clerks@guamlegislature.org

From: Committee on Rules 36GL <cor@guamlegislature.org>
Sent: Monday, June 28, 2021 3:04 PM
To: Clerks; Rennae Meno
Cc: Speaker Therese M. Terlaje
Subject: Messages and Communications for Doc. Nos. 36GL-21-0736 & 36GL-21-0737.
Attachments: 36GL-21-0736.pdf; 36GL-21-0737.pdf

Håfa Adai Clerks,

Please see attached M&C Doc. No. 36GL-21-0736 & 36GL-21-0737 for processing:

36GL-21-0736	5 GCA §43107 Reporting Requirements for Board of Directors Quarterly Attendance Record for Regular Meetings - 3rd Quarter, FY2021.	Guam Environmental Protection Agency
36GL-21-0737	5 GCA 8113.1 Reporting Requirements for Board of Directors Regular Meeting - June 2021.	Guam Environmental Protection Agency

Si Yu'os Ma'åse',

COMMITTEE ON RULES
Vice Speaker Tina Rose Muña Barnes
36th Guam Legislature
I Mina'trentai Sais Na Liheslaturan Guåhan
163 Chalan Santo Papa Hågatña Guam 96910
Email: cor@guamlegislature.org

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On Mon, Jun 28, 2021 at 2:33 PM Speaker Therese M. Terlaje <speaker@guamlegislature.org> wrote:

Håfa Adai,

Please see attached M&C Doc. No. 36GL-21-0736 & 36GL-21-0737

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Si Yu'os Ma'åse',

Maria Abante
Legislative Assistant

Office of Speaker Therese M. Terlaje

Committee on Health, Land, Justice and Culture
I Mina'trentai Sais na Liheslaturan Guåhan
36th Guam Legislature
Office Location: Ada Plaza Center, Suite 207, 173 Aspinall Avenue, Hagåtña, Guam 96910
Address: Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910
T: (671) 472-3586 F: (671) 989-3590 Email: speaker@guamlegislature.org
website: www.senatorterlaje.com

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

June 25, 2021

Honorable Therese Terlaje
Speaker
I Mina'trentai Sias na Liheslaturan Guåhan
163 Chalan Santo Papa
Hagåtña, Guam 96910

RE: 5 GCA 8113.1 Reporting Requirements for Board of Directors Regular Meeting – June 2021

Hafa Adai Madam Speaker,

Transmitted herewith are the minutes and other required documents from the Guam Environmental Protection Agency (Guam EPA) Board of Directors Regular Meetings for June 2021, in accordance with 5 GCA §8113.1.

Should you have any questions or if the Agency can be of any assistance to you and your office, please feel free to contact the Agency at 300-4751.

Respectfully,

Arlene S. Acfalle
Guam EPA Board Secretary

Doc Type: 36GL-21-0737
OFFICE OF THE SPEAKER
THERESE M. TERLAJE
-06- 28 2021
Time: 9:35am
Received:

cc: Guam EPA Administrator
Guam EPA Board Chair

Enclosures:
June 24, 2021 Attendance Sheet (Certified by Board Secretary, Arlene S. Acfalle)
June 24, 2021 Approved Agenda
May 20, 2021 Approved Minutes
RRF Financial Sheet
Interim Action Level for PFAS PowerPoint presentation

COMMITTEE ON RULES
RECEIVED:
June 28, 2021
2:33 P.M.

GUAM ENVIRONMENTAL PROTECTION AGENCY • *AHENSIAN PRUTEKSIÓN LINA'LA' GUÅHAN*
LOURDES A. LEON GUERRERO • GOVERNOR OF GUAM | JOSHUA F. TENORIO • LIEUTENANT GOVERNOR OF GUAM
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Guam EPA Board of Directors Regular Meeting Agenda

Thursday, June 24, 2021 – 4:00 p.m.
Location: Google Meet: https://meet.google.com/don-bzpf-srq
Meeting will be live streamed on youtube.com/guamepa and facebook.com/guamepa

I. Call to Order
II. Approval of Agenda
III. Approval of May 2021 Meeting Minutes
IV. Proposal to utilize officially adopted map of Groundwater Protection Zone (GPZ) for determination of minimum lot sizes over the Northern Guam Lens Aquifer by Department of Land Management
V. Active NOV's
- Lin's Hardware
- Su & Zheng Corp
- Feiyang Construction & Engineering
- Smithbridge
- Piti Failed Septic System
- Contrack Watts
- Dusit Thani
- Sand Castle
- Old Royal Palm Garage
- Verona
- Cardones (SWMP)

VI. Administrator's Report
- RRF, MCOG Program Update
- Air Pollution: Findings of Failure to Submit State Implementation Plans
- Underground Storage Tank Rules & Regulations Update

VII. New Business
- Interim Action Level for PFAS Presentation
- Discussion of returning back to In person Board Meetings

VIII. New meeting date and adjournment

Guam Environmental Protection Agency
Board of Directors' Regular Meeting
Thursday, May 20, 2021
Via Google Meet Platform

MINUTES

- **Call to Order**: Chairman Steven Carbullido called the Board of Director's meeting to order at 4:18 p.m. via the Google meet platform. Roll call was done by Board Secretary, Arlene Acfalle, as follows:
  Board Members:
  Chairman Steven Carbullido – Present calling from Tamuning
  Director Steve Carrara – Present calling from Tamuning
  Director Steve Hollister – Present calling from Agat
  Director Flori Sanchez – Not present
  Director Dave Duenas – Present calling from Dededo
  Director Moneka De Oro – Present calling from Talofofo
  Quorum has been established
  Guam EPA Staff: Walter Leon Guerrero- Administrator, Michelle Lastimoza, Arlene Acfalle, Sabrina Cruz-Sablan, Brian Bearden, Conchita San Nicolas, Connie Aflleje, Glenn San Nicolas, Jesse Cruz, Kristan Finney (Legal Counsel), and Nic Lee.
  Guest: Angel Sablan, MCOG Director

  Short introduction made by new board members: Mr. Dave Duenas and Ms. Moneka De Oro

- **Approval of Agenda**: Director Hollister made a motion to approve agenda, seconded by Director Duenas. All voted in favor, zero (0) opposed and motion passed.

- **Approval of Minutes**: Director Carrera made a motion to approve the minutes seconded by Director Hollister. All voted in favor, zero (0) opposed and motion passed.

- **Administrator's Report:** Administrator provided the Board update
  - Agency suffered loss of personnel. We are working on getting positions filled for our laboratory and program coordinator.
  - Meeting w/ GDOE regarding GDOE facilities upgrade
  - Assistance from Region 9 on Site Coordinators in shipping the Mercury monitoring equipment. Training completed by Guam EPA staff

  Duenas inquired about the recruiting and asked if our budget that is allocated to our agency by the legislature is sufficient or do we need to lobby for more funding.

the amount of $98K. Contract Watts missed their window to appeal and were given 14days to pay the fine.

- Dusit Thani – GEPA to close out NOV
- Sand Castle – GEPA to close out NOV
- Old Royal Palm Garage update – Owner to provide status on project
- Verona – GEPA working with DRT to track Owner
- Cardones NOV update – On-going

➢ **New Business**

- Proposal to utilize officially adopted map of Groundwater Protection Zone (GPZ) for determination of minimum lot sizes over the Northern Guam Lens Aquifer by Department of Land Management- Brian provided a PowerPoint presentation. *****PowerPoint presentation will be attached and copies available upon request***** Various discussions transpired. Chairman Carbullido recommended that discussion be continued during the June board meeting to give members the opportunity to review the presentation.

➢ **New Meeting Date/ Adjournment**: Next meeting was set for June 24, 2021 at 4pm via Google meet platform. *Director Duenas* made motion to adjourn meeting and seconded by *Director Hollister*. All voted in favor, zero opposed, and regular meeting adjourned at 6:10 p.m.

Arlene Acfalle
Board Secretary

AMOUNT APPROPRIATED BY THE LEGISLATURE FOR FY2021	$	2,365,523.00
NON LAPSING ACCOUNT BALANCE AS OF 1/19/2021	$	3,332,576.42
TOTAL	$	5,698,099.42
AMOUNT BUDGETED TO DATE	$	2,365,523.00
AMOUNT UNBUDGETED TO DATE	$	3,332,576.42

Drinking Water Interim Action Level for PFAS – background information

June 24, 2021

GUAM ENVIRONMENTAL PROTECTION AGENCY
AHENSIAN PRUTEKSION LINA'LA GUAHAN

Safe Drinking Water Act Amendments - 2020

- Section 53113 – Establishment of Interim Action Levels

- Interim Action Levels:
  - Shall be set "at a level below which risks have been determined by the Guam EPA to be acceptable"
  - "Guam EPA shall also consider water treatment or alternate remedial actions"

Interim Action Levels

- Process:
  - Make draft Risk Assessment available for review to public
  - Hold Public Hearing
    - Public notice for 2 weeks
    - Public notice includes location and availability of Risk Assessment
  - Consider all comments and revise IAL if necessary

Doc. No. 36GL-21-0737.*

Interim Action Levels

- Risk Assessment
  - Describes the technical and scientific methods and parameters utilized to determine the IAL
  - May reference risk assessments, drinking water health advisories, or similar scientific documentation from:
    - USEPA
    - Other states

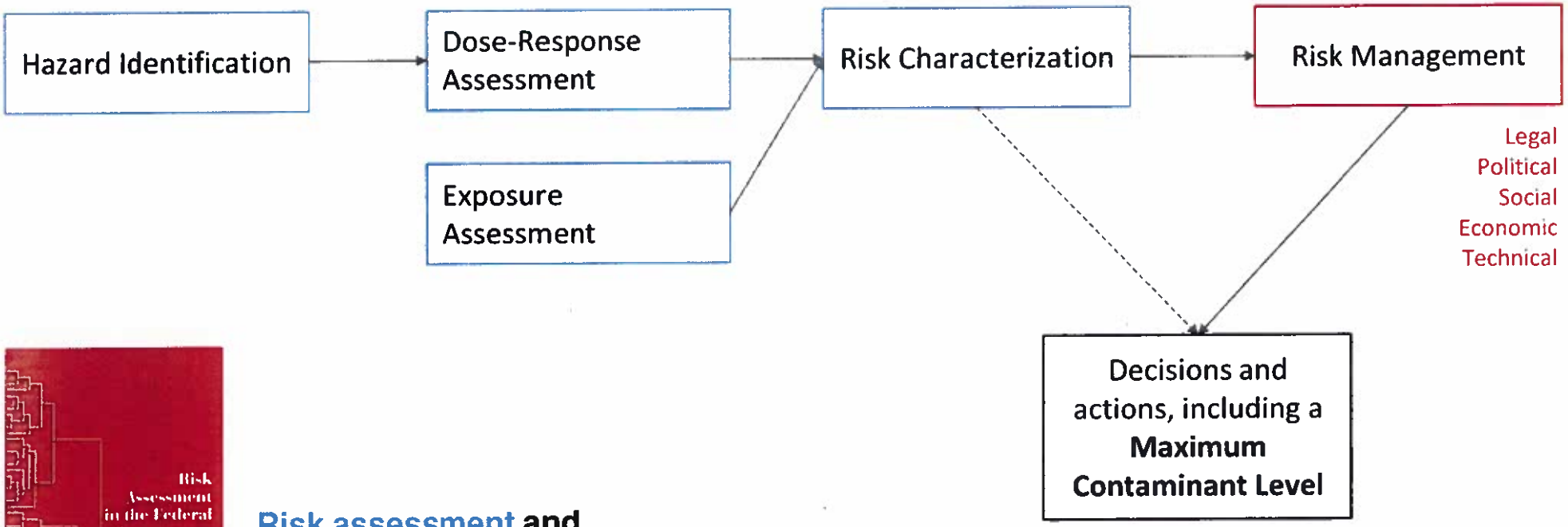
Doc. No. 36GL-21-0737.*

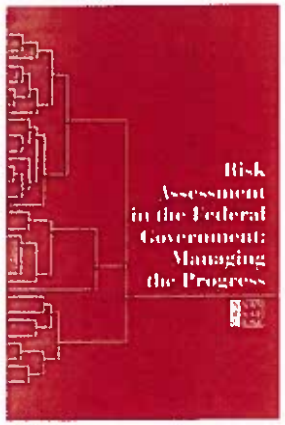
Interim Action Levels

- After establishment of IAL, GEPA shall take actions, including but not limited to requiring public water systems to:
  - issue guidance to protect the health of users, as necessary
  - Notify the public of the establishment of an IAL

Doc. No. 36GL-21-0737.*

Risk Assessment





Risk assessment and management paradigm

Adapted from National Resource Council (1983). "Red Book"

USEPA and State PFAS Drinking Water Guidance Created May 26, 2021

Includes **STANDARD** and **GUIDANCE** values for *FINISHED WATER*, recommended, proposed, and final standards included

All concentrations are in ng/L (ppt)

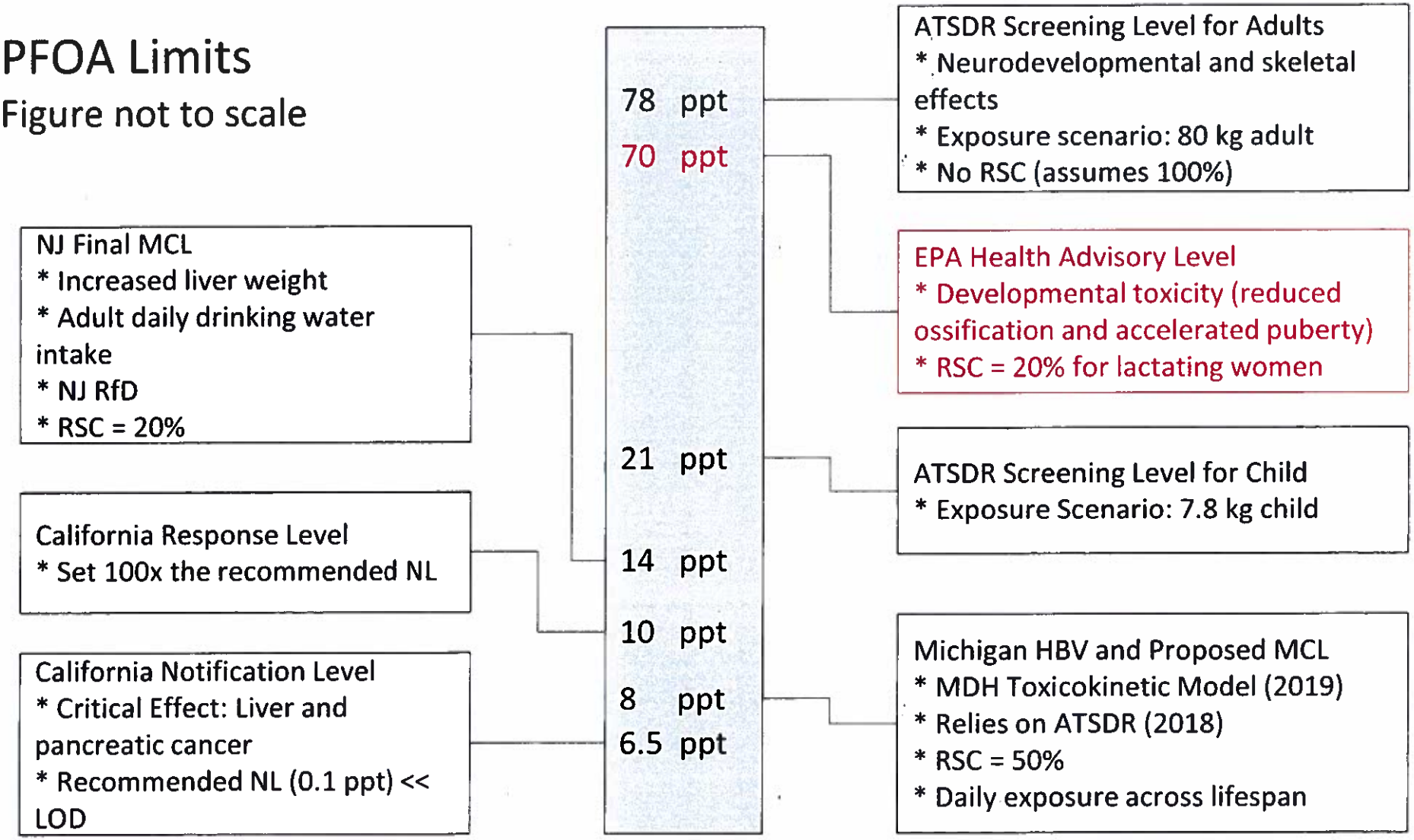
	PFOA	PFOS	PFNA	PFHxS	PFHpA	PFDA	Total?	PFBA	PFHxA	PFBS	Gen-X	State MCL?
EPA	70	70					Yes					
AL	70	70					Yes					
CT	70	70					Yes					
DE	70	70					Yes					
FL	70	70					Yes					
ME	70	70					Yes					
MP	70*	70*					Yes					Yes
MT	70	70					Yes					
OH	70	70					Yes					
CA	10	40					No			5,000		Yes
CT	70	70	70	70	70		Yes					
IL	21	14	21	140			No			140,000		
MA	20	20	20	20	20	20	Yes			2,000		Yes
MP	70*	70*	70*				Yes					Yes
MI	8	16	6	51			No		400,000	420	370	Yes
MN	35	15		47			No	7,000		2,000		
NH	12	15	11	18			No					Yes
NJ	14	13	13				No					Yes
NY	10	10					No					Yes
NC											140	
OH	70	70	21	140			Yes			140,000	700	
VT	20	20	20	20	20		Yes					Yes
WA	10	15	14	70			No			860		Yes
ATSDR												
adult	78	52	78	517			No					
child	21	14	21	140			No					

Sociopolitical	Technical	Scientific
No federal MCL for PFAS	Not every state had the same levels of PFAS	Differences in risk assessment conclusions
Each state/territory has its own legislative history	Each state has its own capacity to remediate system	
Variable socio-political pressures or awareness		Emerging human and animal studies

- Differences in selecting toxicity studies
- Differences in extrapolating animal to human doses
- Differences in exposure assumptions

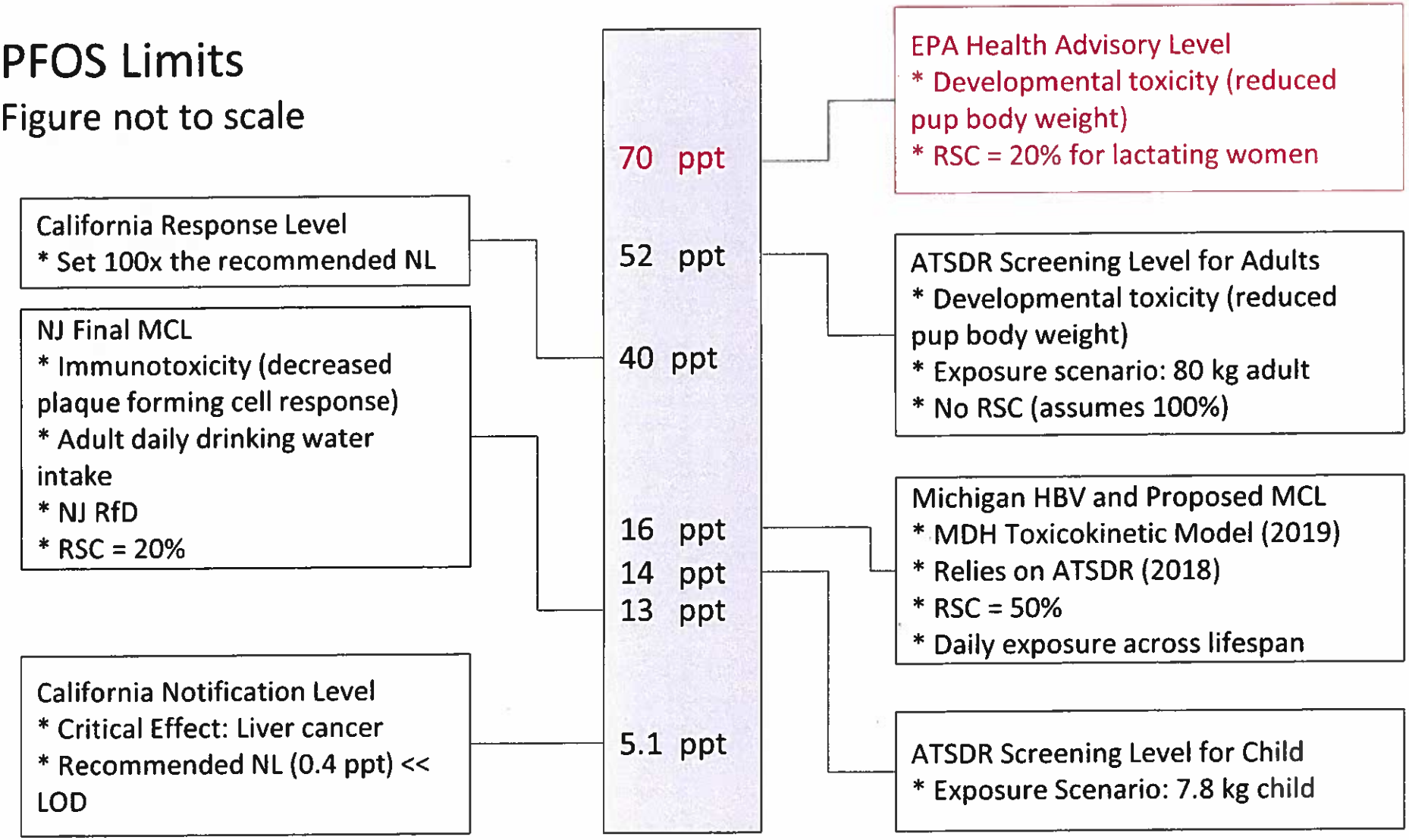
PFOA Limits

Figure not to scale



PFOS Limits

Figure not to scale



Next Steps

- GEPA will conduct a cost review for different potential IALs
  - Number of wells affected – will increase for lower IALs
  - Capital costs for filtration hardware installation
  - O&M costs for media change-out and monitoring
  - Disposal costs for contaminated filter media
- GEPA will present results to Board of Directors for further discussion
- GEPA will select an IAL and issue Notice for Public Comment & Hearing

Doc. No. 36GL-21-0737.*