



SOLID WASTE
MANAGEMENT
CONSULTANTS
RECEIVER

January 12, 2015

Ms. Sandra Miller
Legal Counsel to the Governor
Office of the Governor of Guam
Ricardo J. Bordallo Governor's Complex
Adelup, Guam 96910

Dear Ms. Miller:

Thank you for your letter dated January 9, 2015. We appreciate your cooperation and look forward to receiving the documents. While my letter of January 6, 2015 clearly states that the requested documents are "deemed necessary by the Receiver to ensure compliance with the Consent Decree", I will elaborate as you have requested.

The Consent Decree explicitly requires the "Construction and Operation of a new Municipal Solid Waste Landfill (MSWLF)" by the Government of Guam. An essential element of compliance with this requirement of the Consent Decree is the Government of Guam's acquisition of the site upon which the landfill is constructed. Compliance with all valid and applicable laws, regulations and court orders are an essential element of the acquisition of the site. Accordingly, the documents requested are deemed necessary by the Receiver to ensure compliance with the Consent Decree.

With respect to the Receiver's position on the obligation of GSWA to pay the compensation award or any part thereof, it has been and continues to be the position of the Receiver that the method of payment and the source of funds is a determination to be made by the Government of Guam. We have previously indicated that while funds from the 2009 Consent Decree Bonds are not available for this purpose, we are willing to assist the Government of Guam in any reasonable effort to finance or otherwise pay for this or other requirements of the Consent Decree.

Thank you.

Sincerely,

David L. Manning
Receiver Representative

cc: Joyce C.H. Tang
Robert D. Mullaney
Rawlen Mantanona