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7 *Attorneys for Gershman, Brickner & Bratton, Inc.*  
8 *As Federal Receiver for the Guam Solid Waste Authority*

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

11 UNITED STATES OF AMERICA,  
12  
13 Plaintiff,  
14  
15 v.  
16  
17 GOVERNMENT OF GUAM,  
18  
19 Defendant.

Civil Case No. 02-00022

20 **NOTICE OF FILING OF (1)**  
21 **CERTIFICATION THAT THE ORDOT**  
22 **DUMP NO LONGER RECEIVES**  
23 **MUNICIPAL SOLID WASTE, AND (2)**  
24 **THE RECEIVER'S PORTION OF THE**  
25 **SEP COMPLETION REPORT**

26 Gershman, Brickner & Bratton, inc. ("GBB" or "Receiver"), the Receiver, pursuant to the  
27 Court's Order (ECF 1992), filed May 18, 2023, hereby notifies the Court that the following  
28 documents have been submitted to the United States Environmental Protection  
Agency, and copies provided to the Government of Guam, the Attorney General of Guam,  
GEPA and GSWA:

1. Certification that Ordot Dump no Longer Receives Municipal Solid Waste for Disposal  
with enclosures attached as **Exhibit A**; and
2. The Receiver's portion of the GEPA Supplemental Environmental Project Completion  
Report for the Harmon Residential Transfer Station Agat, Guam attached as **Exhibit B**.

Dated: June 30, 2023

**CIVILLE & TANG, PLLC**

By: /s/ Joyce C.H. Tang  
**JOYCE C.H. TANG**

*Attorneys for Gershman, Brickner & Bratton, Inc.*  
*As Federal Receiver for the Guam Solid Waste Authority*

# EXHIBIT A

June 29, 2023

**VIA EMAIL AND FAX**

US Environmental Protection Agency – Region 9  
Manager, Pacific Islands Office (CMD-S)  
U.S. Environmental Protection Agency, Region 9  
75 Hawthorne Street  
San Francisco, CA 94105  
Fax: (415) 947-3560  
e-mail: mccarroll.john@epa.gov

**RE: Certification that Ordot Dump no Longer Receives Municipal Solid Waste for Disposal**

Dear Sir or Madam:

In accordance with Section IV(8)(h) of the Consent Decree issued in the U.S. District Court of Guam in United States of America v. Government of Guam, CIVIL CASE NO. 02-00022 (ECF Document No. 55), the federally appointed Receiver for the Guam Solid Waste Authority certifies that the Ordot Dump no longer receives municipal solid waste for Disposal. The Ordot Dump has continued to not receive municipal solid waste for disposal since September 1, 2011.

The Ordot Dump ceased receiving municipal solid waste for disposal on August 31, 2011. On that date, there was a hearing of U.S. District Court of Guam in the above-referenced case which was conducted at the Ordot Dump, during which the delivery gate of the Ordot Dump was actually and ceremonially locked, in the presence of the Honorable Governor of Guam, Guam Legislature representatives, representatives of the Government of Guam, United States Department of Justice, Mayor's office of Chalan Pago – Ordot, the Ordot Community, as well as television news outlets, and the Receiver for the Government of Guam Solid Waste Management Division (subsequently Guam Solid Waste Authority). Please refer to the enclosed: Minutes of the Ceremonial Closing of the Ordot Dump on August 31, 2011, at 4:10 p.m. filed in the above-referenced case on September 1, 2011 (ECF Document No. 795); and the Order Re: Quarterly Status Hearing; Official Closure of Ordot Dump; and Official Opening of Layon Landfill, filed in the above-referenced matter on September 2, 2011 (ECF Document No. 798).

Accordingly, I make the following certification statement:

*Certification Statement*

*I certify under penalty of law that I have examined and am familiar with the information submitted in this document and all attachments and that this document and its attachments were prepared either by me personally or*



Innovative, Sustainable Solutions  
for Solid Waste Management



Gershman, Brickner & Bratton, Inc.  
8300 Boone Blvd.  
Suite 500  
Vienna, VA 22182



Main: (703) 573-5800



hello@gbbinc.com



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*under my direction or supervision in a manner designed to ensure that qualified and knowledgeable personnel properly gathered and presented the information contained therein. I further certify, based on my personal knowledge or on my inquiry of those individuals immediately responsible for obtaining the information, that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing and willful submission of materially false statement.*

A copy of this Certification is being filed with the U.S. District Court of Guam in the above-referenced case.

Yours truly,

**Gershman, Brickner & Bratton, Inc.**

A handwritten signature in blue ink, appearing to read 'Harvey W. Gershman'.

Harvey W. Gershman, Founder Associate  
Federal Receiver Representative for the Guam Solid Waste Authority  
United States District Court for the Territory of Guam

Enclosures: ECF Document Nos. 795, 798

cc: Office of the Attorney General of Guam  
United States Department of Justice  
Martha Guzman, Regional Administrator, USEPA Region 9  
Karen Ueno

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DISTRICT COURT OF GUAM  
TERRITORY OF GUAM

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
vs.  
  
GOVERNMENT OF GUAM,  
  
Defendant.

Civil Case No. 02-00022

**MINUTES**

CEREMONIAL CLOSING OF THE ORDOT DUMP  
(August 31, 2011 at 4:10 p.m.)

Notes: Appearing: U.S. Attorney Alicia Limtiaco; Assistant U.S. Attorneys Robert Mullaney and Mikel Schwab; Assistant Attorneys General Pat Mason and Kathy Fokas; Receiver Representatives Harvey Gershman and David Manning; Governor Eddie Calvo, Senator Tom Ada; and Ordot/Chalan Pago Mayor Jesse Gogue.

Welcoming remarks delivered by Chief Judge Tydingco-Gatewood. Governor Calvo, Assistant U.S. Attorney Robert Mullaney, Mayor Gogue, and Receiver Representative David Manning addressed those present at the ceremony. Ceremonial Locking of the Gate to the Ordot Dump conducted. Ceremony concluded at 5:55 p.m.

Prepared by: Leilani R. Toves Hernandez  
Deputy Clerk

**IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF GUAM**

**UNITED STATES OF AMERICA,**

Plaintiff,

vs.

**GOVERNMENT OF GUAM,**

Defendant.

Civil Case No. 02-00022

**ORDER RE: QUARTERLY  
STATUS HEARING; OFFICIAL  
CLOSURE OF ORDOT DUMP;  
AND OFFICIAL OPENING OF  
LAYON LANDFILL**

1        This matter came before the court on August 31, 2011, for a quarterly status hearing. At that  
2 time, the Receiver, Gershman, Brickner & Bratton, Inc. (“the Receiver”) provided an update on the  
3 progress of Consent Decree projects and on the operations of the Solid Waste Management Division  
4 (“SWMD”). *See* Dkt. No. 794.

5        After approximately three years and five months since its appointment, the Receiver has  
6 effectively dealt with many challenges to reach two major milestones under the Consent  
7 Decree—the closing of the Ordot Dump and the opening of the Layon Landfill. The court  
8 commends the Receiver for its efforts and the tremendous progress it has made thus far. To illustrate  
9 how much progress has been made, the court provides a brief background of the case before  
10 reaching the substance of the Quarterly Report.

11    **I.      BACKGROUND**

12        **A.      THE ORDOT DUMP**

13        The starting date for the use of the Ordot site as a dump is not documented. However, it is  
14 known that the Ordot Dump was in use during World War II. After the liberation of Guam, the

1 United States Navy continued to use the site as a disposal area. The U.S. Navy transferred  
2 ownership of the Ordot Dump to the Government of Guam in 1950.

3 The Government of Guam has owned and operated the dump since the 1950 transfer. *See*  
4 Dkt. No. 218 at 1. When the dump was started, there were no environmental safeguards  
5 implemented to ensure against possible contamination; most notably, the dump is unlined at its  
6 bottom and uncapped at its top. *Id.* at 2. As a result of this, the dump acts like a sponge, absorbing  
7 rain water and releasing it after it has percolated through the dump and picked up contaminants. *Id.*

8 Although it reached capacity in 1986, the dump continued to receive virtually all of the  
9 industrial and municipal waste from the civilian population of Guam. *Id.* at 1. As a result, what was  
10 once a valley is now a 341-foot mountain of trash. *Id.*

#### 11 **B. CLEAN WATER ACT VIOLATIONS**

12 The Ordot Dump has had a long history of operational and environmental problems. In  
13 1982, the dump was declared a Superfund site by the U.S. EPA. *See* Dkt. No. 49 at 3. In 1986,  
14 the United States Environmental Protection Agency (“U.S. EPA”) issued an administrative order  
15 under the Clean Water Act (“CWA”), 33 U.S.C. §§ 1251-1387, directing the Guam Department  
16 of Public Works (“DPW”) to cease the discharge of leachate from the Ordot Dump by May 1,  
17 1987; DPW failed to comply with this order. *See* Dkt. No. 55 at ¶ 4. U.S. EPA then made  
18 several more attempts to deal with the problem administratively, but these attempts also proved  
19 fruitless and leachate continued to be discharged from the dump. *See* Dkt. No. 218 at 2.

20 As a last resort, the United States initiated the instant action on August 7, 2002. *See* Dkt.  
21 No. 1. In the complaint, the United States sought an injunction that would require the  
22 Government of Guam to comply with the CWA, and prayed for over \$50 million in civil  
23 penalties from the Government of Guam for the violations of the CWA. *See id.* at 6. Ultimately,  
24 by filing the suit, the United States wanted to avoid further environmental degradation of Guam  
25 by forcing the Government of Guam to close the Ordot Dump and open a new municipal solid  
26 waste landfill (“MSWLF”) that complied with federal environmental laws and regulations. Dkt.

No. 218 at 3.

**C. THE CONSENT DECREE**

Beginning in November 2002, the parties participated in settlement conferences facilitated by the court. *Id.* In December 2003, after approximately one year of negotiating, the parties lodged the Consent Decree with the court. *Id.* On February 11, 2004, following publication on the Federal Register and a period of public comment, the court approved and entered the Consent Decree. *See* Dkt. No. 55.

Among other things, the Consent Decree established a schedule for the closure of the Ordot Dump and the construction and operation of a new, CWA-compliant MSWLF. *See id.* The Government of Guam, however, consistently failed to meet the deadlines set forth in the Consent Decree. *See* Dkt. No. 218 at 4. Most significantly, the Government of Guam did not meet the deadline for the closure of the Ordot Dump or the deadlines for submitting plans for the new Layon Landfill. *Id.*; Dkt. No. 56 at 7.

The lack of progress was partly attributable to Section 98 of Guam Public Law 29-19, which was passed by the Legislature in September 2007. *See* Dkt. No. 218 at 4. Essentially, Section 98 prohibited the expenditure of funds for any landfill site that the Government of Guam did not own. As a result, the Government of Guam could not purchase the Layon land for the new MSWLF or conduct the requisite studies for the new site. *See id.* The court held that Section 98 was unconstitutional and ordered the Government of Guam to allocate funds to condemn the Layon land and for necessary site preparation. *See id.* at 8.

However, despite the removal of the impeding legislation, the Government of Guam continued to make only minimal progress on the Consent Decree. *See* Dkt. No. 239 at 2–3.

**D. THE APPOINTMENT OF THE RECEIVER**

In March 2008, the court found that “there [was] an historical . . . lack of commitment by the island’s leaders in addressing [the] solid waste crisis,” and that “[t]he problem of a highly dysfunctional, largely mismanaged, overly bureaucratic, and politically charged solid waste



1 system, . . . [was] beyond correction by conventional methods.” Dkt. No. 239 at 1. Accordingly.  
2 after much deliberation and upon consideration of the complete record in this case, the court  
3 appointed the Receiver to manage SWMD and vested it with the power and authority to enforce  
4 the terms of the Consent Decree. *See id.* at 1, 15.

5 **E. THE INITIAL CONDITION OF SWMD AND OTHER CHALLENGES**

6 In April 2008, when the Receiver took over the reigns of SWMD, it was plagued by a  
7 host of operational and financial problems. *See* Dkt. No. 272 at 4. To illustrate, SWMD:

- 8 • had only one working trash truck to collect nine daily routes;
- 9 • rented two trash trucks from the private sector that often failed mechanically;
- 10 • operated a three-shift day during which the sole working trash truck operated  
11 nearly around the clock in order to collect customers’ trash;
- 12 • had no reliable, accurate way to calculate the tonnage of trash disposed at the  
13 Ordot Dump;
- 14 • spent as much as \$11,000 a day[—that is, approximately \$4 million on an  
15 annualized basis—to furnish rental equipment and contract operators because its  
16 equipment was broken,;
- 17 • was organizationally hamstrung by the poor credit management . . . ; and
- 18 • had exceptionally low employee morale, poor working conditions, and minimal  
19 accountability.

20 Dkt. No. 538-1 at 10. Additionally, SWMD’s billing system was unreliable, and for years,  
21 SWMD collected the trash of over 4,000 nonpaying customers for free. *See* Dkt. No. 557-1 at  
22 13.

23 Beyond administrative matters, the Receiver needed to obtain the requisite environmental  
24 permits and zoning approvals to begin the Layon Landfill construction and find a way to  
25 increase the life span of the Ordot Dump, which was on course to reach its maximum capacity by  
26 September 2009. *See* Dkt. No. 250-1 at 14–15.

27 The Receiver also faced many external obstacles. The court recalls the following challenges:

- 28 • The uncertainty of the Government of Guam’s legal title to the Layon Landfill site  
29 and difficulty obtaining the requisite zoning approvals (*see* Dkt. Nos. 270 at 1; 272

1 at 5);

- 2 • The Government of Guam's prolonged inability to pass a workable funding plan,  
3 followed by its noncompliance with the court's order to make payments to fund the  
4 Consent Decree projects (*see e.g.*, Dkt. Nos. 312 at 3; 330; 340; 372; 388; 403);
- 5 • Efforts to interfere with Guam Environmental Protection Agency's compliance with  
6 the court-ordered permitting process for the Layon Landfill (*see* Dkt. Nos. 449, 450);
- 7 • The discovery of a colony of the Guam Tree Snail (*Partula radiolata*) at the Ylig  
8 Bridge project site and the accompanying measures needed to relocate the locally-  
9 listed endangered species (*see* Dkt. Nos. 461 at 3; 464 at 1);
- 10 • The discovery of ancient remains within the right-of-way of the Access Road (*see*  
11 Dkt. No. 715-1 at 9);<sup>1</sup>
- 12 • The discovery of an unexploded ordinance at the Ylig Bridge project site;
- 13 • The Treasurer of Guam's unauthorized withdrawal of approximately \$4.7 million in  
14 excess of SWMD's expenditures from the SWMD bank account (*see* Dkt. No. 649  
15 at 3-4); and
- 16 • The recent discovery of illegal dumpsites in the vicinity of the Ordot Dump that  
17 could complicate the final closure process (*see* Dkt. No. 740).

18 Despite these challenges, the Receiver has turned the formerly defunct SWMD into an  
19 efficient, reliable, and self-financing government entity. Under the Receiver's direction, SWMD  
20 has implemented new trash cart and billing systems, which have contributed to an increase in the  
21 number of paying customers from 12,589 to more than 17,000. *See* Dkt. No. 715-1 at 3.  
22 Furthermore, the Receiver reduced the number of SWMD employees by 45%, while providing more  
23 reliable services to customers, as illustrated by the on-time-trash-collection rate of 99.7%. *See* Dkt.  
24 No. 794-1 at 2, 14. The Receiver has also expanded services: a curbside recycling pilot program is

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<sup>1</sup> Winzler & Kelly worked with the Guam Historic Preservation Office of the Department of Parks and Recreation and SWCA (an archaeological consultant) to prepare a mitigation plan and remove the remains pursuant to the plan. *See* Dkt. No. 715-1 at 10.

1 currently in place; a bulky and metallic item collection program slated to begin this month, and as  
2 required under the Consent Decree, a plan for a household hazardous waste facility is under works.  
3 *Id.* at 2, 17. All this, while operating at 46% below the SWMD budget and with funds derived solely  
4 from user fees. *Id.* at 19

5 In addition to the improvements at SWMD, the Receiver has made significant strides in  
6 fulfilling the requirements of the Consent Decree. Most recently, after almost two decades of CWA  
7 noncompliance, the Receiver closed the Ordot Dump and opened the Layon Landfill.<sup>2</sup> The long  
8 overdue closing of the dump and the opening of the landfill are monumental achievements for the  
9 Receiver, the employees of SWMD, and the entire island of Guam.

10 Based on the foregoing, the court hereby orders that the Ordot Dump stop receiving trash,  
11 *nunc pro tunc* to August 31, 2011, and that all trash be taken to the Layon Landfill, *nunc pro tunc*  
12 to September 1, 2011. The court notes that the new Layon Landfill is fully compliant with the  
13 CWA. Additionally, the Receiver shall continue to work on finalizing the closure of the Ordot  
14 Dump and fulfilling the remaining requirements of the Consent Decree.

## 15 **II. THE QUARTERLY REPORT**

16 Pursuant to the concerns raised at the Hearing and in the Report, the following items are  
17 **ORDERED:**

### 18 ***Fiscal Year 2012 Operating Budget***

19 At the hearing, the Receiver proposed a Fiscal Year 2012 (“FY 2012”) operating budget  
20 to the court, noting that the budget needed to be significantly increased as it is the first year that the  
21 system will be fully operational with all of its new components.

22 The FY 2012 operating budget proposal is as follows:

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<sup>2</sup> The Receiver was able to achieve these milestones with the help of many others, including the employees of SWMD, the contractors and subcontractors involved with the Consent Decree projects, DPW, Guam Environmental Protection Agency, U.S. EPA, and the parties. The court commends the efforts of those listed and all of the others that contributed to closing the Ordot Dump and opening the Layon Landfill.

Layon Landfill	\$3,760,190
GSWA Personnel	\$2,602,805
Commercial Transfer Station	\$2,747,614
Debt Service	\$4,497,097
Reserves	\$3,729,546
Other Expenses (including fuel, fleet maintenance, capital outlay, utilities, equipment, and the Receiver cost)	\$4,211,764
<b>TOTAL FY 2012 OPERATING BUDGET</b>	<b>\$21,549,016</b>

The court finds that the budget is reasonable and hereby approves the proposed FY 2012 operating budget. Furthermore, the court notes that there are some costs that the Receiver cannot estimate precisely at this time, and hereby authorizes the Receiver to modify the FY 2012 operating budget to address additional needs that may arise during the year.

#### ***Delinquent Commercial Hauler Accounts***

The Receiver reported that collecting payments from commercial haulers continues to be problematic. Following the last quarterly hearing, the court approved an incentive approach to the delinquency problem. Under the incentive approach, commercial haulers were offered a ten percent discount if they: (1) paid electronically via ACH, (2) paid on time, and (3) refrained from relying on Public Law 25-93 to reduce the amount owed.

Of the five commercial haulers, Mr. Rubbishman was the only hauler to qualify for the incentive discount in July 2011, and is the only hauler that is current with its payments. The other four commercial haulers remain in arrears. The largest unpaid balance is \$1,379,500, and the most delinquent account is 465 days behind.<sup>3</sup>

To deal with the delinquency problem the Receiver proposed the following policy:

**Delinquent bills, discontinuance of service, service charges:** Any unpaid balance after sixty (60) days shall be considered delinquent and shall result

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<sup>3</sup> That is 465 days in excess of the 60-day grace period provided by Guam law.

1 in a letter notifying the commercial hauler that service will be discontinued  
2 unless the account is paid in full within thirty (30) days of the date on the  
3 letter. If the account is not paid in full within thirty (30) days of the date of  
4 the letter, the account will enter a 30-day termination period. At the  
5 beginning of the 30-day termination period, a public announcement will be  
6 made of the pending termination to allow the customers of the terminating  
7 hauler to make other arrangements for the proper disposal of their trash.  
8 Termination will be accomplished by barring the delinquent commercial  
9 hauler from using the disposal facilities.

10 **Restoration of service following collection of the account:** Whenever any  
11 delinquent commercial hauler whose service has been terminated pays the  
12 account balance in full and posts a payment bond equivalent to the total  
13 billing to the account for the 12 months prior to the account's termination and  
14 a service fee of \$1,000 to defer the cost of restoring their service, service  
15 shall be restored.

16 Liability of the commercial hauler for payment of all unpaid bills remains the  
17 responsibility of the commercial hauler even if service is not restored.  
18 Delinquent commercial haulers shall also be responsible for any reasonable  
19 collection costs incurred.

20 The court recognizes that this is a significant problem since over 60% of SWMD's revenue  
21 is derived from commercial billings. Accordingly, the court hereby approves the proposal on an  
22 interim basis, pending a full rate and policy review and approval by the Public Utilities Commission.

### 23 ***Military Participation***

24 The Receiver reported that it is working on finalizing an agreement for the Military's  
25 participation as a customer of the Layon Landfill and the new commercial transfer station. The court  
26 hereby orders the Receiver and the Government of Guam, including the Governor and the Attorney  
27 General, to work together to finalize the agreement with the Military. Military participation shall  
28 be based on the rate of \$156 per ton as previously approved by this court for other commercial  
29 customers. The \$156 rate per ton shall remain in effect until such time as it is modified by this court  
30 or the Guam Public Utilities Commission adopts a schedule of rates for solid waste services.

31 Furthermore, the court finds that time is of the essence for this matter as the Military requires  
32 trash service by October 1, 2011. Accordingly, the Receiver and the Government of Guam shall  
33 make it a priority to finalize the agreement with the Military.

1           ***Guam Solid Waste Authority Act***

2           On April 18, 2011, the Guam Legislature passed the Guam Solid Waste Authority Act (“the  
3 Act”). *See* 10 GUAM CODE ANN. Ch. 51A. The Act named the Guam Solid Waste Authority  
4 (“GSWA”), an autonomous agency, as the successor of SWMD. *See* 10 GUAM CODE ANN. §  
5 51A103 (“The Solid Waste Management Division, a sub-entity of the Department of Public Works  
6 shall continue in existence as *an autonomous, public corporation* now referred to as the Guam Solid  
7 Waste Authority (GSWA).”) (emphasis added). Accordingly, the court hereby vests the Receiver  
8 with full power and authority over GSWA, to the full extent of its previously granted authority over  
9 SWMD. *See* Dkt. No. 239.

10          Furthermore, the court notes that the Receiver raised some issues concerning the Act with  
11 the Office of the Attorney General. The Attorney General is hereby ordered to respond to the issues  
12 raised by the Receiver on or before October 15, 2011. If the Attorney General finds that this date  
13 is impractical, the Attorney General shall work with the Receiver to determine a reasonable date.

14           ***Government of Guam's Motion for Order Authorizing Receiver to pay Capital Cost***  
15           ***Expenses from Bond Proceeds***

16          Finally, the court acknowledges that the Government of Guam filed a Motion for an Order  
17 Authorizing Receiver to pay Capital Cost Expenses from Bond Proceeds. *See* Dkt. No. 790. The  
18 United States shall file its response to the motion by September 30, 2011, and the Government of  
19 Guam shall file its reply by October 14, 2011. The Receiver shall also file its position on the motion  
20 by September 30, 2011.

21           **SO ORDERED.**



/s/ Frances M. Tydingco-Gatewood  
Chief Judge  
Dated: Sep 02, 2011

# EXHIBIT B

June 28, 2023

TODD KIM  
Assistant Attorney General  
Environmental & Natural Resources Division  
VALERIE K. MANN  
Environmental Enforcement Section  
United States Department of Justice  
150 M Street NE  
Washington, DC 20002

Attn: United States Environmental Protection Agency – Region 9  
Ms. Karen Ueno  
75 Hawthorne Street  
San Francisco, California 94105-3901

Via Email:  
[ueno.karen@epa.gov](mailto:ueno.karen@epa.gov)  
[Valerie.mann@usdoj.gov](mailto:Valerie.mann@usdoj.gov)

**RE:** Submittal of GEPA Supplemental Environmental Project Completion Report  
For the Harmon Residential Transfer Station Agat, Guam

Dear Ms. Ueno,

In accordance with the provisions of Section VII, Paragraph 17, 18, 19, 21, and Appendix C of the Consent Decree in Civil Case No. 02-00022, United States of America v. Government of Guam and Guam Solid Waste Authority filed February 11, 2004 (the “Consent Decree”), the Receiver – Gershman, Brickner and Bratton, Inc. (GBB) for the Guam Solid Waste Authority (GSWA) submits herewith the enclosed Supplemental Environmental Project (SEP) Completion Report. The SEP is for the Harmon Residential Transfer Station Household Hazardous Waste (HHW) Facility. The SEP Completion Report (Report) documents the completion of solid waste management infrastructure improvements undertaken by the Receiver. The Project involved the design, permitting, construction, and operation of a permanent HHW collection facility to serve the residents of Guam as required by the Consent Decree. Additional SEP requirements assigned to the Government of Guam (GovGuam) will be documented in a separate Completion Report to which this Receiver’s report can be attached.

The Receiver’s Completion Report contains the following information:

1. A detailed description of the SEP as implemented by the Receiver;
2. A description of any implementation problems and solutions thereto;
3. An itemization of all SEP costs and acceptable evidence of such costs;



SOLID WASTE  
MANAGEMENT  
CONSULTANTS  
RECEIVER

Innovative, Sustainable Solutions  
for Solid Waste Management



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4. Certification that the SEP requirements of the Receiver have been completed pursuant to the provisions of the Consent Decree, including Appendix C;
5. A description of the environmental and public health benefits resulting from the Receiver's implementation of the SEP (with a quantification of the benefits and pollutant reduction to the extent feasible); and
6. Copies of any training materials, brochures, databases, or software relating to the SEP.

The SEP eligible expenditures spent by the Receiver were \$3,211,014, which exceeds the minimum SEP requirement of \$1,000,000. Additional SEP Requirements and expenditures were the responsibility of the Government of Guam and the Guam Environmental Protection Agency "GEPA". A listing of the Government of Guam's and GEPA's responsibilities is included in this report for your reference.

If you or your staff have any questions, please contact me at the following phone number and email address; (703) 853-7806, [clund@gbbinc.com](mailto:clund@gbbinc.com).



Signed

6/28/2023

Date

Christopher A. Lund, P.E.  
Receiver Representative  
**Gershman, Brickner & Bratton, Inc.**

Enclosures: Supplemental Environmental Project Completion Report

Cc with Enclosure: Harvey Gershman, GBB  
Irvin Slike, GSWA  
Douglas B. Moylan, Attorney General of Guam  
Michelle C.R. Lastimoza, Administrator Guam EPA

# **Supplemental Environmental Project Completion Report Regarding the Guam Solid Waste Authority Consent Decree**

Civil Case No. 02-00022  
United States of America v. Government of Guam  
Guam Solid Waste Authority

Prepared for:

United States

Submitted by:



Gershman, Brickner & Bratton, Inc.  
8300 Boone Boulevard, Suite 500  
Vienna, Virginia 22182

June 28, 2023

Printed on recycled paper.

### CERTIFICATION STATEMENT

I certify under penalty of law that I have examined and am familiar with the information submitted in this document and all attachments and that this document and its attachments were prepared either by me personally or under my direction or supervision in a manner designed to ensure that qualified and knowledgeable personnel properly gathered and presented the information contained therein. I further certify, based on my personal knowledge or on my inquiry of those individuals immediately responsible for obtaining the information, that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing and willful submission of a materially false statement.



Signed

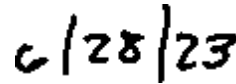
Harvey W. Gershman, Founder Associate

Gershman, Brickner & Bratton, Inc.

Federal Receiver Representative for the Guam

Solid Waste Authority

United States District Court for the Territory of Guam



Date

# 1. DETAILED DESCRIPTION OF THE SEP AS IMPLEMENTED

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## 1.1 OVERVIEW

This report is presented to the United States as the ***Supplemental Environmental Project Completion Report in accordance with Section VII, Paragraph 21, of the Consent Decree*** in Civil Case No. 02-00022, **United States of America v. Government of Guam and Guam Solid Waste Authority** filed February 11, 2004 (the “Consent Decree”). With the submission of this report, the Receiver certifies that it has completed the SEP required by Appendix C of Civil Case No. 02-00022 with the overall goal to *‘develop a paradigm shift from current disposal practices to safer and viable options, decrease the quantity of household hazardous waste generated or stored on island for any considerable amount of time.’* The Supplemental Environmental Project described in this report was undertaken in connection with the settlement of the above-referenced enforcement action under the Clean Water Act and ordered in the Consent Decree.

The construction of a Household Hazardous Waste (“HHW”) facility is an essential requirement of the Consent Decree, as the Ordot Landfill, Guam's only disposal facility available to the general public at that time, is unlined. Further, there were no HHW collection programs in place prior to the Consent Decree. Common HHW products include, at minimum, used oil and batteries, paint, and pesticides.

The goal of this Project was to develop a comprehensive waste diversion strategy to eliminate the land disposal and prolonged storage of HHW in Guam. In large quantities, the cumulative effect of the management of HHW in an island community can cause problems in the environment where natural resources are fragile and limited.

The SEP contemplates three main deliverables:

- 1) HHW Collection Program. This product is a planned service for residents to properly dispose of their HHWs safely, conveniently, and consistently.
- 2) HHW Diversion for Island Communities Guide. This product is a guidance document for the proper collection, storage, and disposal of HHWs. The guidance document will include:
  - a) The quantities and types of HHWs generated on Guam;
  - b) A list of alternative nonhazardous products;
  - c) Safety guidance on handling HHW; and
  - d) List of alternate disposal sites.

- 3) HHW Receiving Facility. This product is the construction and operation of a HHW receiving facility.

Throughout the Receivership, GBB received direction and guidance from GEPA and US EPA with respect to the requirements of the SEP. Both parties worked closely with the Receiver to define the SEP project requirements that the Receiver was to implement and bring about its successful completion. It is important to recognize that two of the three deliverables were related to HHW program implementation. The construction and operation of the HHW facility at Harmon Residential Transfer Station achieved both the planned service for residents to properly dispose of their HHWs safely, conveniently and consistently, and guidance for the proper collection, storage, and disposal of HHWs.

This Report documents the completion of the Harmon Transfer Station HHW Facility Project undertaken by the Receiver as documented and reported to the Court and parties to the Consent Decree. Milestones of the Receivership's SEP Activities as recorded in Quarterly Reports submitted to the Court may be found in Attachment D. The SEP eligible expenditures totaled \$3,211,014 for development, design, permitting, construction, and operation, which exceeds the minimum SEP requirement of \$1,000,000 (2004\$). This project was undertaken in connection with the settlement of a civil enforcement action taken by the United States for violations of the Clean Water Act. The ***Harmon Residential Transfer Station HHW Facility Project (Project)*** involved the design and construction of infrastructure components for the management of HHW to benefit the residents of Guam. Details of the project are provided below.

### Harmon Residential Transfer Station HHW Facility Project:

Funding Agency:	Government of Guam Receiver for the Guam Solid Waste Authority, Government of Guam Phone: 703-573-5800 Email: <a href="mailto:hgershman@gbbinc.com">hgershman@gbbinc.com</a> Website: <a href="https://www.guamsolidwastereceiver.org/">https://www.guamsolidwastereceiver.org/</a> Project Site: Harmon Residential Transfer Station Harmon Industrial Park Road Harmon, Tamuning, Guam
Property Owner:	Guam Solid Waste Authority/Government of Guam Irvin Slike, General Manager Phone: 671-646-3111 Email: <a href="mailto:Irvin.slike@gsua.guam.gov">Irvin.slike@gsua.guam.gov</a> Website: <a href="https://www.guamsolidwasteauthority.com/">https://www.guamsolidwasteauthority.com/</a>
Design Firms:	Winzler & Kelley/GHD Paul K. Baron, Principal Engineer Phone: 808-376-5158 Website: <a href="https://www.ghd.com/en-us/index.aspx">https://www.ghd.com/en-us/index.aspx</a>
Contractor:	Maeda Pacific Corporation Thomas J. Nielsen Phone: 671-646-4326
Construction Monitoring:	Bryan J. Ryley, GHD Phone: 671-472-6792 Website: <a href="https://www.ghd.com/en-us/index.aspx">https://www.ghd.com/en-us/index.aspx</a>

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## 1.2 BACKGROUND

The Island of Guam is a United States Territory with an area of 210 square miles in the Western Pacific Ocean. Guam has a population of approximately 170,000, and it is the largest and southernmost island of the Mariana Islands. The primary civilian Municipal Solid Waste (MSW) Disposal site in Guam was the Ordot Dump, which has existed since



World War II and has been cited for Violation of the Clean Water Act (33 U.S.C. §1251, et. seq.). The Ordot Dump officially closed to receipt of all waste at the close of business on August 31, 2011.

The Government of Guam entered into a Consent Decree with the United States Environmental Protection Agency (“USEPA”) on February 11, 2004, to close the Ordot Dump, cease all discharges into the Lonfit River, open a new Municipal Solid Waste landfill, and develop and implement Recycling and Hazardous Waste management strategies to reduce the volume of materials going into the landfill (“the Consent Decree Projects”).

Following the Consent Decree, the Government of Guam, through its Department of Public Works, proceeded with certain studies, surveys, and engineering designs toward the Closure of the Ordot Dump and the siting and development of a new lined, leachate controlled Municipal Solid Waste landfill (the “Layon Landfill”) located in Inarajan. However, the schedule of compliance in the Consent Decree was not met and progress to achieve compliance was deemed unsatisfactory by the U.S. EPA and the United States District Court of Guam. Therefore, on March 17, 2008, the United States District Court of Guam issued a court order appointing Gershman, Brickner & Bratton, Inc. (GBB), a solid waste management consultant, as Receiver to achieve the Guam Government’s compliance with the Clean Water Act as set forth in the Consent Decree and implementation of the Consent Decree Projects, with full power and authority to enforce the Terms of the Consent Decree and to assume all of the responsibilities, functions, duties, powers, and authority of the Guam Solid Waste Management Division of the Department of Public Works (now the Guam Solid Waste Authority (“GSWA”), and any and all departments or other divisions of the Department of Public Works insofar as they affected the Government of Guam’s compliance with the Consent Decree. On April 29, 2019, the Court ordered a partial ending of the Receivership, turning over all administrative and operational requirements to the Guam Solid Waste Authority (“GSWA”), who replaced the Department of Public Works for solid waste management, and leaving the further management of the Ordot Dump closure and post-closure to the Receiver.

### Consent Decree – HHW Facility

The construction of a Household Waste facility is an essential requirement of the Consent Decree, as the Ordot Dump, Guam's only disposal facility available to the general public, which, unlike properly designed modern landfills, does not have a liner to prevent waste migration or groundwater contamination.

Further, there were no HHW collection programs in place prior to the Consent Decree for such common HHWs such as used oil and batteries, paint, and pesticides generated by households.

The goal of the Project was to develop a comprehensive waste diversion strategy to eliminate the land disposal and prolonged storage of HHW in Guam. In large quantities, the cumulative effect of the management of HHW in an island community can cause problems in the environment where natural resources are fragile and limited. The Supplemental Environmental Project was designed to address the following concerns:

- (1) HHW is a waste stream that is not regulated under local statutes and regulations. In fact, regulations allow for the disposal of such waste in a sanitary landfill.
- (2) Guam's disposal location for municipal solid waste is a dump created before regulatory standards were established and, therefore, without appurtenances to prevent waste migration or groundwater contamination.
- (3) HHW was being either stored at homes or numerous unknown locations because of illegal disposal. There are instances when GEPA inspectors have had to remove HHWs, specifically spent lead acid batteries, from within wellhead protection areas.

A thorough understanding of the quantity and types of HHW in the community was needed to develop efficient implementation strategies to eliminate the land disposal, improper management, and prolonged storage of HHW. There was no tracking system in place to provide a reasonable estimate of the quantity and types of HHWs generated. Further, fees charged by private HHW service providers potentially created cost barriers for the residents of Guam to properly dispose of their HHW materials. The Project team was concerned that cost barriers could impact consumer behavior at the time of HHW disposal.

#### PROJECT OVERVIEW

The Consent Decree required the implementation of a HHW collection and management program for the Guam island communities in a technical, economical, and viable approach. A plan used to fulfill the Consent Decree is schematically illustrated below in Figure 1.

<b>Task 1: Establishment of Project Team</b>
<p>The Government of Guam will hire the new staff projected in the budget.</p> <p>New Staff will undergo training, including project briefing, and goals.</p>
<b>Task 2: Establishment of Core Management Group</b>
<p>Establish the core management group, meeting schedules, goals, and objectives.</p>
<b>Task 3: Assessment</b>
<p>Survey will evaluate the number and types of household wastes generated in the community to provide future projections for long-term planning.</p>



<b>Task 4: Program Development and Implementation</b>
Implementation of HHW program with existing facilities and interim collection centers. Tasking includes close coordination with facilities and the development of guidance to ensure consistent practices. This tasking will also include the development of a HHW guidance document.
<b>Task 5: Facility Development</b>
Development, construction, operation, and management of a HHW collection and storage facility. This will include privatization and permitting activities.
<b>Task 6: Closeout</b>
Continue biannual meetings and status reports. Compile project surveys and reports and prepare and submit the final report.

*Figure 1 - SEP Project Tasks*

## Description of Work

The Receiver was appointed by the Court to manage, supervise and oversee the Solid Waste Division of the Department of Public Works.<sup>1</sup> As it relates to the SEP, the Receiver was responsible for completion of Task 5 of the SEP which included development, construction, and operation of a HHW Collection Facility. Details of the work completed by the Receiver to comply with the SEP Project requirements included in the Consent Decree are detailed below.

### **TASK 5: FACILITY DEVELOPMENT**

During the interim collection period, the project team members prepared and implemented the design, development, construction, operation, and management of a permanent HHW collection center. The purpose of this facility is to receive or collect HHW on a regular basis and provide an opportunity to organize the proper disposal of this waste stream to EPA-approved facilities.

The tasks were divided into four phases: Site selection and development, construction, operation, and management.

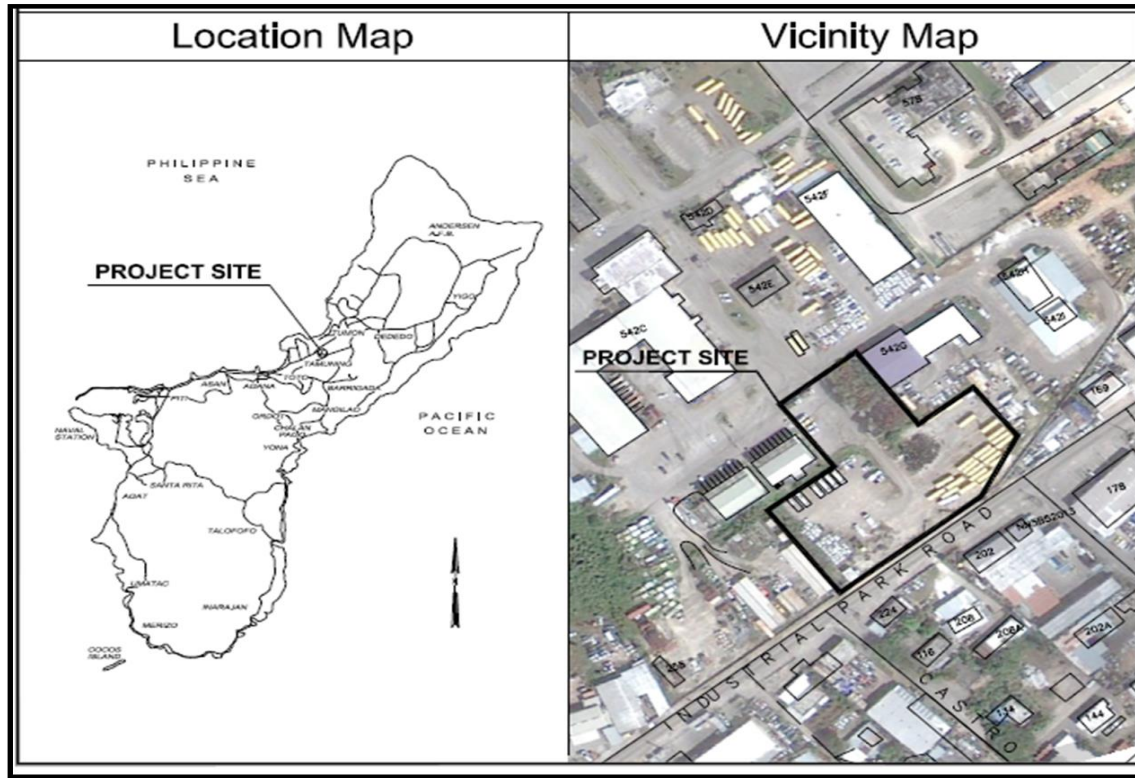
#### *Site Selection and Development*

GEPA worked with DPW, the Department of Land Management (OLM), Chamorro Land Trust Commission (CLTC), and other government and private entities to locate a site that was unpopulated, yet centralized and accessible to residents.

Upon determining the site, project staff coordinated with the Mayor of the Village where the facility was to be located. Public outreach and meetings were held. DPW, with the assistance of GEPA, to assist in the

<sup>1</sup> Case 1:02-cv-00022 Document 239 Filed 03/17/2008

development of Requests for Proposals for the design, construction, and operation of the collection and storage facility. The contractor selected for the design and construction was required to conduct an environmental impact assessment and obtain proper permits. USEPA was notified and apprised of the status of the steps of this development stage of this task on a quarterly basis. The site location and vicinity map are shown in Figure 2 below.



**Figure 2 – Location and Vicinity Maps**

#### *HHW Facility Design and Layout*

The facility layout is shown in Figure 3 below.



**Figure 3 – HHW Facility and surroundings**

The entrance and exit for customers are from Harmon Industrial Road along the south facility boundary. The customer circulation route through the Residential TS is counterclockwise from entrance to exit. The HHW Facility is just after the Pay Station located along the left side of the customer circulation route to facilitate communication and drop off of HHW materials. The HHW Facility's covered receiving area protects customers and materials from rain.

The Bulky waste, MSW and recyclable drop off areas are located on the right side of the circulation route facilitating change out of drop off containers. Additionally, to separate customers from the haul trucks, drop off containers brought into and exit the facility via a separate route that is not used by residential customers.

The Residential TS has a design capacity based on operational records and experience of the GSWA in the management of the Dededo, Agat, Malojloj transfer stations, and the Ordot dump convenience drop off. The Residential TS is staffed to provide for the range of tonnages and additional staff and equipment can be brought on to adjust to varying incoming material volumes. In addition, GSWA facility parking areas can be used, when necessary, to provide additional customer queuing areas.



### Construction

DPW, with the assistance of GEPA, established the Request for Proposal to construct the facility as designed in the development stage of this Task. DPW and GEPA conducted oversight of the construction phase of the facility. The construction was completed within a two-year period. Construction progress photos are shown below.



2/19/2013 – Site Preparation



3/26/2013 – Foundation Work



7/2/2013 – Walls of HHW erected.



11/6/2013 – HHW building roof complete.



1/22/2014 – Utilities and sitework



3/15/2014 – HHW facility completed.

### *Operation*

The facility opened for operations on January 23, 2015. The delay in opening the facility was due to delays in the issuance of the facility's operating permit by GEPA. The operating permit for the facility may be found as Attachment B.

DPW, with the assistance of GEPA, established a Request for Proposal for the operation of the collection and storage facility. The Request for Proposal was submitted to USEPA for review and comments. Operation of the facility entails collection and storage, and preparation of HHWs prior to off-island disposal and end-users. Unlimited Service Group was hired to operate the facility and provide proper disposal of the materials collected. A copy of the HHW Facility Operating Plan is included in Attachment C.

### *Management*

The management of the facility was established and conducted by the contractor of the operation of the facility with oversight from GEPA and DPW. Oversight from GEPA and DPW included on-going scheduled inspections of the operation and management of the facility. These inspections provided comments and recommendations on the operations of facility management may revise the operation of the facility with the approval of USEPA, GEPA, and DPW if revisions will positively affect the goals of this SEP Project.

### *Receiving Area*

Customers are served under the covered receiving area at the east side of the HHW building. The receiving area has a spill kit available in the event a spill occurs while off-loading the waste from the customer's vehicle. The receiving area is designed to prevent stormwater pollution and is constructed of concrete. Potential spills that may occur while waste is received will be managed with spill response operational controls by HHW personnel. Spill prevention, countermeasures and control are discussed in detail in the Residential TS Spill Prevention, Countermeasures and Control (SPCC) Plan which is onsite in the HHW Office. The ponding basin nearest the receiving area is part of the stormwater system and will have spill response operational controls protecting discharge from it in the event of a spill.

### HHW Building

All HHW received at the HHW Facility is characterized, segregated and/or processed through the HHW building (See Figure 4). The building consists of three (3) storage rooms, and a 275-gallon doubled-walled polyethylene plastic used-oil container adjacent to the building. The building allows for processing waste during inclement weather conditions. All electrical wiring and fire suppression fixtures have been installed and approved according to the standards of the Uniform Fire Code.

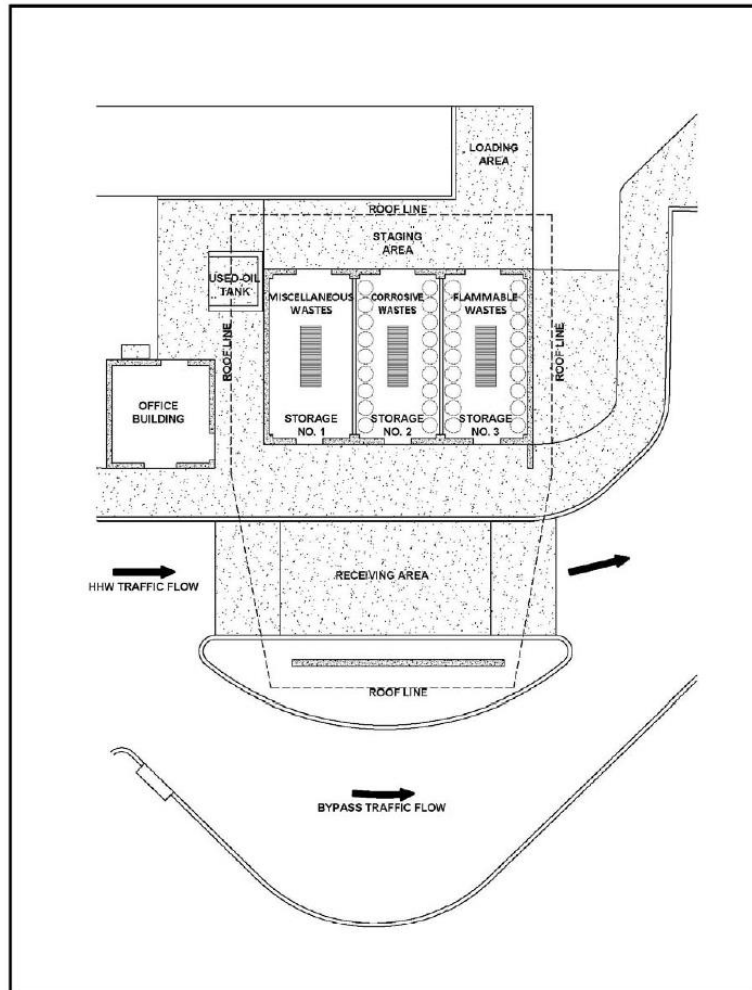


Figure 4 – HHW Building Layout

The door openings in each storage area and mechanical ventilation allow fresh air to be drawn into all areas of the building. Fresh Air flow is drawn in from outside through ventilated doorways and up through the roof ventilator and discharged from the storage areas.

The building and covered receiving area are equipped with a water sprinkler system for fire suppression. The building is also equipped with fire extinguishers and an eyewash/safety shower. An audio and visual alarm is located on both the east and west side walls between storage doors 2 and 3, and doors 1 and 2, respectively, and activated in several ways; with the pull handle at the building, with the pull handle at the HHW Office, when one of the smoke detectors is tripped, or when the sprinkler system activates (pressure sensor in the sprinkler water supply pipe). The sprinkler system only activates if the heat sensor

on an individual sprinkler head reaches the set temperature. In the event of a fire, the 20-minute flow from the fire suppression system will produce approximately 2,100 gallons of water.

*Reuse Materials*

Materials for reuse will be segregated from the rest of the HHW, when possible, to be available for reuse by customers. Materials will be primarily unused and mostly paints.



## 2. DETAILED DESCRIPTION OF ANY IMPLEMENTATION PROBLEMS AND THE SOLUTIONS THERETO

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### MAEDA PACIFIC CONSTRUCTION DELAYS

Maeda Pacific Corporation (MPC) failed to adhere to the contractually agreed schedule for completing the Harmon Residential Transfer Station and the HHW Facility. As a result, GBB, in its capacity as Receiver for the Guam Solid Waste Authority (GSWA), asserted a claim for liquidated damages pursuant to the contract. GSWA assessed \$663,000.00 as liquidated damages and asserts that it was owed \$156,516.61, the difference between the amount owed to MPC and the assessment of liquidated damages. MPC appealed the decision enforcing the claim seeking a determination that the liquidated damages clause was void or unenforceable. Ultimately, GSWA settled out of court with Maeda for liquidated damages in the amount of \$298,091.39.

### GEPA PERMITTING DELAY

As mentioned earlier, there was a delay in initiating operations at the facility due to GEPA delaying the issuance of the facility's operating permit. Details of this delay are included in the Special Report of the Receiver dated January 9, 2015<sup>2</sup>. This delay occurred from approximately March 2014 until January of 2015. The facility commenced operations on January 23, 2015. See Case 1:02-cv-00022 Document 1492 Filed 01/16/15.

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<sup>2</sup> Case 1:02-cv-00022 Document 1482 Filed 01/09/15.



### 3. ITEMIZATION OF ALL SEP COSTS AND ACCEPTABLE EVIDENCE OF SUCH COSTS

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Table 1 below shows an estimate for the SEP costs related to the development, construction, and operation of the HHW Facility. As the HHW Facility was developed and constructed concurrent with the Harmon Transfer Station, the Receiver has calculated the apportioned cost of construction of the HHW facility. The customer apportioned cost was estimated by creating a ratio of the number of customers visiting the HHW facility over the total number of customers visiting the Harmon Transfer Station. The HHW facility customer to Harmon Transfer Station customer ratio was found to be 0.3461. The square foot apportioned cost was estimated by creating a ratio of the square footage of the HHW facility when compared to the total square footage of the Harmon Transfer Station. The HHW facility square footage to the total Harmon Transfer station square footage ratio was found to be 0.2528 (26,300 SF / 103,984 SF). The source of these values is numerous Quarterly and Special Reports filed by the Receiver with the Court as required by the Consent Decree, and are attached as Attachment D.

Operational costs for the HHW Facility are incurred under the contract with Unlimited Service Group and are reported in the Quarterly reports filed by the Receiver. As of the Quarterly Report of the Receiver dated August 4, 2016 (see *Tab 5. - Status of Receiver's Primary Contracts for Period Ending March 2016*), operational expenditures paid to Unlimited Service Group through March 31, 2016, totaled \$614,155.00. This represented 13 months of operations and an average monthly expenditure of \$47,242.69. Using this average, the total operational expenditure from January 23, 2015, to March 31, 2019 (the date operations were transferred to GSWA and equaling 49 months of operations under the Receiver) is approximately \$2,314,892.

*Table 1 – Itemization of Development, Construction, and Operational Costs of the HHW Facility*

Task	Contractor	Source Document	Total Cost	Customer Apportioned Cost	Square foot Apportioned Cost
Construction	Maeda Pacific Corporation	HRTS Pay Request 17	\$2,445,763.50	\$846,582.74	\$618,289.01
ESA Survey	GHD	WK TO 2011-09 signed by Lund	\$5,581.29	\$1,931.92	\$1,410.95
Harmon Design	GHD	Task Order WK-2011-10	\$262,352.00	\$90,811.18	\$66,322.59
Harmon Renovation Layout	GHD	Task Order WK 2011-08 signed by Lund	\$15,992.85	\$5,535.81	\$4,042.99
Harmon RTS CM	GHD	GHD Task Order 2012 - 19 signed by Lund	\$446,455.00	\$154,537.06	\$112,863.82
Harmon Struct Design Add	GHD	GHD Task Order 2012 - 14 (Harmon Struct Design Add)	\$23,144.00	\$8,011.12	\$5,850.80
Harmon TS SWPPP and SPPCC Plan Prep	GHD	GHD Task Order - 17 signed by Lund	\$44,960.00	\$15,562.57	\$11,365.89
Harmon TS Water Tank Design Add	GHD	Task Order WK 2012-15 signed by Lund & Baron	\$25,877.00	\$8,957.13	\$6,541.71
Add HRTS CM Svcs	GHD	GHD TO 2013-27 HRTS ADD'L CM signed by Lund	\$85,842.00	\$29,713.57	\$21,700.86
Add HRTS CM Svcs 2	GHD	GHD Task Order 2015 - 28 signed by Lund	\$88,926.00	\$30,781.07	\$22,480.49
Add HRTS CM Svcs 3	GHD	GHD Task Order 2016 - 36 signed by Lund	\$50,000.00	\$17,307.13	\$12,640.00
<b>Development and Construction</b>		<b>Totals</b>	<b>\$3,494,894</b>	<b>\$1,209,731</b>	<b>\$896,122</b>
Operations	Unlimited Service Group	8-4-2016 Quarterly Report			\$2,314,892
<b>Grand Total</b>					<b>\$3,211,014</b>

**Totaling the development costs (Square Foot Apportioned) and operating costs through March 31, 2019 amounts to a total SEP Project Cost of \$3,211,014 completed by the Receiver.**

To determine the adequacy of the various costs related to the SEP, the Consumer Price Indices for All Urban Consumers was compared from February 2004 (the date of the Consent Decree) to March 2019 (date the Receiver transferred operation control to GSWA). This comparison results in a discount rate of 0.3652  $[(254.202-186.2)/186.2]$  to determine the Present Value of the SEP Costs in 2004 Dollars. The Present Value of the SEP costs in 2004 dollars is \$1,172,662 ( $\$3,211,014 \times 0.3652$ ) which exceeds the \$1,000,000 required by the Consent Decree. Further, this is conservative in that it assumes all the SEP Costs were paid in March 2019.

## 4. CERTIFICATION THAT THE SEP HAS BEEN FULLY IMPLEMENTED PURSUANT TO THE PROVISIONS OF THE CONSENT DECREE

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This certifies that, as a result of the completion of the ***Harmon Transfer Station Household Hazardous Waste Facility Project***, the SEP has been completed pursuant to the provisions of the Consent Decree, including Appendix C. The Receiver in its capacity as responsible for GSWA hereby certifies, on behalf of GSWA, the truth and accuracy of the following statements as outlined in Section VII, Paragraph 21 of the Consent Decree as it relates to Appendix C SEP:

- a. All cost information provided to EPA in connection with EPA's approval of this SEP is complete and accurate and represents a fair approximation of the cost to implement this SEP. The Receiver in good faith reports that it expended in excess of the required \$1,000,000 specified in Paragraph 18 of the Consent Decree, which totals approximately \$3,211,014 in development, construction, and operating costs through March 31, 2019, at which time occupancy and operations were transferred to GSWA;
- b. This report details the completion of the Receiver's efforts related to the SEP. Gov Guam is to certify its completion of the SEP stating "The Government of Guam hereby certifies that, as of the date of the Consent Decree, it was not required by any federal, state or local law or regulation to perform or develop the SEP; nor is the Government of Guam required by agreement, grant or as injunctive relief in Case No. 1:02-cv-00022 or any other case to perform or develop the SEP. The Government of Guam further certifies that is has not received, and is not presently negotiating to receive, credit in any other enforcement action for the SEP; nor will the Government of Guam realize any profit attributable to or associated with the SEP, or receive any reimbursement for any portion of the SEP from any other person."

## **5. DESCRIPTION OF THE ENVIRONMENTAL AND PUBLIC HEALTH BENEFITS RESULTING FROM IMPLEMENTATION OF THE SEP**

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Changing the mindset of island residents who had limited or no access to HHW programs was a top concern for the Project. The HHW Facility Project Team was intentional in the Project's planning, design, and operation to enable residents to adopt a proactive approach to properly dispose of HHW. The Guam Solid Waste Authority desires to preserve the limited and fragile natural resources that island residents rely on are protected for future use.

The development of the HHW Facility has resulted in significant environmental and public benefits. Without this facility, 1,784,997 pounds of hazardous materials would be either stored in residences in potentially unsafe conditions, disposed of in regular garbage that would increase toxicity in the landfill, or be illegally dumped directly into the environment.

The GSWA's Harmon Transfer Station was selected to be the site for the Project's HHW building, located at GR23+5GR, Harmon, Tamuning, due to its central location. The Harmon Transfer Station is a 2.75-acre convenience facility for non-commercial customers to drop off their municipal solid waste (MSW), and certain recyclable materials, and remains Guam's only HHW (HHW) facility. The Harmon Transfer Station also receives the highest use out of the GSWA's transfer stations.

### **HHW Facility Operations**

See Attachment C for the Harmon Transfer Station HHW Facility Operations Plan.

The Household Hazardous Waste Facility (HHWF) is open five days a week (Thursday through Monday from 9:00 a.m. to 5:00 p.m) and is free to residents of Guam. Businesses and institutions cannot use the HHWF because it is designed and permitted for HHW only. Additionally, providing similar services to businesses and other large organizations would be cost-prohibitive to the GSWA. The HHWF is operated by Unlimited Services Group whose representatives greet the customers, remove the acceptable material from the vehicle, separate the materials into the proper category, and store the material for disposal, reuse, or recycling.

### **HHWF Customers Served and HHW Pounds Diverted**

From the HHWF's opening day on January 23, 2015, through the end of June 2022, 28,699 customers used the facility bringing 1,784,997 pounds of HHW. Figures 5 and 6 show the number of customers and the quantities of HHW brought to the HHWF since the inception of the program in January 2015 through June 2022. Please note that a full list of accepted and nonaccepted items and materials is shown in Attachment C.

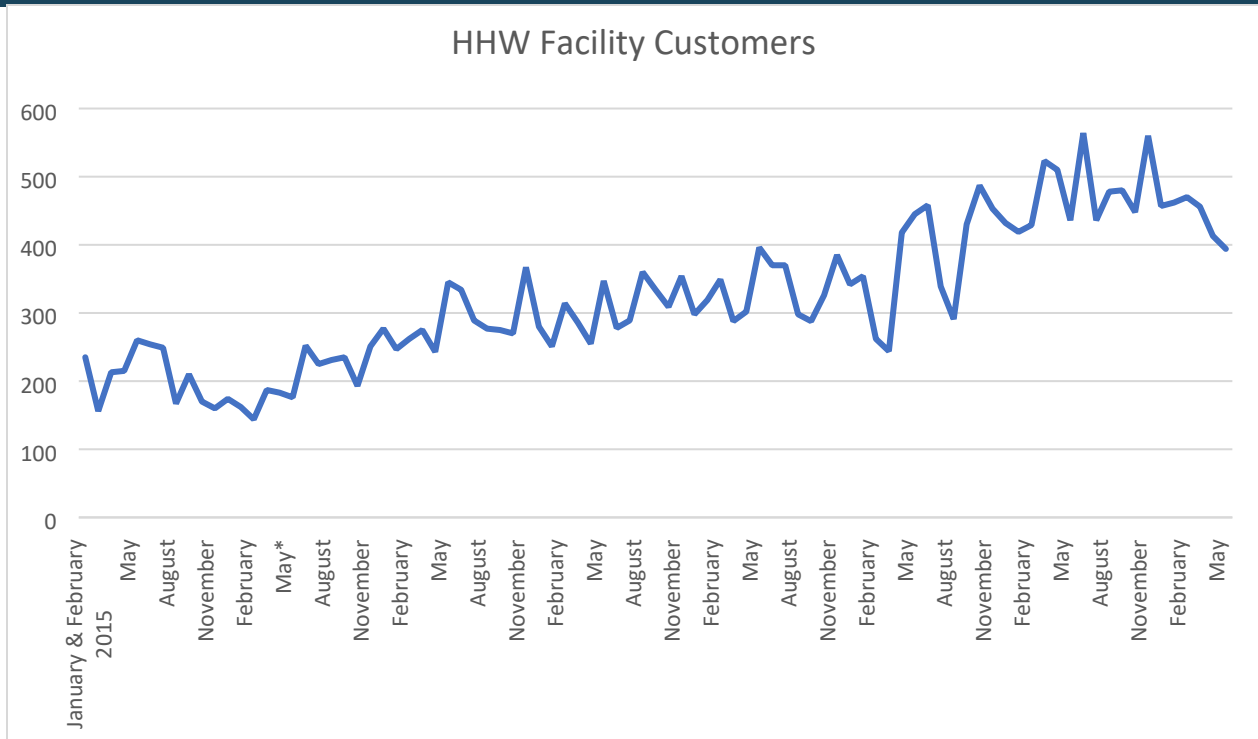


Figure 5: HHW Facility Customers

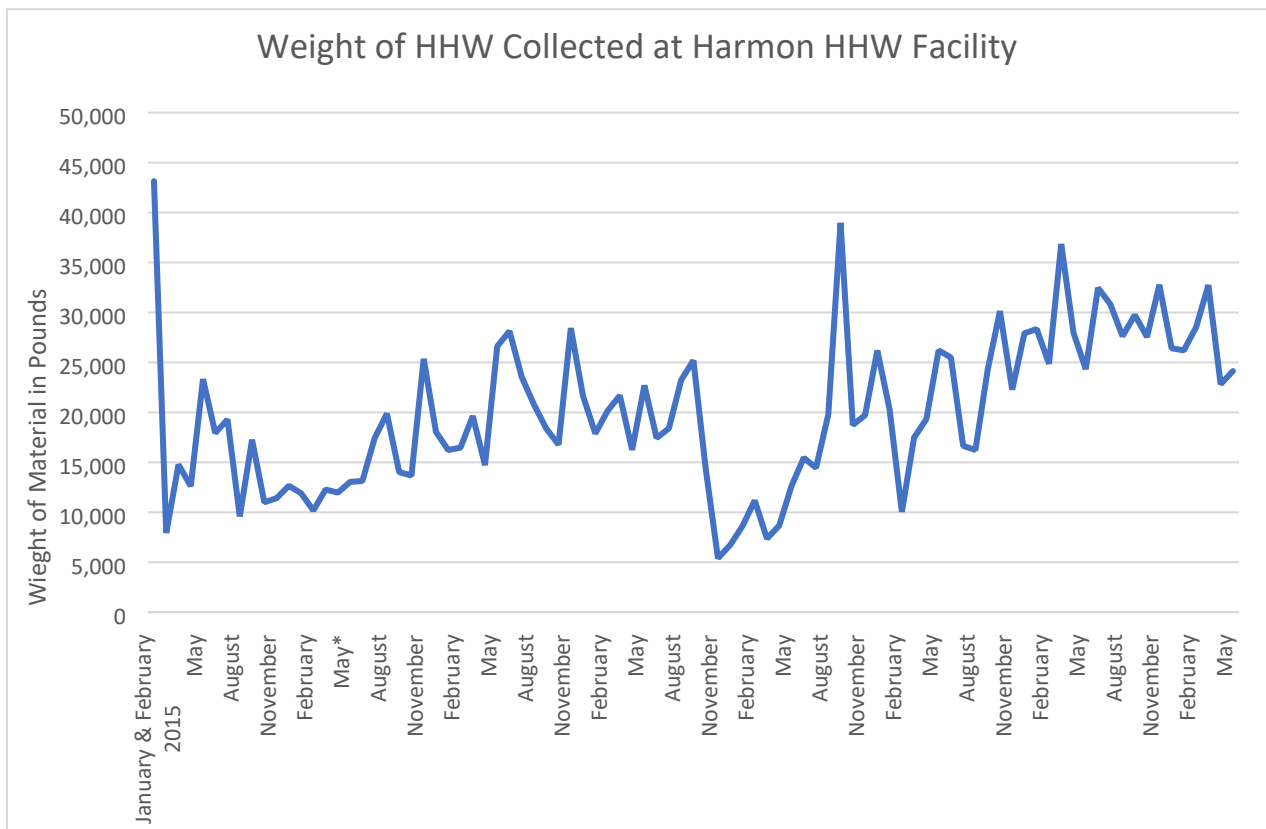


Figure 6: HHW Quantity Collected at Harmon HHW Facility

## 6. COPIES OF ANY TRAINING MATERIALS, BROCHURES, DATABASES, OR SOFTWARE RELATING TO THE SEP



### FOR IMMEDIATE RELEASE

For more information, contact:  
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Guam Solid Waste Authority  
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[avfejeran@gmail.com](mailto:avfejeran@gmail.com)  
[www.guamsolidwastereceiver.org](http://www.guamsolidwastereceiver.org)

### Household Hazardous Waste Facility and Harmon Residential Transfer Station to Open

(Guam, January, 2015) – Federal Receiver Gershman, Brickner & Bratton, Inc. (GBB) today announced that the Guam Solid Waste Authority's new Household Hazardous Waste (HHW) facility and the new Harmon Residential Transfer Station will open January 23 immediately after a brief hearing and ceremony to be conducted by the District Court of Guam. Both of the new facilities are located on Harmon Industrial Park Road behind the Government of Guam's Department of Public Works complex.

The HHW facility is an essential requirement of the Consent Decree, and the new residential transfer station replaces the one that was closed at the Ordot Dump in 2011. Both facilities will be open from 9 a.m. to 5 p.m., Thursday through Monday and be closed on Tuesday and Wednesday and on all Government of Guam holidays.

"The new Household Hazardous Waste facility will provide for the safe disposal of household hazardous waste as required by the Consent Decree. This will divert these materials from the Layon Landfill to more appropriate disposal, thereby better protecting Guam's environment and preserving needed landfill space," said David L. Manning, Receiver Representative.

"The new facility is Guam's first state-of-the-art, residential transfer station. Centrally located, it will provide the same trash disposal and recycling services as Guam's other residential transfer stations. Customers will benefit from better and safer traffic flow patterns, and find it easier to unload their materials," added Manning.

Charges for trash disposal at the new facility will be the same as at Guam's other residential transfer stations (\$7.50 up to 3 Cubic Yards and \$15.00 from 3 Cubic Yards to 6 Cubic Yards). Recycling and disposal of household hazardous waste is free. Services are open to any Guam household but may not be used by businesses and other private or public organizations. Customers are limited to 15 gallons or 100 pounds of household hazardous waste items per day.

The facility is designed so that traffic flows in one direction, with customers entering through one location and exiting at another, making it safer for customers to drop off material. The facility was also designed to enhance customer safety by keeping large service trucks in a separate lane from the one used by customers. The containers for household trash are enclosed, and trash is compacted for odor control and to maximize material in each container for more efficient hauling. The Facility will accept the following materials:



Layout of the new transfer station.

(Click [here](#) to download the large, high-resolution version for publication)



**Recycling:**

- Cardboard
- Mixed paper
- Magazines
- Junk mail
- Newspapers
- Plastic #1 & #2 containers
- Glass bottles and jars
- Aluminum and metal cans

**Trash:**

- Household trash (\$7.50 up to 3 Cubic Yards; \$15.00 from 3 Cubic Yards to 6 Cubic Yards)
- Bulky material, such as sofas and mattresses (\$7.50 per item)

**Household Hazardous Waste:**

- Electronic waste such as computer monitors; items from your garage such as brake fluid, paint, transmission fluid; items from the kitchen such as cleaners, solvents, disinfectants; other items from the home and garden such as aerosol cans, batteries, pesticides.
- See [complete list](#) of household hazardous material accepted.

The Harmon Residential Transfer Station, like the three other GSWA transfer stations at Dededo, Malojo, and Agat, **cannot accept** construction debris, metal appliances such as hot water heaters and refrigerators, and organic material such as yard waste.

"This first-of-its-kind facility in the Pacific Territories is a collaborative effort by the U.S. Environmental Protection Agency (EPA), the Government of Guam, and the Receiver that will benefit the residents of Guam by keeping [household](#) hazardous waste out of the landfill and the environment," said Jared Blumenfeld, EPA's Administrator for the Pacific Southwest.

"These new facilities are a great addition to Guam's Solid Waste System and will provide important services for all of the residents of Guam," said Bob Perron, Chairman of the Guam EPA.

**About GSWA**

The GSWA is a public agency, created by Guam Public Law 31-20. The agency is a totally self-funded operation whose mission is to help its customers dispose of their trash in an environmentally safe and regulated manner. Each week, GSWA employees collect curbside trash from approximately 17,000 customers. The GSWA also receives trash collected by commercial haulers and transported to the Hauler's Transfer Station. In all, the GSWA handles more than 90,000 tons of material a year. The GSWA also diverts material away from the landfill through services such as the Bulky and Metallic Waste curbside collection, recycling facilities at the Residential Transfer Stations, and prohibition of certain recyclables from being disposed of at the Layon Landfill. For more information on the GSWA, visit [www.guamsolidwasteauthority.com](http://www.guamsolidwasteauthority.com).


**About Gershman, Brickner & Bratton, Inc., Receiver**

In a Court Order dated March 17, 2008, U.S. District Court Judge Frances M. Tydingco-Gatewood appointed GBB to be Receiver with full responsibility for bringing the Guam Solid Waste Management Division into compliance with the 2004 Consent Decree for violation of the Clean Water Act. As Receiver, GBB's objective is to work with Guam's government, the GSWA, solid waste companies, the people of Guam, and the U.S. military to establish a long-term, financially viable and sustainable waste management system for Guam. For more information on the receivership, visit [www.guamsolidwastereceiver.org](http://www.guamsolidwastereceiver.org).

GBB is a national solid waste management consulting firm headquartered in the Washington, D.C. area that works on solid waste collection, processing, recycling, and disposal issues, and assists in planning, procuring, and implementing sound, cost-effective facilities and services at the local, state, and national levels for both the public and private sectors. Since 1980, GBB has planned and developed a wide range of integrated waste management programs that use the latest technologies to improve efficiency, save money, enhance customer service, and protect the environment. For more information on the firm and its products and services, please visit [www.gbbinc.com](http://www.gbbinc.com) or call 1-800-573-5801.


Figure 2: Harmon Household HHW Facility and Transfer Station Draft Press Release





**EPA**

**Dededo Residential  
Transfer Station**



U.S. Environmental Protection Agency • Region 9 • San Francisco, CA • June 2015

## The DEDEDO Residential Solid Waste Transfer Station will close JUNE 30, 2015

At the request of the Office of the Governor

### Why is the Dededo Residential Transfer Station Closing?

Earlier this year, the Government of Guam informed the U.S. District Court of Guam that it had elected to close the Dededo Residential Transfer Station (Civil Case No. 02-00022, Ordor). The U.S. District Court accepted the Government's decision. The Court ordered the Receiver, as a mandatory requirement of the Consent Decree for Ordor, to carry out the closure work. The Receiver has full power and authority to assume the responsibilities of the Guam Solid Waste Authority (GSWA) to comply with the Consent Decree. The U.S. Environmental Protection Agency is the federal regulatory agency for the Consent Decree.

### What are the Operating Hours of the Harmon Residential Transfer Station?

**Open:** Thursday – Monday • 9:00 a.m. – 5:00 p.m.

**Closed:** Tuesday/Wednesday and Government Guam Holidays

**Accepted:** Household Trash  
Bulky Waste  
Recyclables  
Household Hazardous Waste\*

**Cost:** Same as Dededo Transfer Station

\*Note: Residents may bring up to 15 gallons or 100 pounds of household hazardous waste per day at no charge. For more information, including the types of household hazardous waste accepted, please visit the GSWA website at <http://www.guamsolidwasteauthority.com/gswa-residential-hhw.shtml>

### Where Can I Take My Waste When Dededo Closes?

The Harmon Residential Solid Waste Transfer Station is the closest operating transfer station. It is located on Harmon Industrial Road behind the Department of Public Works complex. The Harmon transfer station also accepts household hazardous waste from residents without charge.





Photo of Harmon Residential Solid Waste Transfer Station and Household Hazardous Waste Facility.

### Are There Any Other Residential Transfer Stations?

Agat Transfer Station is located on Route 2, at the south end of Agat.

Malojloj Transfer Station is located on Route 4 (Malojloj Highway), just north of the Dandan Road intersection to Talofolo Falls.



For more information on all transfer stations call GSWA at (671) 646-3111.

Harmon Residential Transfer Station and Household Hazardous Waste Facility is located on Harmon Industrial Park Road behind the Government of Guam's Department of Public Works complex.

Figure 3: Deedo Transfer Station Closure Notice



HHW Location	HHW Material
<b>From The Garage</b>	Acetone, Artist's Paints And Media, Antifreeze, Auto Body Repair Products, Automobile Oil, Battery Acid, Brake Fluid, Car Wax, Solvent-Based, Contact Cement, Driveway Sealer, Fiberglass Epoxy, Fluorescent Light Bulbs, Gasoline/Oil Mixtures, Gasoline and Other Fuels, Glue, Solvent-Based, Joint Compound, Kerosene, Latex Paint, Lighter Fluid, Non-Automotive Oil, Oil Filters, Oil-Based Paint, Paint Thinner, Paint Stripper, Parts Cleaner, Photographic Chemicals, Rust Remover, Shellac, Stain, Transmission Fluid, Turpentine, Varnish, Wood Filler, Wood Preservative
<b>From the Kitchen</b>	Cleaners, Solvent-Based, Disinfectants, Floor Care Products, Hair Remover, Nail Polish, Nail Polish Remover, Oven Cleaner, Thermometer, Used Cooking Oil
<b>From the Home &amp; Garden</b>	Aerosol Cans, Batteries, Button, Batteries, Rechargeable, Dry-Cleaning Solvent, Fertilizer (With Pesticides), Fungicide, Furniture Polish, Metal Polish, Solvent-Based, Insect Spray, Light Ballasts, Mothballs, Pesticides, Pool Chemicals, Rat Poison, Shoe Polish, Spot Remover, Stump Remover, Thermostats, Weed Killer
<b>Electronics</b>	Monitors, Radios, Cell Phones, Pagers, Computers, Printers, DVD Players, Ups Systems, Laptops

## ATTACHMENT A – GEPA SEP RESPONSIBILITIES AND TASK ACTIVITIES

The GEPA SEP Responsibilities and Task Activities Outline and descriptions below describe the responsibilities of GEPA, as described by Appendix C of the Consent Decree.

GEPA SEP Responsibilities and Task Activities Outline		
Task #	Task Name	Task Activity
Task 1	Establishment of a Project Team	Hire, train and project brief new staff, including three new positions (EHS I, EHS II and EHS III)
Task 2	Establishment of Core Management Group	Establish the core management group, meeting schedules, goals and objectives
Task 3	Assessment	Survey will evaluate the number of types of the HHW generated in the community to provide future projections for long-term planning
Task 4	Program Development and Implementation	Implementation of the HHW program with existing facilities and interim collection centers. Tasking includes close coordination with facilities and the development of guidance to ensure consistent practices. This tasking will also include the development of a HHW guidance document.
	4.1 HHW Collection Program	This product is a planned service for residents to properly dispose of their HHWs safely, conveniently and consistently.
	4.2 HHW Diversion for Island Communities Guide	This product is a guidance document for the proper collection, storage, and disposal of HHWs. The guidance document will include:
		a) The quantities and types of HHWs generated in Guam
		b) A list of alternative nonhazardous products
		c) Safety guidance on handling HHW
		d) List of alternate disposal sites
	4.3 Outreach and Education Program	At a minimum, the Program is to explore:
		(1) Media. Well-prepared media handouts, feature articles, public service announcements, and other materials;
		(2) Information and Referral Services. A publicly advertised local telephone hotline;
		(3) Mailings and Mailing Inserts. Utilities, banks, billers, and advertisers may be sought to include HHW announcements and informational literature in their regular mailings;
		(4) Posters, Handouts, and Brochures. Flyers and posters may be displayed or distributed at collection centers, schools, libraries, community centers and senior citizen centers. Businesses may post signs and notices for shoppers and customers on how to safely manage household products that might become HHW;
		(5) Garbage Can Labeling. Plastic adhesive labels may be distributed for residents to place on their garbage cans. The labels alert people to the potential hazards of mixing HHWs with their trash, list products containing hazardous constituents, and advertise where to dispose of HHWs properly;
		(6) Street Banners. Banners announcing the place and time of collection have worked well for some communities;
		(7) Displays/Exhibits/Audiovisual Presentations. Public education staff can use slide shows, video presentations, and hands-on exhibits at community group

		<p>meetings, fiestas, or other special events, public information sessions/workshops, shopping malls, and other public forums. The public library may be evaluated for the establishment of a HHW resource center;</p> <p>(8) Speaker Bureau. Creation of listing of speakers or community education experts who can make presentations to groups with or without a speaking fee;</p> <p>(9) Formal Education. Presentations in schools and special curricula may be performed to educate students (and their parents) about managing HHWs;</p> <p>(10) Point-of-Purchase Information. Information about potential hazards of household products may be distributed where products are sold; and</p> <p>(11) Workshops and Conferences. Workshops, presentations, and conferences in managing HHWs may be considered as a means of bringing information to citizens, volunteers, businesses, and government officials.</p>
<b>Task 5</b>	<b>Facility Development</b>	Development, Construction, operation, and management of a HHW collection and storage facility. Include privatization and permitting activities
<b>Task 6</b>	<b>Closeout</b>	<p>Continue biannual meetings and status reports; Compile project surveys and reports and prepare and submit final report.</p> <p>Oversight and Responsibility throughout the Project (SEP)</p> <p>Employ Environmental Specialists</p> <p>Perform at a minimum:</p> <p>1) Research, design, organize, and implement HHW collections</p> <p>2) Research, design, and include a health and safety protocol during HHW collections and storage</p> <p>3) Research, design and implement an outreach program to obtain maximum participation</p> <p>4) Research, design and implement indicators showing the progress, pitfalls, and trends of the HHW service</p> <p>(5) Conducts, coordinates, and/or attends public meetings and/or hearings, including biannual meetings and reports.</p> <p>6) Provide survey data quality reviews.</p> <p>(7) Prepare permits.</p> <p>(8) Establish proposal review committee and review criteria. Submits recommendations to Administrator. Notifies contractor.</p> <p>(9) Collect and consolidates progress reports.</p> <p>(10) Draft, amend, finalizes, and arrange the publication and outreach for the HHW guidance document.</p> <p>(11) Prepare, amend, finalize, and submit Final Report to EPA.</p>

## **TASK 1 ESTABLISHMENT OF PROJECT TEAM**

This tasking involved the hiring, training, and project briefing of new staff. Three (3) new staff, an Environmental Health Specialist III (EHS III), Environmental Health Specialist II (EHS II), and Environmental Health Specialist I (EHS I) were identified for this project. The responsibilities for each are described in the Budget.

## **TASK 2: ESTABLISH CORE MANAGEMENT GROUP**

This tasking involves the establishment of the Core Management Group as previously described. To start, this project proposed to develop an executive order from the Governor to ensure maximum participation and commitment. By the first biannual meeting, members developed and established their meeting schedule, were briefed on the project deliverables and final goal, and understood their role, especially in areas that require their department's immediate and undivided attention.

The Core Management Group reviewed all final reports and guidance associated with the project and provided changes, if necessary. Moreover, the Group made recommendations, as necessary, to enhance the success of the project.

## **TASK 3: ASSESSMENT**

A project evaluation or assessment is important to the continued success of the HHW collection program and was accomplished prior to the development phase of a permanent facility.

### *Surveys*

Surveys were conducted at the point of collection to account for the amount of HHW generated on the island and to collectively understand the concerns and issues relating to proper handling, storage, and disposal.

A survey conducted at the point of the collection gave an indication of the quantity of HHWs generated by homeowners and stored at private residences awaiting final disposal. The information obtained was used to obtain an accurate picture. These HHWs have probably been stored for numerous years.

Aside from residents, the survey included input from sponsors, volunteers, and contractors concerning flaws in the program, such as inconvenient operating hours and locations or inefficient collection methods. This information aided in adapting to the needs of the public.

### *Review and Analysis of the Data Collected from the Survey Conducted*

The data collected from the survey was compiled, analyzed, and summarized to accomplish, at a minimum, the following:

- Provide a preliminary account of the number of participants;
- Provide the percentage of the target population served;
- Identify the quantities and types of HHWs;
- Itemized total costs;
- Determine the cost per participant and the waste management cost per pound;
- Input from sponsors, volunteers, and contractors for input concerning flaws and successes;

- Establish a baseline data report on the quantity and types of the existing HHWs on island;
- Understand or correlate the island's demographics in relation to the program; and
- Understand current disposal methods and end users of HHWs.

#### *Interim HHW Collection*

This task assisted in the establishment of several HHW collections within villages on the island. The siting of these interim centers took into consideration residential homes, schools, businesses, and areas of the congregation such as churches and community and meeting centers. This task was an interim measure and may be a permanent part of the overall HHW collection program after the completion of a HHW collection and storage facility. An assessment of the continuation of interim collection centers during the operation of a permanent facility was evaluated.

During this interim period, all existing solid management facilities privately and publicly owned were identified and were encouraged to expand their collection services to HHWs. With the help of established control measures, these facilities encouraged homeowners and businesses from different areas of the island to properly dispose of their HHWs. The operation and maintenance of these facilities were consistent with established control measures assembled following a careful review of data collected during the assessment phase. Furthermore, these facilities were required to monitor incoming and outgoing quantities of HHWs. Final disposal methods and end users were reviewed and analyzed by these facilities to ensure no impact on Guam's environment.

#### *Quality Control and Compliance*

Inspections were conducted on the interim collection centers and existing solid waste management facilities that collect, store, or process HHWs. Inspections included a review of operations and records kept within the facility.

The inspection issues and concerns regarding the operation and management of these facilities were very useful in addressing the issues of collecting and storing hazardous wastes at these facilities to meet the local and federal requirements.

Following each inspection or site visit, inspection reports were prepared and submitted. The information provided was integrated into the proposed guidance document for HHWs. Furthermore, these reports were available to the Core Management Group for review and input.

The monitoring of these projects was not for GEPA to issue notifications of violations but to establish and be able to provide assistance to participants and ensure proper data and waste collection.

Quarterly reports regarding the operation of these facilities were submitted to USEPA for review, comments, and approval prior to the finalization of a guidance document in the purchasing, handling, storage, disposal, and end-user process of the facility.

### **TASK 4: PROGRAM DEVELOPMENT AND IMPLEMENTATION**

#### *HHW Management Guide for Island Communities*



A guidance document was produced as part of this task. It included data on the quantity and types of HHWs that are generated in Guam and their means of disposal.

The information obtained from the operation of existing facilities and interim collection centers was incorporated into the guidance document. It included data obtained from the surveys conducted, the operation and oversight inspection reports, and comments of the facility operating the HHW collection and storage facility.

#### *Outreach and Education Program*

The HHW collection program cannot succeed without a strong educational effort that provides general information about HHWs and specific instructions about how to participate during collection days. This education also benefited the community by reducing the quantity of HHWs collected in subsequent programs

A well-planned education outreach program provided information, at a minimum, about the following:

- (a) Why people should participate in HHW collection programs;
- (b) When and where the collection will be held;
- (c) Which materials will be accepted, and which will be excluded;
- (d) What to do with excluded HHWs; and
- (e) How to transport HHWs to the collection center.

The public education methods and techniques explored, at a minimum, the following potential options, or a combination thereof, in reaching residents:

1. Media. Well-prepared media handouts, feature articles, public service announcements, and other materials;
2. Information and Referral Services. A publicly advertised local telephone hotline;
3. Mailings and Mailing Inserts. Utilities, banks, billers, and advertisers may be sought to include HHW announcements and informational literature in their regular mailings;
4. Posters, Handouts, and Brochures. Flyers and posters may be displayed or distributed at collection centers, schools, libraries, community centers, and senior citizen centers. Businesses may post signs and notices for shoppers and customers on how to safely manage household products that might become HHW;
5. Garbage Can Labeling. Plastic adhesive labels may be distributed for residents to place on their garbage cans. The labels alert people to the potential hazards of mixing HHWs with their trash, list products containing hazardous constituents, and advertise where to dispose of HHWs properly;
6. Street Banners. Banners announcing the place and time of collection have worked well for some communities;
7. Displays/Exhibits/Audiovisual Presentations. Public education staff can use slide shows, video presentation, and hands-on exhibits at community group meetings, fiestas, or other special events, public information sessions/workshops, shopping malls, and other public forums. The public library may be evaluated for the establishment of a HHW resource center;



8. Speaker Bureau. Creation of listing of speakers or community education experts who can make presentations to groups with or without a speaking fee;
9. Formal Education. Presentations in schools and special curricula may be performed to educate students (and their parents) about managing HHWs;
10. Point-of-Purchase Information. Information about potential hazards of household products may be distributed where products are sold; and
11. Workshops and Conferences. Workshops, presentations, and conferences in managing HHWs may be considered as a means of bringing information to citizens, volunteers, businesses, and government officials.

The project will comply with all federal and local regulatory requirements under the Resource Conservation and Recovery Act (RCRA).

#### **TASK 5: FACILITY DEVELOPMENT**

Task 5 was the responsibility of the Receiver and has been completed. Details are included in the report above. Milestones of the Receivership's SEP activities that were recorded in the Quarterly Report of the Receiver are described below in Attachment D - Milestones of the Receivership's SEP Activities as Recorded in the Quarterly Reports.

#### **TASK 6 CONTINUING STATUS REPORTS**

Compile all reviews, reports, and documents to prepare a final report to be submitted to USEPA. Oversight of the operation and maintenance of these set projects will be updated and revised to address other additional concerns. Before finalizing the guidance report, GEPA and USEPA will have to review any concerns brought up throughout the entire project.

#### **PROJECT MANAGEMENT STRUCTURE**

The Guam Environmental Protection Agency (GEPA) will direct the overall project. GEPA will manage the research and coordinate communications among the Core Management Group. The Core Management Group will consist of key personnel from GEPA, DPW, OLM, CLTC and the Solid Waste Task Force (Governor's Office) and external expert consultants. The Core Management Group will review results and recommend subsequent research and implementation activities to GEPA. The Administrator of GEPA will make all final decisions.

#### **BIANNUAL MANAGEMENT MEETINGS**

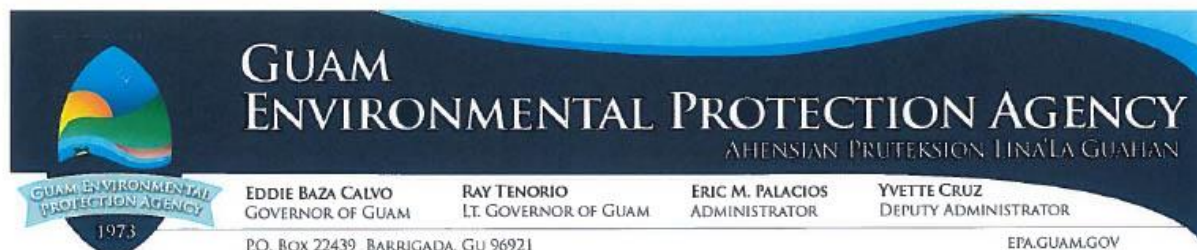
Biannual management meetings will be held throughout the four-year project. USEPA representatives will also be invited to the meetings. The day prior to each management meeting will be used for presentations of research results. Other interested parties (consultants, general public) would be invited to participate, both as audience and as presenters, to maximize the dialogue. A working session, limited to members of the Core Management Group and USEPA representatives will be conducted the following day because the contours of the project may change as new knowledge is gained. These meetings will be used to make key decisions to direct the project over the next following six months. After reviewing progress made during the past six months. the Core Management Group will make

recommendations to the Administrator of GEPA regarding activities to be undertaken in the subsequent six- month period.

#### **DELIVERABLES AND MILESTONES**

Eight (8) Biannual project reports will be prepared immediately after each Core Management Group Biannual Meeting. The Biannual Reports will include the following: (1) a brief summary of accomplishments during the past six-month period, (2) plans for new activities in the subsequent six-month period, and (3) a data summary. Brief status reports will be prepared during the intervening quarters. Quarterly reports will summarize (a) progress toward milestones, (b) problems encountered and their resolution, and (c) activities for the following quarter.

## ATTACHMENT B - HARMON TRANSFER STATION PERMIT



Christopher A. Lund, P.E.  
Receiver Representative  
Gershman, Brickner & Bratton, Inc.  
8550 Arlington Boulevard, Suite 203  
Fairfax, Virginia 22031-4620

Jan 13 2015

Hafa Adai Mr. Lund:

This letter is to officially notify you that the Guam Environmental Protection Agency has approved the Residential Solid Waste Transfer and Household Hazardous Waste Facility Permit for Guam Solid Waste Authority, Permit Number 14-041TRA, Lot Number 5120-7, municipality of Tamuning.

The facility permit and permit certificate is enclosed for your information and distribution. Should you have any questions concerning the technical aspects of this letter and enclosures, please contact Vincent J. Pereira at 300-4757.

Sincerely,



ERIC M. PALACIOS  
Administrator

cc: Ms. Sandra Miller, Governor of Guam, Legal Counsel  
Ms. Karen Ueno, USEPA Region IX

TODO Y NILALA Y TANO MAN UNO - ALL LIVING THINGS OF THE EARTH ARE ONE

# Solid Waste Management Facility Permit

This permit is hereby issued to

## Guam Solid Waste Authority

and authorizes the operation of a

## Residential Solid Waste Transfer & Household Hazardous Waste Facility

In accordance with the Title 22, Guam Administrative Rules and Regulations, Division IV, Chapter 23, Guam's Solid Waste Disposal Rules and Regulations and Title 10, Guam Code Annotated, Chapter 51, Solid Waste Management and Litter Control Act.

This permit authorizes the operation of a residential solid waste transfer and household hazardous waste facility on Lot No. 5120-7, municipality of Tamuning. This permit is non-transferable and conditioned upon the holder observing the government code of Guam and all rules, regulations and orders of the Guam Environmental Protection Agency. No person shall willfully deface, alter, forge, counterfeit or falsify this permit. Any such activity shall cause the immediate revocation of this permit. The renewal application for this permit shall be submitted to the Guam Environmental Protection Agency a minimum of one hundred eighty (180) calendar days prior to the expiration date. This permit must be displayed at the location of operation.

**PERMIT No.** 14-041TRA

**LOCATION:** Lot No. 5120-7  
Tamuning, Guam

**EXPIRATION DATE:** Jan 13, 2020



ERIC M. PALACIOS  
ADMINISTRATOR

01/13/15

Date




<h2 style="margin: 0;">GUAM ENVIRONMENTAL PROTECTION AGENCY</h2> <p style="margin: 0;">AHIENSIAK PUTEKSION LINA'LA GUAHAN</p>			
<b>EDDIE BAZA CALVO</b> GOVERNOR OF GUAM	<b>RAY TENORIO</b> LT. GOVERNOR OF GUAM	<b>ERIC M. PALACIOS</b> ADMINISTRATOR	<b>YVETTE CRUZ</b> DEPUTY ADMINISTRATOR
P.O. BOX 22439 BARRIGADA, GU 96921		EPA.GUAM.GOV	


  


<h3 style="margin: 0;">GUAM EPA SOLID WASTE MANAGEMENT TRANSFER FACILITY PERMIT</h3>		<b>1. Facility/Permit Number:</b> 14-041TRA Harmon Residential Solid Waste Transfer Station and Household Hazardous Waste Facility																																				
<b>2. Name and Street Address of Facility:</b> Harmon Residential Solid Waste Transfer Station and Household Hazardous Waste Facility Lot 5120-7, Harmon Industrial Road, Harmon, adjacent to 542 North Marine Corps Drive Tamuning, Guam 96913	<b>3. a. Name and Mailing Address of Operator:</b> <u>Transfer Station Operator</u> Chase Anderson Guam Solid Waste Authority 542 North Marine Corps Drive Tamuning, Guam 96913 <b>b. Name and Phone Number for Facility Contact During Hours of Operation:</b> Chase Anderson, Receiver (GBB) Phone: 671-898-5585 mobile, 671-646-3111 office Email: <a href="mailto:cadersonsongbb@gmail.com">cadersonsongbb@gmail.com</a>	<b>4. Name and Mailing Address of Owner:</b> Guam Solid Waste Authority 542 North Marine Corps Drive Tamuning, Guam 96913 Phone: 671-646-3111																																				
<b>5. Specifications: TRANSFER FACILITY and HOUSEHOLD HAZAROUS WASTE FACILITY</b> For the purposes of this Transfer Facility Permit, the terms Transfer Facility and Transfer Station are used interchangeably																																						
<b>a. Permitted Operations:</b> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;"> <input type="checkbox"/> Composting Facility (mixed waste)  <input type="checkbox"/> Composting Facility (yard waste)  <input checked="" type="checkbox"/> Household Hazardous Waste Facility                         </td> <td style="width: 50%; vertical-align: top;"> <input type="checkbox"/> Landfill Disposal Site  <input checked="" type="checkbox"/> Transfer/Processing Facility  <input type="checkbox"/> Transformation Facility                         </td> </tr> </table>			<input type="checkbox"/> Composting Facility (mixed waste) <input type="checkbox"/> Composting Facility (yard waste) <input checked="" type="checkbox"/> Household Hazardous Waste Facility	<input type="checkbox"/> Landfill Disposal Site <input checked="" type="checkbox"/> Transfer/Processing Facility <input type="checkbox"/> Transformation Facility																																		
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<b>b. Permitted Hours of Operation:</b> The Residential Transfer Facility and Household Hazardous Waste Facility will be open to the public to receive waste and recyclables from 0900 to 1700, Thursday through Monday. The Facility is closed Tuesday, Wednesday, and the holidays of: Thanksgiving Day, Christmas Day, and New Year's Day. The Permittee may arrive at the site earlier and stay later than the hours the facility is open to the public, and may be at the facility on Tuesdays and Wednesdays to accommodate facility operations, maintenance, or management activities.																																						
<b>c. Permitted Tons Per Operating Day:</b> <table style="width: 100%; border: none;"> <tr> <td style="width: 60%;"></td> <td style="width: 10%; text-align: right;">Total:</td> <td style="width: 10%; text-align: center;">(12,000 tons/year) 33.33</td> <td style="width: 20%; text-align: right;">Tons/Day</td> </tr> <tr> <td>Non-Hazardous – General</td> <td></td> <td style="text-align: center;">33.33</td> <td style="text-align: right;">Tons/Day</td> </tr> <tr> <td>Non-Hazardous – Sludge</td> <td></td> <td style="text-align: center;">N/A</td> <td style="text-align: right;">Tons/Day</td> </tr> <tr> <td>Non-Hazardous - Separated or commingled recyclables</td> <td></td> <td style="text-align: center;">4</td> <td style="text-align: right;">Tons/Day</td> </tr> <tr> <td>Non-Hazardous</td> <td></td> <td style="text-align: center;">See above</td> <td style="text-align: right;">Tons/Day</td> </tr> <tr> <td>Household Hazardous Waste</td> <td></td> <td style="text-align: center;">4</td> <td style="text-align: right;">Tons/Day</td> </tr> <tr> <td>Hazardous (See Section 14 of Permit)</td> <td></td> <td style="text-align: center;">N/A</td> <td style="text-align: right;">Tons/Day</td> </tr> <tr> <td colspan="2"></td> <td style="text-align: right;">Total:</td> <td></td> </tr> <tr> <td></td> <td></td> <td style="text-align: center;">808</td> <td style="text-align: right;">Vehicles/Day</td> </tr> </table>				Total:	(12,000 tons/year) 33.33	Tons/Day	Non-Hazardous – General		33.33	Tons/Day	Non-Hazardous – Sludge		N/A	Tons/Day	Non-Hazardous - Separated or commingled recyclables		4	Tons/Day	Non-Hazardous		See above	Tons/Day	Household Hazardous Waste		4	Tons/Day	Hazardous (See Section 14 of Permit)		N/A	Tons/Day			Total:				808	Vehicles/Day
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<b>GUAM EPA SOLID WASTE MANAGEMENT TRANSFER FACILITY PERMIT</b>		<b>1. Facility/Permit Number:</b> 14-041TRA Harmon Residential Solid Waste Transfer Station and Household Hazardous Waste Facility																																					
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<b>6. Approval:</b>  ERIC M. PALACIOS Administrator		<b>7. Guam EPA:</b> Post Office Box 22439, GMF Barrigada, Guam 96921																																					
<b>8. Received by GEPA:</b> September 17, 2012		<b>9. Permit Issue Date:</b> 01/13/15																																					
<b>10. Permit Expiration Date:</b> <del>December 16, 2019</del> <i>3P</i> January 12, 2020		<b>11. Other:</b>																																					
<b>12. Additional Location Information (i.e. parcel/tract/lot number, municipality):</b> Lot 5120-7, Harmon Industrial Road, Harmon, adjacent to 542 North Marine Corps Drive Tamuning, Guam 96913 The Harmon Residential Solid Waste Transfer Station (Transfer Facility) and Household Hazardous Waste Facility (HHW Facility) are co-located within the same site. The Transfer Facility occupies the majority of the site with the HHW Facility located in a building near the entrance of the site, located in the southeast corner.																																							
<b>13. Findings:</b> <ul style="list-style-type: none"> <li>a. This permit is consistent with Solid Waste Management and Litter Control, 10 GCA, Chapter 51 and Guam Solid Waste Disposal Rules and Regulations (GSWDRR).</li> <li>b. The design and permitted operation of the facility is in compliance Section 23104 of GSWDRR.</li> </ul>																																							

	<b>GUAM EPA SOLID WASTE MANAGEMENT TRANSFER FACILITY PERMIT</b>	Facility/Permit Number: 14-041TRA Harmon Residential Solid Waste Transfer Station and Household Hazardous Waste Facility
<p><b>14. Accepted Waste</b></p> <p>The Permittee may accept the waste types listed in this section. The Permittee shall not accept unacceptable/excluded wastes at this facility. (See Section 15 of this permit)</p> <ul style="list-style-type: none"> <li>a. This permit allows for the acceptance of the following wastes at the Transfer Facility.           <ul style="list-style-type: none"> <li>i) Except as prohibited by this permit, the Permittee may accept non-hazardous solid wastes that are defined under GSWDRR as "commercial solid waste" and "household waste."</li> </ul> </li> <li>b. This permit allows for the acceptance of the following recyclables at the Transfer Facility:           <ul style="list-style-type: none"> <li>ii) Fiber (all paper – old corrugated containers and mixed paper)</li> <li>iii) Aluminum cans</li> <li>iv) Bimetal cans</li> <li>v) Plastic No. 1 and 2</li> <li>vi) Glass Beverage Containers</li> </ul> </li> <li>c. This permit allows for the acceptance of the following HHW and e-waste at the HHW Facility:           <ul style="list-style-type: none"> <li>i) Acid, inorganic liquid</li> <li>ii) Aerosols, Flammable and Non-flammable (includes Chlorofluorocarbons (CFCs))</li> <li>iii) Aerosols, Poison</li> <li>iv) Antifreeze/Coolant</li> <li>v) Base, inorganic liquid</li> <li>vi) Batteries – Alkaline, Nickel-Cadmium (NiCd), Nickel Metal Hydride, Lithium ion, Lithium, and Uninterruptable Power Supply (UPS) Units</li> <li>vii) Compressed Gas, Flammable and Non-flammable</li> <li>viii) Cooking Oil</li> <li>ix) Electronic Waste (e-waste), including the following: Computers (desktop and portable), computer monitors (CRT and flat panel), mobile device (cell phones, PDAs, smartphones, pagers), hardcopy devices (desktop copiers, scanners, fax machines, multi-function devices), computer keyboards and mice, and e-readers. Other e-waste not listed in this section may be accepted with prior written approval from Guam EPA.</li> <li>x) Environmentally hazardous liquids and solids</li> <li>xi) Fertilizers</li> <li>xii) Flammable Liquids and Solvents</li> <li>xiii) Fluorescent Tubes/Bulbs</li> <li>xiv) Latex Paint</li> <li>xv) Light ballasts (PCB containing and non-PCB containing)</li> <li>xvi) Liquid Oxidizer</li> <li>xvii) Oil Based Paint, stains, varnishes, lacquers</li> <li>xviii) Oxidizers</li> <li>xix) Pesticides and Herbicides</li> <li>xx) Propane Cylinders</li> <li>xxi) Sharps in containers (medical)</li> <li>xxii) Toxic Liquid</li> <li>xxiii) Used motor Oil and Oil Filters</li> <li>xxiv) Water Reactive Waste</li> </ul> </li> <li>d. All HHW Facility employees shall be trained on the identification and recognition of these materials.</li> </ul>		
<p><b>15. Prohibitions and Unacceptable/Excluded Waste:</b></p> <ul style="list-style-type: none"> <li>a. The Permittee is prohibited from accepting non-residential solid waste.</li> <li>b. The Permittee is prohibited from accepting any non-household hazardous waste, including Small Quantity Generator Conditionally Exempt Waste. The Permittee may accept Household Hazardous Waste (HHW) within the HHW Facility, in</li> </ul>		




	<b>GUAM EPA SOLID WASTE MANAGEMENT TRANSFER FACILITY PERMIT</b>	<b>Facility/Permit Number:</b> 14-041TRA Harmon Residential Solid Waste Transfer Station and Household Hazardous Waste Facility																
<p>accordance with this permit.</p> <ul style="list-style-type: none"> <li>c. The Permittee is prohibited from performing or allowing any open burning; public scavenging; or disposal.</li> <li>d. The Permittee shall screen materials while the materials are being unloaded from the delivery vehicles, and prior to leaving the transfer facility. The Permittee shall remove any unacceptable/excluded waste encountered during the screening process in accordance with the Operations Plan, this permit, and applicable local and federal regulations.</li> <li>e. The Permittee shall not store any waste on the ground. All waste shall be loaded into containers.</li> <li>f. Unacceptable/Excluded Wastes             <ul style="list-style-type: none"> <li>vii) Inert material or waste;</li> <li>viii) Biological waste, pathological wastes, radioactive wastes, untreated medical wastes, untreated infectious waste, bulk or non-containerized liquid waste, asbestos, animal carcasses and offal, ashes, animal waste;</li> <li>ix) All wastes excluded from Municipal Solid Waste Landfills (MSWLFs) under GSWDRR, including the following:                 <ul style="list-style-type: none"> <li>(1) Waste oil, regulated hazardous waste, polychlorinated biphenyl (PCB) waste;</li> <li>(2) Whole or partially whole vehicles, vehicle parts, appliances, septic tank pumping, sewage sludge and other sludge petroleum products and oil based paints;</li> </ul> </li> <li>x) Tires</li> <li>xi) Automobile batteries;</li> <li>xii) Green waste;</li> <li>xiii) C&amp;D debris;</li> <li>xiv) Metals;</li> <li>xv) Wood or pallets.</li> </ul> </li> <li>g. The Permittee shall prominently display, at the facility entrance, a list of the aforementioned unacceptable/excluded waste.</li> </ul>																		
<p><b>16. The following documents also describe and/or restrict the operation of this facility:</b></p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 60%;"></th> <th style="width: 40%; text-align: left;">Date:</th> </tr> </thead> <tbody> <tr> <td><input checked="" type="checkbox"/> Transfer Station Permit Application Package</td> <td>August 23, 2012</td> </tr> <tr> <td><input checked="" type="checkbox"/> Stormwater Pollution Prevention Plan</td> <td>September 17, 2014</td> </tr> <tr> <td><input checked="" type="checkbox"/> Spill Prevention Countermeasures and Control Plan, for entire facility as part of the adjacent GSWA vehicle yard</td> <td>September 2014</td> </tr> <tr> <td><input checked="" type="checkbox"/> Operations Plans</td> <td>September 23, 2014</td> </tr> <tr> <td><input checked="" type="checkbox"/> Closure Plan</td> <td>September 23, 2014</td> </tr> <tr> <td><input type="checkbox"/> Contract Agreements</td> <td>N/A</td> </tr> <tr> <td><input type="checkbox"/> Other (list):</td> <td>N/A</td> </tr> </tbody> </table>				Date:	<input checked="" type="checkbox"/> Transfer Station Permit Application Package	August 23, 2012	<input checked="" type="checkbox"/> Stormwater Pollution Prevention Plan	September 17, 2014	<input checked="" type="checkbox"/> Spill Prevention Countermeasures and Control Plan, for entire facility as part of the adjacent GSWA vehicle yard	September 2014	<input checked="" type="checkbox"/> Operations Plans	September 23, 2014	<input checked="" type="checkbox"/> Closure Plan	September 23, 2014	<input type="checkbox"/> Contract Agreements	N/A	<input type="checkbox"/> Other (list):	N/A
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 <b>GUAM EPA SOLID WASTE MANAGEMENT TRANSFER FACILITY PERMIT</b>		<b>Facility/Permit Number: 14-041TRA</b> Harmon Residential Solid Waste Transfer Station and Household Hazardous Waste Facility	
<b>17. Self-Monitoring Program</b> The Permittee shall perform a self-monitoring program, as indicated, below.			
Program	Record-keeping Requirements	Reporting Requirements	Reporting Format
<u>Incoming Waste</u> Accepted waste: Include daily weight/volume records, source, and type of accepted waste received in tons per day; date, time, vehicle license no.; include other clarifying comments as appropriate. Unacceptable/Excluded waste: Include daily weight/volume records, source, and type of unacceptable/excluded waste received during transfer operations; date, time, vehicle license no.; include other clarifying comments as appropriate.	Daily Incoming Loads Log	Quarterly and annual reports to Guam EPA, including daily and monthly totals Due within 15 business days of the end of each quarter	Excel workbook and written report summarizing quarterly and annual totals, as appropriate; printed and e-copies
<u>Outgoing Waste</u> Accepted waste: Include daily weight/volume records of accepted waste leaving the facility, for each roll-off container and transfer vehicle; date, time, roll-off container no., transfer vehicle license no.; include other clarifying comments, as appropriate. Unacceptable/Excluded waste: Include daily records of excluded wastes leaving the facility; date, time, waste type, container type, vehicle license no.; location of final disposition; include other clarifying comments, as appropriate. Retain copies of receipts from receiving facilities.	Daily Transfer Loads Out Log Unacceptable/Excluded Waste Transfer Log	Quarterly and annual reports to Guam EPA, including daily and monthly totals Due within 15 business days of the end of each quarter	Excel workbook and written report summarizing quarterly and annual totals, as appropriate; printed and e-copies
<u>Complaints</u> Log and report all written complaints regarding the facility, and the operator's actions taken in response to the complaint.	Daily Operations Log	Records kept on site for Guam EPA inspection	Include information in the quarterly and annual written summary report to Guam EPA (see above)
<u>Unscheduled Operation Interruptions</u> Log and report unscheduled operation interruptions, including shutdowns. Notify Guam EPA by phone within 24 hours of the unscheduled interruption.	Daily Operations Log	Records kept on site for Guam EPA inspection Notify Guam EPA by phone within 24 hours of interruption	Include information in the quarterly and annual written summary report to Guam EPA (see above)
<u>Accidents, Emergencies, and Similar Occurrences</u> Log and report emergency occurrences, such as accidents, injuries, fires, explosions, hazardous waste incidents, and releases. Log and report the operator's actions taken in response to the occurrence. Notify Guam EPA by phone immediately. Notify Guam EPA in writing within 24 hours of the response action taken.	Daily Operations Log	Records kept on site for Guam EPA inspection Notify Guam EPA by phone immediately Notify Guam EPA in writing within 24 hours of response action taken	Notify Guam EPA by phone immediately Notify Guam EPA in writing within 24 hours of response action taken Include information in the quarterly and annual written summary report to Guam EPA (see above)

 <b>GUAM EPA SOLID WASTE MANAGEMENT TRANSFER FACILITY PERMIT</b>		<b>Facility/Permit Number: 14-041TRA</b> Harmon Residential Solid Waste Transfer Station and Household Hazardous Waste Facility	
<b><u>Nuisance</u></b> Log and report public nuisance incidents, such as air quality, vector, and litter control, and response actions taken.	Daily Operations Log	Records kept on site for Guam EPA inspection	Include information in the quarterly and annual written summary report to Guam EPA (see above)
<b><u>Injuries</u></b> Log and report employee and customer injuries. Notify Guam EPA in writing within 24 hours of the injury.	Daily Operations Log	Records kept on site for Guam EPA inspection Notify Guam EPA in writing within 24 hours of injury	Notify Guam EPA in writing within 24 hours of injury Include information in the quarterly and annual written summary report to Guam EPA (see above)
<b><u>Training</u></b> Log and report employee training, including dates and type.	Daily Operations Log	Records kept on site for Guam EPA inspection	Include information in the quarterly and annual written summary report to Guam EPA (see above)
<b><u>Facility Inspections</u></b> Log and report inspections performed by operator.	Daily Operations Log	Records kept on site for Guam EPA inspection	Include information in the quarterly and annual written summary report to Guam EPA (see above)
<b><u>Random Load Checking</u></b> Log and report the results of daily random waste load checking.	Daily Operations Log	Records kept on site for Guam EPA inspection	Include information in the quarterly and annual written summary report to Guam EPA (see above)
<b><u>Diverted Waste</u></b> Log and report monthly total of recycled and other diverted material, and the amount shipped off site. Calculate percentage diverted from disposal and estimated cost avoidance.	Monthly Waste Diverted Log	Quarterly and annual reports to Guam EPA, with monthly totals  Due within 15 business days of the end of each quarter	Excel workbook and written report summarizing quarterly or annual totals, as appropriate; printed and e-copies
<b><u>Special Reporting</u></b> Provide information on recycling data in a format specified by Guam EPA for local and national surveys.	As requested by Guam EPA	As requested by Guam EPA	As requested by Guam EPA





 <p><b>GUAM EPA SOLID WASTE MANAGEMENT TRANSFER FACILITY PERMIT</b></p>	<p><b>Facility/Permit Number:</b> 14-041TRA</p> <p>Harmon Residential Solid Waste Transfer Station and Household Hazardous Waste Facility</p>
<p><b>18. Other Conditions:</b></p> <p>a. <u>Duty to Comply</u> This permit shall not be construed as relieving the Permittee from complying with applicable laws and regulations associated with this facility.</p> <p>b. <u>Permit Review</u> During the life of the permit, Guam EPA may review the permit and determine whether or not the permit should be amended. The following factors will be used to make the determination:</p> <ul style="list-style-type: none"> <li>i) Compliance history of the facility;</li> <li>ii) Changes in volume, waste composition, or operations at the facility;</li> <li>iii) Changes in state or federal rules which should be incorporated into the permit; and</li> <li>iv) A significant release to the environment from the facility.</li> </ul> <p>c. <u>Permit Modification</u> The Guam EPA Administrator may, on his own motion or the application of any person, modify a permit if, after affording the applicant an opportunity for a hearing, the Guam EPA Administrator determines that:</p> <ul style="list-style-type: none"> <li>i) Any condition of the permit has been violated or due to a change in any condition requiring either a temporary or permanent reduction or elimination of the permitted disposal;</li> <li>ii) There is a in applicable laws or regulations governing solid waste management; or</li> <li>iii) Such action is in the public interest.</li> </ul> <p>d. <u>Permit Renewal</u></p> <ul style="list-style-type: none"> <li>i) This permit is for a five (5) year term commencing on the effective date recorded by Guam EPA. If a timely renewal application is made and the permit renewal is not complete by the expiration date, this permit will continue to be valid until renewal is completed, amended or denied.</li> <li>ii) The draft permit renewal application, including all attachments required under GSWDRR and Guam EPA, shall be submitted a minimum of one hundred-eighty days (180 days) prior to the date the existing permit expires.</li> <li>iii) The final permit renewal application, including all attachments required under GSWDRR and Guam EPA, shall be submitted a minimum of sixty days (60 days) prior to the date the existing permit expires.</li> </ul> <p>e. <u>Posting of Permit</u> The Permittee shall post the permit certificate issued by Guam EPA, in a conspicuous place at or near the operation for which the permit was issued, and shall notify Guam EPA in writing of where the permit is posted within five (5) days of posting.</p> <p>f. <u>Falsifying or Altering Permit</u> The Permittee shall not knowingly deface, alter, forge, counterfeit or falsify this permit. Any such activity will result in immediate revocation of the permit.</p> <p>g. <u>Transfer of Permit</u> This permit is non-transferable without the written approval of the Guam EPA Administrator.</p> <p>h. <u>Termination of Operations</u> Sixty (60) days prior to closure, the Permittee shall report the permanent termination of facility operations to the Guam EPA Administrator, and within thirty (30) days of closure completion shall surrender the permit to the Guam EPA Administrator. The Permittee shall submit a final Closure Plan to Guam EPA not less than 180 days prior to closure.</p> <p>i. <u>Operations</u></p> <ul style="list-style-type: none"> <li>i) The Guam EPA Administrator may order immediate closure if the facility poses a major threat to human health and the environment, or for non-compliance with this permit. Such action is at the sole discretion of the Guam EPA Administrator.</li> <li>ii) The Permittee shall notify Guam EPA in writing, of any replacement or addition of machine(s), equipment(s), or mobile or non-mobile building(s) at this facility within five (5) days of any such replacement or addition.</li> <li>iii) At least fifteen (15) days prior to receiving for transfer or processing, any waste not listed in this permit, the Permittee may request in writing, Guam EPA's approval for the anticipated waste. The Permittee shall obtain Guam EPA's written approval prior to accepting the waste.</li> <li>iv) At least fifteen (15) days prior to making a change to the facility or its operations that is not allowed by this permit, the Permittee may request in writing, Guam EPA's approval for the anticipated change. The Permittee shall obtain Guam EPA's written approval prior to making the change.</li> </ul>	

Page 7


	<b>GUAM EPA SOLID WASTE MANAGEMENT TRANSFER FACILITY PERMIT</b>	<b>Facility/Permit Number: 14-041TRA</b> Harmon Residential Solid Waste Transfer Station and Household Hazardous Waste Facility
<p>v) The Permittee shall have a contingency plan(s), including procedures, for emergencies. The contingency plan shall include a list of emergency contacts, and daytime and evening phone numbers for facility management, facility staff, emergency response teams, and regulatory agencies. At a minimum, procedures for the following emergencies shall be addressed in the contingency plan(s):</p> <ul style="list-style-type: none"> <li>• Power failure</li> <li>• Unavailability of transfer vehicles</li> <li>• Spill containment</li> <li>• Discovery of hazardous materials</li> <li>• Injuries to employees or customers</li> <li>• Robbery</li> </ul> <p>The Permittee shall make the contingency(s) plan accessible to employees. The contingency plan(s) shall be submitted to Guam EPA at least fifteen (15) days prior to commencement of operations.</p> <p>vi) All employees shall be trained on the contingency plan(s) for fires and typhoons prior to being placed in the workplace, and such contingency plan(s) shall be made accessible to employees. The contingency plan(s) shall be submitted to Guam EPA at least fifteen (15) days prior to commencement of operations</p> <p>In the event of a fire, the Permittee shall:</p> <ul style="list-style-type: none"> <li>• Make efforts to extinguish the fire, as appropriate.</li> </ul> <p>In the event of a typhoon, and upon declaration of Condition Readiness 3, the Permittee shall:</p> <ul style="list-style-type: none"> <li>• Cease operations and properly secure the transfer facility, including all loose debris, equipment, and appurtenances.</li> </ul> <p>vii) The operation of this facility shall not cause or contribute to the taking of any endangered or threatened species of plant, fish, or wildlife and shall not cause the destruction of the critical habitat of endangered or threatened species.</p> <p>viii) The operation of this facility shall not restrict the flow of the base flood, reduce the waste water storage capacity of the floodplain, or cause washout of waste so as to pose a threat to human health or the environment.</p> <p>ix) The facility shall not be located, constructed, or operated so that birds attracted to the facility pose a hazard to aircraft approaching or leaving any airport.</p> <p>x) The operation of this facility shall not obstruct traffic along public roads.</p> <p>xi) The Permittee is responsible for providing sufficient staffing at all times as necessary to operate this facility pursuant to this permit.</p> <p>j. <u>Waste Handling</u></p> <p>i) The Permittee shall remove all waste from the transfer facility on the day it is received, except:</p> <ul style="list-style-type: none"> <li>• Under emergencies, with prior approval of Guam EPA, or</li> <li>• As specified, below.</li> </ul> <p>ii) The Permittee shall not accept, store, or process any unacceptable/excluded waste (See Section 15 of this permit). If unacceptable/excluded waste are found through the screening process, such waste shall be removed daily, and taken to a permitted or approved appropriate receiving facility.</p> <p>iii) The Permittee shall ensure used petroleum products and oil based paints found during the screening process are properly collected, stored, and disposed of in accordance with applicable local and federal regulations.</p> <p>k. <u>Waste Exceedance</u></p> <p>i) The maximum permitted transfer capacity of this facility is 12,000 total tons per year, 33.33 tons per day, or 1,000 tons per month of residential solid waste, residential recycling, and HHW waste delivered to the Transfer Facility and HHW Facility combined. In addition, a request shall be made to the Guam EPA Administrator should the Permittee foresee an exceedance to the capacity.</p> <p>ii) If this facility receives in excess of 1,000 tons per month in any given month, the Permittee shall notify Guam EPA in writing and indicate how the waste was handled in compliance with the permit.</p> <p>l. <u>Temporary Variance to Operating Hours</u></p> <p>A request for a temporary variance to the operating hours allowed by this permit must be submitted at least seven (7) days prior to the date the variance is needed, and must be approved by the Guam EPA Administrator in writing before such variance can be implemented. Such request shall list the duration, reason, and hours of operation under the variance. The duration of any</p>		




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<p>variance cannot exceed seven (7) days.</p> <p>m. <u>Safety</u> The Permittee shall update the Site Safety Plan as needed. The Permittee is responsible for compliance with OSHA and other safety standards, and this permit shall not be construed as relieving the Permittee of its duty to comply.</p> <ul style="list-style-type: none"> <li>i) Fire extinguishers shall be provided and located within the immediate vicinity of the working area.</li> <li>ii) Communications equipment shall be available at this facility for emergencies.</li> <li>iii) Access to this facility shall be controlled, and accessible only when the Permittee's authorized operations personnel are on duty.</li> </ul> <p>n. <u>Ownership of Waste</u> All materials accepted by this facility shall become the property of the Permittee, Contractor, or Subcontractor if unacceptable prohibited waste is accepted knowingly or unknowingly.</p> <p>o. <u>Dust Emission Control Plan</u> The Permittee shall implement the dust emission control measures during operations pursuant to the requirements under §1103.4 of the Guam Air Pollution Control Standards and Regulations, and shall prepare a Dust Control Plan to document this program. The Dust Control Plan shall be submitted to Guam EPA prior to commencement of facility operations. This plan shall be made accessible to employees.</p> <p>p. <u>Vector Control Plan</u> The Permittee shall have a vector control plan to prevent or control on-site populations of disease vectors using techniques appropriate for the protection of human health and the environment. This plan shall be submitted to Guam EPA prior to commencement of facility operations. This plan shall be made accessible to employees.</p> <p>q. <u>Litter Control Program:</u> A litter control program shall be implemented to minimize litter at the transfer station and prevent its occurrence beyond the property line of the facility. A written Litter Control Plan documenting litter control measures shall be submitted to Guam EPA prior to commencement of operations.</p> <p>r. <u>Accessibility of Facility Documents</u> The Permittee shall maintain the following documents at the facility, or at a readily accessible alternate location that has been approved in writing by Guam EPA.</p> <ul style="list-style-type: none"> <li>i) Current permit;</li> <li>ii) Current permit application documents, including Operations Plans. The Operations Plan(s) shall contain a copy of this permit as an appendix and shall reference the permit requirements as appropriate and applicable;</li> <li>iii) Contingency Plan(s), including emergency procedures;</li> <li>iv) Reports required under this permit;</li> <li>v) The Permittee shall maintain records, copies of manifest, disposal receipts, and all other records and reports for a period of five (5) years. This period is extended automatically during any unresolved enforcement action regarding the facility, or as required by the Guam EPA Administrator.</li> </ul> <p>s. <u>Weekly Facility Inspections by Permittee</u> The Permittee shall perform weekly facility inspections for concrete integrity, leachate and stormwater management system integrity, building and load-out area integrity, and site security.</p> <p>t. <u>Regulatory Inspection and Right of Entry</u> Pursuant to the SWMCL Section 51106, by accepting this permit, the Permittee agrees to allow the Guam EPA Administrator or his/her designee, upon the presentation of credentials or other documents as may be required by law, access at reasonable hours to inspect or visit the facility premises, to take samples, or otherwise conduct regulatory business associated with this permit or Guam EPA's solid waste program.</p> <p>u. <u>Liability</u> The Permittee shall be liable during the duration of the permit and twenty-five (25) years after the expiration of the permit for all costs related to health and environmental restoration attributed to the operation of the facility. (Section 51104(a) of SWMLC, 10 GCA, Chapter 51)</p> <p>v. <u>Equipment</u> The following facility machinery and equipment are allowed by this permit:</p> <table border="1" style="width: 100%; margin-top: 5px;"> <thead> <tr> <th style="text-align: left;">Description</th> <th style="text-align: left;">Quantity</th> </tr> </thead> <tbody> <tr> <td style="height: 40px;"> </td> <td> </td> </tr> </tbody> </table>		Description	Quantity		
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<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 70%;">20 cubic yard roll off container - Bulky residential MSW</td> <td style="width: 30%; text-align: right;">1</td> </tr> <tr> <td>40 cubic yard stationary compactor – Residential MSW and Cardboard</td> <td style="text-align: right;">2</td> </tr> <tr> <td>33 cubic yard enclosed roll off container – Mixed paper, Plastic/Aluminum, Glass</td> <td style="text-align: right;">3</td> </tr> <tr> <td>Roll-off Trucks</td> <td style="text-align: right;">4</td> </tr> </table>			20 cubic yard roll off container - Bulky residential MSW	1	40 cubic yard stationary compactor – Residential MSW and Cardboard	2	33 cubic yard enclosed roll off container – Mixed paper, Plastic/Aluminum, Glass	3	Roll-off Trucks	4
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<p>The Permittee will make provisions to secure additional equipment and staffing resources to accommodate high traffic volumes, equipment outages, and staffing shortages.</p> <p>w. <u>Facility Signs</u></p> <p>i) Within two (2) calendar days of the effective date of this permit, the Permittee shall post a sign at the entrance of the facility that includes the acceptable waste and the unacceptable/excluded waste allowed at this facility.</p> <p>ii) The Permittee shall ensure that facility signs are visible and unobstructed.</p> <p>x. <u>Scale Requirements</u></p> <p>The Permittee shall ensure all outgoing loads of wastes will be inspected and weighed prior to final disposition. All information shall be recorded and reported in accordance with this permit.</p> <p>y. <u>Permit Application Documents</u></p> <p>Prior to commencement of operation, the Permittee shall amend the facility operations plans, and/or other permit application documents, as requested by Guam EPA, or as requested by U.S. EPA under the Supplemental Environmental Project.</p> <p><b>19. Household Hazardous Waste Facility Special Conditions</b></p> <p>a. <u>Site Identification Form</u></p> <p>The Permittee shall obtain an U.S. EPA RCRA Subtitle C Site Identification Number for the facility, using Form 8700-12, 8700-13 A/B, 8700-23 (Revised).</p> <p>b. <u>HHW Facility Contractors</u></p> <p>The Permittee shall be responsible for ensuring that any contractor or subcontractor working on behalf of the Permittee to operate the HHW Facility will be bound to the conditions and requirements of this permit.</p> <p>c. <u>HHW Manifesting and Transport</u></p> <p>i) All wastes shall be manifested and transported from the household hazardous waste facility by a Guam EPA permitted transporter of hazardous wastes to a permitted or approved appropriate receiving facility.</p> <p>ii) The transportation of household hazardous waste from this facility must be accompanied by shipping papers. The identity of the Permittee and date(s) of collection, as well as the volume(s), waste type(s), hazard class(es), and destination of the waste shall be listed on the shipping document. Shipping papers or manifests shall be clearly marked "Household Hazardous Waste." Copies of these forms shall be provided to Guam EPA at an address designated by the Administrator of Guam EPA on a quarterly basis and maintained in the facility Operating Record.</p> <p>d. <u>Receiving Facilities</u></p> <p>All wastes shall be reused, treated and/or disposed of at a facility that is properly permitted or authorized to accept hazardous waste under RCRA, or recycled at a permitted recycling facility.</p> <p>e. <u>General Facility Standards</u></p> <p>i) <u>General Facility Permitting</u></p> <p>The HHW Facility is permitted as a waste processing and transfer facility under GSWDRR and shall comply with this permit.</p> <p>ii) <u>Waste Control</u></p> <p>The Permittee shall take measures to identify ineligible generators.</p> <p>f. <u>Packaging and Storage Requirements</u></p> <p>i) All wastes must be properly packaged to prevent reactions, spills, or leaks, and must be labeled with the words, "Household Hazardous Waste" or "Hazardous Waste," as appropriate.</p> <p>ii) <u>Use and Management of Containers</u></p> <p>(1) If a container holding household hazardous waste is not in good condition (e.g., severe rusting, apparent structural defects) or if it begins to leak, the owner or operator shall transfer the waste from this container to an undamaged container or manage the waste in a way that complies with the requirements of this permit;</p> <p>(2) The owner or operator shall use a container made of or lined with materials that will not react with, and is compatible</p>										




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<p>with the household hazardous waste to be stored, and that does not impair the container.</p> <p>(3) Management of containers.</p> <ul style="list-style-type: none"> <li>i. A container holding household hazardous waste shall always be closed during storage, except when it is necessary to add or remove waste.</li> <li>ii. A container holding household hazardous waste shall not be opened, handled, or stored in a manner, which may rupture the container or cause it to leak.</li> <li>iii. A container holding household hazardous waste shall be marked with words identifying its contents, and with the date the waste is first placed into the container.</li> </ul> <p>(4) At least weekly, the Permittee shall inspect areas where containers are stored, for leaking and deterioration of containers and containment system. Inspections, results, and corrections made as a result of the inspections shall be logged in the Daily Operations Log Book.</p> <p>(5) Containment</p> <ul style="list-style-type: none"> <li>i. Container storage areas, other than those described in clause (ii) of this subparagraph, shall have a secondary containment system that is designed and operated as follows:             <ul style="list-style-type: none"> <li>1. A base must underlay the containers. The base must be free of cracks or gaps and sufficiently impervious to contain leaks, spills, and accumulated precipitation until the collected material is detected and removed;</li> <li>2. The base must be sloped or the secondary containment system must be otherwise designed and operated to drain and remove liquid resulting from leaks, spills, or precipitation, unless the containers are elevated or are otherwise protected from contact with accumulated liquids.</li> <li>3. The secondary containment systems must have sufficient capacity to contain 100 percent plus 10 percent of the volume of containers or the volume of the largest container, whichever is greater. Containers that do not contain free liquids need not be considered in this determination.</li> <li>4. Run-on into the secondary containment system must be prevented unless the collection system has sufficient excess capacity to contain any run-on that might enter the system.</li> <li>5. Spilled or leaked HHW and accumulated precipitation must be removed from the sump or collection area in a timely manner as necessary to prevent overflow of the collection system.</li> </ul> </li> <li>ii. Areas that store containers holding only HHW that do not contain free liquids need not have a secondary containment system provided that:             <ul style="list-style-type: none"> <li>1. The storage area is sloped or is otherwise designed and operated to drain and remove liquid resulting from precipitation; or</li> <li>2. The containers are elevated or are otherwise protected from contact with accumulated liquid.</li> </ul> </li> </ul> <p>(6) Containers holding ignitable or reactive waste shall be located at least 15 meters (50 feet) from the facility's property line.</p> <p>(7) Special requirements for incompatible wastes.</p> <ul style="list-style-type: none"> <li>i. Incompatible wastes, or incompatible wastes and materials shall not be placed in the same container.</li> <li>ii. Waste shall not be placed in an unwashed container that previously held an incompatible waste or material.</li> <li>iii. A storage container holding a waste that is incompatible with any waste or other material stored nearby in other containers shall be separated from other materials or protected from them by means of a dike, berm, wall, or other device.</li> </ul> <p>iii) HHW shall only be stored as indicated in the permit and permit application documents.</p> <p>iv) HHW may be stored for a period not to exceed 270 days, provided that the storage capacity of the facility is not exceeded.</p> <p>v) The Permittee shall take precautions to prevent accidental ignition or reaction of ignitable or reactive waste. This waste shall be separated and protected from sources of ignition or reaction including, but not limited to: open flames, smoking, cutting and welding, hot surfaces, frictional heat, sparks (static, electrical, or mechanical), spontaneous ignition (e.g., from heat-producing chemical reactions), and radiant heat. While ignitable or reactive waste is being handled, the Permittee shall confine smoking and open flame to specifically designated locations. "No smoking" signs shall be conspicuously placed wherever there is a hazard from ignitable or reactive waste.</p> <p>vi) The Permittee shall not, at any time, mix reactive or incompatible wastes.</p> <p>g. <u>Security Plan.</u></p> <p>vii) The Permittee shall ensure the facility has:</p>		

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<p>(1) A 24-hour surveillance system (e.g., television monitoring or surveillance by guards or facility personnel) which continuously monitors and controls entry onto the active portion of the facility; or;</p> <p>(2) A system that includes:</p> <ul style="list-style-type: none"> <li>i. An artificial or natural barrier (e.g., a fence in good repair or a fence combined with a cliff), which completely surrounds the active portion of the facility; and</li> <li>ii. A means to control entry, at all times, through the gates or other entrances to the active portion of the facility (e.g., an attendant, television monitors, locked entrance, or controlled roadway access to the facility).</li> </ul> <p>i) A sign with the legend "Danger - Unauthorized Personnel Keep Out," shall be posted at each entrance of the active portion of the facility, and at other locations in sufficient numbers to be seen from any approach to the active portion. This legend must be written in English and legible from a distance of at least 25 feet.</p> <p><b>h. Inspections.</b></p> <ul style="list-style-type: none"> <li>i) The Permittee shall conduct inspections to identify problems to prevent harm to human health or the environment, and shall inspect the facility for malfunctions and deterioration, operator errors, and discharges that may be causing or may lead to a release of hazardous constituents.</li> <li>ii) HHW Facility Weekly Inspections.             <ul style="list-style-type: none"> <li>(1) The Permittee shall develop and follow a weekly schedule for inspecting all monitoring equipment, safety and emergency equipment, security devices, and operating and structural equipment (such as dikes and sump pumps) that are important to prevent, detect, and respond to environmental or human health hazards.</li> <li>(2) This schedule shall be kept at the facility, and be available for inspection by authorized Guam EPA personnel.</li> <li>(3) The schedule shall identify the types of problems (e.g., malfunctions or deterioration) to be targeted for inspection.</li> <li>(4) The frequency of inspection may vary for the items on the schedule. However, it should be based on the rate of possible deterioration of the equipment and the probability of an environmental or human health incident if the deterioration or malfunction of any operator error goes undetected between inspections. Areas subject to spills, such as loading and unloading areas, shall be inspected daily when in use.</li> </ul> </li> <li>iii) The Permittee shall remedy any deterioration or malfunction of equipment or structures on a schedule that ensures the problem does not lead to an environmental or human health hazard. Where a hazard is imminent or has already occurred, response action shall be taken immediately.</li> <li>iv) The Permittee shall record inspections in an inspection log as required under this permit. These records shall be kept at least three years from the date of inspection. At a minimum, these records shall include the date and time of the inspection, the name of the inspector, a notation of the observations made, and the date and nature of any repairs or other response actions.</li> </ul> <p><b>i. Additional HHW Recordkeeping and Reporting.</b></p> <ul style="list-style-type: none"> <li>i) The Permittee is responsible for complying with all requirements in Section 17 of this permit, Self Monitoring Program. Additionally, the Permittee shall comply with the additional HHW Facility specific requirements contained in this permit section.</li> <li>ii) The Permittee must maintain the following records:             <ul style="list-style-type: none"> <li>(1) For each container into which other containers of household hazardous waste are placed, a log must be used that contains the following information:                 <ul style="list-style-type: none"> <li>i. Beginning date of accumulation</li> <li>ii. Each individual waste container within the container, its contents, volume, and date received, and</li> <li>iii. The date container became full.</li> </ul> </li> <li>(2) For each container into which consolidated household hazardous waste is placed, a log sheet must be used that contains the following information:                 <ul style="list-style-type: none"> <li>iv. Beginning date of accumulation</li> <li>v. Date material was entered and type of material; and</li> <li>vi. The date container became full.</li> </ul> </li> <li>(3) The Permittee shall maintain an overall waste log that lists each container stored on site, and includes waste type, hazard class, beginning and ending accumulation dates, and location of each container.</li> <li>(4) The Permittee shall maintain inspection logs as required by this permit.</li> </ul> </li> <li>iii) Copies of log of the logs required in paragraph i) of this subdivision shall be retained by the Permittee for a period of three years after waste shipment.</li> <li>iv) Copies of shipping papers or manifests shall be provided to Guam EPA and also shall be retained by the Permittee for a period of three years after shipment.</li> <li>v) Until such time that the United States has deemed the Ordot Consent Decree projects as complete, or as otherwise specified by the U.S. EPA, the Permittee also shall provide a copy of reports that are required by this permit for the HHW Facility, to U.S. EPA, Region IX.</li> </ul>	



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<p><b>j. <u>Preparedness and Prevention.</u></b></p> <ul style="list-style-type: none"> <li>i) The Permittee shall ensure that the facility is designed, constructed, maintained, and operated to minimize the possibility of a fire, explosion or any unplanned sudden or non-sudden release of waste or hazardous constituents to air, soil, or surface water that could threaten human health or the environment.</li> <li>ii) The Permittee shall provide the following equipment:             <ul style="list-style-type: none"> <li>(1) An internal communication or alarm system capable of providing immediate emergency instruction (voice or signal) to facility personnel;</li> <li>(2) A device, such as a telephone (immediately available at the scene of operations) or a hand-held two-way radio, capable of summoning emergency assistance from local police departments, fire departments, or State or local emergency response teams;</li> <li>(3) Portable fire extinguishers, fire control equipment (including special extinguishing equipment, such as that using foam, inert gas, or dry chemicals), spill control equipment, and decontamination equipment; and</li> <li>(4) Water at adequate volume and pressure to supply water hose streams, foam producing equipment, automatic sprinklers, or water spray systems.</li> </ul> </li> <li>iii) The Permittee shall test and maintain the facility communications or alarm systems, fire protection equipment, spill control equipment, and decontamination equipment to assure proper operation in time of emergency.</li> <li>iv) Access to communications or alarm system.             <ul style="list-style-type: none"> <li>(1) The Permittee shall ensure that whenever HHW is collected, poured, mixed or otherwise handled, all personnel involved in the operation shall have immediate access to an internal alarm or emergency communication device either directly or through visual or voice contact with another employee.</li> <li>(2) The Permittee shall ensure that if just one employee is on the HHW Facility premises while the facility is operating, that employee must have immediate access to a device, such as a telephone (immediately available at the scene of operation) or a hand-held two-way radio, capable of summoning external emergency assistance.</li> </ul> </li> <li>v) The Permittee shall maintain aisle space to allow the unobstructed movement of personnel, fire protection equipment, and decontamination equipment to any area of facility operation in an emergency.</li> </ul> <p><b>k. <u>Contingency Plan.</u></b></p> <ul style="list-style-type: none"> <li>i) Purpose and implementation of contingency plan.             <ul style="list-style-type: none"> <li>(1) Each owner or operator shall have a contingency plan for the facility. The contingency plan shall be designed to minimize hazards to human health or the environment from fires, explosions, or any unplanned sudden or non-sudden release of waste or hazardous constituents to air, soil, or surface water.</li> <li>(2) The provisions of the plan shall be carried out immediately whenever there is a fire, explosion, or release of waste or hazardous constituents, which could threaten human health or the environment.</li> </ul> </li> <li>ii) Content of contingency plan.             <ul style="list-style-type: none"> <li>(1) This contingency plan shall include, but is not limited to:                 <ul style="list-style-type: none"> <li>i. A description of arrangements between the applicant and local police departments, fire departments, hospitals, contractors, equipment suppliers, and State and local emergency response teams to coordinate emergency services and familiarize them with the layout of the facility, properties of the waste handled at the facility and associated hazards, places where facility personnel normally would be working, entrances to and roads inside the facility, and possible evacuation routes, as appropriate;</li> <li>ii. A list of names, addresses, and telephone numbers (office and home) of all individuals qualified to act as an emergency coordinator. Where more than one individual is listed, the primary coordinator must be listed first and the others listed in the order in which they will assume responsibility as alternates;</li> <li>iii. A list of all relevant emergency equipment maintained at the facility (such as, but not limited to, fire extinguishing systems, spill control equipment, and internal and external communications and alarm systems) and the location and a physical description of each item of emergency equipment, with a brief outline of its capabilities; and</li> <li>iv. An evacuation plan for facility personnel, including a description of signals to be used to begin evacuation and the primary and alternate evacuation routes</li> </ul> </li> </ul> </li> <li>iii) Copies of contingency plan. A copy of the contingency plan and all revisions to the plan must be:             <ul style="list-style-type: none"> <li>(1) Maintained at the facility; and</li> <li>(2) Submitted to all local police departments, fire departments, hospitals, and State and local emergency response teams that may be called upon to provide emergency services.</li> </ul> </li> <li>iv) Amendment of contingency plan. The Guam EPA Administrator must approve all amendments to the contingency plans. The contingency plan must be reviewed, and immediately amended, if necessary, whenever:             <ul style="list-style-type: none"> <li>(1) The facility permit is revised;</li> <li>(2) The plan fails in an emergency;</li> <li>(3) The facility changes - in its design, construction, operation, maintenance, or other circumstances - in a way that materially increases the potential for fires, explosions, or releases of waste or hazardous constituents, or changes the response necessary in an emergency;</li> </ul> </li> </ul>		

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<p>(4) The list of emergency coordinators changes; or (v) the list of emergency equipment changes.</p> <p><b>I. <u>Personnel Training.</u></b></p> <p>i) Program requirements</p> <ol style="list-style-type: none"> <li>(1) Facility personnel must successfully complete a program of classroom instruction and on-the-job training that teaches them to perform their duties in a way that ensures the facility's compliance with the requirements of this Subpart. The owner or operator must ensure that this program includes all of the elements described in the training description required under subparagraph iv) (3) of this subdivision.</li> <li>(2) This program must be directed by a person trained in hazardous material management procedures, and must include instruction which teaches facility personnel hazardous material management procedures (including contingency plan implementation) relevant to the positions in which they are employed.</li> <li>(3) At a minimum, the training program must be designed to ensure that facility personnel are able to respond effectively to emergencies by familiarizing them with emergency procedures, emergency equipment, and emergency systems, including, where applicable:           <ol style="list-style-type: none"> <li>i. Procedures for using, inspecting, repairing, and replacing facility emergency and monitoring equipment</li> <li>ii. Communication or alarm systems</li> <li>iii. Response to fires or explosions; and</li> <li>iv. Response to spills.</li> </ol> </li> </ol> <p>ii) Facility personnel must successfully complete the program required in paragraph i) of this subdivision within six months after the date of their employment or assignment to the facility, whichever is later. Employees must not work in unsupervised positions until they have completed the training requirements of paragraph i) of this subdivision.</p> <p>iii) Facility personnel must take part in an annual review of the initial training required in paragraph i) of this subdivision.</p> <p>iv) The owner or operator must maintain the following documents and records at the facility:</p> <ol style="list-style-type: none"> <li>(1) The job title for each position at the facility related to household hazardous waste management, and the name of the employee filling each job;</li> <li>(2) A written job description for each position listed under subparagraph (1) of this paragraph. This description may be consistent in its degree of specificity with descriptions for other similar positions in the same company location or bargaining unit, but must include the requisite skill, education or other qualifications, and duties of employees assigned to each position;</li> <li>(3) A written description of the type and amount of both introductory and continuing training that will be given to each person filling a position listed under subparagraph (1) of this paragraph; and</li> <li>(4) Records that document that the training or job experience required under paragraphs i), ii) and iii) of this subdivision has been given to, and completed by, facility personnel.</li> </ol> <p>v) Training records on current personnel must be kept until closure of the facility. Training records on former employees must be kept for at least three years from the date the employee last worked at the facility. Personnel training records may accompany personnel transferred within the same organization.</p> <p>vi) The permit application must contain an outline of the training program to be used at the facility and a brief description of how the training program is designed to meet actual job tasks.</p>		

## ATTACHMENT C – HHW FACILITY OPERATIONS PLAN

### **HOUSEHOLD HAZARDOUS WASTE FACILITY**

#### **Operations Plan**

**September 2014**

## TABLE OF CONTENTS

Section	Page
SECTION 1 INTRODUCTION .....	2
1.1 Purpose and Organization of Operations Plan .....	2
SECTION 2 FACILITY DESCRIPTION .....	4
2.1 Facility Information .....	4
2.2 HHW Facility Design and Layout .....	4
2.3 Facility Landowner and Operator .....	10
SECTION 3 FACILITY OPERATIONS .....	10
3.1 Hours of Operation .....	10
3.2 Types & Quantities of Waste Expected at Facility .....	11
3.3 Operating Methods .....	13
3.4 Staffing Plan .....	21
SECTION 4 TRAINING & RECORD KEEPING .....	23
4.1 HHW Waste Technician Training .....	23
4.2 Record Keeping .....	24
SECTION 5 SAFETY .....	25
SECTION 6 CONTINGENCY PLANS AND EMERGENCY PROCEDURES .....	27
SECTION 7 CLOSURE PLAN .....	27
ACRONYM LIST .....	28
APPENDIX A HHW ARCHITECTURAL FLOOR PLAN AND DETAILS .....	29





**Aerial View: Guam Solid Waste Authority Harmon Yard, Transfer Station and HHW Facility**



## SECTION 1 INTRODUCTION

### 1.1 Purpose and Organization of Operations Plan

This Operations Plan was prepared for the Household Hazardous Waste (HHW) operations at the Harmon Residential Transfer Station (Residential TS), to serve as a guidance document for the HHW Facility Operator and to demonstrate conformance with appropriate Guam EPA regulatory requirements. The Residential TS is a convenience location for non-commercial customers to drop off their municipal solid waste (MSW), certain recyclable plastics and paper, and Household Hazardous Waste (HHW). HHW operations will be conducted at the HHW Facility, a building, on the Residential TS (See location 3 on Figure 1). It is located within a 2.75 acre parcel that includes the Residential TS and the Guam Solid Waste Authority (GSWA) collection equipment base yard and truck wash. There is a separate operations plan for the Residential TS.

The Operations Plan is organized as follows:

- Section 1. Introduction
- Section 2. Facility Description
- Section 3. Facility Operations
- Section 4. Training and Record Keeping
- Section 5. Safety
- Section 6. Contingency Plans and Emergency Procedures
- Section 7. Closure Plan
- Appendix A – HHW Architectural Floor Plan and Details

The HHW Facility is the only such facility on the island and serves the entire island residential community, outside of military installations, from this central location in the Harmon area of the Village of Tamuning-Tumon. This Operations plan addresses the currently anticipated staffing and equipment needs for incoming HHW materials and incremental staffing and equipment if needed to accommodate additional residential customers.



Figure 1 – Residential TS Layout and Traffic Pattern

## SECTION 2 FACILITY DESCRIPTION

### 2.1 Facility Information

The HHW Facility is located off of Harmon Industrial Road in a commercial and industrial district. It is adjacent to the Government of Guam's Department of Public Works and the GSWA's office building located at 542 N. Marine Corps Drive Tamuning, Guam 96913. The outline of the land parcel on which the HHW Facility is located, is shown on Figure 2 on next page.

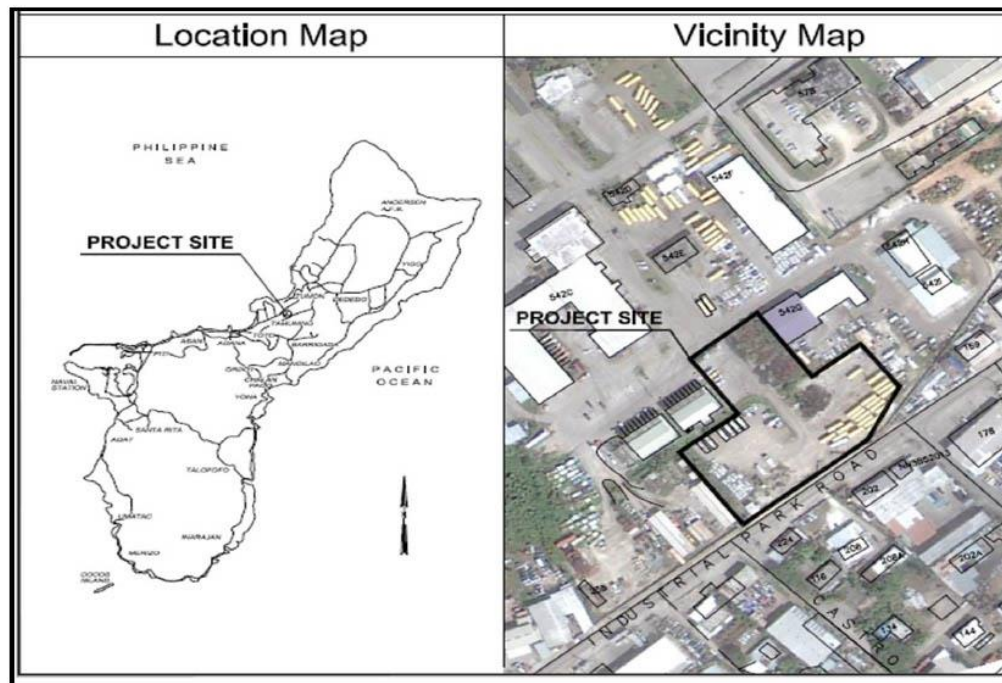
The HHW Facility comprises 3,250 square feet of the Residential TS and includes a 600 square foot storage building, office, covered receiving, reuse area, and Loading area. The Residential TS which has an approximate footprint of 0.87 acres within Lot 5120-7, a 2.75 acre parcel zoned Industrial. A Zoning Certification is provided with this permit application in accordance with GARR Title 22, Chapter 23, Section 23104(b) (1) (B). The HHW Facility and its immediate surroundings are shown in Figure 3.

### 2.2 HHW Facility Design and Layout

In accordance with the requirements of GARR Title 22, Chapter 23, Section 23104(b)(1)(A), the design plans and specifications for the HHW Facility are included in permit application. Multiple design plan sheets show the dimensions and layout of the HHW Facility, indicating building composition, stationary equipment, building controls, utilities, safety features, and ancillary systems.

The entrance and exit for customers is from Harmon Industrial Road along the south facility boundary. The customer circulation route through the Residential TS is a counterclockwise from entrance to exit. The HHW Facility is just after the Pay Station located along the left side of the customer circulation route to facilitate communication and drop off of HHW materials. The HHW Facility's covered receiving area protects customers and materials from rain.

The HHW Facility has a design capacity based on operational records and experience of the GSWA and information provided by GEPA from past HHW cleanup events. The range of anticipated tonnages of HHW materials expected are presented in Section 3.2. The HHW Facility is staffed to provide for the range of tonnages and additional staff and equipment can be brought on to adjust to varying incoming material volumes. In addition, GSWA facility parking areas can be used, when necessary, to provide for additional customer queuing areas.



**Figure 2 – Location and Vicinity Maps**



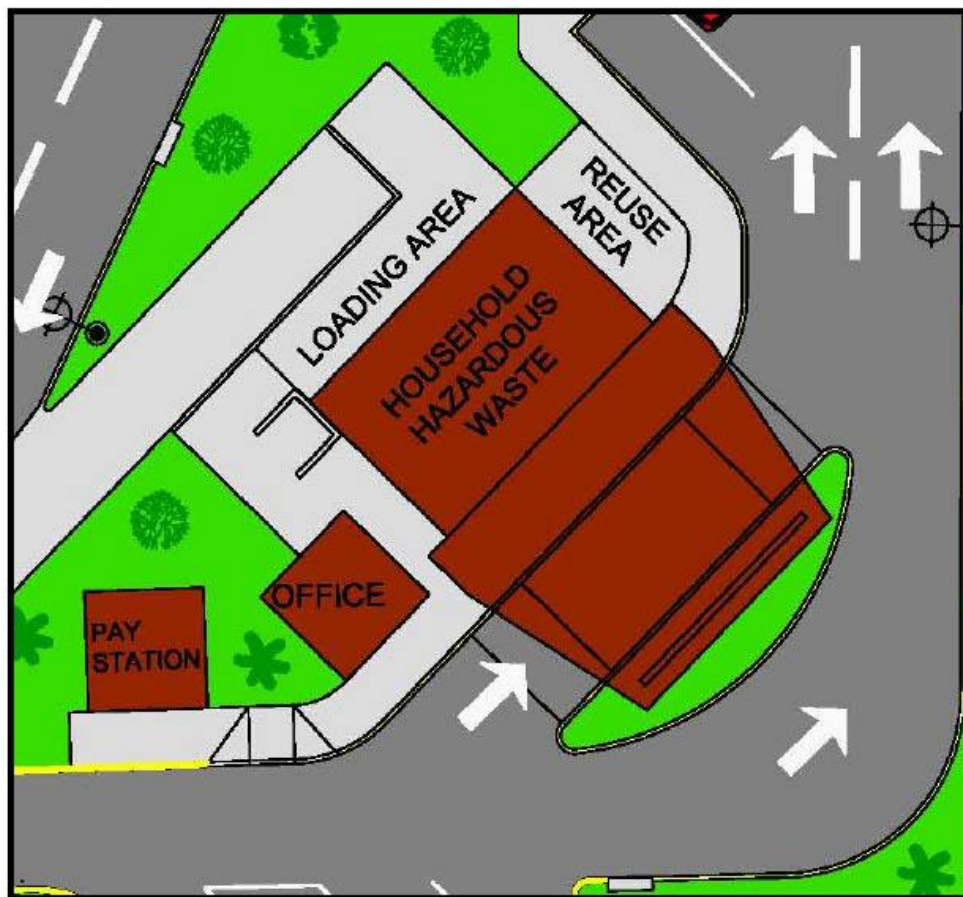


Figure 3 – HHW Facility and surroundings

### 2.2.1 Receiving Area

Customers are served under the covered receiving area at the east side of the HHW building. The receiving area has a spill kit available in the event a spill occurs while off-loading the waste from the customer's vehicle. The receiving area is designed to prevent stormwater pollution, and is constructed of concrete. Potential spills that may occur while waste is received will be managed with spill response operational controls by HHW personnel. Spill prevention, countermeasures and control are discussed in detail in the Residential TS Spill Prevention, Countermeasures and Control (SPCC) Plan which is onsite in the HHW Office. The ponding basin nearest the receiving area is part of the stormwater system and will have spill response operational controls protecting discharge to it in the event of a spill.

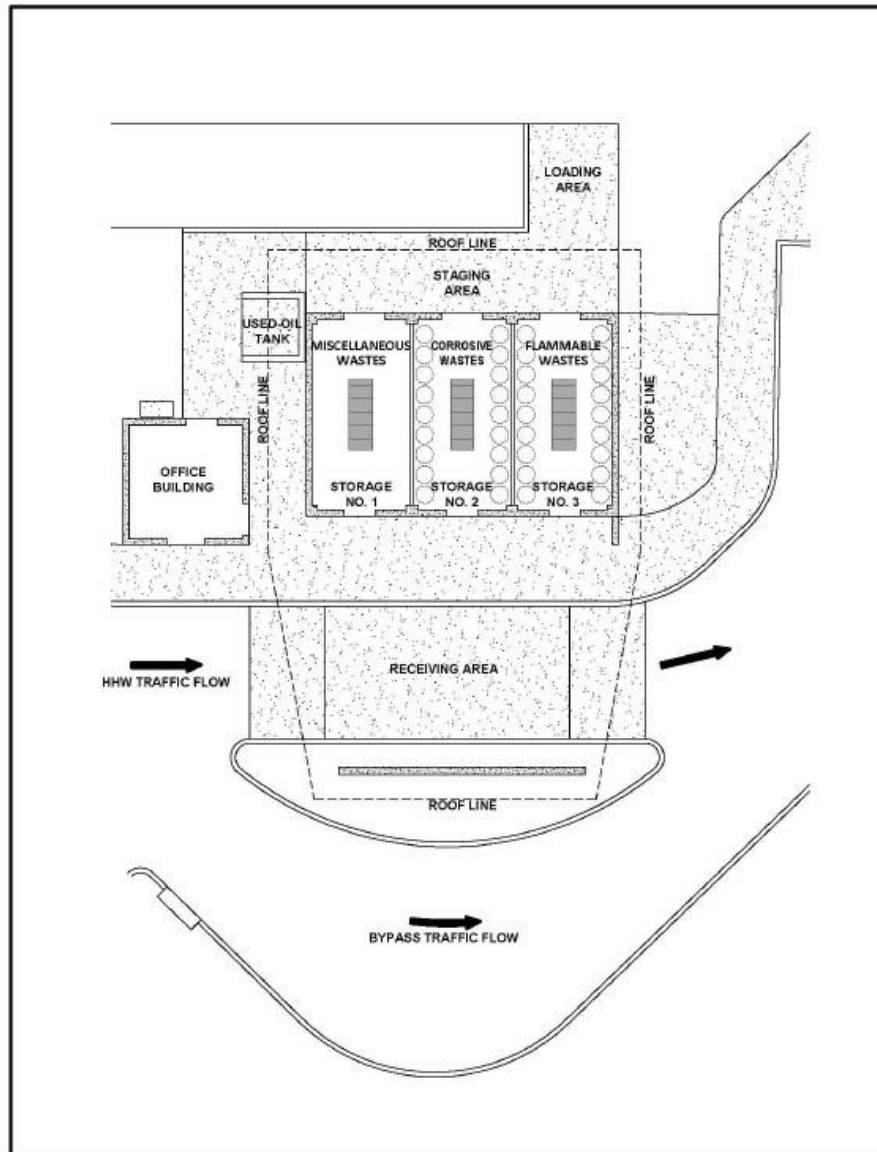
### 2.2.2 HHW Building

All HHW received at the HHW Facility is characterized, segregated and/or processed through the HHW building (See Figure 4). The building consists of three (3) storage rooms, and a 275 gallon doubled-walled polyethylene plastic used-oil container adjacent to the building. The building allows for processing of wastes in all weather conditions. All electrical wiring and fire suppression fixtures have been installed and approved according to the standards of the Uniform Fire Code.

The door openings in each storage area and mechanical ventilation allows fresh air to be drawn into all areas of the building. Fresh Air flow is drawn in from outside through ventilated doorways and up through the roof ventilator and discharged from the storage areas.

The building and covered receiving area are equipped with a water sprinkler system for fire suppression. The building is also equipped fire extinguishers and an eyewash/safety showers. An audio and visual alarm is located on both the east and west side walls between storage doors 2 and 3, and doors 1 and 2, respectively, and activated in several ways; with the pull handle at the building, with the pull handle at the HHW Office, when one of the smoke detectors is tripped, or when the sprinkler system activates (pressure sensor in the sprinkler water supply pipe). The sprinkler system only activates if the heat sensor on an individual sprinkler head reaches the set temperature. In the event of a fire, the 20-minute flow from the fire suppression system will produce approximately 2,100 gallons of water.





**Figure 4 – HHW Building Layout**

### 2.2.3 Storage Rooms

The three storage rooms of the HHW building, each approximately 10 ft wide by 20 ft long, serve as the waste storage areas. HHW that is collected daily is stored in this area to await loading and transport to the HHW contractor's permitted facility for consolidation and shipping.

The storage room floors are made of concrete sealed with an epoxy coating. The floor of each room slopes to the center to a grated containment sump. The sump can accommodate approximately 800 gallons of liquid. The secondary containment for each storage room is designed to contain ten percent of the volume of all bulk containers anticipated to be stored or 100% of the largest container in the storage room. The total anticipated storage volume for each room is 1000 gallons of liquid. The largest bulk container of liquid to be stored in any storage area is a 55-gallon drum. 55-gallon drums will not be stacked in the storage rooms. Additionally, the secondary containment sump is capable of holding twenty minutes of flow from the fire suppression system. The combined total of displaced volume from the fire suppression flow and liquid from the largest container is approximately 726 gallons. The total combined capacity of the secondary containment of all storage rooms is approximately 2,400 gallons.

There is a concrete curb at the base of each storage room to prevent mixing of liquids from the different rooms. If there is enough liquid spilled to overflow the sump and sloped floor, the door threshold is the point at which each storage room could overflow. Containment will be provided at this location with active operational controls such as deployed spill containment booms from spill kits stored at the building. The largest container at the facility is the used-oil tank outside the building which holds 275 gallons. Spill prevention, countermeasures and control Best Management Practices (BMPs) are provided for this container.

The containment sump in each room is epoxy coated and sealed with no outgoing pipes. Any liquids in the sump must be removed from the top of the sump with a suction hose or other methods. In the event of a reportable spill, a hazardous waste contractor will be called in to remove the waste and clean the area. Minor spills will be cleaned up with the use of materials in the spill kit by HHW Facility staff.

### 2.2.4 Reuse Material Area

In Figure 3 there is an outside concrete pad alongside of Storage Room No. 3. This area is designated REUSE AREA, and it is anticipated that some materials received at the receiving area could be set aside for reuse by customers. This area will have a temporary canopy in order to shed rain, but also to be removable since the reuse area will be used infrequently as it is dependent on what material is dropped off, the market need for reuse materials, and the budget necessary to manage this convenience for the customer.

### 2.3 Facility Landowner and Operator

The Residential TS is owned by the Government of Guam in the inventory of the Guam Solid Waste Authority (GSWA). Currently the GSWA is administered by Gershman, Brickner, & Bratton (GBB), Inc., the Federal Court appointed receiver responsible for implementation of the Ordot Consent Decree projects. The Residential TS will be operated by the GSWA. Contact information for the property owner is as follows:

Guam Solid Waste Authority	
Chace Anderson Receiver Operations Manager 2nd Floor, 542 N. Marine Corps Drive Tamuning, Guam 96913 Phone: 671-898-5585 Email: <a href="mailto:candersongbb@gmail.com">candersongbb@gmail.com</a>	Alicia Fejaren GSWA's Customer Service Center 2nd Floor, 542 N. Marine Corps Drive Tamuning, Guam 96913 Phone: 671-646-3111 Email: <a href="mailto:avfejran@gmail.com">avfejran@gmail.com</a>

Contact information for the HHW operations is as follows:

Guam Solid Waste Authority	Contractor (HHW operations)
Chace Anderson Receiver Operations Manager 2nd Floor, 542 N. Marine Corps Drive Tamuning, Guam 96913 Phone: 671-898-5585 Email: <a href="mailto:candersongbb@gmail.com">candersongbb@gmail.com</a>	William Curry Unlimited Services Group, LLC/ South Pacific Environmental Guam, LLC P.O. Box 20159 GMF Guam 96921

GSWA as operator of record for the Residential TS and HHW Facility, is contracting the HHW Facility operations to a third party operator as indicated above.

## SECTION 3 FACILITY OPERATIONS

### 3.1 Hours of Operation

The HHW Facility will be open to receive residential drop off Thursday through Monday from 9am to 5pm. Additionally, the operator:

- May be on site outside of residential drop off hours to accommodate operating activities
- Will be on-site on non-operational days (Tuesday and Wednesday) from 9am to 5pm for site maintenance and management activities.

The HHW Facility will be closed to receiving residential drop off on Tuesday and Wednesday as well as the Holidays of Thanksgiving Day, Christmas Day, and New Year's Day.

### 3.2 Types & Quantities of Waste Expected at Facility

The following table summarizes the anticipated quantities and maximum anticipated monthly quantities, and the monthly, daily, and annual design capacities. The maximum monthly, daily, and annual quantities are estimate for the entire island. This range of quantity information is provided to show that the facility can handle both the expected tonnage and additional tonnage, if needed.

Waste Type and Source	Projected Monthly Minimum Quantity (tons)	Projected Monthly Maximum Quantity (tons)	Monthly Design Capacity Maximum (tons)	Daily Design Capacity Maximum (tons)	Annual Design Capacity Maximum )
HHW	5	27	83.3	3	1,000

The monthly minimum and maximum projected quantities are based GSWA operational records and experience of the GSWA and information provided by GEPA from past HHW cleanup events. The design capacity of the facility is 1,000 total tons per year. The anticipated maximum number of vehicles per hour is estimated as a percentage of the total expected for the Residential TS, approximately eight (8). With an assumed load in each vehicle to be 100 lbs, the peak maximum anticipated tonnage per hour is 0.4 tons.

Because this HHW Facility is new, the Operator expects initial higher volume days, as the local residents adjust to availability of the facility and the operating hours. In the event of an extremely high volume of residential vehicles, the Operator will provide an addition queuing area and attendant for residential customers in one of the adjacent GSWA parking areas shown on Figure 1 (either side of site).

#### 3.2.1 Acceptable Waste

The HHW Facility accepts the following waste:

- Household Hazardous Waste:
  - Latex Paint
  - Oil Based Paint, stains, varnishes, lacquers
  - Acid, inorganic liquid
  - Base, inorganic liquid
  - Flammable Liquids and Solvents
  - Toxic Liquid
  - Liquid Oxidizer



- Pesticides and Herbicides
- Fertilizers
- Batteries: Alkaline, Nickel-Cadmium (NiCd), Nickel Metal Hydride, Lithium ion, Lithium
- UPS Units
- Aerosols, Flammable and Non-flammable
- Aerosols, Poison
- Used motor Oil and Oil Filters
- Cooking Oil
- Antifreeze/Coolant
- Compressed Gas, Flammable and Non-flammable
- Environmentally hazardous liquids and solids
- Oxidizers
- Water Reactive Waste
- Fluorescent Tubes/Bulbs
- Light ballasts (PCB containing and non-PCB containing)
- Propane Cylinders
- Sharps in containers
- Electronic Waste
  - Computers (Desktop and portables (laptops, notebooks)
  - Computer Monitors (CRT and Flat Panel types for use with computers)
  - Mobile devices (cell phones, PDAs, smartphones, pagers)
  - Hardcopy devices (desktop copiers, scanners, fax machines, multi-function devices)
  - Keyboard and mice.

#### 3.2.1.1 Reuse Materials

Materials for reuse will be segregated from the rest of the HHW, when possible, to be available for reuse by customers. Materials will be primarily unused and mostly paints. The Reuse Program is discussed in section 3.3.7.

#### 3.2.2 Unacceptable/Excluded Waste

The HHW Facility does not accept the following waste:

- Yard and other vegetative waste: organic wastes from lawns, trees, and horticultural and landscaping activities, including:
  - Leaves
  - Grass clippings
  - Tree pruning
  - Large cut waste timber and stumps
  - Other similar materials
- Untreated wood: wood, such as construction and demolition lumber or pallets, that has had neither paint/stain nor preservatives applied to it.

- Inert material:
  - Asphaltic Concrete
  - Portland Cement Concrete
  - Concrete blocks
  - Bricks
  - Rocks/Soil
  - Other bulky material
- Metals
  - White goods (Refrigerators, Washer, Dryer, Dishwasher, Microwaves, AC Units, Appliances)
  - Vehicles, vehicle parts, and/or household farm equipment
  - Structural frames, poles, posts, fencing, wire, cable
- Ammunition
- Explosives
- Dead Animals
- Guam Hazardous wastes and Conditionally Exempt Small Quantity Generator Waste

Radiological screening will not be conducted at the HHW Facility as the volume is relatively small and it will be sent off island for processing.

### 3.3 Operating Methods

This section includes a general description of the operating methods for each component of waste management at the HHW Facility. This includes but is not limited to the methods of traffic flow and control, determining load size, waste screening, waste receiving, waste identification and segregation, waste processing, storage and shipping, and different work activities at the Facility. Since this Facility is for non-commercial use and acts as a convenience center for residential household post-consumer materials, there is no tip floor and waste screening protocol as there are in commercial facilities (see Figure 1, 3 and 4 for site layout):

#### 3.3.1 Traffic Flow Control

Figure 1 presents the Residential TS layout and traffic plan and Figures 3 and 4 show traffic routing in and around the HHW Facility. The Residential TS is designed to facilitate traffic routing and safety by incorporating pull out lanes, turn around areas, and with one directional counter-clockwise flow pattern. Residents will be routed by the GSWA Solid Waste Technician appropriately based on the materials they bring to the site. In general, residential customers will be directed to the HHW Facility receiving area first if they have HHW. After leaving the receiving area, if the customer has additional MSW or recyclables to drop off, they are to proceed as directed by the Solid Waste Technician in the Pay Station. If they have no other materials or waste, they are to proceed and exit the Residential TS. Site traffic will be managed by the Solid Waste Technician overall, and additional staffing may be incorporated as needed and described in Section 3.4 for staffing.



In the event of high facility use, the following measures may be implemented by the Residential TS operator in coordination with the HHW Facility operator, as appropriate:

- Queue incoming vehicles in the traffic lanes and assign a Solid Waste Technician to go to vehicles directly and register and collect payment as appropriate.
- Queue incoming vehicle in the adjacent GSWA parking yard and assign a Solid Waste Technician to coordinate and route the traffic.
- HHW Facility operator to increase frequency of loading materials for transport to contracted consolidation and shipping facility. This activity would provide an additional capacity in the storage rooms for drop off to expedite customer waste drop off time.
  - Customers enter the facility through a staffed Pay Station where the loads are initially checked. Only those customers dropping off residential MSW are charged a fee. Customers with recyclables or HHW are not charged a fee to drop off.
  - If the material is such that there is a charge, then the Solid Waste Technician collects the fee at the Pay Station, records the transaction, and provides the customer with a receipt. If incoming vehicles are backed up, the Solid Waste Technician will direct incoming HHW Facility traffic to either pull into the adjacent GSWA parking spots or pull forward to where an orange traffic cone is placed in the circulation route, park their car, and await direction to proceed from the Solid Waste Technician.
  - Customers will be directed to specific drop off locations depending on the material they are dropping off.
    - Customers with HHW, will first be directed to HHW building immediately after the Pay Station and Office buildings on the left side of the entrance drive (Location 3 on Figure 1).
    - Customers who have materials for potential HHW reuse will also be directed to the HHW building to receive direction from the HHW waste technician. The Reuse Program is presented in section 3.3.7 of this Plan.

The following section includes a general description of the operating methods for each component of waste management at the HHW Facility. This includes but is not limited to the methods of waste-screening, traffic flow/control, drop off procedures, waste transfer handling methods, and different work activity at the Facility. Since this Facility is for non-commercial use and acts as a convenience center for residential household post-consumer materials, there is no tip floor and waste screening protocol as there are in commercial facilities.

### 3.3.2 Determining Load Size

Many HHW Facilities in the United States have quantity limitations to what residents can bring into the HHWF<sup>1</sup>. GSWA's HHW Facility is no different and limits the resident to 15 gallons or 100 lbs. per visit each day. The GSWA staff and HHW contractor reserve the right to decline taking any material that is unknown, not on the acceptable materials list, and material that is suspected of coming from a commercial generator.

Load size is determined visually. The solid waste technician will determine whether the load size exceeds the maximum, and in segregated loads (i.e. – MSW or Bulky Waste), what volume is HHW.

There is no scale at the Facility. Customers who bring only the approved recycled materials (see Section 3.2), HHW, and no MSW or bulky waste may enter the Facility without being charged.

### 3.3.3 Waste Screening

There are two stages where customers' waste is screened: At the Pay Station and when the HHW waste technician is unloading the materials at the HHW Facility.

Pay Station: Customers coming into the HHW Facility will have to first go through the Residential TS's pay station where the solid waste technician will do the initial view of the customer's contents, ask the customer questions regarding what kind of material the customer is bringing into the facility and where was the material generated. If the solid waste technician believes that the customer has met the requirements to use the HHW Facility, the technician will inform the customer to move forward and into the HHW Facility service line where the customer will wait in his car and the material will be unloaded by a HHW technician.

Once the customer is in front (and underneath the covered receiving area) of the HHWF, a HHW technician will tell the customer to stay in his car while the technician performs waste receiving (see Section 3.3.4). If the technician has any questions about any of the items in the customer's vehicle the technician will ask these questions of the customer before making a final determination to take the material.

Particular attention in waste screening will be given to Guam Hazardous Waste. At a minimum (1) random inspection of incoming loads will be performed; (2) records of any inspections will be documented; (3) training of facility personnel to recognize regulated hazardous waste and PCB waste will be provided; and (4) notification to GEPA if regulated hazardous waste or PCB waste is discovered at the facility. Regulated hazardous waste means a solid waste that is

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<sup>1</sup> Examples: City of Palo Alto has a limitation of 15 gallons or 125 lbs; Metropolitan Government of Nashville and Davidson County has a limitation of 15 gallons or 100 lbs; Monterey Regional Waste Management District 15 gallons or 125 lbs; Spokane Regional Solid Waste System has a limitation of 15 gallons.

hazardous or was not generated by a conditionally exempt small quantity generator as defined in Guam's Hazardous Waste Management Regulations.

#### **3.3.4 Waste Receiving**

The HHW Facility staff greet each customer, verifies their residency and generator status. The customer is then asked to fill out a release form while facility staff scrutinizes the load and categorizes waste in the vehicle.

Prior to unloading any HHW, staff will scrutinize all wastes to identify leaking or bulging containers, incompatible wastes, explosive materials and unacceptable waste. Leaking containers are carefully removed and placed in plastic bags, boxes or other appropriate containers that can contain any leakage. Unsealed containers should not be transported on carts.

If unlabeled waste is identified in the load, the HHW staff inquires with the generator as to his or her knowledge of the material before handling and accepting the waste. Any unknown waste that appears to be explosive or acutely reactive will not be handled by staff. If any material is of an immediate threat to human health staff is instructed to notify the HHW Program Manager to implement an appropriate emergency response team.

HHW Facility staff organizes waste on each cart to prevent incompatible materials from mixing together.

All waste is transferred to wheeled utility carts and rolled into the building before the customer leaves. Waste should never be left in the receiving area unattended. If the HHW waste technician determines that the customer has HHW materials that can be reused, and the HHW Facility is operating the Reuse Program area, the HHW waste technician may remove the materials in the receiving area or will ask the customer to pull up into a parking space adjacent to the Reuse Area (Location 5 on Figure 1) for further instruction. See section 3.3.7 below regarding the Reuse Program.

Before the customer leaves, facility staff reviews the consent form for accuracy and records the date and time of the visit. The facility staff also denotes the approximate quantity of waste that was delivered by the customer on the release form.

#### **3.3.5 Waste Identification and Segregation**

Wastes from the receiving area is moved immediately into the HHW storage rooms upon receipt from the customer. Most waste sorting and packaging will be confined to the storage rooms. Antifreeze, grease, fluorescent bulbs and some Class 9 waste is packaged in the bulking area. All HHW is sorted according to hazard class and compatibility criteria immediately upon receipt at the facility. Waste that is destined for labpacking or loosepacking is placed aside to keep waste segregated before packaging. There are ten labeled segregation containers that accommodate all waste that will be loose packed and labpacked. Specific wastestreams and packaging standards are identified in the HHW Facility Standard Operating Procedures (SOP).



HHW waste technicians are trained to perform some characteristic tests but not all unlabeled / unknown waste is tested. The basic characteristic tests include a flame test, pH test, peroxide test, oxidizer test, water reactive and air reactive tests. Each container must be labeled by the HHW waste technician according to the guidelines set forth in the SOP after each test is performed. HHW waste technician will make best attempts to ascertain the waste and will place it with the appropriate hazard class.

Waste that has been tested, but does not fit the characteristics of an existing profile will be segregated according to pH and physical state. These unknowns are stored in clearly marked containers, and will always be stored inside the HHW building to await transfer to the contractor's facility.

### **3.3.6 Waste Processing**

All waste processed at the facility is packaged according to Federal DOT standards prior to transport and shipping. Packaging standards for specific wastestreams are dictated by the waste management contract. As waste management contracts change, waste packaging specifications may change. The following descriptions provide examples of current wastestreams and their associated packaging guidelines.

#### **3.3.6.1 Lab Packing**

Lab Packing waste involves packing HHW in 55 gallon open top (DOT 1A2) steel drums. Chemicals are layered in multiple tiers that are surrounded by absorbent material (such as diatomaceous earth). The absorbent material is designed to absorb and contain any potential leaks or breakage of drum contents. Corrosives, liquid pesticides and oxidizers are generally labpacked.

#### **3.3.6.2 Bulk Packing**

A 6'X30' bermed section at the south end of the building is designated as the bulking area. All drums in the bulking area are grounded at all times. Drums not in process must be secured with ring and seal or temporary drum ring. Only non-sparking tools may be used in this area.

The PPE requirements for bulking flammable liquids are detailed in the HHW Facility SOPs. In general, employees are required to wear polycoated coveralls, nitrile outer gloves, chemical resistant boots and a full-face respirator.

Solvents are bulked into 55 gallon closed top (DOT 1A1) drums daily. Typical solvent waste consists of paint thinner, gasoline, acetone and other petroleum distillates. Methylene chloride and 1,1,1-trichloroethane are examples of chlorinated solvents, which are bulked in the same area but in a separate closed top 30 gallon drum designated for halogenated solvents.

### 3.3.6.3 Loose Packing

Loose Packed waste is placed directly into a 55 gallon open top (DOT 1A2) drum, without the use of absorbent material. Containers of paint solids, poison solids and paint and poison aerosols are examples of wastes that are loosepacked.

### 3.3.6.4 Special Waste

There are wastes accepted at the facility on a conditional basis. These wastes may need to be specially prepared or handled by the customer prior to acceptance at the facility. Customers with special waste often contact the Facility for disposal information. The following section provides guidance for handling special waste.

#### Propane

Propane cylinders are accepted at the HHW Facility and stored.

#### Reactive Wastes

Organic peroxides are stored in DOT-approved plastic containers on the shelf in the storage room No. 1. Because of their potential to self-react, these wastes must be protected from light and heat.

Containers of Dangerous When Wet (DWW) waste are overpacked in plastic bags or containers to protect them from moisture. These wastes are accumulated in a polyethylene drum within storage room No. 1.

#### Cooking Oil and Grease

Although cooking oil and grease is not considered a HHW, diverting household cooking oil and grease from the island's sanitary sewer system relieves the system from a problematic material. This waste is accepted at the HHW Facility and deposited into a 208 gallon collection container or 55gal drums depending on the needs of the HHW facility. A private contractor maintains the collection tank or 55gal drums that in or near the HHW building.

#### Residential Sharps

Sharps that are generated from residences are accepted at the facility. The sharps are collected in the receiving area and directly deposited into an accumulation container located in the receiving area. Sharps are only accepted in rigid and sealed containers.

#### Fluorescent Lamps

Fluorescent lamps – tubes and compact, are accepted from residents.

Non-PCB and PCB containing light ballasts are accepted from all residents.

Once the drums are full, they are removed from the storage shed and placed in the storage area. CFL's are stored in boxes in the HHW Facility fenced storage area.

#### Household Batteries

All types of household batteries are accepted from residents within Guam. Household batteries are separated into two categories, alkaline and rechargeable batteries.

Rechargeable batteries are separated into additional categories, which include nickel-cadmium, nickel metal hydride, lithium ion, and lithium. Staff sort the batteries and then place them in plastic bags to prevent battery terminals from contacting one another. Full boxes of batteries are shipped to a battery recycler for recycling.

#### 3.3.6.5 Container Labeling

All drums located in the building and storage area will be labeled with proper DOT markings before waste is placed into the drums. Temporary tags or labels may be used to comply with this standard.

All full drums of HHW in the storage area are labeled according to standards established by the Department of Transportation (49 CFR). The labels typically include the following: DOT hazardous shipping label, "This Side Up" label (if applicable), and UN number (certified drum stamp).

#### 3.3.6.6 Waste Storage

There are three distinct and separate waste storage areas. The storage areas are designated as No. 1, 2 and 3, and are labeled according to hazard class – Miscellaneous (class 9), Corrosive (Class 8), and Flammable (Class 3 and 4) respectively. (See Figure 5).

The maximum capacity for each of the storage areas is 18 drums, or 9 along each wall, with the exception of No. 1 which has shelves and cannot accommodate drums. The total liquid volume that can be stored in each area is approx. 1000 gallons. These thresholds have been established as maximum quantities of packaged waste that may be accumulated in each storage area.

All drums must be configured so that all labels affixed to the side of containers are visible from aisles. All additional drum markings, including unique drum identification number and accumulation date will be clear, legible and visible for inspection.

All waste received throughout the course of each shift is packaged within 48 hours of receipt of waste. All waste that is awaiting packaging will be covered or secured in a manner that prevents spillage or accumulation of rainwater.

Any partially-filled drums will be secured with a temporary drum ring. Empty drums will be stored on the east side of the storage area. Empty containers used for temporary packaging or those used to package universal waste may be stored in other areas but will be stored in a manner which distinguishes them from full containers of waste.



### 3.3.6.7 Waste Shipments

Waste shipments are scheduled by the HHW Facility Coordinator. Waste disposal contractors generally prepare all Uniform Hazardous Waste Manifests for HHW shipments from the facility. Waste is transported at least weekly to the HHW Contractor's facility.

### 3.3.7 Materials Reuse Program

The HHW collection program receives a small portion of HHW from customers that is suitable for reuse. The reuse program allows customers/employees to take usable household materials from the HHW Facility for personal use. The Reuse Area is located adjacent to HHW Facility. The HHW waste technician is responsible for handling all HHW received. All reusable materials will be identified by the HHW waste technician and scrutinized according to the following criteria:

1. The reusable material must have a product label and the product label must appropriately identify the contents in the container
2. The material must be new or slightly used
3. The material must be a product that you could purchase at a hardware or garden store
4. The material must not be a banned pesticide or other banned product
5. The material must not be reactive or explosive in nature (i.e. ammunition, oxidizers, or organic peroxides)
6. The container must be in good condition and not ripped, leaking, rusting or in a condition that could result in release of material

All reusable materials must be listed on the reuse logbook, which identifies the product name, container size, quantity and weight. The HHW Facility operator will compile the waste totals from the reuse program and comply with the reporting requirements in this document.

### 3.3.8 Building, Equipment and Site Inspections and Maintenance

Building, Equipment and site maintenance is carried out at regular intervals in compliance with manufacturer's recommendations to maintain the operating status of the building, equipment, and utilities. Specific maintenance procedures for each is detailed in separate maintenance manuals for each. There are maintenance manuals and procedures developed for the following:

- Buildings – Office and HHW buildings
- Utilities/Systems – Water, Fire Suppression, Electrical, HVAC, Safety equipment (eye wash and shower stations, and ventilation/alarms)
- Equipment – all moveable and attached equipment to the buildings

Special attention is given to the HVAC, Fire Suppression and Alarm systems of the HHW building. Additionally emergency shower, eyewash station and Fire extinguishers are inspected regularly. Vehicles will be washed a minimum of once weekly and roll off containers once a

month. Drivers of the transport vehicles shall inspect vehicle brakes, backup systems and lifts for proper functioning. The driver shall log the date and time of the inspection.

### **3.3.9 Disease Vector Control**

HHW is not putrescible waste and therefore not a vector attractant, only minimal measures are employed, such as pesticide application as a control within and around the buildings.

Vector Control is established at the Residential TS to prevent and control on-site population of disease vectors using management practices appropriate for the protection of human health and the environment.

Vectors that create nuisance conditions and health hazards at transfer station sites include flies, rodents, farrow dogs and cats, and mosquitoes including other insects all capable of transmitting disease to humans. GSWDRR 23305 requires the prevention and control of on-site populations of disease vectors using techniques protective of human health and the environment. Since

### **3.3.10 Site Security**

Public access must be controlled to prevent unauthorized personnel, vehicular traffic and illegal dumping of wastes as appropriate to protect human health and the environment in accordance with GSWDRR 23308. The HHW Facility is fully within the Residential TS and therefore is fully fenced with a security fence around the entire perimeter of the facility. In addition there are security cameras on the GSWA Administration Building, and the new facility lighting provides a well-lighted facility at night. All storage room doors are lockable and are secured at the end of each workday.

### **3.3.11 Stormwater Management**

In accordance with GSWDRR 23309 and 23310, stormwater is fully controlled on the Residential TS. The HHW Facility employs a number of Best Management Practices (BMPs) under the Spill Prevention Countermeasures, Control (SPCC) Plan to minimize contaminants in stormwater. Additionally, BMPs provided in the Stormwater Pollution Prevention Plan (SWPPP) for the Residential TS are also employed at the HHW Facility.

## **3.4 Staffing Plan**

The HHW Facility will be staffed with HHW Waste Technicians. Additionally, the HHW operating supervisor is located at their Consolidation and Shipping Warehouse on Harmon Industrial Road across from the Residential TS and is generally available for site support from 8 to 5 Monday through Friday or if needed on-site for high site use traffic. Depending on the quantity of waste and number of vehicles received, the Operator will adjust the staffing level. This is a new facility, and the exact tonnage received may vary, however the HHW operator expects to staff as shown in the following table. The staffing level will be adjusted as needed to maintain customer service and site safety and security.

GSWA will designate a Household Hazardous Waste Coordinator (HHWC) who will work closely with the HHW operating contractor to track and monitor the terms of the contract between GSWA and the contractor.

Tonnage	Anticipated Staff	Comments
0 to 10 vehicles per hour	HHW Waste Technicians for: A. HHW Building, Traffic and Customer Support, Housekeeping – 1 staff  Total 1 staff	- <u>HHW Building</u> : Greeting customers, screening material being brought in (load checking), removal of material from vehicle, segregating, testing, bulking.  - <u>Traffic and Customer Support</u> : Directing customers for safe traffic flow.  - <u>Housekeeping</u> : Cleaning the area, material documentation
Tonnage	Anticipated Staff	Comments
11 to 30 vehicles per hour	HHW Waste Technicians for: A. HHW Building and Housekeeping – 1 staff B. Traffic and Customer Support and Housekeeping – 1 staff  Total 2 staff	- <u>HHW Building</u> : Greeting customers, screening material being brought in (load checking), removal of material from vehicle, segregating, testing, bulking.  - <u>Traffic and Customer Support</u> : Directing customers for safe traffic flow.  - <u>Housekeeping</u> : Cleaning the area, material documentation
31 to 60 vehicles per hour	HHW Waste Technicians for: A. HHW Building and Customer Support – 2 staff B. Traffic and Housekeeping – 1 staff  Total 3 staff	- <u>HHW Building</u> : Greeting customers, screening material being brought in (load checking), removal of material from vehicle, segregating, testing, bulking.  - <u>Traffic and Customer Support</u> : Directing customers for safe traffic flow.  - <u>Housekeeping</u> : Cleaning the area, material documentation



Typical work schedules for these staff will be from 8:30 to 5:30 on Thursday through Wednesday, excluding the holidays listed previously. There may be instances where staff are on site outside these hours for site management, maintenance, and related activities.

## SECTION 4 TRAINING & RECORD KEEPING

Residential TS staff will receive training in the use of all equipment and procedures for receiving MSW. This training will consist of On-the-Job training as well as classroom instruction such as the 24-hr Hazardous Waste Materials and Operations training. The HHW contracted operator has an existing training program and trained staff for the staff the facility. Training records are maintained and will be kept at the Office building adjacent to the HHW building. The records will document what training staff have received as well as when additional or renewal training is needed. This provision is a requirement of GSWDRR 23104(b)(C). All HHW Facility staff will have training by the start of operations at the facility.

### 4.1 HHW Waste Technician Training

HHW Waste Technicians have specialized training which includes the following curriculum:

- Hazardous Waste Operations and Emergency Response (HAZWOPER)
- DOT Hazmat Transportation Training
- Bloodborne Pathogen Training
- Hazard Communication Training (Worker Right-to-Know)
- Explosive and Reactive Awareness Training
- PPE Training
- Respirator Training & Fit Testing
- HazMat Physical
- Forklift Training
- SOP Training

## 4.2 Record Keeping

### 4.2.1 Records Management

The daily inspection forms and weekly checklists are reviewed by the HHW Facility Coordinator and filed in the HHW Facility office. All Inspection records are retained for a minimum of five years.

The HHW consent forms are completed by each facility customer. The following information, at minimum, will be provided by each customer:

1. Name and address
2. Signature attesting that waste is not from a business or commercial operation

Information from these forms is entered into a computerized database. The consent forms from mobile and satellite operations are typically not entered into this database, but hard copies will be available for review. These forms will be archived according to applicable retention standards.

Waste logs are used to generate unique drum identification numbers and to track volume of HHW at the facility. A database containing waste log data is also maintained by the GSWA as the Residential TS operator. These logs are available for review at the facility during normal hours of operation.

All documentation associated with waste shipments and disposal is managed by the HHW Facility operator. The following information is included in waste shipment files: Manifests, invoices, labpack inventories (if applicable), certificates of disposal and Recycling Agreements.

These documents are archived according to the standards set forth in 49CFR and any special conditions set forth in the operating permit.

### 4.2.2 Reporting Requirements

#### Annual Report

A report is submitted to Guam Environmental Protection Agency by April 1<sup>st</sup> of every year. The following information is provided as part of the annual report:

1. Name and address of the facility
2. Calendar year covered by the report
3. Annual quantity and type of MRW
4. Number of households served
5. Type of final disposition for each wastestream

#### Incident Report

A Facility Incident Report form will be submitted to the Guam EPA in the event of a significant incident occurs at the facility. Examples of significant events are outlined below:

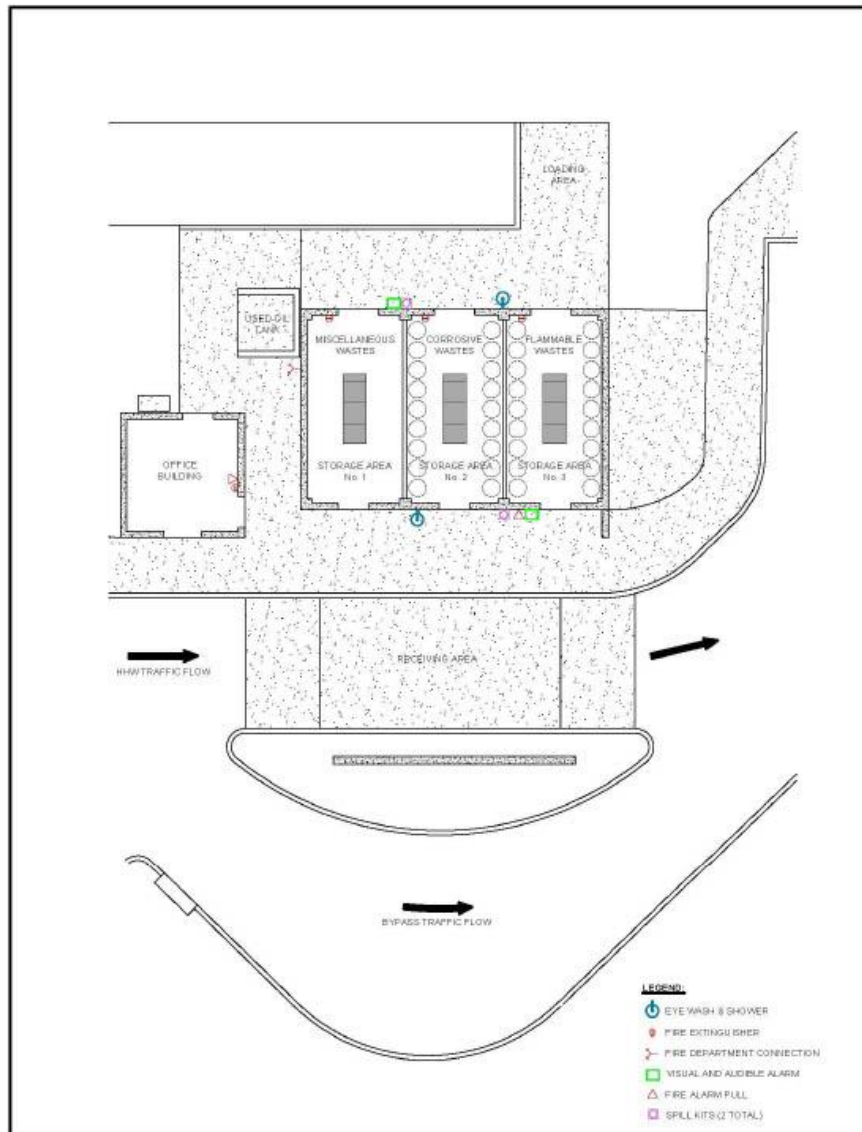


1. Any release of a hazardous material that harms (or has the potential to harm) facility staff, the public and/or the environment
2. Any incident that results in an adverse chemical reaction due to chemical incompatibility
3. Any incident which results in an injury
4. Any "close call" resultant of an unsafe work practice

The Guam EPA will also be notified, by phone, if any waste that may not be HHW is left at the facility. The date, container type(s) and suspected contents will be provided as part of the report.

## SECTION 5 SAFETY

Safety is an inherent feature of the design for the HHW Facility including customer safety at drop off and worker safety. Safety systems such as alarms, ventilation, fire suppression and safety equipment is located throughout the HHW Facility. See Figure 5, below which shows locations of fire extinguishers, safety shower, eye wash station, and first aid kits in and around the HHW building. This information will be provided both in the Contingency Plan and Residential TS Operations Plan. Protocols for the customers to follow are designed to minimize risk while drop off activities are ongoing. Safety features and safety elements of the operations will be reviewed and reassessed frequently to continually improve safety on site.



**FIGURE 5 – HHW FACILITY SAFETY EQUIPMENT**

## SECTION 6 CONTINGENCY PLANS AND EMERGENCY PROCEDURES

A contingency plan is required to ensure that mitigation measures will be taken as soon as possible to minimize adverse effects to the operation and/or surrounds caused by unforeseen situations or emergencies.

This includes a description of arrangements between applicant and local police departments, fire departments, hospitals, contractors, and State and local emergency response teams to coordinate emergency services and familiarize them with the layout of the facility and operations. It will address, releases or spills of gases and liquids, explosions, fires, personal injuries, unusual odors, leachate problems, severe weather, flood, power outages, delivery of hazardous or unacceptable waste, or other environmental emergencies or issues.

A site attendant shall be equipped with a reliable means of communication in order to contact environmental emergency responders and or fire, police, and medical personnel. The contingency plan will include information on the appropriate personal protective equipment (PPE) for potential incidents. Appropriate emergency equipment shall be kept on site and in good working condition.

## SECTION 7 CLOSURE PLAN

In accordance with the Guam Solid Waste Disposal Rules and Regulations, Section 23601, the Residential TS is required to have on file a prepare closure plan. This plan will include the HHW Facility and is to be updated within one year of the anticipated closure date for the Residential TS. The plan will comply with all requirements of the applicable sections and provisions of the Guam Solid Waste Disposal Rules and Regulations and will be approved by Guam EPA prior to the initiation of closure activities.

At a minimum, the closure plan will provide the following information:

1. A description of the closure procedures and anticipated use of the site subsequent to it closure.
2. An estimate of the total amount of MSW collected and transferred through the site including HHW and Recyclable materials
3. A schedule for completing all activities necessary to satisfy closure criteria in Section 23601 of the GSWDRR as amended and any special provisions provided in the current facility permit stipulated by Guam EPA.

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#### ACRONYM LIST

EPA	US Environmental Protection Agency
GEPA/Guam EPA	Guam Environmental Protection Agency
GSWA	Guam Solid Waste Authority
GSWDRR	Guam Solid Waste Disposal Rules & Regulations
HHW	Household Hazardous Waste
MSW	Municipal Solid Waste
PPE	Personal Protective Equipment
TS	Transfer Station

## APPENDIX A HHW ARCHITECTURAL FLOOR PLAN AND DETAILS



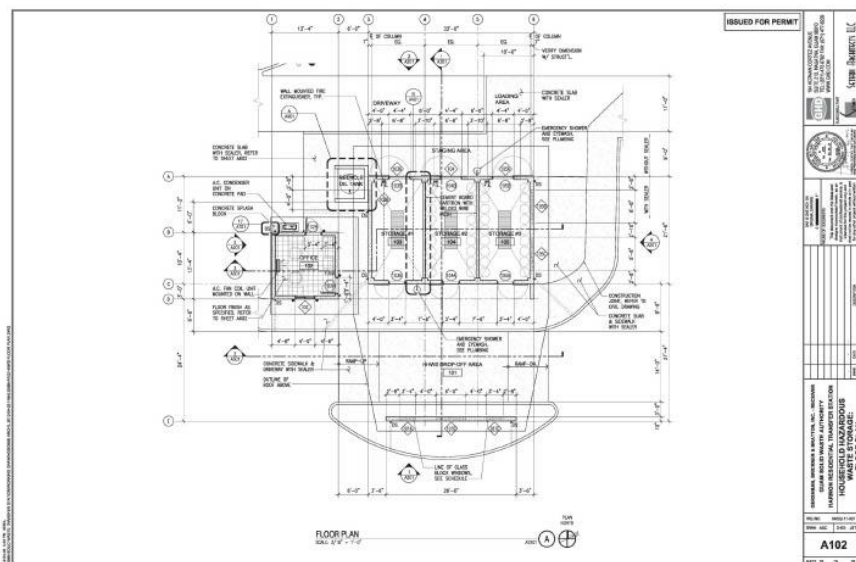


FIGURE A - HHW Architectural Floor Plan and Detail

## ATTACHMENT D - MILESTONES OF THE RECEIVERSHIP'S SEP ACTIVITIES AS RECORDED IN THE QUARTERLY REPORTS

The Receiver has complied with quarterly reporting in through the entire development of the HHW facility, as stated in Paragraph 22 of the Consent Decree.

Report Date	Receivership Quarterly Report Synopsis
<b>July 10, 2008</b> <a href="#"><u>Quarterly Report of the Receiver</u></a>	Implementing the Supplemental Environmental Project for a comprehensive waste diversion strategy for HHW is stated as a priority.  Next steps: Implement the Supplemental Environmental Project for a comprehensive waste diversion strategy for HHW.
<b>August 11, 2010</b> <a href="#"><u>Quarterly Report of the Receiver</u></a>	The Government of Guam issues Request for Proposals to develop a Solid Waste Management Alternative Analysis. The Government seeks funding through the U.S. Department of Defense.
<b>April 14, 2011</b> <a href="#"><u>Quarterly Report of the Receiver</u></a>	The Receiver evaluates adding a transfer station behind the SWMD offices at the Department of Public Works that would be part of the household hazardous center being considered for this location.  The Consent Decree requires that a permanent HHW (HHW) Program be established. Because HHW is a specialized waste, the operation of this permanent facility should be carried out by an experienced, trained HHW contractor.  The Receiver/SWMD is currently developing a Request for Proposals (RFP) for a scope of work for the HHW program operator.  The RFP will be issued in the near future. A specific schedule for implementation of the program will be developed through negotiation with the successful proposer.
<b>August 31, 2011</b> <a href="#"><u>Quarterly Report of the Receiver</u></a>	RFP plans to be finalized and issued during the next reporting period.  Develop a design and construct a building for the HHWF and procure the services of a private contractor to operate and manage the HHW operations.
<b>December 7, 2011</b> <a href="#"><u>Quarterly Report of the Receiver</u></a>	The GSWA worked with W&K/GHD to redesign each of the residential transfer stations and to design a permanent HHW (HHW) facility at the Harmon TS.  Next steps: Develop a design and construct a building for the HHWF and procure the services of a private contractor to operate and manage the HHW operations.
<b>April 11, 2012</b> <a href="#"><u>Quarterly Report of the Receiver</u></a>	Design plans and specifications for the new Harmon TS and HHWF, co-located in Harmon at the GSWA compound were developed.  Next steps: <u>Design and Construction Management:</u> Finalize design for the Harmon TS and HHWF and put out to bid for construction. <u>Operations:</u> Develop a design and construct procurement for a building for the HHWF and procure the services of a private contractor to operate and manage the HHW operations

Report Date	Receivership Quarterly Report Synopsis
<b>July 18, 2012</b> <a href="#"><u>Quarterly Report of the Receiver</u></a>	<p>The building permit and construction bid procurement for the development of the new Harmon TS and HHWF, co-located in Harmon at the GSWA compound were advanced.</p> <p>The Receiver will address GSWA's responsibilities under the SEP through design plans, permitting and bid procurements for construction and operation of the HHWF.</p> <p>Next steps:  <u>Design and Construction Management</u>            Bid out for construction the Harmon TS and HHWF  <u>Environmental Compliance and Monitoring</u>            Submit the permit application to GEPA for the Harmon TS and HHWF</p> <p><u>Operations</u>            Procure the services of a private operator of the HHWF.</p>
<b>May 21, 2013</b> <a href="#"><u>Quarterly Report of the Receiver</u></a>	<p>Construction commenced for the new Harmon TS and HHWF</p> <p>The SEP, with the Harmon TS, was fully designed, permitted and bid out for construction, with a Notice to Proceed to the contractor made in late November 2012.</p> <p>Maeda Pacific Corporation (MPC) was the low bidder and work began at the site in January 2013.</p> <p>Construction progress photos area are posted weekly on the GSWA and Receiver websites.</p> <p>Next steps: Continue construction progress of the Harmon TS and HHWF (SEP project).</p>
<b>November 20, 2013</b> <a href="#"><u>Quarterly Report of the Receiver</u></a>	<p>Construction of the new Harmon TS and HHWF, co-located in Harmon at the GSWA compound, continued. Construction progress photos are posted weekly on the GSWA and Receiver websites.</p> <p>The overall progress under the Maeda Pacific Corporation (MPC) is behind schedule and MPC will need to make significant progress to get back on schedule to achieve the present contractual deadlines.</p> <p>Next steps: Continue construction progress of the Harmon TS and HHWF (SEP project).</p>
<b>June 25, 2014</b> <a href="#"><u>Quarterly Report of the Receiver</u></a>	<p>The HHWF, with the Harmon TS, is presently under construction and near completion. Construction progress photos are posted on the GSWA and Receiver websites. Evaluation of an operator of the HHWF continued. Efforts to issue a Request for Proposals for legal services to assist the GSWA Board of Directors continued.</p> <p>The overall progress under the contract with Maeda Pacific Corporation (MPC) remains behind schedule. The contract date for completion was November 11, 2013.</p> <p>The solid waste facility permit for this facility is under review by GEPA and we continue to develop supporting documents for its approval as required prior to the start of operations.</p> <p>Next steps:  <u>Operations:</u> Open the new HHWF and implement HHW collection five days a week as soon as the new facility opens (summer of 2014)</p>

Report Date	Receivership Quarterly Report Synopsis
	<p><u>Design and Construction Management:</u> Continue construction progress of the Harmon TS and HHWF (SEP project).</p>
<p><b>October 9, 2014</b> <a href="#"><u>Quarterly Report of the Receiver</u></a></p>	<p>Construction is completed of the new Harmon TS and HHWF, co-located in Harmon at the GSWA compound.</p> <p>Work on the procurement for an operator of the HHWF also continued with the selection in May of Unlimited Services Group and South Pacific Environmental, followed by ongoing contract negotiation and work to obtain facility permits.</p> <p>The HHWF, with the Harmon TS, received occupancy permits from DPW in June, and on June 27, 2014, the contractor requested a final walk through to review work. The final walk through to confirm that all work necessary for the contractor to be considered substantially complete was completed. The contractor is presently completing the final punch list items related to some additional construction tasks needed for completion.</p> <p>Next steps:  <u>Design and Construction Management:</u> Wrap up remaining construction items following substantial completion for Harmon TS and HHWF (SEP project)  <u>Operations:</u> Open the Harmon TS.  Open the HHW facility.  <u>Financial:</u> Track HHW generation and develop cost estimate and budget impact projection for remainder of FY 2014 and FY 2015</p>
<p><b>March 5, 2015</b> <a href="#"><u>Quarterly Report of the Receiver</u></a></p>	<p>The new Harmon TS and HHWF, co-located in Harmon at the GSWA compound, were prepared for operations, and the public comment periods for the permits for the Harmon TS were completed.</p> <p>The facility opened its doors for residential customers on January 23, 2015. The HHWF, which is co-located with the Harmon TS, houses the HHW Collection Program.</p> <p>Contract negotiations with Unlimited Services Group, the best evaluated proposer to the RFP for an operator of the HHWF, were also completed during the reporting period.</p> <p>Next steps:  <u>Financial:</u> Track the new HHW program by carefully monitoring its budget impact on the FY 2015 budget</p>
<p><b>October 21, 2015</b> <a href="#"><u>Quarterly Report of the Receiver</u></a></p>	<p>On January 23, 2015, the Court held a ceremonial hearing for the opening of the Harmon Transfer Station and the HHWF.</p> <p>The HHWF is open five days a week (Thursday through Monday) from 9:00 a.m. to 5:00 p.m. It is free to residents. Businesses and institutions cannot use the HHWF because it is designed for HHW only and the cost of providing such a “free” service to businesses and other large organizations would be cost prohibitive.</p> <p>The HHWF is operated by the Unlimited Services Group whose representatives greet the customers, remove the acceptable material from the vehicle, separate it into its proper category, and bulk the material for disposal, reuse, or recycling.</p>

Report Date	Receivership Quarterly Report Synopsis
	<p>From opening day on January 23, 2015, through the end of June 2015, 1,333 customers used the facility. Nearly 53,000 pounds of electronics were collected and recycled along with 15,000 pounds of used motor oil, 1,313 individual fluorescent tubes, and an additional 408 round fluorescent and incandescent bulbs. The contractor shipped 167 barrels of HHW to processing and disposal facilities in Utah and Arizona.</p> <p>Next steps: <u>Financial:</u> Track the new HHW program by carefully monitoring its budget impact on the FY 2015 budget</p>
<p><b>August 4, 2016</b> <a href="#"><u>Quarterly Report of the Receiver</u></a></p>	<p>Work continued with legal counsel to pursue our claim on behalf of GSWA for liquidated damages in connection with Maeda Pacific Corporation's failure to adhere to the contractually agreed upon schedule for delivering the Harmon TS and the HHWF.</p> <p>From the HHWF's opening day on January 23, 2015, through the end of March 2016, 2,769 customers used the facility bringing 223,058 pounds of HHW.</p> <p>Of the total material brought to the facility 57 percent (128,160 pounds) fell into categories such as paint, household cleaners, motor oil, aerosols, batteries, poison, etc. The remaining 43 percent (94,888 pounds) were electronic items that are recycled through Pyramid Recycling. The number of customers who used the HHW facility during the current reporting periods numbered 1,690.</p>
<p><b>November 8, 2016</b> <a href="#"><u>Quarterly Report of the Receiver</u></a></p>	<p>From the HHWF's opening day on January 23, 2015, through the end of June 2016, 3,447 customers used the facility bringing 279,080 pounds of HHW.</p> <p>Of the total material brought to the facility, 53 percent (147,960 pounds) fell into categories such as paint, household cleaners, motor oil, aerosols, poison, and more. The remaining 47 percent (131,120 pounds) were electronic items recycled through Pyramid Recycling.</p> <p>The number of customers who used the HHW facility during the current reporting period numbered 678. They brought in 36,231 pounds of electronics and 19,800 of other HHW products such as poison, paint, motor oil, cleaners, aerosols, batteries, and other assorted hard to dispose of items environmentally soundly.</p>
<p><b>May 17, 2017</b> <a href="#"><u>Quarterly Report of the Receiver</u></a></p>	<p>Work continued with legal counsel to pursue our claim on behalf of GSWA for liquidated damages in connection with Maeda Pacific Corporation's (MPC) failure to adhere to the contractually agreed upon schedule for delivering the Harmon TS and the HHWF.</p>
<p><b>August 23, 2017</b> <a href="#"><u>Quarterly Report of the Receiver</u></a></p>	<p>From the HHWF's opening day on January 23, 2015, through the end of December 2016, 4,834 customers used the facility bringing 389,010 pounds of HHW.</p> <p>Of the total material brought to the facility, 53 percent (207,944 pounds) fell into categories such as paint, household cleaners, motor oil, aerosols, poison, and more. The remaining 47 percent (181,067 pounds) were electronic items recycled through Pyramid Recycling.</p> <p>The number of customers who used the HHW facility during the current reporting period numbered 1,387. These customers brought in 76,824 pounds of electronics and 33,107 pounds of other HHW products such as poison, paint, motor oil, cleaners, aerosols, batteries, and other assorted HHW items.</p>