

GUIDELINES FOR ENVIRONMENTAL PROTECTION IN THE IMPORTATION OF SAND, GRAVEL, ROCK OR OTHER NATURAL BUILDING MATERIALS OR SUPPLIES FROM FOREIGN SOURCES.

Pursuant to provisions of 10 GCA Chapter 45, the Guam Environmental Protection Agency Act, 10 GCA Chapter 47, the Water Pollution Control Act and Public Law No. 17-87; and in accordance with the Revised Water Quality Standards of the Territory of Guam, the Administrator of the Guam Environmental Protection Agency has developed the following guidelines with regard to importation of sand, gravel, rock and other natural building materials or supplies to the Island of Guam from any other country, island or location not directly associated, geologically, with the Island of Guam.

A. Biological factors

1. All imported sand, gravel, rock or other natural building material imported to the Island of Guam for the purpose of placement upon the surface, incorporation in natural soils or placed beneath the surface of the Island must be biologically sterile.

Sterility shall be determined by any of the following methods:

- a) Heat treatment to a temperature at or above 140 degrees Fahrenheit for a period of at least one minute after the entire mass being treated has reached that temperature.
- b) Saturation of the entire mass with a solution of Sodium Hypochlorite or Calcium Hypochlorite of at least 200 ppm free chlorine for a period of at least 30 minutes.
- c) Treatment with an approved chemical fumigant of sufficient strength and for a sufficient time period as to render the mass biologically sterile.
- d) Other procedures approved by both the Administrator of the Guam Environmental Protection Agency and the Director of the Guam Department of Agriculture.

2. Sterilization of the subject materials must be complete prior to off loading at any point on the Island of Guam.

3. Material sterilized at the source before being transported must be protected from recontamination during transportation and storage en route to Guam.

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4. Documentation of point of origin; point, time and method of sterilization; location(s) of storage and records of transportation must be maintained for each shipment and available for inspection by authorized agencies.

5. In addition to required sterilization procedures, tests to ascertain effectiveness of sterilization may be required by the Guam Environmental Protection Agency.

B. Chemical factors

1. No sand, gravel, rock or other natural building material imported to the Island of Guam for the purpose of placement upon the surface, incorporation in natural soils or placed beneath the surface of the Island may contain any toxic or hazardous substance, in amounts equal to or greater than those specified in terms of EP toxicity, listed in United States Government 40 CFR Part 261, its accompanying appendices, or any listing promulgated after its date of adoption by either the U.S. Environmental Protection Agency or the Guam Environmental Protection Agency.

2. Any such sand, gravel, rock or other natural building material imported to the Island of Guam must be certified by an independent and qualified testing agency to be from a source which does not contain any listed toxic or hazardous materials in concentrations greater than those specified.

3. No such material shall, during storage and transportation to the Island of Guam, be exposed to any toxic or hazardous material in such a way as to be detectably contaminated.

4. The Administrator of the Guam Environmental Protection Agency may require tests of any such material, at any time before or after its arrival on Guam, as he deems appropriate to establish that it is not contaminated with hazardous or toxic materials.

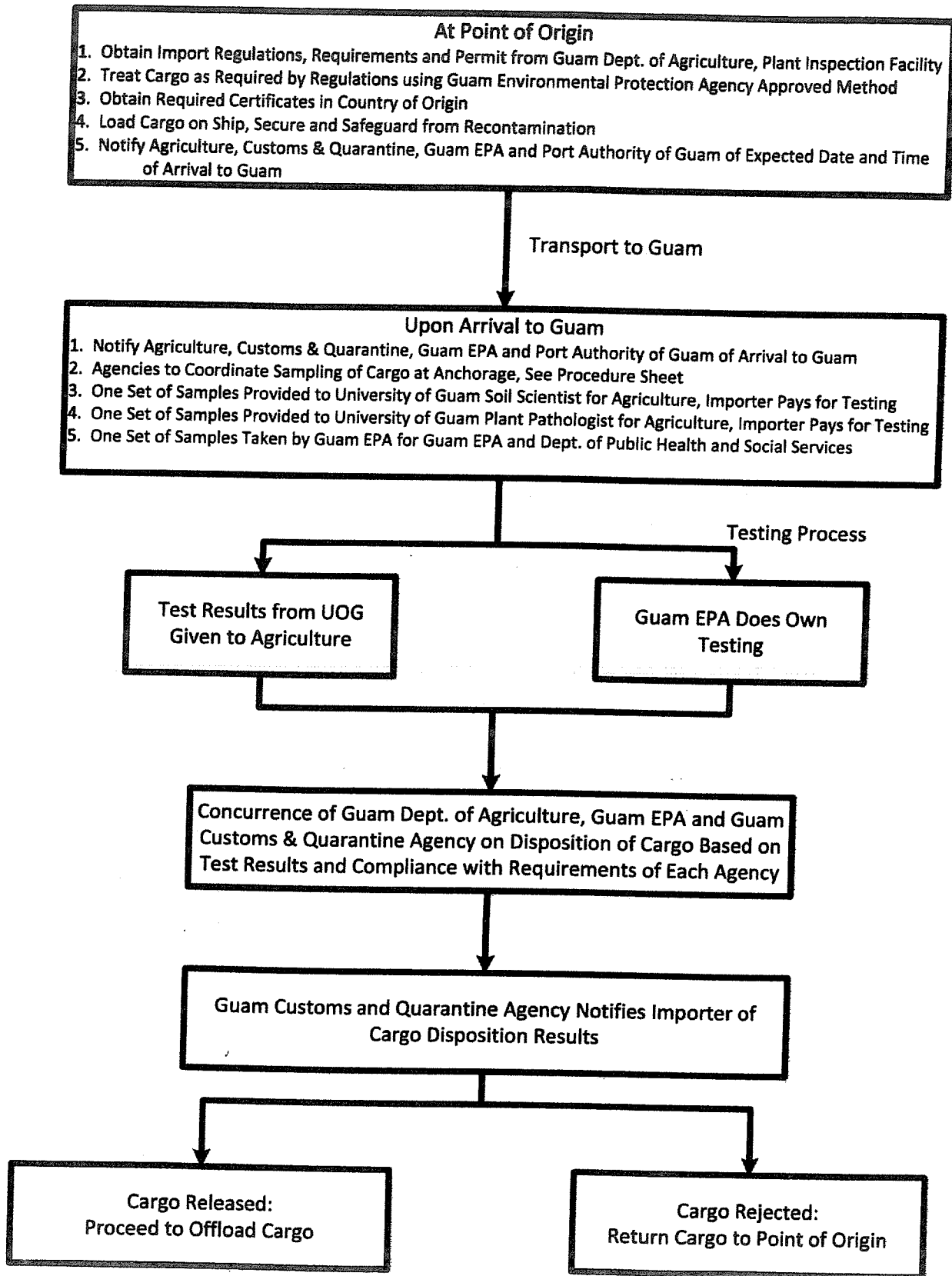
C. Removal and disposal of contaminated material

1. Any sand, gravel, rock or other natural building material imported to the Island of Guam for the purpose of placement upon the surface, incorporation in natural soils or placed beneath the surface of the Island, and which is determined to be contaminated with toxic or hazardous materials or which is determined to not be biologically sterile must be

removed, containerized and disposed of off-island in a manner consistent with such rules and regulations as may apply for handling of such contaminated material.

2. In the event that the detection of contamination of an imported material occurs after it has been off-loaded on Guam, all soils, rock materials, equipment and supplies which have come in contact with such material in such a way as to become contaminated itself shall be decontaminated by appropriate means or containerized and disposed of off-island in accordance with applicable regulations.
- D. Compliance with these guidelines does not release or remove the responsibility for compliance with any Territorial or Federal regulation regarding importation of materials from a foreign source. Nor does it relieve the person responsible for importation or use of such material from any liability, civil or criminal, to which he may become subject through use of any such material.

IMPORT OF SAND & QUARRIED PRODUCTS PROCEDURAL FLOW CHART





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Documents and Information Required for Sand/Aggregate Importation to Guam

1. Detailed Map of Source within Country of Origin
2. Chemical Composition/Analyses of Material
3. Certificate of Grain/Particle Size
4. Certificate of Origin
5. Certificate of Treatment for Material
6. Certificate of Treatment for Vessel Cargo Holds (Sanitized)
7. MSDS/Product Information of Chemical used for Treatment
8. "Pest-Free/Microbial Free" Certificate for Material (Standard Method 9223)
9. "Pest-Free" Certificate for Vessel
10. Commercial Invoice
11. Bill of Lading
12. Cargo Manifest
13. Stowage Plan
14. Vessel Survey Report
15. Guam EPA Sand and Aggregate Permit
16. Copies of the Department of Agriculture Permit (See appropriate Agency for requirements)
17. Copies of the Guam EPA/DPW Stock Piling Permit for intended receiver (See appropriate Agency for requirements)
18. Copies of the Port Authority of Guam shipping agent arrival notice documents(See appropriate Agency for requirements)
19. Copies of the Guam Customs and Quarantine Importation Entry Documents (See appropriate Agency for requirements)
20. Written minimum 24 hour Notice of Arrival to all appropriate GovGuam Agencies
21. Proposal to "Re-treat" if cargo is found to be positive for microbiological contamination.

Monitoring/Sampling Requirements of Material "On Board" Vessel

All necessary equipment needed to properly and safely collect samples from the cargo holds need to be present on the vessel at time of arrival to Guam. Suggested equipment needed, but not limited to, are excavators, back-hoes, bucket loaders, and clamshell loaders. All sampling

"ALL LIVING THINGS OF THE EARTH ARE ONE"

will occur at an “anchorage point” within outer Apra Harbor, Guam, as designated by the Port Authority of Guam. Guam EPA personnel will collect samples from three (3) depths, at or near the top/middle/bottom, from each hold as required. Guam EPA will provide all sampling containers as necessary. Samples are required to document compliance with the law.

An alternate option for the above sampling procedure is the use of “Sampling Tubes”. Sampling tubes are sterile tubes of sufficient diameter, length and strength to be placed in each hold and are filled as the holds are filled with the material. Tubes will then be removed on board the vessel at time of inspection and samples will then be extracted from these tubes.

Analytical time for all samples collected is 24 hours minimum. The analytical method used to determine the presence/absence of microbial contamination is a modified SM9223B.

Additional Information Required for Processing Facility (Quarry) Inspection/Certification

1. Map of Facility
2. Flow Chart Depicting Crushing Process
3. Specifications of “Aggregate Crusher” and/or “Wearing Machine”
4. Stockpile Plan to keep Material “Pest-Free”
5. Loading Plan to include timeline of production to loading

Offloading Requirements and Procedures

1. No sand or aggregate will be allowed to fall into marine waters during discharge. One recommended method is to use tarpaulin (s) extending from the barge to dockside and secured with sandbags.
2. Barriers must be placed around stockpile between it and the dockside and any drainage holes.
3. All dump trucks will be covered before leaving the port area AND all tailgates will have a proper fit to prevent spillage during transport. Any spillage of sand or aggregate onto Guam’s roadways will be considered a violation of the Territory’s litter/dumping regulations and will be strictly enforced.
4. All offloading activities must be halted during period of moderate to heavy rains. All stocked piled material must be covered to prevent the discharge of material into the marine environment.