



GUAM ENVIRONMENTAL PROTECTION AGENCY

AHENSIAŃ PRUTEKSION LINA'LA GUAHAN

EDDIE BAZA CALVO
GOVERNOR OF GUAM

RAY TENORIO
LT. GOVERNOR OF GUAM

BLDG. #17-3304 MARINER AVENUE, BARRIGADA, GUAM 96913

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Guam Environmental Protection Agency Board of Directors Meeting Thursday, November 15, 2018 @ 4:00 pm Main Office Conference Room

Agenda

- I. Call to Order
- II. Approval of Agenda
- III. Approval of September 20, 2018 Minutes
- IV. Administrator's Report
- V. New Business
 - Brief from CH2M/Jacobs Re Current Projects
 - Bill No. 292-34
 - Bill No. 350-34
- VI. Old Business
 - Navy NOV - Notice of Intent to Appeal Status
 - Tsang Brothers Corporation – Settlement Agreement Status
 - Safe Drinking Water NOV – Guam Waterworks Authority Status
 - Nova Group, Inc. – Settlement Agreement Status
 - RRF Rules and Regulations Draft Update
- VII. Miscellaneous
- VIII. Next Meeting Date/Adjournment

**Guam Environmental Protection Agency
Board of Director's Meeting,
November 15, 2018 @ 4:00 p.m.
Main Office Conference Room**

MINUTES

- I. Call to Order:** Chairman Robert Perron called the Board of Director's meeting to order at 4:05 p.m.

Present were: Board Members: Robert Perron, Chairman, Terrence Brooks, Vice-Chairman, Victor Zhou, Steve Hollister, Ann Roth and Steven Carrara. (Florida Sanchez, not present).

Guam EPA Staff: Kristan Finney, Michelle Lastimoza, Brian Bearden, Conchita Taitano, Laura Kanai, Sabrina Cruz-Sablan, Roland Gutierrez, Connie Acfalle, Jesse Cruz, Nicholas Lee, Glenn San Nicolas and Vilma Balajadia. Guests: USEPA-Harry Allen, Carl Goldstein and Travis Bock. Janalynn Damian and Charissa Manibusan.

- II. Approval of Agenda:** Director Roth made a motion to approve the agenda, seconded by the Chairman. All voted in favor and the motion passed. The Chairman recommended that the Old Business be moved in front of New Business due to an RRF update that will lead into one of the New Business items. Director Carrara made a motion to move the Old Business in front of the New Business, seconded by Director Roth. All voted in favor and the motion passed.
- III. Approval of Minutes:** Changes made on Roman Numeral IV. 5th sentence, change the word Price to Proposal and Roman Numeral VI. Under Old Business, 4th paragraph, last sentence, change the word told to toll. Director Roth made a motion to approve the minutes, seconded by the Director Carrara. All voted in favor and the motion passed.
- IV. Administrator's Report:** The Administrator introduces Mr. Brian Bearden, Guam EPA's new Chief Engineer, Mr. Carl Goldstein, Guam EPA's new Program Manager, Mr. Harry Allen, USEPA's Agent Orange Specialist and Mr. Travis Bock, USEPA. The Administrator added that Mr. Goldstein was instrumental in getting the agency off the high risk category with USEPA. The Administrator stated that Mr. Allen came to Guam with his contractor's to do the sampling which was done yesterday and today (11/14-15/18). The Administrator stated that Mr. Allen will be discussing the Agent Orange sampling procedure and that Guam EPA's Green Parcel/DSMOA Division and EMAS Division accompanied and assisted Mr. Allen. The Administrator stated that Mr. Travis Bock works for Innovate and is our contractor through USEPA to handle the agency's W.A.L.T.E.R.S. development. The Administrator also added that the agency is assembling a team to assist Mr. Bock to ensure that all the divisions and all the programs are represented and taken cared of as far as implementation into the W.A.L.T.E.R.S. program.

The Administrator stated that he would let Mr. Harry Allen discuss the Agent Orange later on in the meeting. The Administrator talked about some of the things that were done -to include the abandoned derelict vessels with Mr. Jesse Cruz and the EMAS group. Mr. Allen took some of the paint chips from the vessels and that in the near future they may remove the derelict vessels to ensure that there are no hazardous materials within the paint. The Administrator also stated that Mr. Allen is doing quite a bit for the agency, as well as their contractor. They are also taking a look at the Dededo Transfer Station -which is the assessment that the court has required Guam EPA to fix. The Administrator discusses more details.

The Administrator stated that the agency's "work plan" was submitted to the Navy last week, and was notified of the sampling event. The Administrator further stated that as of yesterday morning, the Navy did not provide us a response as far as allowing us into their control areas, which is basically a couple of gates. Requesting Base access is necessary to sample on Navy land. Requests for access have been denied with Navy Personnel requesting for a two-week time frame to respond to the request for Base access. Due to the delay, we had to amend our work plan to sample on locations that we thought were as appropriate as our first designated locations and Mr. Allen and Mr. Cruz can discuss that in more detail.

The Administrator stated that the public hearing for the reconfirmation of the Chairman and Director Sanchez went really well and stated that the agency will be more engaged in the future as far as making sure that the senators know the importance of the Board Members to this agency.

The Administrator stated that Mrs. Conchita Taitano attended the end of the year Association of State and Territorial Solid Waste Management Officials (ASTSWMO) meeting and she was voted in as the Vice-President of the Nationwide Organization for the Solid Waste. The Administrator further stated that it is an organization that helps Guam EPA. The agency pays a membership fee that exceeds the reimbursements they do for our travels to go attend the trainings and conferences that they have for numerous programs that we run and oversee on Guam. The Chairman added that Mrs. Taitano will be the Vice-President and then will be the following President for ASTSWMO.

Agent Orange – Mr. Harry Allen, USEPA On-scene Coordinator and Team Leader for Los Angeles Office, Region 9. On the topic of Agent Orange on island, Mr. Allen shared his review of last year's Navy Sampling Plan (on-Base sampling): "I made some concessions with them to get the project going for Area 1, 2, and 3, but in general, we felt like they had a good approach looking for the two (2) Agent Orange constituents (2, 4-D and 2, 4, 5-T = Chemical Names). Originally, Agent Orange was mixed 50/50 and it was distributed that way but also those products were used individually (2, 4-D) is a pretty common product it is found in some versions of Round Up. (2, 4, 5-T is called Fenoxaprop-P-ethyl) in its original trade name and was banned in the 1970's. So the real threat of Agent Orange spraying or residuals is the dioxin component (2,4, 5-T) –actually the interaction of the two also generates the dioxin –that's the main health driver of dioxin, the most toxic, carcinogenic of all the regulated substances that we would work with –its also naturally occurring so its kind of a strange thing, but to investigate potential use of Agent Orange for any kind of activity, we like to look for (2, 4-D) and (2, 4, 5-T). So USEPA happens to have a method for that so, when I worked with the Navy on the Base they suggested we use that method and look for those two (2) constituents..."

Mr. Allen further explained in detail Navy's methodology and processes from small samples of Area 1, 2 and 3, and the fact that USEPA was mailed a split sample to analyze in which USEPA found in one of their samples both of the ingredients (2, 4-D and 2, 4, 5-T). Based on these sample results, everyone agreed to retest the sample area, with Mr. Allen suggesting sampling "outside of the fence." While the Navy argued with Mr. Allen on USEPA's results, there was some discussion of positive bias like cross-contamination of samples, with the best explanation being the variability in the samples.

Mr. Allen stated the fact that "people used herbicides in history, on-Base and everywhere else, makes it pretty likely, you are going to see it in the soil" contrary to what chemist may say. Mr. Allen addressed a letter from Congresswoman Bordallo in September of this year in response to a letter from the Agent Orange Veterans of Guam group saying USEPA can go out and sample and take the guys from Agent Orange Veterans of Guam along, however USEPA agreed to seeking consultation with the group and deferred the lead to Guam EPA's team. Mr. Allen reviewed the information collected from various sources. (Referring to the map on his presentation slide) Mr. Allen stated the junction location and sampling sites: Pott's Junction (5 samples); Tiyan (one-sample and one up a little bit further at this junction location); Mongmong-Toto-Maite (sample taken, amount not provided); Piti (sample taken, amount not provided); Sasa Bay (two-samples where a place Mr. Moyer told us in the interview he sprayed around a family's home right by the Tenjo Road Fuel Pump –right outside the Navy Gate); and at Mr. Moyer's residence (three-samples). A total of thirteen (13) samples of five (5) subsamples were taken. Each one (1) sample represents five (5) sub-samples for a total number of sixty-five (65) samples represented. Mr. Allen further stated that, "The line of evidence to suggest that our work be done to figure out really what happened with the use of Agent Orange, its not proof, but I think you'll see when GAO comes out with their report –we cant really prove

anything about the use of Agent Orange –I think the closest I could come to that is if I had high concentrations that were similar to what I've seen in Vietnam and maybe I could go back and sample those again –if we had perhaps a way to sample even to a higher degree of technological innovation...we would go more places if we had them listed, if the Navy let us in the Gate we would go in there. It's not that big of a deal for us to sample and get these analyses done. One thing that we did do this time, which we didn't do last time with the Navy, was they're going to go back and re-sample. They [Navy] said when they go back they want to use the more sensitive chemical analysis method..." So, Mr. Allen agreed to run all these samples with the more sensitive method and conduct a handful with the other method just for comparison including all the other constituents associated with industrial activity and others to get a sense of wide enough of evidence. Mr. Allen further references the map on the presentation slide on the investigate areas. Areas include: the bottom there by Sasa Bay; the back gate to the fuel farm near Sumay Grill.

Director Carrara asked about the location of "high readings" and the location of deployment or storage. Mr. Allen responded with, "I don't have any reason to believe that the levels would be high where it was deployed, but my logic is saying you are pulling up in a truck you got the drum and the stuff on the back you know you are filling your tank and you may be going on a hike like Mr. Moyer said –and when you do this you are going to spill it and for whatever reason that stuff stays you know in my experience wherever it was stored or kept temporarily it stays and you can still find it later –so that's the kind of evidence that was used..."

The Vice-Chairman inquired if the report is going to be based on the prior sampling. Mr. Allen responded to the vice-chairman that the GAO report only speaks to the sampling but does not provide any data. The GAO report is just records and information, interviews, records review, its not inclusive at all. The Vice-Chairman further inquired clarification on the constituent findings and its possibilities. Mr. Allen responded with, "well, I've seen (2, 4-D) alone and I've seen both (2, 4-D) and (2, 4, 5-T) in the environment years and years later. I've seen at Agent Orange sites and at other sites like this where we don't expect to see Agent Orange, so, those chemicals were often used alone. (2, 4, 5-T) could mean Fenoxprop alone and was used in the 60's because it was banned in the 70's..." Mr. Allen further stated that the Navy doesn't want to toss the use of (2, 4-D) claiming they [Navy] have no records and the "typhoon ate our homework and stuff...so there are some records out there I think that we can get to shed some more light on it..."

The Administrator stated that not only did the Navy say they did not use that [previously stated chemicals], they said Agent Orange never came to Guam. "This is all a deterrent approach to continue the investigation if we come up with hits of the constituents we are sampling for as well as quite possibly any signs of former fuel leaks that may still exist; and I don't know why the Navy denied us access. Maybe it's because they are worried what we might find," stated the Administrator.

Mr. Allen clarified that if (2, 4, 5-T) alone or both are found, it's not proof but it's a reason to further investigate, which the Navy agreed to further investigate in their "sampling plan." If you see (2, 4-D) that's great information because we know that people use Round Up and other herbicides and it might mean there is a danger but we could investigate that in a separate way. If you find (2, 4, 5-T) or (2, 4-D) alone or (2, 4, 5-T) which is a combination of (2, 4-D), then more work will be needed.

The Chairman asked if Mr. Moyer has any information on what he was applying on the Pesticide or what material he was laying down? Mr. Jesse Cruz responded with the fact that not all his documents were read due to the vague explanation. Mr. Moyer was just a marine at the time and they said he would grab his pack and spray and he just knows that it smelled funny and that everything that he sprayed died.

Mr. Allen stated he would provide Guam EPA with an analysis of information gathered and further expressed the strong support of USEPA. Mr. Allen confirmed that any additional constituent findings, other than the two (2) constituents that could be part of Agent Orange would be, instead of an end all, would only be the beginning. Chairman Perron inquired about the Lonfit Area, however, Mr. Allen stated that his team did not look in that area or at the Ordot dumpsite. The Administrator clarified that some of the problems of getting sampling from the Ordot dumpsite is due to the site closure; and the fact that the leachate goes through their leachate system that gets collected and funnels towards GWA. So, samples may be collected by these means but not by going out and grabbing soil samples. It would be looking at the leachate and possibly maybe some of the ground water, market wells, or something slightly different.

Director Hollister asked about the sheen on top of the water, to which Mr. Allen responded with “if it was in High concentration for sure –you can inspect behind there –I mean, I don’t know if that’s natural or it could be any oil or a natural oil...” Director Hollister further asked about Polaris Point, known to people as the “drum lot.” The Administrator clarified that there are buried drums at the site that the agency is currently addressing right now but have not sampled the soil. Mr. Allen stated that future analysis of the site in question could be easily done. Director Hollister and Mr. Allen further discussed the levels of dioxin in the soil and examples of what may or may not trigger an EPA risk assessment. A tiered approach is used so that if any positive hits on any of the constituent samples, this would be justification to continue the investigation in the area for Agent Orange or for other herbicides or fuel spills. (Mr. Allen further reviewed his slide presentation).

V. Old Business:

- *Navy NOV – Notice to Appeal*

The Administrator stated that he spoke with Captain Turner and his Environmental Director, Mr. Ed Moon and they have had a discussion –that this Notice of Violation (NOV) is a follow-up with the NOV to NOVA. The Administrator further stated that we are working on a settlement with NOVA. The intent for the NOV to the Navy was to put them on notice –we were not looking to double the fine. The Navy understands this and that is the reason they are not seeking a hearing. The Navy wants to ensure that the agency comes up with the proper verbiage. It is a matter of the Administrator, Ms. Kristan Finney, the Judge Advocate General (JAG) and the Air & Land Division to figure out the proper verbiage. Director Roth asked if the Navy was fined. The Administrator stated that the Navy was not fined –the contractor was fined and that it is in the final stages of negotiation. The Administrator, Vice-Chairman and Director Roth discuss more details.

- *Tsang Brothers Corporation Tentative Settlement Agreement.*

Mr. Roland Gutierrez stated that the settlement was done and that we have the check for the Environmental Education which we are going to present next week to Juan M. Guerrero Elementary School and that the rest of the money went into the General Fund. The Administrator stated that prior to the settlement there was a step to educate the students on clean air and they wrote a check to purchase approved materials that the agency reviewed and approved. The Administrator invited the board to attend the presentation and will be notified once the date and time is confirmed.

- *Safe Drinking Water NOV/ Guam Waterworks Authority (GWA).*

The Administrator stated that he is working with GWA’s General Manager and that they reconsidered the entire southern distribution line contaminated at one point and upon investigation it was just a spigot that a mud dauber decided to take residence in and that caused the high hit for that sample location. The Administrator further stated that the upgraded and downgraded locations were clean and based on that we had discussions. The Administrator stated that it was not consistent and that on our settlement we need to remove that portion out –the portion that will remain is the lack of notification. When they have a positive hit they are supposed to notify Guam EPA within 24 hours –it took them a couple of weeks. The Administrator discusses more details.

- *Nova Group, Inc. – Settlement Agreement Status.*

The Administrator stated that they have exchanged comments on the Settlement Agreement and that NOVA has reached out to him to see if he would be amiable to changing some of the verbiage that we have submitted and that we are currently going to set up a conference call with them to rectify and inform them on our decision on what the request is at this point. The Administrator stated that because this is a settlement agreement he is trying not to disclose too much until they come up with a settlement. The Administrator, Director Roth and the Chairman discuss more details.

- *RRF Rules and Regulations Draft – Update*

Mrs. Sabrina Sablan stated that the day after our last board meeting on September 21, 2018, we received a memo from the Bureau of Budget and Management Research (BBMR) recommending that we work with the Chief Economist from either Bureau of Statistics & Plans (BSP), Guam Economic Development Authority (GEDA), or Department of Labor (DOL) to assist us in preparing an Economic Impact Statement (EIS). Mrs. Sablan further stated that since October 2018 they have been working with BSP and that BSP sent a memo to the Administrator concurring with us, that we did not require an EIS because we were not changing any fees or imposing any fees and we just received that today and we want to go ahead and start moving forward with the public hearing and the whole process. The Administrator and Mrs. Sablan discuss more details.

Mrs. Conchita Taitano talks about the list of items contained in the RRF and stated as follows: *The Bottle bill*; *Stimulus* –which will be put on hold because Jacobs is working on the sliding scale; *Disaster debris* –which we are looking at doing nineteen (19) green stations at each jurisdiction; *Mayors' Council of Guam Island-wide Environmental Cleanup Program (IECP)*; *Zero Waste Grant Program* –which Jacobs is helping the agency address; *Subsidizing the Recycling/Tipping Fees for Low Income Household*; and the *Green Waste Plan* –about establishing a regional composting facility. The Chairman, Administrator, Mrs. Taitano, and Mrs. Connie Afleje discuss more details.

VI. New Business:

Brief from CH2M/Jacobs Re Current Projects – To be discussed by next month.

Bill No. 292-34 (Public Law 34-133)

The Chairman stated the intent of Bill 292-34, which was signed by the Governor on October 17, 2018, as Public Law 34-133, is for the purpose of video conferencing at Board and Commission meetings, to include the use of live streaming. However, Mr. Nic Lee clarified that the proposed measure live-streaming Board meetings was more of an option rather than a mandate. Mr. Lee further stated that the primary intent of Bill 292-34 is an attempt to provide Boards or Commissions an alternative to meeting quorum. Mr. Lee provided the following example: "If one of the board members is unable to be physically present at the board meeting, they now have the ability to teleconference in and participate in the board meeting in that manner..." The Vice-Chairman inquired if the agency had the equipment to execute the proposed measure. Mr. Lee responded with a more practical approach using more mainstream apps such as Skype over a telecommunication device. Ms. Kristan Finney recommended that rules first be established, and Mr. Lee followed with recommending policy also be established. The Vice-Chairman requested that Ms. Finney draft rules and policies to ensure that Board meetings and Board actions remain official and valid when using the option provided in Public Law 34-133.

Bill No. 350-34

The Vice-Chairman excused himself from the discussion of Bill 350-34. The Vice-Chairman's partner's name is Bello. As stated by the Chairman, Bill 350-34 seeks to appropriate approximately \$600,000.00 a year from the Revolving Recycling Fund (RRF) for a total of ten (10) years to fund a prior year obligation to Mr. Benny Bello. Mr. Bello did some work for the Department of Land Management (DLM) and the Chamorro Land Trust Commission (CLTC). The Chairman cited the original contract written for the purpose of processing scrap metal to offset Mr. Bello's rent for the Chamorro Land Trust Property. The amount of metal that he processed was in excess of what they anticipated and so it would take Two-Hundred (200) years of rent offset to be able to get fully paid. The sponsors of Bill 350-34 are saying that the only way that Mr. Bello can get paid is from a funding source, and the funding source identified was the RRF. The chairman opened the discussion on Bill 350-34 to the Board members.

Director Hollister questioned the intent, execution and authorization of the original contract. The Chairman stated that Mr. Bello is only billing the agencies for 25,000 Metric Tons, which implies that Mr. Bello provided services beyond the original contract. The Administrator stated that he could avow as far as Guam EPA, that this was an agreement that was made with the DLM, Guam Ancestral Land Commission (GALC). The Administrator raised concerns over the drafting of the agency's Rules and Regulations coupled with the authority of the members of the Guam Legislature. Director Hollister questioned the use of the Revolving Recycling Fund (RRF) as a funding source considering the RRF was established in 2003 and the activity from the original contract occurred in 2001. The Administrator provided clarity on the use of the RRF resulting from the collection of junk cars and metallic debris.

Director Roth questioned the determination used to annually allocate \$590,000.00 from the RRF. The Board members requested the Administrator look into past statements and/or discussions made by the agency indicating an agreement for the scope of work. (i.e. disposal of junk cars and metal scraps and/or the use of the RRF as a funding source.) The Chairman stated that DLM and GALC both agree that this is a government obligation and are simply seeking a funding source. Ms. Kristan Finney commented on Bill 350-34, stating two things—first, that the Attorney General's testimony pointed to the fact that Bill 350 attempts to dictate the terms of the original contract and amend it through legislation; and then, the funding source cited.

The Chairman asked the Board members if the body would like to “go on record” in support of or against the proposed measure. Some Board members brought up concerns with cost and the impact of the proposed annualized payments. The Administrator stated that due to the lack of rules and regulations, the agency has not spent any money from the RRF, except for what is mandated by law—which is the contract to manage the Zero Waste Program and Public Outreach and the Position that’s being held for our Recycling individual. When the agency rules and regulations are adopted and if it passes without any amendments, then there will be a mechanism in place to use the RRF. The Board should also factor in all the possible methods to spending the RRF such as the Mayors’ Office or incentives for the typhoon debris, facilities and all of the other items listed in statute. As of today, the Administrator confirmed that the RRF was current.

The Chairman stated that the issue may be a moot point because the AG testified that it is inorganic for the legislature to direct the Executive Branch on how to construct the contract and dictate all the terms of the contract; and the 2nd point that the current legislature could not bind future legislatures by actions of the current legislature. The Administrator clarified that the RRF was not funding for Guam EPA’s use of “organizational income” but it’s for everything else outside of it. As administrators of the Fund, the agency can’t use the funding for enhancement purposes or for its employees, outside of what is already written in statute. So whether the RRF is used for Mr. Bello’s annual payments or for other purposes, the use of the RRF will not impact the agency’s operations. However, it will impact our ability to do some of the projects for the island of Guam. (i.e. recycling programs, community outreach, etc.) The Chairman deferred to the position of the Attorney General and her legal expertise on the measure. He further stated that during his confirmation hearing, he was asked his position on the proposed measure to which he replied, “if you owe the money, you should pay him one way or the other, but we have uses for that money within Guam EPA. We have different components at the Revolving Recycling Fund that we are going to be needing to do and needing to pay for...” Director Carrara stated that he didn’t think the agency should comment on how the legislature or any agency chooses to handle the problem outside of Guam EPA. He further stated that the agency should participate in any discussions and provide testimony on how any proposed action would affect the mission of the agency and its operations. The Chairman recommended and then requested the Administrator to “impress upon” the legislators the affect the proposed measure would have on the agency’s plans with the RRF and other programs that we are seeking to implement.

VII. Miscellaneous:

America Recycles Day: Mrs. Sablan announced that today is “America Recycles Day” and so this year we’ve had an increase of over 6%, our new recycling rate for 2017, is 39.16%, and climbing. The Chairman inquired what caused the big increase and Mrs. Sablan replied that the big increase was from a lot of green waste.

Food Waste Assessment: Mrs. Conchita Taitano stated that our contractor Jacobs did a survey on sixteen (16) establishments and that they have discovered that nine hundred (900) tons of waste food is generated. It exceeds the total amount of the weight of plastics and mixed paper. All the food goes to the piggery.

The Administrator stated that Mrs. Taitano had to leave the meeting for personal reasons. The Administrator also stated that Mrs. Taitano wanted to do a full-blown discussion on what her contractors were doing –which included the Pacific Islands Environmental Conference (PIEC). The Administrator stated that one of the reasons that he did not want Mrs. Taitano to do the PIEC presentation –was that he wanted to make sure that Mr. Carl Goldstein and Mr. John McCarroll had the chance to review what we were doing. The Administrator discusses more details. The Administrator announced that the agency is having a Team Building Cleanup in Tiyan and a Thanksgiving Lunch on Wednesday, November 21, 2018, and invited the board members.

(A copy of reports that were issued is available with the Board Secretary upon appointment).

VIII. Next Meeting Date/Adjournment: The Chairman stated that the next regular board meeting date and time will be on Thursday, the 20th of December 2018 at 4:00 pm. (The Chairman stated that the board meeting is tentatively scheduled and is subject to change).

Director Roth made a motion to adjourn the meeting, seconded by Director Hollister. The meeting was adjourned at 5:32 p.m.


Vilma Batajadia

I MINA' TRENTAI KUÁTTRO NA LIHESLATURAN GUÅHAN
2018 (SECOND) Regular Session

Bill No. 292-34 (COR)

Introduced by:

Dennis G. Rodriguez, Jr. *DR*

AN ACT TO *ADD* NEW §§ 43121 AND 43122 TO ARTICLE 1, CHAPTER 43, TITLE 5 OF THE GUAM CODE ANNOTATED, RELATIVE TO ALLOWING THE USE OF VIDEO TELECONFERENCING APPLICATIONS AT MEETINGS OF GOVERNMENT BOARDS AND COMMISSIONS TO GUARANTEE QUORUM, FOR CONVENIENCE, AND TO EXPAND ELIGIBILITY OF MEMBERSHIP TO THOSE COMMUNITY MEMBERS THAT MAY BE HOMEBOUND; AND RELATIVE TO THE USE OF VIDEO LIVE STREAMING AT MEETINGS IN ORDER TO INCREASE TRANSPARENCY IN GOVERNMENT.

2018 MAY 20 AM 9:44 *DR*

1 **BE IT ENACTED BY THE PEOPLE OF GUAM:**

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan*
3 finds that a great deal of government inefficiency is due to the lack of quorum
4 at several, if not all, board and commission meetings. Without a quorum,
5 actions are delayed and pushed back to the next meeting. Meetings are many
6 times conducted monthly, thus these delays cause for a very inefficient
7 methodology. In addition to the concerns about having enough members
8 present to move actions forward, the requirement for physical presence at

1 meetings excludes a great many in our community from participating in the
2 government service. Often time, lack of transportation, physical disability,
3 care-taking responsibilities and a myriad of other personal life concerns
4 prevent members from attending board and commission meetings. In our
5 present day technology affords an answer. The rapid advance in
6 teleconferencing applications and the improvements in internet access and
7 speed now allow for the use of these applications in our government.
8 Applications such as Face Time, ZOOM, GotoMeeting and Skype are used
9 extensively in the private sector and used for personal convenience. These
10 applications are now capable of more than just seeing someone's face on a
11 telephone call. These applications now have options to record proceedings,
12 project slides and video to the group, screen sharing, and automatically
13 generate transcripts. One great advantage is these applications are free or at a
14 minimal monthly fee currently around \$15.00 per month and can be used
15 across various platforms.

16 Using these applications will allow members to participate from home,
17 when traveling, and even while parked along the road using their phone.

18 *I Liheslaturan Guåhan* further finds that the use of video live streaming,
19 currently used in legislative proceedings, is an effective way of engaging with
20 the community and increases transparency of government operations.

21 *I Liheslaturan Guåhan* finds that the time is right to take further
22 advantage of this technology to reduce government inefficiency and to allow
23 greater access to our people to participate in the government service.

24 *I Liheslaturan Guåhan* therefore intends to allow and encourage each
25 government board and commission to use video teleconferencing and to
26 develop rules and processes within their bylaws and according to existing
27 statutes, depending on the uniqueness of their missions and functions. There

1 is currently no timeframe for implementation of this process and it is
2 dependent on each board or commission's process and consideration.

3 **Section 2. Use of Video Teleconferencing at Board and**
4 **Commission Meetings.** A new § 43121 is *added* to Article 1, Chapter 43,
5 Title 5 of the Guam Code Annotated, to read:

6 **“§ 43121. Use of video teleconferencing at meetings.**

7 (a) Board and Commission members may participate in regular and
8 special meetings via video teleconferencing.

9 (b) Participation via video teleconferencing shall meet the
10 requirements for quorum.

11 (c) Boards and commissions shall develop policy, procedures and
12 education on the use of video teleconferencing for their members in
13 accordance with their individual missions and functions and in
14 accordance with existing statute, specifically the Open Government
15 Law, contained in Chapter 8, Title 5, Guam Code Annotated.”

16 **Section 3. Use of Live Streaming at Board and Commission**
17 **Meetings.** A new § 43122 is *added* to Article 1, Chapter 43, Title 5 of the
18 Guam Code Annotated, to read:

19 **“§ 43122. Use of video live streaming at meetings.**

20 (a) Boards and Commissions may elect to broadcast regular and
21 special meetings via video live streaming applications.

22 (b) Boards and commissions shall develop policy, procedures and
23 education on the use of video live streaming for their members in
24 accordance with their individual missions and functions and in
25 accordance with existing statute, specifically the Open Government
26 Law, contained in Chapter 8, Title 5, Guam Code Annotated.

1 (c) Boards and Commissions shall provide instructions on how the
2 public can access these live streams on their meeting notices.”

3 **Section 4. Effective Date.** This Act *shall* become immediately
4 effective upon enactment.

GUAM ENVIRONMENTAL PROTECTION AGENCY

BOARD OF DIRECTORS MEETING

November 15, 2018

ADMINISTRATOR'S REPORT

I. FISCAL YEAR 2019 FINANCIAL REPORT (as of 11/15/2018)

GUAM EPA REVENUES:

A. Federal Grant Funds -	\$1,257,973.62
B. Special Funds (Budget Law Allotted) -	\$914,106.10

TOTAL GUAM EPA REVENUES: **\$2,172,080.10**

GUAM EPA OPERATING EXPENSES & O/S ENCUMBRANCES (as of 11/15/2018):

C. Federal Grant Funds -	\$309,588.27
D. Special Funds (Budget Law) -	\$179,264.76

TOTAL GUAM EPA EXPENDITURES & ENCUMBRANCES: **\$488,853.03**

GUAM EPA BALANCE/(DEFICIT):

E. Federal Grant Funds -	\$948,385.35
F. Special Funds (Budget Law) -	\$734,841.72

TOTAL GUAM EPA BALANCE/(DEFICIT): **\$1,683,227.07**

TOTAL GUAM EPA FEDERAL GRANT REIMBURSEMENTS

Total Payment Requests for Reimbursement –	\$ 0.00
Pending Approval of Reimbursements -	\$ 0.00

GUAM ENVIRONMENTAL PROTECTION AGENCY

BOARD OF DIRECTORS MEETING

November 15, 2018

ADMINISTRATOR'S REPORT

II. RECYCLING REVOLVING FUND ACCOUNT (as of 11/15/2018)

REVENUES

Recycling Revolving Funds - \$ 2,895,965.00

GUAM EPA OPERATING EXPENSES & O/S ENCUMBRANCES FOR THE RECYCLING FUND (as of 11/15/2018):

A. Personnel -	\$4,554.10
B. Contractual -	\$0.00
C. Equipment, Materials, Supplies, Utilities, etc -	\$0.00
D. Travel -	\$0.00

TOTAL GUAM EPA EXPENDITURES & ENCUMBRANCES: \$4,554.10

TOTAL GUAM EPA BALANCE/(DEFICIT): \$2,891,410.90

Eddie Baza Calvo
Governor of Guam



**BUREAU OF
STATISTICS & PLANS**
SAGAN PLANU SIHA YAN EMIOTMASION



Ray Tenorio
Lieutenant Governor

Government of Guam
P.O. Box 2950 Hagåtña, Guam 96932
Tel: (671) 472-4201/3
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Carl V. Dominguez
Director
Manuel Q. Cruz
Deputy Director

November 15, 2018

MEMORANDUM

To: Administrator, Guam EPA
From: Director, Bureau of Statistics and Plans
Subject: Proposed Rules and Regulations: Assistance with Economic Impact Statement

RECEIVED

NOV 15 2018

Guam Environmental
Protection Agency

Thank you for requesting our assistance in completing an assessment as to whether or not GEPA is required to perform an Economic Impact Statement pursuant to 9 GCA Chapter 9 §9301(i), as it proceeds to formally adopt its rules and regulations for its Recycling Revolving Fund through the Administrative Adjudication Act. As this proposed change is administrative in nature and does not affect existing fees we find no significant economic costs imposed unto the general public or relevant participants of the Recycling Revolving Fund.

We agree that GEPA is exempt from the EIS requirement and I am submitting to you findings and justifications collaboratively developed by your staff and the Bureau's Chief Economist for your official use. As GEPA is the lead agency, we recommend incorporating language in the attached Preliminary Cost Impact Assessment re-titled as justification to be exempt from producing the EIS for public record and discussion.

If you have any questions or concerns, please feel free to contact me at 472-4201.

CARL V. DOMINGUEZ

Attachment: Preliminary Cost Impact Assessment

PRELIMINARY COST IMPACT STATEMENT
FOR THE RECYCLING REVOLVING FUND
PROPOSED RULES AND REGULATIONS
AS DETERMINED BY THE
GUAM ENVIRONMENTAL PROTECTION AGENCY*

Guam EPA is required by law to adopt proposed rules and regulations for the Recycling Revolving Fund (RRF) pursuant to 10 GCA Chapter 51 §51307(c). Furthermore, the adoption of said rules and regulations will not affect nor impact statutory fees, currently sufficient for such purposes. Therefore, GEPA will not seek to raise or adjust existing fees pursuant to 10 GCA Chapter 51 §51308.

The recycling initiatives delineated in proposed rules and regulations are: Mayor's Council of Guam Island-Wide Environmental Cleanup Program (IICP), Recycling Industry Economic Stimulus Program Applicability and Eligibility, Economic Stimulus and Sustainability Recycling Adjustment Plan, Guam Beverage Container Recycling, Integrated Solid Waste Management Plan, Green Waste Plan, Disaster Debris Management, Zero Waste Grant Program and a Subsidization of the Recycling Tipping Fees for Low Income Household.

Appropriations into the RRF are set forth in 10 GCA Chapter 51 §51305 and §51306, as enacted by Guam Public Law No. 28-58, where authorization is given to the Department of Revenue and Taxation (DRT) to levy recycling fees on annual motor vehicle registration renewals. The Recycling Fee is imposed on payers of vehicle registrations, the funds collected of which are deposited as a continuing appropriation into the RRF account separate and apart for this purpose. The proposed rules and regulations do not affect nor impact vehicle registration renewal fees as levied by the Department of Revenue and Taxation.

In FY2016 and FY2017, recycling fees levied by DRT were \$2,801,597.77 and \$2,859,696.33, respectively. Funds disbursed in this program in FY2016 and FY2017 were \$329,390.78 and \$1,004,911.25, respectively. Thus far there are sufficient revenues generated, and GEPA expects that there will be sufficient revenues in FY2018 and FY2019 to fulfill the objectives of this program.

5 Guam Code Annotated, Chapter 9 Administrative Adjudication Law, Article 3 Rule Making Procedures, §9301(i): Exemptions. Any proposed rule, change, change of rule, regulation or request to impose or raise fees or rates shall be exempted from the economic impact statement requirements of Subsection (d),(e),(f),(g) and (h) of this Section if the annual economic impact to the general public is Five hundred Thousand Dollars (\$500,000) or less as determined by a preliminary cost impact assessment performed by the Bureau of Budget Management Research, or by the department, agency, autonomous agency, office or instrumentality proposing the rule, change of rule, regulation or request to impose or raise fee. The preliminary cost impact assessment must be completed and made available to the public prior to any required hearings on the proposed rules and regulations, and must be transmitted to *I Liheslatura* (the Legislature) as part of the Agency Record.

Therefore, Guam Environmental Protection Agency has determined that the requirement of §9301(d),(e), (f), (g) and (h) is not applicable to the proposed Recycling Revolving Fund Rules and

Regulations as there are no newly proposed fees or fee increases and will not have a measurable economic impact to the general public of Five Hundred Thousand Dollars (\$500,000) or less.

The preliminary Economic Cost Statement will address the following:

1. The purpose and the need for the rule or regulation: an assessment of the risk and the cost of the imposed rule or regulation. In addition, government agencies proposing a new rule or regulation must include with the assessment, the justification for the new rule or regulation.

The enabling statute, 10 GCA Chapter 51 §51303 authorizes the agency to fund the Recycling Industry Economic Stimulus Program, one (1) full time employee to administer the fund and implement Article 3 of 10 GCA Chapter 51, contractual services for recycling outreach and contractual services to implement the 2013 Guam Zero Waste Plan. Funding for all other expenditures outside of those referenced above are prohibited until the agency promulgates rules and regulations for the RRF. Additionally, a report issued by the Guam Office of the Public Auditor in 2015 questioned expenditures funded by the RRF and subsequently made a recommendation to place a moratorium on funding for items outside of those listed in 10 GCA Chapter 51 §51303(1-4). The proposed rules and regulations, as adopted, will address and resolve issues noted by the Office of the Public Auditor and allow GEPA to hire the program Administrator.

2. The financial impact of the proposed rule or regulation upon those persons or corporate entities directly affected by the proposed rule or regulation, and upon the people and the economy of Guam.

The RRF revenues are collected from vehicle registration renewal fees by the Department of Revenue and Taxation pursuant to 10 GCA Chapter 51 §51305 and §51306. The RRF have consistently averaged \$2.8 million over the past two years and have proven to be a stable source of revenues. Due to enforcement activities and the mandatory liability insurance law, compliance with Guam's vehicle registration program remains a success.

The proposed rules and regulations are administrative in nature and will have no additional financial burden to payers of this fee nor the general public. The GEPA has reviewed the fee and has elected not to adjust the fee at this time. Fees collected are adequate to fulfill program objectives at this time.

Upon adoption of the rules and regulations GEPA expects expenditures made for this program to increase as participating recycling facilities join the Recycling Industry Economic Stimulus Program.

3. Any potential increase or decrease in the cost of living on Guam, or any specific increase or decrease in the price or availability of any good or service on Guam directly or indirectly attributable to the proposed rule or regulation.

The agency does not anticipate any increase or decrease in the cost of living, nor does it anticipate any specific increase or decrease in the price or availability of any good or service on Guam, as a result of the proposed rules and regulations for the RRF. The vehicle registration renewal fee has been imposed several years ago, is negligible relative to the total cost of vehicle ownership and is required by law. Consumers are accustomed to it and budget accordingly.

4. Any direct or indirect impact upon employment on Guam or any increase or decrease in the availability of a particular job or jobs, or jobs in general, attributable to the proposed rule or regulation.

The agency does not anticipate any negative impact upon employment on Guam, nor does it anticipate any decrease in a particular job or jobs, or jobs in general, as a result of the proposed rules and regulations for the RRF. While there may be an increase in participating recyclers it is expected employment within the industry to remain constant in the short term. Waste and recycling efforts respond to shifts in net migration which are typically modest over time.

5. Any increase or decrease in the cost of doing business as an enterprise or industry on Guam, or any increase or decrease in doing business in general, which is attributable to the proposed rule or regulation.

The agency does not anticipate any increase or decrease in the cost of doing business as an enterprise or industry, nor does it anticipate any increase or decrease in general, as a result of the proposed rules and regulations for the RRF. It is expected that the adoption will lead to programmatic and administrative efficiencies, nevertheless.

6. Any adverse or beneficial economic impact, which is attributable to the proposed rule or regulation

Upon enactment of this 10 GCA Chapter 51 as described above, expenditures to stimulate and or encourage recycling companies to "export" local reusable solid waste abroad serves a positive social and economic means to an end that preserves real estate values, frees up land otherwise destined as a solid waste landfill and improves our quality of life in the years to come. This program results in a net economic benefit to the residents of Guam.

Given the preliminary findings discussed above, the agency does not anticipate any adverse economic impact as a result of the proposed rules and regulations for the RRF.

*Assistance provided by the Bureau of Statistics and Plans

1 **GUAM'S RECYCLING REVOLVING FUND**

2 **RULES AND REGULATIONS**

3 **Title 22, Division 4, Chapter 24, Article 3**

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GUAM'S RECYCLING REVOLVING FUND
RULES AND REGULATIONS
Title 22, Division 4, Chapter 24, Article 3

SECTION 24301.GENERAL PROVISIONS

§24301.1 Purpose and Applicability

(a) The purpose of this Chapter is to clarify existing statute, provide a uniform competitive business environment to all, establish the minimum standards to properly implement and administer Guam's Recycling Revolving Fund in accordance with Title 10 of the Guam Code Annotated (GCA), Chapter 51, Article 3, under the authority granted by 10 GCA §51307(c).

§24301.2 Definitions

For the purposes of this Chapter, the terms defined in 10 GCA, Chapter 51 Article 3, §51301 shall have the meaning ascribed to them therein, and the following words and phrases, together with all of the common derivations thereof, shall have the meaning ascribed to them as follows:

- (a) **"Beneficial Use"** shall mean the substitution of materials, either as generated or following additional processing, for some or all of the virgin materials in a natural or commercial product in a way that: provides a functional benefit; meets product specifications; and does not pose concerns to human health or the environment.

- (b) **“Best Available Technology”** shall mean a recognized and approved technology by United States Environmental Protection Agency.
- (c) **“Board”** shall mean the Board of Directors of the Guam Environmental Protection Agency.
- (d) **“Disaster Debris”** shall mean any items and materials broken, destroyed, or displaced by a natural or man-made federally or locally declared disaster. Examples of disaster debris include, but are not limited to, trees, construction and demolition material, and personal property.
- (e) **“Disaster Debris Management”** shall mean the removal and disposal of debris that was generated by a disaster and which presents an immediate threat to the public interest.
- (f) **“Electronic Waste”** or **“E-Waste”** shall mean electrical and electronic equipment that is dependent on electric currents or electromagnetic fields in order to function (including all components, subassemblies and consumables, which are part of the original equipment at the time of discarding). For example e-waste may include consumer/entertainment electronics such as televisions, DVD players and tuners; Devices of office, information and communications technology such as computers, circuit boards, telephones and mobile phones.
- (g) **“Import”** shall mean to bring in, or accept delivery of recyclable materials from any source outside of Guam.
- (h) **“Person”** or **“Persons”** shall mean any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, or any agency, department, or instrumentality of the Federal or local government, or any other legal representatives, agents or assigns.

- (i) **“Priority Materials”** shall mean all those materials to be targeted by the Fund, in the order specified in section 24302.1(b) of this Article.
- (j) **“Recovered Resources”** shall mean material or solid waste that has been diverted from disposal for the purpose of recycling, composting or mulching. This term does not include incineration or those materials that are generated and normally reused on-site for manufacturing purposes.
- (k) **“Recycling Industry Economic Stimulus Program”** shall mean Public Law 33-136, which is codified under Title 10 of the Guam Code Annotated, Article 3, Chapter 51, §51309.
- (l) **“Solid Waste Management Facility”** means any facility, or any machinery, equipment, vehicles, structures or any part of accessories thereof installed or acquired for the primary purpose of collection, transportation, storage, recycling, processing or disposal of solid waste, and shall include sanitary landfills or resource recovery facilities.
- (m) **“Stimulus Certification Form”** shall mean a form officially issued by Guam EPA to be completed by an eligible Recycling Facility to disclose and certify the types and quantities of recyclable materials shipped off-island to a recycling facility.
- (n) **“Sustainable Materials Management”** means a systemic approach to using and reusing materials more productively over their entire lifecycles.
- (o) **“Special Waste”** means white goods, household hazardous waste, automotive batteries and abandoned vehicles.
- (p) **“Zero Waste”** means a holistic approach to addressing the problem of unsustainable resource flows. Zero Waste encompasses waste eliminated at the source through product design and producer responsibility, and waste reduction strategies further down the supply chain such as recycling, reuse and composting.

SECTION 24302. RECYCLING REVOLVING FUND

§24302.1 Administration of Recycling Revolving Fund

(a) Monies in the *Fund* shall be administered, managed, and maintained by the GEPA Administrator for the implementation of 10 GCA Chapter 51, Article 3, in accordance with the requirements of the Article.

(b) The Administrator shall administer the Fund in accordance with this Chapter to cause the following material/waste to be recycled according to the following priority:

1. First Priority: junk vehicles, tires, batteries, waste oil, white goods/appliances;
2. Second Priority: paper, cardboard, plastic and glass; and
3. Third Priority: other recyclables as determined by the Administrator

(c) The Administrator shall administer no more than ten percent (10%) of Fund towards a portion of the salaries, benefits, and supplies and training directly related to recycling for employees from the Agency who implement any of the initiatives described under §24303 in these Regulations and Guam's Zero Waste Plan; Engage in recycling outreach and education activities; and conduct permitting, compliance and enforcement on recycling facilities.

(d) The Administrator may use the *Fund* for the recycling initiatives described under §24303 in these Regulations.

(e) The Administrator shall determine the funding for each of the initiatives and submit to the Guam EPA Board of Directors for approval by January 31st of the current fiscal year. The approved funding will be effective on the following fiscal year.

SECTION 24303. RECYCLING INITIATIVES

§24303.1 Mayor's Council of Guam (MCOG) Island-wide Environmental Cleanup Program (IECP)

The Administrator may approve contracts between the MCOG and recycling companies for the collection, recycling, disposal and processing or any combination thereof, of automobiles, buses, heavy equipment, trucks, batteries, tires, white goods, and other recyclable materials in accordance with Articles 3 and 4 of Title 10 GCA, Chapter 51, and 24301.B to implement an IECP with the following conditions:

1. All applicable procurement laws must be followed;
 2. Contracts must be conditioned upon proof of all valid permits, inclusive, but not limited to solid waste facility permits, solid waste collection permits, certifications, or other licenses required to collect, remove, recycle or dispose of solid waste and compliance with all solid waste rules and regulations; and
 3. Contracts must require the recycling company to report all recyclables collected by village under this program to Guam EPA upon submittal of invoices to MCOG for payment.
- (b) Prior to any collection, processing or storage of recyclable materials under contract pursuant to this section, a comprehensive *Operation Plan* for the current fiscal year must be submitted by the MCOG for the contractual work described in §24303.1(a) to Guam EPA for the implementation of the IECP must receive approval from the

Administrator. The Administrator shall only approve the *Operation Plan* if the *Operation Plan* contains in detail the operational systems that address collection, processing, storage, emergency procedures, health and safety, reporting and closeout procedures for each municipality.

(c) The Administrator may use funds to support the recycling initiatives subject to the following conditions:

1. Funds may be expended only in accordance with valid contracts approved under this Section;
2. No funds shall be disbursed prior to the Administrator's approval of the Operation Plan described in §24303.1(b); and
3. Unused funds must be returned to the Recycling Revolving Fund every fiscal year.

§24303.2. Recycling Industry Economic Stimulus Program Applicability and Eligibility

- (a) Potential Recycling Facility Participants must establish eligibility by meeting all of the following Criteria:
1. Possess a valid Guam business license issued by the Department of Revenue and Taxation.
 2. Possess a valid solid waste management facility permit for processing and/or storage issued by the Guam Environmental Protection Agency.
 3. Maintain records of Bills of Lading, and any other documentation required by the Agency, which may include, but is not limited to, the types, quantities, and names of the Destination Companies of eligible Program materials.
 4. Maintain records of Stimulus Certification Forms approved by the Agency.
 5. Remain in compliance with all solid waste rules and regulations.

- (b) This Program applies to recyclable materials solely generated on Guam. Recyclable materials imported into Guam for purposes such as, but not limited to, transit or consolidation shall not qualify under this Program.

§24105.3. Recycling Industry Economic Stimulus Program Payment Calculation

- (a) Recycling facilities which meet all the eligibility requirements specified in Section 24303.2 will receive an economic stimulus payment for each ton of recyclable material transported off Guam to a recycling facility. Based on the availability of funds and funding priorities, some eligible submittals may receive no or partial stimulus payments.
- (b) No later than December 31st of the current fiscal year the Administrator may select the eligible recycling commodities which will be participating in the Economic Stimulus based on global market trends in the previous fiscal year and submit a written recommendations to the Guam EPA Board of Directors for their approval. If there are no recyclables selected the Economic Stimulus will not be in effect for the fiscal year.
- (c) The Administrator may determine the dollar amount of the stimulus to be disbursed to the eligible recycling facilities based on §24105.2(b).
- (d) The Agency shall develop a reasonable and practical Sustainable Recycling Adjustment Plan that shall be evaluated biannually by the Administrator and which may consider such factors as the prioritization of materials, market conditions, economic analyses, and facility operational and processing costs in its assessment.

§24303.4 Guam Beverage Container Recycling

- (a) Upon promulgation of the Rules and Regulations pursuant to 10 GCA Chapter 44, to *Guam Beverage Container Recycling Act (GBCRA)* funds may be expended to initiate, assist and encourage redemption of recyclable beverage containers in the following activities:
1. Funding of administrative, audit, redemption and compliance activities associated with collection and payment of the deposits of the GBCRA;
 2. Conducting of recycling outreach education, capacity building and demonstration projects; and
 3. Promotion and marketing of recycling-related activities.
- (b) Funds may only be expended under this section for the first two years following the date that rules and regulations promulgated pursuant to the GBCRA first become effective.

§24303.5 Integrated Solid Waste Management Plan

§24303.5.1 Applicability

Funds may be expended by the Administrator for any *best available technology* recognized by USEPA, for programs to encourage recycling, composting and waste reduction opportunities in support of the most current Integrated Solid Waste Management Plan, adopted by the Guam EPA Board

§24303.6.2 Green Waste Plan- Composting and Organics RESERVE

§24303.7 Disaster Debris Management

§24303.7.1 Applicability

1. Funds may be used for activities that directly support, promotes, and encourages recycling and removal of disaster debris, including citing of transition sites.
2. All transition sites must be permitted by Guam EPA; and
3. Only individuals, entities or companies licensed to do business on Guam are eligible to receive funds.

§24303.8 Zero Waste Grant Program- RESERVE

§24303.9 Subsidize the Recycling/Tipping Fees for Low Income Households

The Administrator may use the funds to subsidize all residential households with priority to low income households to encourage the use of trash collection and recycling services by Guam Solid Waste Authority.