



GUAM ENVIRONMENTAL PROTECTION AGENCY • AHENSIAN PRUTEKSÓN LINA LA' GUÁHAN  
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

Guam Environmental Protection Agency  
Board of Directors' Regular Meeting  
Thursday, February 23, 2023

MINUTES

- **Call to Order:** Chairman Steven Carbullido called the Board of Director's meeting to order at 4:10p.m. via the Google meet platform. Roll call was done by Acting Board Secretary, Arlene Acfalle, as follows:

**Board Members:**

Chairman Steven Carbullido	- Present Guam EPA Conference Room
Vice Chairman Steve Carrara	- Present calling in from Tamuning
Director Steven Hollister	- Present Guam EPA Conference Room
Director Fran Castro	- Present Guam EPA Conference Room
Director Dave Duenas	- Present calling in from Dededo
Director Moñeka De Oro	- Present Guam EPA Conference Room

*\*Quorum has been established.*

**Guam EPA Staff:** Walter Leon Guerrero, Michelle Lastimoza, Arlene Acfalle, Connie Aflleje, Nic Lee, Jesse Cruz, Roland Gutierrez, Glenn San Nicolas, Sabrina Cruz-Sablan, Kristan Finney, Brian Bearden, and Romeo Zacarias,

- **Approval of Agenda:** Director Castro made a motion to approve the agenda seconded by Director Hollister. Board Secretary Acfalle conducted the roll call voting for Vice-Chairman Carrara and Director Duenas who were in attendance virtually. All voted in favor, zero (0) opposed and motion passed.
- **Approval of January 2023 Meeting Minutes:** Director Hollister made a motion to approve the agenda seconded by Director Castro. Board Secretary Acfalle conducted the roll call voting for Vice-Chairman Carrara and Director Duenas who were in attendance virtually. All voted in favor, zero (0) opposed and motion passed.
- **Administrator's Report**

Administrative:

Personnel:

- New Hire - Onglibl Lakobong, Environmental Health Specialist - Green Parcel Division
- New Hire - Khanh Ly, Biologist I - EMAS Division

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- Agency continues to review resumes and applications for recruitments for temporary and limited-term appointments thru the ARPA funds.
- Received Certification Packets for the EHS II. Interviews are ongoing.
- Accountability and Filing of the Uniform Complaint training held
- TBD USEPA Contractor (Weston Solutions, Inc.) to conduct Advanced First Aid and CPR training while on island 2/27-3/9.

Administrator requested to reactivate the Pacific Islands Continuing Challenge. The Administrator's vision is for a multi-day event that would bring HI & territorial government responders and industry together for hazmat training, etc. Would like to start by offering a limited 1 day event on Guam as a pilot. Topics TBD

### Budget/Procurement:

- Emerging Contaminants for Disadvantaged Communities Grant Update (ECDAC):
  - EC DAC Territories call held Jan. 31, 2023
  - Re: Grant consolidation - The EC-SDC grant will allow the ability under the conditions of the Omnibus Territories Act to consolidate grants as awarded to American Samoa, Guam, the Northern Mariana Islands, and the U.S. Virgin Islands.
  - Grant recipients are required to comply with consolidated cooperative agreement terms and conditions, as well as but not limited to the following: the Code of Federal Regulations (CFR) in 2 CFR Part 225 and 40 CFR Part 31; the OMB Circular A-123, *Management's Responsibility for Internal Control*; Quality Management Plan requirements/guidance; EPA's Assistance Agreement conditions; and EPA's Records Management Policy (CIC 2155.3). It is imperative that this funding is tracked and transparent in cost expenditures against eligible project activities approved, the requirements of the grant program and as described in the workplan.
  - Construction of a water quality lab and support facilities. USEPA will clarify the question about construction of a building to house program staff. EPA HQ OGC will review.
  - Other allowable expenses include lab equipment, supplies, and maintenance to support monitoring for emerging contaminants (such as PFAS), as well as associated personnel costs.
  - GEPA will be preparing its work plan over the next several months, in anticipation of an early FY 24 award. The agency will be receiving a lump sum for totaling about \$18Mil for FY22 & FY23. Administrator advised we could be getting FY22 soon in which we have to spend the \$9Mil or else we have to send it back. The agency decides to wait a few months so that we may get the lump sum for the 2yrs

### Agency Headquarters:

- USEPA will be on island 2/27 thru 3/9. Mission is to further characterize the additional waste piles discovered in November, and also pilot waste pile separation and screening to see what sort of waste reduction can be expected
- EPA plans to return in May/June 2023 and spend several weeks continuing the separation/screening work, will need this work to be done in order to know the final volumes

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and characteristics of the hazwaste to determine ultimate fate (treatment, transport, disposal). Jeremy Johnstone will reach out to SWMP Glenn and ASD Serena to discuss disposal options and procedures for segregated green and municipal wastes.

- Governor has approved transfer of Recycling Revolving Funds (up to \$2M) to Guam DPW to let a contract for removal and disposal of tires at the site.
- EPA/GEPA and DPW will need to coordinate their respective future activities at the site.

### March 2023 will mark Guam EPA's 50th anniversary

- Venue is TBD March 29 from 9am - 4pm
  - Event will be Education and Outreach. Theme is "Educate While We Regulate"
  - Proclamation signing planned

### Policy:

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Roundtable held Feb. 17 on Regulating Open Detonation of Energetic Hazardous Waste at the Guam Legislature

- Agency administrator and HWMP in attendance
- Roundtable hearing was a lead into the public hearing for Bill 35-37 on February 20:
  - [Bill 35-37](#) was introduced on February 9 and publicly heard on February 20 – as an update to Guam PL 36-139 - updates to the current law's language in 10 GCA §51111 include:
    - "Explosive hazardous waste, except for those hazardous waste explosives for which Guam EPA and USEPA have determined that no safe alternative management options (including treatment or disposal technologies, safe storage or transport) exist."
    - At least annually, OD facilities must re-evaluate whether safe alternative management options exist, subject to approval of that determination by Guam EPA and USEPA."
    - "All ODs under a permit shall be reported to the Guam EPA within thirty (30) calendar days of each OD. These reports shall include but not be limited to, the date and place of the open detonation, the findings of the Explosive Ordnance Disposal (EOD) technicians/specialists for why OD is permissible under the terms of the OD permit, and any other information required by the Guam EPA."
    - Rules and regulations must be promulgated 120 days after enactment
    - Calls for agency to require a protective permit for OD.
  - Administrator and EHS Don Quinata continued to stress the importance of the island's ability to maintain primacy with hazardous waste regulations
  - Legislature shared concerns about UXOs discovered on island after February 27 since Guam PL 36-139's sixty-day enactment prohibits the use of open detonation for anything other than WWII ordnance.
  - DOD contends that not all ordnance is WWII-era and that it may no longer be able to lawfully provide bomb disposal services to the island after PL 36-139's February 27 enactment.

- Sen. Chris Duenas introduced [Bill 52-37](#) to repeal subsection (a)(9) of 10 GCA §51111 to:
  - Lift the restriction of OD for emergency response, and;
  - Acknowledge the agency's concerns over liability to approve alternative technology for UXO disposal.
  - The measure passed by the legislature in an emergency session on February 21, and subsequent to this passage, Sen. Parkinson introduced bill [53-37](#), which seeks to amend /add a new section to subsection (a)(9) of 10 GCA §51111 to:
    - Use OD to treat unused hazardous waste and explosives when the agency and explosives and munitions emergency response specialists determine they cannot safely be disposed of through other modes of treatment.
    - At least every five years, OD facilities must re-evaluate whether viable and safe alternative technologies exist as part of the Guam EPA permit renewal process.
    - Where alternatives are apply, facilities must implement them to provide the most for the protection of human health and the environment in lieu of OD within a timeline pursuant to regulations promulgated by the agency
    - have the agency require a permit for the OD of unused hazardous waste explosives WWII UXO and develop permitting rules and regs through the Administrative Adjudication Law

### **Programs/Projects:**

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#### 25th Micronesia Islands Forum in Pohnpei Feb. 13 – 17

- Attended by Deputy Administrator Lastimoza, recycling officer, Sabrina Sablan
- MIF theme: "Taking actions today for Micronesia's prosperity tomorrow"
- Guam is part of the Pacific Islands Regional Recycling Initiative Council and presented on Guam's recycling achievements, challenges and ways forward:
  - Achievements included: Guam's 29.21% recycling rate, the MCOG IECF the plastic bag ban, Zero Waste Master Plan update and the Integrated Solid Waste Management Plan implementation
  - Challenges included: Illegal dumping, volatile markets and shipping
  - Ways forward included: mandatory trash collection service and continued implementation of the Zero Waste Master Plan

#### Zero Waste Guam Forum for Mobilization and Implementation – March 1, 2023

- Forum will highlight the completion of the Guam Integrated Solid Waste Management Plan update (ISWMP) and the Zero Waste Master Plan (ZWMP) update to Governor Leon Guerrero
  - The ISWMP reviews Guam's solid-waste-management system and charts the path toward developing a sustainable materials management system in Guam.

- The ZWMP provides sustainable solutions and a long-term programmatic approach for Guam to make real the aspirations of a zero-waste Guam using a green circular economy as the pathway
- Plans to align with the Global Goals for Sustainable Development and the Guahan 2050 Sustainability Plan in accordance with Guam P.L. 35-110, which creates a framework for comprehensive land use reform based on sustainability.
- The forum will bring together Guam EPA, the Port Authority of Guam, the Bureau of Statistics and Plans, the Office of Infrastructure Policy and Development, the business community, and non-governmental organizations.
- Subject matter experts, solid waste management stakeholders, and interested community members have been invited to attend

Geographical Response Plan - Draft from Weston (US EPA Contractor) has been prepared. USEPA will transmit to GEPA for review.

Harbor of Refuge ADV - Matson will be on site to pick up and containerize the remaining waste. Date to be determined.

#### Military Construction Permitting and Regulation

- GEPA attended the first of the resumed "REC-9" meetings between USEPA Region 9, Joint Region Marianas, and GEPA on February 3, 2023. REC-9 stands for the Regional Environmental Coordinator for Region 9, which is a 2-star Admiral located in San Diego. This was the first REC-9 meeting in Guam since about 2016.
- Aside from re-starting the meetings, the main topics of discussion were the OB/OD law and the rapid rise in military construction, which has more than tripled in the past 6 months. The pace of incoming military construction permits is expected to increase and remain elevated for at least the next 3 to 4 years, with Missile Defense Agency projects kicking off after Camp Blaz construction begins to decrease.
- According to estimates made as part of the SEIS, GEPA would have required an additional 9.7 staff by this point in the Marines relocation construction. GEPA permit review staffing has instead shrunk during the intervening years, with a 30% decrease in engineering staff in particular. As a result, review of military construction permits is currently dominating engineering staff time, and review timelines have slipped, with many permits taking months to review and process, rather than weeks. Poor quality submissions from contractors has also been a factor in the increased review times.
- JRM is looking at contractor support as a short-term solution to assist GEPA in meeting the desired timelines for new construction review, and a possible MOA with the US Public Health Service to provide engineers as a longer-term solution.
- GEPA Chief Engineer CAPT Brian Bearden also convened a meeting with the OICC - Officer in Charge of Construction for Marine Corps projects, CAPT Robert Stiles and his staff. The meeting included further discussion of permit review support options, as well as additional short-term actions to include training to be provided by GEPA to OICC and contractor staff, and the use of checklists and other aids to ensure applications are more complete and construction does not proceed without GEPA final approval.

Director Hollister inquired if the incomplete permit applications are returned right away or does it go through the whole permit process first. Deputy advised there is a review to determine the permit completeness. CAPT. Bearden then prepares a response letter noting the deficiencies and works directly with Ms. Claire Barati, liaison assigned to Guam EPA out of NAVFAC. Ms. Barati works as the liaison with the contractor to ensure the requirements are met before they resubmit the documents for final review. Director Hollister then asked if they are getting better. CAPT. Bearden advised it is not but with the assistance of Ms. Barati the permit application will be reviewed to ensure all pending documents are submitted before it gets to him. CAPT. Bearden added he has worked with the water division staff and Ms. Barati to develop a detailed checklist that the contractor will follow.

Administrator advised that one of big discussions during the REC9 meeting is to get people who can actually do permit reviews. The agency is strategically looking on hiring additional PE's who can do the permit reviews that way CAPT. Bearden can focus on running the water division. Administrator also added that these PE's will be paid and employed by DoD but provide the agency with recommendations. Like what CAPT. Bearden stressed, it's not just any PE, it will be a PE that is well versed on construction and knows what to look for and the review process. A longer term solution, if it works out, would be to hire additional Public Health Service Engineers. They would be detailed directly to DOD and not to Guam EPA. CAPT. Bearden advised PE's will only be able to make recommendations and have no decision making capacity but either way we have to get good quality engineers. Director De Oro inquired if the PE positions will strictly be reviewing military construction projects. Administrator advised that is correct.

Director Castro inquired if the 22% salary increase for GovGuam employees is going to be implemented if it gets passed. Administrator advised the agency has looked into the finances and one of the things that we had discussed which is a great asset for the agency is the emerging contaminant grant because it's going to be put into the consolidated grant. Even though we have to track it separately, it will give us the wiggle room to move money around for where we see the need. Deputy also advised we have included the 22% increase in our budget proposal. In April, the agency will present it, whether it passes or not, we have two versions and one with and one without the 22% so that if it does go through we would have submitted cost projection for personnel. Administrator added the agency brought up during the last budget hearings the law which gives Guam EPA 20% of use tax. Administrator advised a lot of that will go towards retaining current staff, salary and benefits. It's not a lot but it helps said the Administrator.

Chairman noted the Agency has been talking about permits on military construction and hiring engineers for review of those projects, but he noted there are still civilian projects that also need quicker review. The Chairman noted that Guam EPA reviews building permits, so the Agency still needs a long term solution to increase its capacity to review permit applications more quickly. Chairman also inquired in regards to receiving funding, when contractors apply for their building permit, does a portion of their permit application make its way to Guam EPA for their review effort.

CAPT. Bearden advised the DPW permit application fee goes to DPW. The agency has its own fees but they are extremely old and they don't really amount to much. CAPT. Bearden added that less than a \$100K a year on our permit applications. Director Do Oro inquired if those fees go to general operations. Administrator advised it depends on which program submits the comments that's normally where it goes. Glenn SN chimed in and stated that other programs within the agency also reviews the permits and CAPT. Bearden takes care of the design and the permit reviews. The programs itself, directly communicate with the applicants and the contractors because they are reviewing documents as well. Glenn also added that when reviewing MILCON and DoD projects the SWMP reviews like 30 pages and their comments are like page, paragraph, and line items. They also are trying to streamline that process with Ms. Barati so they have a standardized form and plan to streamline that process. CAPT. Bearden stated the checklist that was created for the contractors would cover the reviews for all programs of the agency.

Director De Oro inquired on how the agency's online permitting system was going. CAPT. Bearden advised it is going very well and its 80% faster permit processing times for building permits and the agency is still at that range so it's been a tremendous success. The WALTERS system is an excellent record keeping and accountability system. There is a lot of fine tuning that needed to be done but we received some grant funding last year to help us finish that up. CAPT. Bearden added that the agency is working to make it a fully digital process which allows the applicant to actually go online type in their own contact information and upload their own files. Like any with any digital system there are just a few things that need to be worked out and we have that contract support all the time however, this is at a standstill right now because of payment issues.

Chairman inquired on the Geographical Response Plan. Administrator advised it basically outlines the task of every GovGuam agency during a major emergency. In the past, Guam EPA was able to work with stakeholders to help identify specifics for Apra Harbor. With that information, the Coast Guard Sector Guam made the first geographical response plan for Apra Harbor which outlines major area of concern and resources for a response. The next one we are working on would be an inland Geographical Response Plan from the Airport to Tumon Bay. The GRP is a more detailed emergency response preparedness document that will outline any high risk facilities, high risk populations, areas where there are elderly, schools and nurseries and storm drains to name a few. Director De Oro inquired if it is GIS based in which the Administrator advised it is.

Chairman inquired if the RRF program for FY23 has started. Sabrina advised the agency had a data orientation this morning with all the recyclers, mayors, their assistants and the Mayor's Council. Sabrina also noted that purchase orders have not been released yet but we were just there to let them know what their responsibilities were. Deputy advised that this has been somewhat of an ongoing problem but the Mayor's Council has not closed out FY21 and FY22 and has not de-obligated the monies that were not spent in those fiscal years. Deputy added from what she understands, \$1Mil that was appropriated by the legislature has been transferred to them already. Chairman advised he remembers the Agency stating the MCOG has to submit the release of lien documents from their contractors. Sabrina advised that is correct and that it has not been submitted

to GEPA by MCOG. Deputy went on to say MCOG still has to de-obligate a little over \$600K for FY21 & FY22. Administrator chimed in and stated this has been an ongoing problem, despite their good work they have done over the years, their accounting and administrative work needs to be tighten up. The ability to stop the transfer of funds was taken away from Guam EPA by the budget law. Sabrina advised that she reviewed the minutes (when the Chairman requested that Guam EPA write into the MOA that closeout for FY 21 be a prerequisite before the GEPA transfers funds for FY 23), but the Administrator noted it was an appropriation by the legislature. Sabrina also stated that the agency was trying to find some other avenue to not release any funds until they do the close out as MCOG has missed all deadlines they set for themselves even with the hiring of additional staff. Deputy noted the MCOG cannot spend the money from prior years but it still needs to be officially de-obligated back to the RRF account for FY21 & FY22.

Director De Oro also inquired if anyone is looking out for different opportunities for the island in regards to all the federal funding coming from IRA, BIL, greenhouse gas reduction fund and the environmental justice grants. Administrator advised the agency is highly engaged in that and of course we are looking to see what the agency can garner. We just received a pretty detailed email from our Pacific Island Guam program manager, Carl Goldstein, listing upcoming BIL funding grant applications that can be done. Administrator added we just have to take a look and see if it's feasible for us to do it because it's not just about asking for money its making sure we have the staff to execute the plan. So basically if it's pointing to better serve another agency to help the island we will give it to them. For example, the DERA grant. We don't have a fleet of diesel vehicles or school buses which it is allocated for and there is another part for diesel fleets and that is best for other agencies like DPW, GPA, GPA and PAG. Director De Oro inquired if there is anyone at the clearinghouse to monitor these grants. Deputy advised the clearinghouse always tracks our funding and we are applying for the REO and SWIFER grants. The agency also applied for a Brownfields grant where the cap is \$2Mil but looking at our resources we have to be able to match the grant application to our resources. In consultation with our grant manager \$900K is what we applied for. We are still waiting on word whether or not we will be awarded those grants but we are going after as many grants as we can. Administrator advised the real amazing part about this is that we're almost a year or two into the 5yr BIL cycle and there are a lot of grants that don't have guidance yet. Administrator and Deputy has been discussing the emerging contaminant grant as there is officially no guidance yet. Director De Oro agreed as she understands it to be the most amount of money for infrastructure that they've seen in more than two generations and there is probably not going to be this kind of money ever again. Administrator advised the agency just applied for the SWIFER grant just last month and also last week we submitted another grant for outreach and education. Director De Oro also inquired if there are any specific renewable energy. Administrator advised there is a couple that we are looking through as well regarding climate change but it may be more applicable for GPA.

#### Notices of Violation

- New NOV's
  - No new NOV's issued since last board meeting



- Old NOVs Updates:
  - Primo's Heavy Equipment – Status Quo – Hearing Officer coordinating with Legal Counsels.
  - Samsung – Status Quo – CPT. Bearden will follow up on date for presentation and a site visit for Guam EPA, DoAG, DPW and SHPO.
  - JJ Pacific Development– Kristan updated that she has been in contact with JJ Pacific but the NOV is still unpaid.
  - Lin's Hardware – No update – Status Quo
  - GPPC, Inc. (Crown Plaza project) – Status Quo -Agency to conduct follow up inspection for closeout.
  - Upper Tumon Property – Status Quo -Currently under investigation
  - Old Royal Palm Garage update – Chairman inquired on what is the plan for this NOV. Glenn advised since it's been under new ownership the building has been demolished and the site has already been cleaned up but the old owner is still off-island.
  - Verona – Glenn advised the hotel has gone under bankruptcy but there are still a lot of sediment issues in terms of the ownership of the land and other entities that have been owed money.
  - Cardona – Status Quo - Agency to provide update.
  - UMS Hardfill Facility in Mangilao – Glenn updated site has been cleared up and UMS is currently on a payment plan and has already made their 2<sup>nd</sup> installment.
  - BME – Glenn advised penalty was \$19,200 and they are making their penalty payments.
  - Lagu – Glenn advised penalty fee of \$6K has been paid in full.
  - Global – Glenn advised penalty fee of \$4,500 has been paid in full.
  - Tri-Star Terminals – Board Secretary updated a request was sent to the OAG for this case and as of today the agency was assigned a hearing officer.

The Board Secretary noted that the board has been assigned a new Hearing Officer for the Tri-Star NOV. Chairman noted for the Board Secretary to ensure/forward the Primos, Samsung, and Tri-Star Terminals NOVs to the new attorney. All other NOVs are with the Agency for action.

Director De Oro inquired if someone buys a property do they inherit the violation as well. Glenn advised in the case of Royal Palm they inherit the violation. The disposal receipts were submitted for accountability. Director De Oro inquired if they just had to do the corrective action and not pay the fine. Glenn advised we gave them the opportunity to make the right decision and clean up the site. Kristan advised the violation was issued to the owner and so it's that person who would have to pay the penalty so if someone else comes and buys the land and they fix it they are not in violation.

Director De Oro also inquired if Samsung did the presentation for site visit. CAPT. Bearden advised Samsung requested to do the presentation and the agency has been waiting for them to organize and schedule the site visit but we have not heard back from them. CAPT. Bearden will follow up.

- **Allocation of funds to DPW for clean up under the RRF:** Administrator advised with the passage of new regulation for the RRF it allows Guam EPA via the RRF to provide funding to DPW to do similar work as the MCOG. Although MCOG are doing a much better job of cleaning the community, by law public easements and government property are under the oversight of DPW. Administrator advised the 9.75 acres of property that we inherited is an illegal dumpsite. With that understanding the front office approved to use some of those funds and work with DPW to clean up site. Administrator stated by law we can't tell them this is strictly for Guam EPA. This is for cleanup of all government properties but we are working hand in hand with DPW to address what Guam EPA has inherited. Chairman inquired if this is for the Dededo property or any property on government easement. Administrator advised the law states any GovGuam property or easement. Chairman stated the request is for up to \$2million dollars. Administrator advised that we can start with \$1Mill, but it will cost anywhere from 2-4 million. Chairman advised that Connie, Guam EPA ASO, prepares the RRF spreadsheet and the RRF is around \$6Mil in which \$2.4Mil has been appropriated for FY23 leaving \$3.6Mil remaining. Chairman asked Connie to confirm that the request for this appropriation to DPW is \$2Mil from the remaining funds, leaving a balance of \$1.6M. Connie advised this is correct, it is a combination of the mother account which is the revolving account and the annual appropriation which is appropriated annually by the legislature. Chairman and Director Castro inquired on the plan of action and if it is going for an invitation for bid. Administrator advised it will be similar to MCOG but it will be an invitation for bid and this will be done by DPW. Administrator advised we get about \$2.2Mil annually but this year the agency was allocated \$2.7Mil so we are trying to keep our budget to reach \$2.2Mil. Administrator also stated we are going to have around 10 programs but the idea is to not fund all 10 every year. This gives the agency an opportunity to pick what needs to be addressed on the island and that is when we present it to the Board for approval.

Director Hollister inquired on how DPW did this in the past in which Administrator advised DPW has never got money from the RRF. Director Castro also inquired if there was a formal request by DPW. Administrator advised the agency has initiated it for our Dededo property and DPW agreed. DPW still needs to come up with a work plan and an invitation for bid which is going to be generalized to tires and scrap metal. Director De Oro inquired if there is a timeline. Administrator advised the biggest problem is the tires on island as there is only one company that does final disposal right now. So knowing that we have 30-50,000 tires on our Dededo property alone, is a problem the agency has inherited.

Glenn added it is in the Integrated Solid Waste Master Plan (ISWMP). As part of the plan one of the uses for tire derived aggregate in place of clean drain rock applications. So we did the white papers via JACOBS and our water pollution control program reviewed it as well and it is a viable option based on ACM standards for reusable materials for that purpose. Glenn added there is a potential for sustainability component on the passenger tires. In regards to sustainability, the use of that material resource in place of clean drain rock and mining our natural resources for that application is something that we are trying to immediately push forward.

Administrator stated we recently met a company, who actually has a qualifying certificate from GEDA, about used tires and conversion. They have the equipment on island and they are ready to start putting together the equipment which makes used tires into pellets. Administrator added then with

the pellets you basically got a wide open use for it. Some people say it's not good for the sports field because they can inhale it and you get all that bad toxics by inhaling it or compressing it into anything whether it be parking blocks or speed bumps. So the company is looking to establish themselves although we haven't received any permit applications for them yet. Chairman inquired in regards to timelines, the tires need to be removed but is this on the critical path or do you still need to draw up all the plans for the building. Administrator advised it's a critical path because DPW needs to go through that whole RFP or IFB process so the sooner we get them the money they can start acting on it because again that might take anywhere from a month to three months.

Administrator advised that we have USEPA out here starting on Monday but I think their main work is coming out in May or June. We are hoping that most of the tires that need to be removed are cleared so that they have access to do the work they need to do. Administrator also added that it has been stated before that USEPA has four and a half million dollars tied into our Dededo property already and that may go up depending if they find more hazwaste sites while doing their expensive site assessments. Administrator stated USEPA said they will try and do some solid waste sites but that's not what the money is for so that is why Guam has to show that we are also working on trying to match or at least show that we have full intention of assisting when we can. Deputy chimed in to advise what they are going to do this round is see whether or not that bench top pilot method is going to work on reducing the contamination in the soil so that they can turn it into clean soil and we're not disposing tons and tons of contaminants soil.

Director Duenas asks if DPW will provide a work scope (via virtual chat room). Administrator advised if the board if they want to do the approval of money based on upcoming documents like the scope of work then he is good with that. Kristan stated she thinks the board wants to see the scope of work. Deputy asked for the agency moving forward in the month maybe consider upwards to that amount pending the expenditure plan then the board can approve that. Administrator advised he hears the board's concerns about giving a government agency like a million dollars that sounds like a slush fund and that's not what the agency is trying to do. Chairman advised if DPW could provide more detail like the MCOG program has like how much it costs to remove tires, basically scaling the property and advise how much it is going to cost.

Deputy advised the agency has been approached by US FDA and they are looking to having a permanent presence on Guam. So between Guam EPA and Public Health, FDA is looking to establish a lab so we have proposed to them whether or not they will invest in our building, be a tenant, or contribute monies where they would build a modular structure for their labs. Deputy added we are still in discussion with FDA and hopefully they'll make a commitment soon whether or not they will be a partner with us or with public health. Administrator advised we have opened the doors to a lot of different federal agencies advising if they have any aspiration of doing something on Guam we not only have extra property that may be available but because it's something that there's no conflict of interest to initiate with the federal government. The idea of being partners versus tenants is that if they partner they got as much vested in building this building as we do. Administrator added that's the only reason why we're kind of looking down partnership versus tenants.

Deputy advised that we've talked with our brownfields Grant manager and because it's revitalizing and redeveloping that space, which meets the criteria for brownfield, that we can build like a recreational space or a walking perimeter. Administrator advised if the board wants to table it to next month the agency will work with DPW like how we did with mayors council it shouldn't be that hard to do.

- **ISWMP and the ZWMP Presentation**

Glenn advised there are comments that they receive so they're now basically incorporating some of those comments for the final product that would be unveiled during the March 1<sup>st</sup> presentation to the Governor. We are looking to possibly add it to the agenda for the March board meeting. Director Hollister is this will include the mandatory trash pickup. Glenn updated that recommendations were made in the integrated Salvage master plan for required trash service along with time derived aggregate uses. This includes the Layon waste stream for special waste, or non-hazardous treated lumber which is problematic right now, non-hazardous treated soils and fog contaminated soils. Glenn added after they process the fog for biodiesel shipping off-island they're left with this residual waste that needs to be managed so it can't go into any of the hard so the most logical thing that we found is landfill disposal which is acceptable on the RCRA subtitle D.

**New Meeting Date/Adjournment:** Next meeting was set for March 16, 2023 at 4pm. With all business on the agenda discussed and no further questions or comments by all present, the Chairman Carbullido adjourned meeting at 5:35pm.

  
Arlene Acfalle  
Board Secretary