



Guam SOLID WASTE RECEIVER



Briefing for the GSWA Board



September 25, 2025
1:00 PM ChST





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Topics

- I. Lawsuit Against GWA and DB Insurance in Superior Court
- II. Leachate Flow and Seep Investigations
- III. Ordot Dump Operations
- IV. Consent Decree Remaining Tasks
- V. Ordot Dump Post-Closure Funds

FYI: Next Court Joint Status Hearing
October 15, 2025 9:00 AM Guam





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I. Lawsuit Against GWA and DB Insurance in Superior Court

- July 18, 2025 Decision & Order denied GWA's Motion to Dismiss
- July 28, 2025 GWA filed Motion for Reconsideration of the Court's denial of GWA's Motion to Dismiss
- GBB filed its opposition brief on August 25, 2025
- GWA's filed its reply brief on September 8, 2025
- October 30, 2025 at 10 a.m. – Hearing before Judge Barcinas on GWA's Motion for Reconsideration





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Consent Decree Case (CV 02-00022)

- On Sept. 18, 2025, the Receiver filed a Request for Status Hearing re Mediation Under CVLR 16-2(b)(2)(A) "at any time after action or proceeding, any party may request, or the assigned judge... may order, a Mediation"). ECF 2220
- Reported on status of related cases (Contractor's Action, 9th Circuit Appeal, and GWA Lawsuit)
- Defendants in the Contractor Action are amenable to a Court ordered mediation
- Receiver requested a GovGuam decision maker with authority to bind GovGuam and to invite and permit the Governor of Guam to participate in mediation
- Stakeholders, including GSWA and GWA should be included





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II. Leachate Flow and Seep Investigations

Initial Investigations for EPA requested Additional Data - Status

- Key milestones and activities:
 - Locations for boreholes and monitoring wells selected
 - Permits secured from GEPA to initiate Drilling, took almost 4 weeks
 - Driller Contracted
 - Locations refined with additional geophysical information gathered with GPR to enhance borehole location selection.
 - Ongoing bi-weekly discussions, as needed, and sharing of info with Tech Team
 - Anticipated next steps:
 - Drill boreholes and collect borehole data – anticipated to start September 29. (Drilling company is already on site performing operations work activities)
 - Construct and develop wells - anticipated to start week of September 29 immediately following drilling work
 - Permeability tests to be performed immediately following drilling work/well construction
 - Water Quality Sampling within approx. 45 days of Well construction/development
- Draft Technical Memo anticipated submittal to EPA within 11 months of initiating field activities



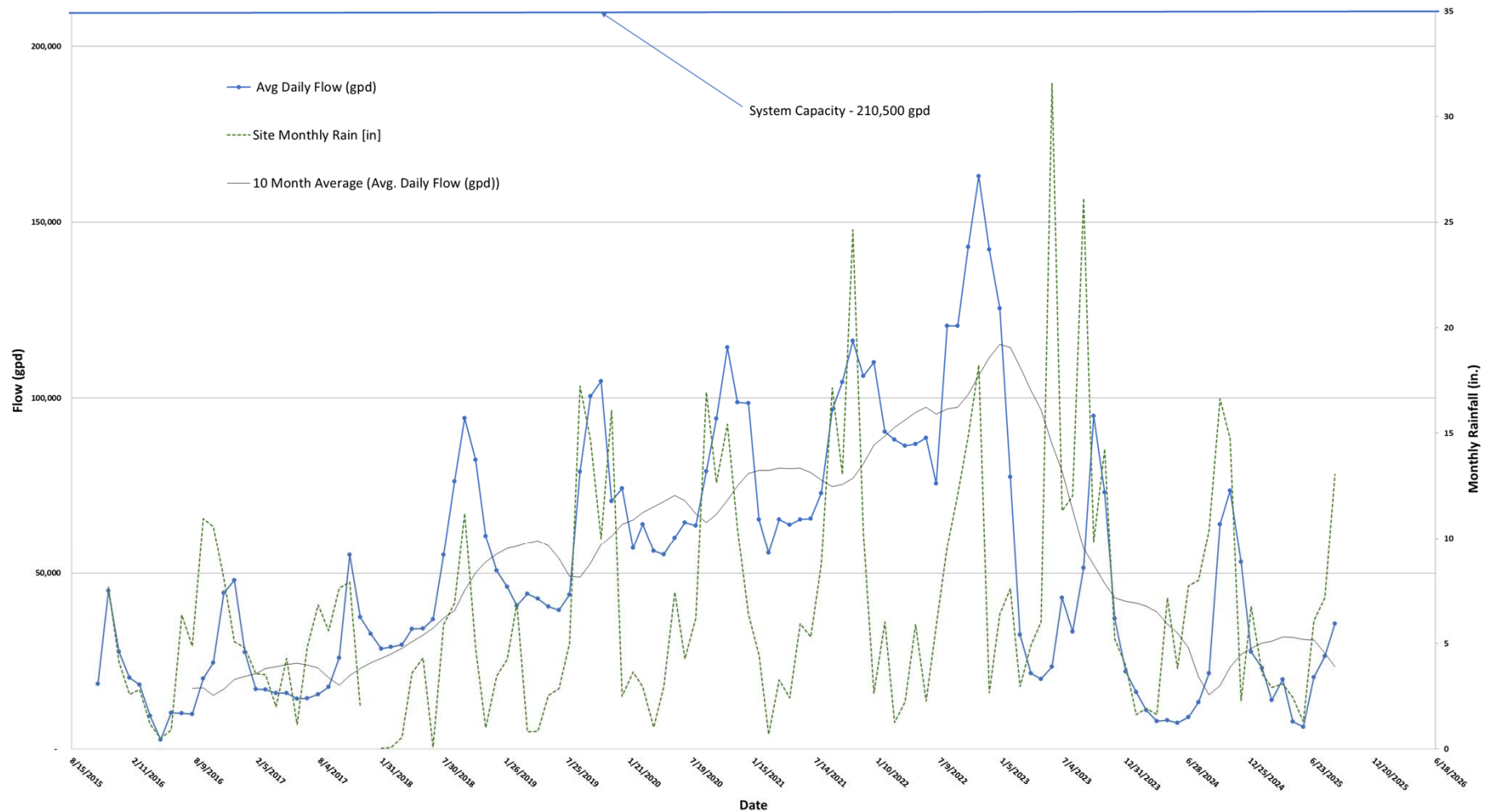


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Leachate Flow Update (Aug '25)

Daily Average Flow and Rainfall by Month Based on GWA Meter





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II. Leachate Flow and Seep Investigations (cont'd) ~ Leachate Flow Update

- 2024 and 2025 leachate flows closer to the levels experienced in 2016 and 2017 after the repair of GWA Dero Road leaks in 2022
- These Dero Road leaks are no longer impacting the Ordot Dump Facility
- We continue to look for trends

Year	Leachate (Gallons)
2016	7,397,019
2017	8,518,884
2018	18,658,285
2019	23,952,805
2020	27,748,045
2021	30,040,379
2022 (GWA leaks repaired in December)	40,976,930
2023	15,870,700
2024	9,473,154
2025 (thru August)	4,584,403* (8 months)



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II. Leachate Flow and Seep Investigations (cont'd)

- Values in previous slides include Receiver/Operator estimates for Jan and Feb 2025
- GWA and Receiver counsels confirmed:
 - January and February invoices to match agreed upon leachate flow records Receiver supplied to GWA
 - Invoices forthcoming





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II. Leachate Flow and Seep Investigations (cont'd)

GWA Leachate Volume Treated and Treatment Cost

Year	Gallons	Cost \$
2022	40,976,930	\$1,126,653.88
2023	15,870,700	\$ 358,176.30
2024	9,473,154	\$ 152,382.65
2025 (thru August)	4,584,403*	\$ 77,239.47

*Estimated due to GWA metering malfunction



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III. Ordot Dump Operations

Recent activities in Aug and into Sept:

- Ongoing Routine Operations
 - Monthly Summary Report Provided to GEPA as part of Permit Requirements (also provided to GSWA on a monthly basis)
- Non-Routine Operations
 - **Storm swale repair construction:** 4 locations repaired, construction completed, final contract closeout and documentation ongoing.
 - **Soil Vapor Extraction:** (System Modification to improve soil gas recovery.)
 - GEPA drilling permits approval Sept 2.
 - Mob to site on Sept 15
 - Installed two vertical gas wells through last week, Sept 19.
- We have provided daily updates on the drilling activities to GSWA, GEPA





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III. Ordot Dump Operations (cont'd)



Storm Swale
Repair Construction
(location 45)





III. Ordot Dump Operations (cont'd)

Soil Vapor Extraction – System Modification

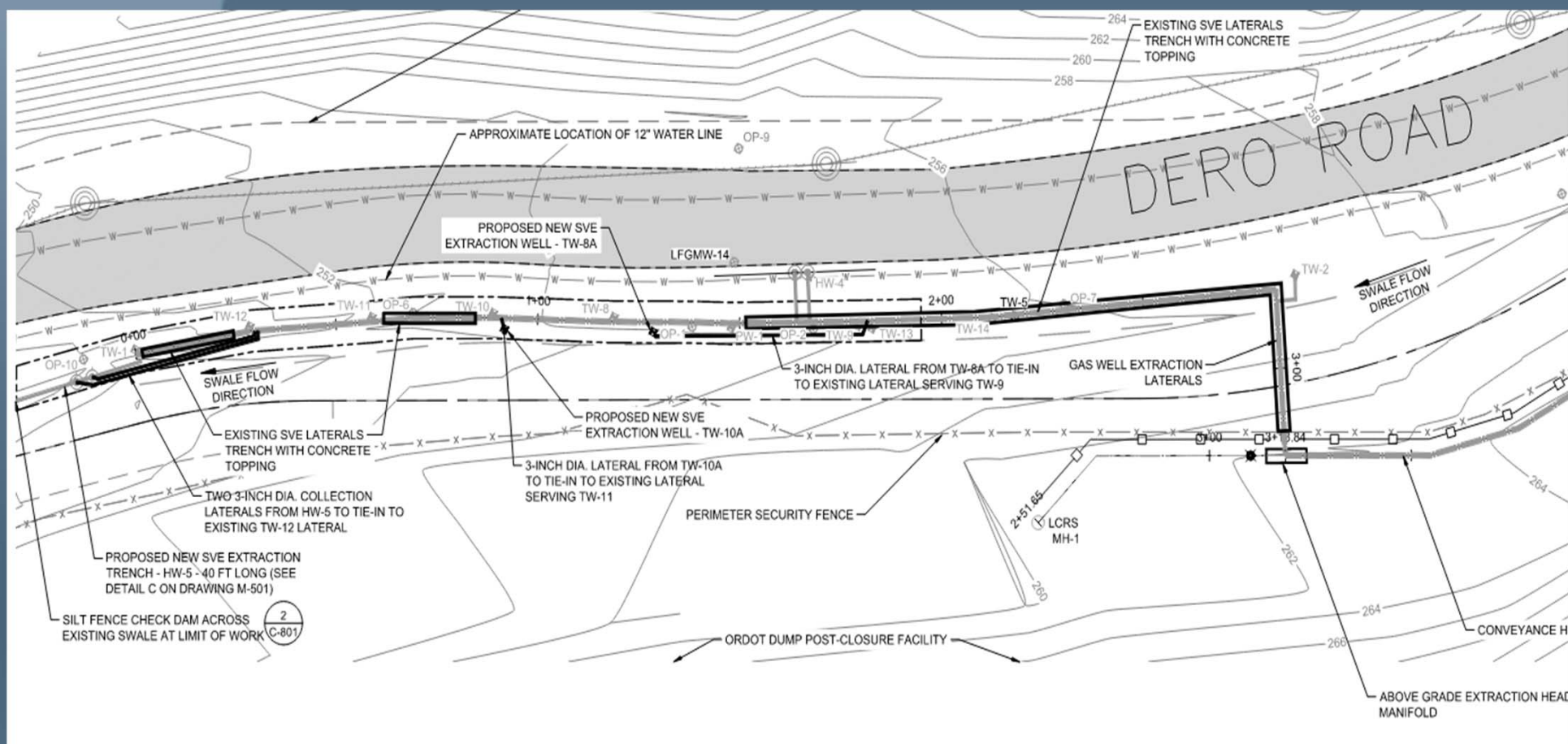




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III. Ordot Dump Operations (cont'd) Soil Vapor Extraction – System Modification





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III. Ordot Dump Operations (cont'd) Soil Vapor Extraction – System Modification

Drilling Rig Setup



Drilling Rig Setup

Well install





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III. Ordot Dump Operations (cont'd) Soil Vapor Extraction – System Modification

Borehole Drilling



Checking depth of installed materials



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III. Ordot Dump Operations (cont'd) Ordot Dump Non-Routine Ops Cost Review

Non-Routine Work Orders	Description	Purpose	Status	Cost
WO 39	Continuation of Seep and Leachate Flow Analysis (18 mos.)	Consent Decree - USEPA	Completed through June 30, 2025	\$185,191
WO 40	Construction Support of WO 42- Repair of 4 stormwater swales on cover	Operations	Ongoing – wrapping op project documentation	\$67,737
WO 41	Design, Permitting, ITB, OMMP Update - SVE Add. Wells and Abandonment	Operations	Ongoing	\$118,227
WO 42	Stormwater Swale Repair Construction	Operations	Ongoing – wrapping up project documentation	\$416,008*
WO 44	SVE Add. Wells Installation and Abandonment	Operations	Ongoing	\$62,814
WO 45	Ground Penetrating Radar Survey	Consent Decree - USEPA	Completed	\$21,525
WO 46	USEPA Additional Initial Investigations	Consent Decree - USEPA	Ongoing	\$188,588
WO 47	Southside Well Installation	Consent Decree - USEPA	Ongoing	\$66,706
WO 48	SVE Horizontal well and pipe trenching	Operations	Not yet started	TBD
WO 49	Continuation of Seep and Leachate Flow Analysis (12 mos.)	Consent Decree - USEPA	Starting	TBD



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IV. Consent Decree Remaining Tasks

Cessation Certification

- U.S.EPA directed additional information to be completed before Cessation Certification (Receiver – USEPA Special Report, ECF 2189)

GSWA portion of SEP

- U.S. EPA has not provided any update to timing for full approval of GSWA portion (Source: Irv Slike)





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V. Ordot Dump Post-Closure Funds

Bank of Guam Account	Balances as of July 31, 2025	Balances as of August 31, 2025
TDOA Treasurer***3788	\$ 511,981.54	\$ 511,994.58
Investment 5159***	\$ 4,740,817.89	\$ 4,765,007.65
RCRA Trust 5175***	\$ 33,619,975.63	\$ 33,750,753.53
Total	\$ 38,872,775.06	\$39,027,755.76



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Si Yu'us Ma'ase



GBB
SOLID WASTE
MANAGEMENT
CONSULTANTS

Gershman, Brickner & Bratton, Inc.