANUARY
Treated Wood	270	70	142	176	312	138	158	196	122	234	270	121	102
Asbestos	0	0	0	0	0	0	0	0	0	0	0	0	13
Rubberized Paint	0	11	0	0	0	0	0	0	0	0	0	0	0
Regulated Soil	0	0	1,122	10,936	2,908	0	0	0	0	0	0	0	5,361
Non-Regulated Soil	0	0	51	197	0	0	0	0	0	0	0	0	0
TOTAL	270	81	1,316	11,309	3,220	138	158	196	122	234	270	121	5,476

Period November 2023 - January 2025

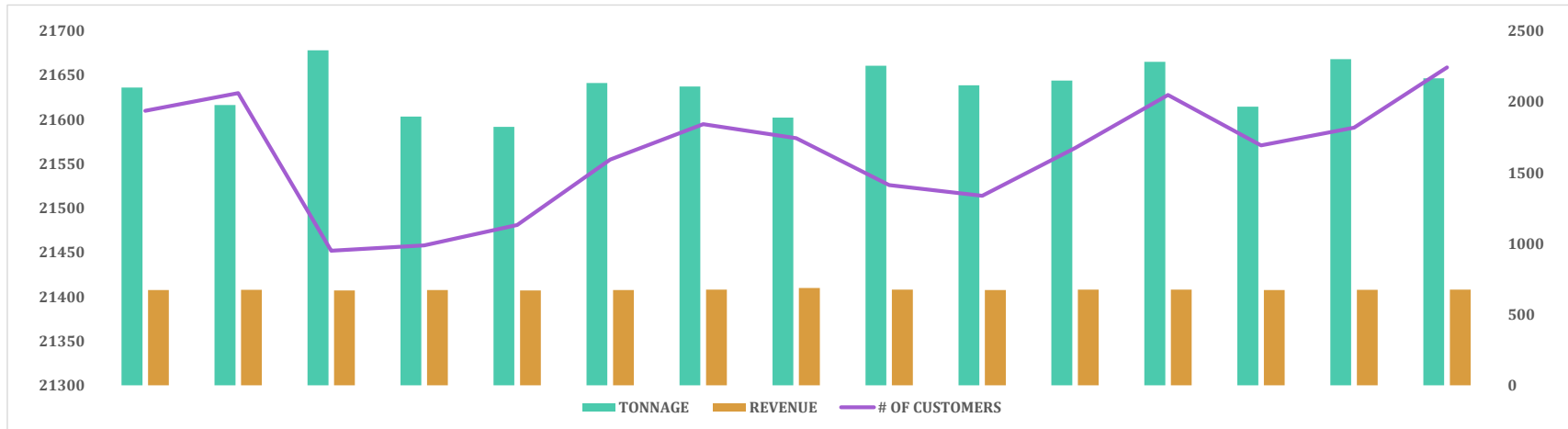
Fifteen (15) months

	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEP	OCT	NOV	DEC	JAN
TONNAGE	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	5,663	5,484
REVENUE	\$ 1,424	\$ 903	\$ 914	\$ 835	\$ 850	\$ 854	\$ 926	\$ 863	\$ 918	\$ 999	\$ 965	\$ 1,006	\$ 882	\$ 913	\$ 865



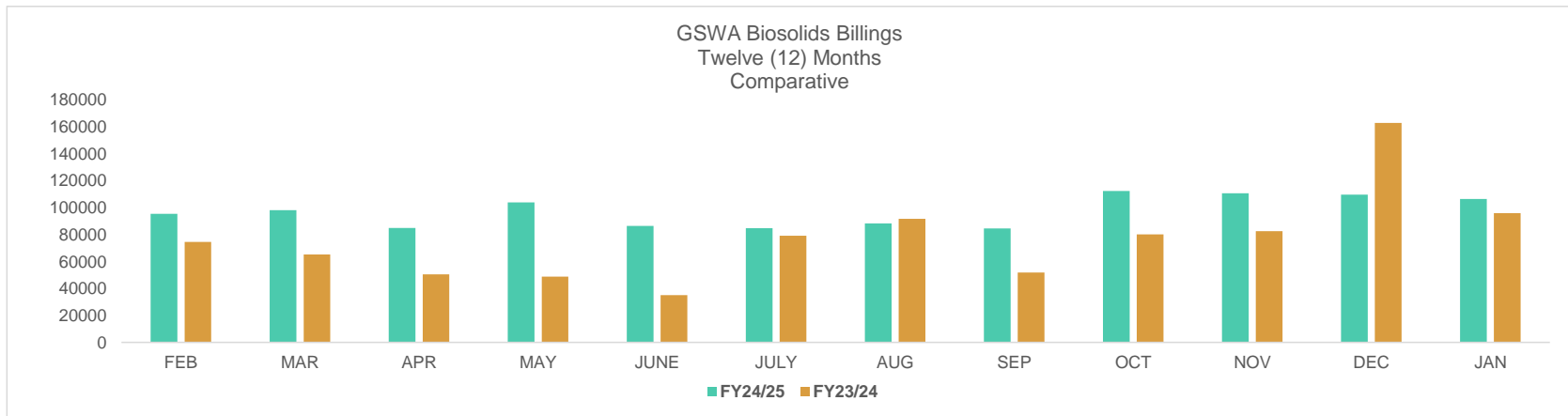
Residential Revenue & Tonnage
Period November 2023 - January 2025
Fifteen (15) months

	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEP	OCT	NOV	DEC	JAN
TONNAGE	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	2,303	2,168
REVENUE	\$ 673	\$ 674	\$ 670	\$ 672	\$ 669	\$ 672	\$ 676	\$ 687	\$ 675	\$ 672	\$ 675	\$ 676	\$ 673	\$ 674	\$ 676
# OF CUSTOMERS	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	21,591	21,659



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

	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEP	OCT	NOV	DEC	JAN
FY24/25 \$	95,429	98,195	85,019	103,850	86,527	84,817	88,352	84,595	112,389	110,748	109,651	106,419
FY23/24 \$	74,600	65,312	50,589	48,860	35,164	79,091	91,761	51,868	80,266	82,601	162,868	96,030



KEY INDICATORS
As of January 31, 2025

Indicators	Target	Nov-24	Dec-24	Jan-25
Days in Cash	90	91	94	94
Residential Collection Rate:				
* Month to Date	98%	87%	102%	120%
* Year to Date	98%	92%	95%	101%
Commercial/Govt/Others Collection Rate:				
* Month to Date	98%	90%	127%	75%
* Year to Date	98%	98%	104%	105%
Account Receivable Days	60	61	56	64
Account Payable Days	30	0	0	0
Residential Customers	21,691	21571	21591	21659
Trucks Procured/Purchased - FY2023	6	5	5	5
Trucks Procured/Purchased - FY2024	4	4	4	4
Trucks Procured/Purchased - FY2025	4	3	3	3
Trucks Not Delivered	7	7	7	7
Contamination Rate	25.0%	83%	80%	77%

For the month of January 2025, Commercial Rate includes one time charge of \$836k in Soil Disposal.. Without the Soil Disposal, collection rate would have been 107%.