Speaker's Office <speaker@guamlegislature.org>

Fwd: Bill No. 350-34 (COR) Retraction Letter

2 messages

Senator Therese Terlaje <senatorterlajeguam@gmail.com>
To: speaker@guamlegislature.org

Fri, Dec 14, 2018 at 4:18 PM

Vice Speaker Therese M. Terlaje
34GL-18-2649
DEC 14 2018
Time: 16:19
Received by:

The Office of Vice Speaker Therese M. Terlaje
Committee on Culture and Justice
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34th Guam Legislature
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---------- Forwarded message ----------
From: **Vilma Balajadia** <vilma.balajadia@epa.guam.gov>
Date: Fri, Dec 14, 2018 at 10:40 AM
Subject: Bill No. 350-34 (COR) Retraction Letter
To: <tom@senatorada.org>, Senator Therese Terlaje <senatorterlajeguam@gmail.com>, William WIL M. Castro <wilcastro671@671.com>, Fernando B. Esteves <senatoresteves@gmail.com>, Regine Biscoe Lee <senatorbiscoelee@guamlegislature.org>, Dennis Rodriguez, Jr. <senatordrodriguez@gmail.com>, <senatortcnelson@guamlegislature.org>, Joe S. San Agustin <senatorjoessanagustin@gmail.com>, Frank B. Aguon, Jr. <aguon4guam@gmail.com>, Senator Michael F.Q. San Nicolas <senatorsannicolas@gmail.com>, <jespaldonesq@gmail.com>, Telena C. Nelson <senatortcnelson@gmail.com>, Mary Camacho Torres <marycamachotorres@gmail.com>, Tommy Morrison <tommy@senatormorrison.com>, Louise Borja Muna <senatorlouise@gmail.com>
Cc: Walter S. Leon Guerrero <walter.leonguerrero@epa.guam.gov>

Hafa Adai Senators,

Please see the attached Retraction Letter from Guam EPA Administrator Walter S. Leon Guerrero, in reference to Bill No. 350-34 (COR).

Respectfully,

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Thank you,
Vilma Balajadia
Board Secretary
(o) 671-300-4751
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email: vilma.balajadia@epa.guam.gov

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2018 DEC 17 AM 9:14

Retraction-350-34COR-12-14-18.pdf
915K

Speaker's Office <speaker@guamlegislature.org>
To: Carl Sanchez <clerks@guamlegislature.org>, Rennae Meno <rennae@guamlegislature.org>

Fri, Dec 14, 2018 at 4

12-14-18	16:19	12-14-18	RE: Retraction of December 13, 2018 Correspondence Regarding Bill 350-34(COR)	Walter Leon Guerrero, Guam Environmental Protection Agency Administrator	34GL-18-2649

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December 14, 2018

I Mina'trentai Kuattro Na Liheslaturan Guahan
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Hagåtña, Guam 96910

RE: Retraction of December 13, 2018 Correspondence Regarding Bill 350-34(COR)

Hafa Adai Senators,

This letter serves as clarification on the agency's position on Bill 350-34(COR). I am rescinding yesterday's correspondence and I kindly ask that you disregard my acting deputy administrator's letter that all of you received yesterday. I was out sick and not in the office when our Guam EPA board chairman, Bob Perron, instructed acting deputy administrator Mr. Lee to carry out a request made by our board in a board meeting held on November 15, 2018. The meeting minutes are attached, and the request has been highlighted on the last page for your convenience.

For the record, Mr. Perron and the board of directors made a request to the agency during this meeting to impress upon the legislature **the stance of the board** regarding implications and ramifications this bill may have on the agency's planned initiatives in the proposed rules and regulations for the recycling revolving fund. Mr. Lee's letter should have only simply stated the board's request.

With this, I am withdrawing Mr. Lee's correspondence as a corrective measure to comply with the board, and I ask that you consider this letter in its place.

If you have any questions or concerns, please feel free to share them with me.

Sincerely,

Walter S. Leon Guerrero
Administrator, Guam EPA

Attachment: Guam EPA Board of Directors Meeting Minutes – November 15, 2018

Guam Environmental Protection Agency
Board of Director's Meeting,
November 15, 2018 @ 4:00 p.m.
Main Office Conference Room

MINUTES

I. **Call to Order**: Chairman Robert Perron called the Board of Director's meeting to order at 4:05 p.m.

Present were: Board Members: Robert Perron, Chairman, Terrence Brooks, Vice-Chairman, Victor Zhou, Steve Hollister, Ann Roth and Steven Carrara. (Florida Sanchez, not present).

Guam EPA Staff: Kristan Finney, Michelle Lastimoza, Brian Bearden, Conchita Taitano, Laura Kanai, Sabrina Cruz-Sablan, Roland Gutierrez, Connie Acfalle, Jesse Cruz, Nicholas Lee, Glenn San Nicolas and Vilma Balajadia. Guests: USEPA-Harry Allen, Carl Goldstein and Travis Bock. Janalynn Damian and Charissa Manibusan.

II. **Approval of Agenda**: Director Roth made a motion to approve the agenda, seconded by the Chairman. All voted in favor and the motion passed. The Chairman recommended that the Old Business be moved in front of New Business due to an RRF update that will lead into one of the New Business items. Director Carrara made a motion to move the Old Business in front of the New Business, seconded by Director Roth. All voted in favor and the motion passed.

III. **Approval of Minutes**: Changes made on Roman Numeral IV. 5th sentence, change the word Price to Proposal and Roman Numeral VI. Under Old Business, 4th paragraph, last sentence, change the word told to tolled. Director Roth made a motion to approve the minutes, seconded by the Director Carrara. All voted in favor and the motion passed.

IV. **Administrator's Report**: The Administrator introduces Mr. Brian Bearden, Guam EPA's new Chief Engineer, Mr. Carl Goldstein, Guam EPA's new Program Manager, Mr. Harry Allen, USEPA's Agent Orange Specialist and Mr. Travis Bock, USEPA. The Administrator added that Mr. Goldstein was instrumental in getting the agency off the high risk category with USEPA. The Administrator stated that Mr. Allen came to Guam with his contractor's to do the sampling which was done yesterday and today (11/14-15/18). The Administrator stated that Mr. Allen will be discussing the Agent Orange sampling procedure and that Guam EPA's Green Parcel/DSMOA Division and EMAS Division accompanied and assisted Mr. Allen. The Administrator stated that Mr. Travis Bock works for Innovate and is our contractor through USEPA to handle the agency's W.A.L.T.E.R.S. development. The Administrator also added that the agency is assembling a team to assist Mr. Bock to ensure that all the divisions and all the programs are represented and taken cared of as far as implementation into the W.A.L.T.E.R.S. program.

The Administrator stated that he would let Mr. Harry Allen discuss the Agent Orange later on in the meeting. The Administrator talked about some of the things that were done -to include the abandoned derelict vessels with Mr. Jesse Cruz and the EMAS group. Mr. Allen took some of the paint chips from the vessels and that in the near future they may remove the derelict vessels to ensure that there are no hazardous materials within the paint. The Administrator also stated that Mr. Allen is doing quite a bit for the agency, as well as their contractor. They are also taking a look at the Dededo Transfer Station –which is the assessment that the court has required Guam EPA to fix. The Administrator discusses more details.

The Administrator stated that the agency's "work plan" was submitted to the Navy last week, and was notified of the sampling event. The Administrator further stated that as of yesterday morning, the Navy did not provide us a response as far as allowing us into their control areas, which is basically a couple of gates. Requesting Base access is necessary to sample on Navy land. Requests for access have been denied with Navy Personnel requesting for a two-week time frame to respond to the request for Base access. Due to the delay, we had to amend our work plan to sample on locations that we thought were as appropriate as our first designated locations and Mr. Allen and Mr. Cruz can discuss that in more detail.

The Administrator stated that the public hearing for the reconfirmation of the Chairman and Director Sanchez went really well and stated that the agency will be more engaged in the future as far as making sure that the senators know the importance of the Board Members to this agency.

The Administrator stated that Mrs. Conchita Taitano attended the end of the year Association of State and Territorial Solid Waste Management Officials (ASTSWMO) meeting and she was voted in as the Vice-President of the Nationwide Organization for the Solid Waste. The Administrator further stated that it is an organization that helps Guam EPA. The agency pays a membership fee that exceeds the reimbursements they do for our travels to go attend the trainings and conferences that they have for numerous programs that we run and oversee on Guam. The Chairman added that Mrs. Taitano will be the Vice-President and then will be the following President for ASTSWMO.

Agent Orange – Mr. Harry Allen, USEPA On-scene Coordinator and Team Leader for Los Angeles Office, Region 9. On the topic of Agent Orange on island, Mr. Allen shared his review of last year's Navy Sampling Plan (on-Base sampling): "I made some concessions with them to get the project going for Area 1, 2, and 3, but in general, we felt like they had a good approach looking for the two (2) Agent Orange constituents (2, 4-D and 2, 4, 5-T = Chemical Names). Originally, Agent Orange was mixed 50/50 and it was distributed that way but also those products were used individually (2, 4-D) is a pretty common product it is found in some versions of Round Up. (2, 4, 5-T is called Fenoxaprop-P-ethyl) in its original trade name and was banned in the 1970's. So the real threat of Agent Orange spraying or residuals is the dioxin component (2,4, 5-T) –actually the interaction of the two also generates the dioxin –that's the main health driver of dioxin, the most toxic, carcinogenic of all the regulated substances that we would work with –its also naturally occurring so its kind of a strange thing, but to investigate potential use of Agent Orange for any kind of activity, we like to look for (2, 4-D) and (2, 4, 5-T). So USEPA happens to have a method for that so, when I worked with the Navy on the Base they suggested we use that method and look for those two (2) constituents…"

Mr. Allen further explained in detail Navy's methodology and processes from small samples of Area 1, 2 and 3, and the fact that USEPA was mailed a split sample to analyze in which USEPA found in one of their samples both of the ingredients (2, 4-D and 2, 4, 5-T). Based on these sample results, everyone agreed to retest the sample area, with Mr. Allen suggesting sampling "outside of the fence." While the Navy argued with Mr. Allen on USEPA's results, there was some discussion of positive bias like cross-contamination of samples, with the best explanation being the variability in the samples.

Mr. Allen stated the fact that "people used herbicides in history, on-Base and everywhere else, makes it pretty likely, you are going to see it in the soil" contrary to what chemist may say. Mr. Allen addressed a letter from Congresswoman Bordallo in September of this year in response to a letter from the Agent Orange Veterans of Guam group saying USEPA can go out and sample and take the guys from Agent Orange Veterans of Guam along, however USEPA agreed to seeking consultation with the group and deferred the lead to Guam EPA's team. Mr. Allen reviewed the information collected from various sources. (Referring to the map on his presentation slide) Mr. Allen stated the junction location and sampling sites: Pott's Junction (5 samples); Tiyan (one-sample and one up a little bit further at this junction location); Mongmong-Toto-Maite (sample taken, amount not provided); Piti (sample taken, amount not provided); Sasa Bay (two-samples where a place Mr. Moyer told us in the interview he sprayed around a family's home right by the Tenjo Road Fuel Pump –right outside the Navy Gate); and at Mr. Moyer's residence (three-samples). A total of thirteen (13) samples of five (5) subsamples were taken. Each one (1) sample represents five (5) sub-samples for a total number of sixty-five (65) samples represented. Mr. Allen further stated that, "The line of evidence to suggest that our work be done to figure out really what happened with the use of Agent Orange, its not proof, but I think you'll see when GAO comes out with their report –we cant really prove

anything about the use of Agent Orange –I think the closest I could come to that is if I had high concentrations that were similar to what I've seen in Vietnam and maybe I could go back and sample those again –if we had perhaps a way to sample even to a higher degree of technological innovation…we would go more places if we had them listed, if the Navy let us in the Gate we would go in there. It's not that big of a deal for us to sample and get these analyses done. One thing that we did do this time, which we didn't do last time with the Navy, was they're going to go back and re-sample. They [Navy] said when they go back they want to use the more sensitive chemical analysis method…" So, Mr. Allen agreed to run all these samples with the more sensitive method and conduct a handful with the other method just for comparison including all the other constituents associated with industrial activity and others to get a sense of wide enough of evidence. Mr. Allen further references the map on the presentation slide on the investigate areas. Areas include: the bottom there by Sasa Bay; the back gate to the fuel farm near Sumay Grill.

Director Carrara asked about the location of "high readings" and the location of deployment or storage. Mr. Allen responded with, "I don't have any reason to believe that the levels would be high where it was deployed, but my logic is saying you are pulling up in a truck you got the drum and the stuff on the back you know you are filling your tank and you may be going on a hike like Mr. Moyer said –and when you do this you are going to spill it and for whatever reason that stuff stays you know in my experience wherever it was stored or kept temporarily it stays and you can still find it later –so that's the kind of evidence that was used…"

The Vice-Chairman inquired if the report is going to be based on the prior sampling. Mr. Allen responded to the vice-chairman that the GAO report only speaks to the sampling but does not provide any data. The GAO report is just records and information, interviews, records review, its not inclusive at all. The Vice-Chairman further inquired clarification on the constituent findings and its possibilities. Mr. Allen responded with, "well, I've seen (2, 4-D) alone and I've seen both (2, 4-D) and (2, 4, 5-T) in the environment years and years later. I've seen at Agent Orange sites and at other sites like this where we don't expect to see Agent Orange, so, those chemicals were often used alone. (2, 4, 5-T) could mean Fenoxprop alone and was used in the 60's because it was banned in the 70's…" Mr. Allen further stated that the Navy doesn't want to toss the use of (2, 4-D) claiming they [Navy] have no records and the "typhoon ate our homework and stuff...so there are some records out there I think that we can get to shed some more light on it…"

The Administrator stated that not only did the Navy say they did not use that [previously stated chemicals], they said Agent Orange never came to Guam. "This is all a deterrent approach to continue the investigation if we come up with hits of the constituents we are sampling for as well as quite possibly any signs of former fuel leaks that may still exist; and I don't know why the Navy denied us access. Maybe it's because they are worried what we might find," stated the Administrator.

Mr. Allen clarified that if (2, 4, 5-T) alone or both are found, it's not proof but it's a reason to further investigate, which the Navy agreed to further investigate in their "sampling plan." If you see (2, 4-D) that's great information because we know that people use Round Up and other herbicides and it might mean there is a danger but we could investigate that in a separate way. If you find (2, 4, 5-T) or (2, 4-D) alone or (2, 4, 5-T) which is a combination of (2, 4-D), then more work will be needed.

The Chairman asked if Mr. Moyer has any information on what he was applying on the Pesticide or what material he was laying down? Mr. Jesse Cruz responded with the fact that not all his documents were read due to the vague explanation. Mr. Moyer was just a marine at the time and they said he would grab his pack and spray and he just knows that it smelled funny and that everything that he sprayed died.

Mr. Allen stated he would provide Guam EPA with an analysis of information gathered and further expressed the strong support of USEPA. Mr. Allen confirmed that any additional constituent findings, other than the two (2) constituents that could be part of Agent Orange would be, instead of an end all, would only be the beginning. Chairman Perron inquired about the Lonfit Area, however, Mr. Allen stated that his team did not look in that area or at the Ordot dumpsite. The Administrator clarified that some of the problems of getting sampling from the Ordot dumpsite is due to the site closure; and the fact that the leachate goes through their leachate system that gets collected and funnels towards GWA. So, samples may be collected by these means but not by going out and grabbing soil samples. It would be looking at the leachate and possibly maybe some of the ground water, market wells, or something slightly different.

Director Hollister asked about the sheen on top of the water, to which Mr. Allen responded with "if it was in High concentration for sure –you can inspect behind there –I mean, I don't know if that's natural or it could be any oil or a natural oil…" Director Hollister further asked about Polaris Point, known to people as the "drum lot." The Administrator clarified that there are buried drums at the site that the agency is currently addressing right now but have not sampled the soil. Mr. Allen stated that future analysis of the site in question could be easily done. Director Hollister and Mr. Allen further discussed the levels of dioxin in the soil and examples of what may or may not trigger an EPA risk assessment. A tiered approach is used so that if any positive hits on any of the constituent samples, this would be justification to continue the investigation in the area for Agent Orange or for other herbicides or fuel spills. (Mr. Allen further reviewed his slide presentation).

V. Old Business:

- *Navy NOV – Notice to Appeal*

The Administrator stated that he spoke with Captain Turner and his Environmental Director, Mr. Ed Moon and they have had a discussion –that this Notice of Violation (NOV) is a follow-up with the NOV to NOVA. The Administrator further stated that we are working on a settlement with NOVA. The intent for the NOV to the Navy was to put them on notice –we were not looking to double the fine. The Navy understands this and that is the reason they are not seeking a hearing. The Navy wants to ensure that the agency comes up with the proper verbiage. It is a matter of the Administrator, Ms. Kristan Finney, the Judge Advocate General (JAG) and the Air & Land Division to figure out the proper verbiage. Director Roth asked if the Navy was fined. The Administrator stated that the Navy was not fined –the contractor was fined and that it is in the final stages of negotiation. The Administrator, Vice-Chairman and Director Roth discuss more details.

- *Tsang Brothers Corporation Tentative Settlement Agreement.*

Mr. Roland Gutierrez stated that the settlement was done and that we have the check for the Environmental Education which we are going to present next week to Juan M. Guerrero Elementary School and that the rest of the money went into the General Fund. The Administrator stated that prior to the settlement there was a step to educate the students on clean air and they wrote a check to purchase approved materials that the agency reviewed and approved. The Administrator invited the board to attend the presentation and will be notified once the date and time is confirmed.

- *Safe Drinking Water NOV/ Guam Waterworks Authority (GWA).*

The Administrator stated that he is working with GWA's General Manager and that they reconsidered the entire southern distribution line contaminated at one point and upon investigation it was just a spigot that a mud dauber decided to take residence in and that caused the high hit for that sample location. The Administrator further stated that the upgraded and downgraded locations were clean and based on that we had discussions. The Administrator stated that it was not consistent and that on our settlement we need to remove that portion out –the portion that will remain is the lack of notification. When they have a positive hit they are supposed to notify Guam EPA within 24 hours –it took them a couple of weeks. The Administrator discusses more details.

- *Nova Group, Inc. – Settlement Agreement Status.*

The Administrator stated that they have exchanged comments on the Settlement Agreement and that NOVA has reached out to him to see if he would be amiable to changing some of the verbiage that we have submitted and that we are currently going to set up a conference call with them to rectify and inform them on our decision on what the request is at this point. The Administrator stated that because this is a settlement agreement he is trying not to disclose too much until they come up with a settlement. The Administrator, Director Roth and the Chairman discuss more details.

- *RRF Rules and Regulations Draft – Update*

Mrs. Sabrina Sablan stated that the day after our last board meeting on September 21, 2018, we received a memo from the Bureau of Budget and Management Research (BBMR) recommending that we work with the Chief Economist from either Bureau of Statistics & Plans (BSP), Guam Economic Development Authority (GEDA), or Department of Labor (DOL) to assist us in preparing an Economic Impact Statement (EIS). Mrs. Sablan further stated that since October 2018 they have been working with BSP and that BSP sent a memo to the Administrator concurring with us, that we did not require an EIS because we were not changing any fees or imposing any fees and we just received that today and we want to go ahead and start moving forward with the public hearing and the whole process. The Administrator and Mrs. Sablan discuss more details.

Mrs. Conchita Taitano talks about the list of items contained in the RRF and stated as follows: The *Bottle bill*; *Stimulus* –which will be put on hold because Jacobs is working on the sliding scale; *Disaster debris* –which we are looking at doing nineteen (19) green stations at each jurisdiction; *Mayors' Council of Guam Island-wide Environmental Cleanup Program (IECP)*; *Zero Waste Grant Program* –which Jacobs is helping the agency address; Subsidizing the *Recycling/Tipping Fees for Low Income Household*; and the *Green Waste Plan* –about establishing a regional composting facility. The Chairman, Administrator, Mrs. Taitano, and Mrs. Connie Aflleje discuss more details.

VI. New Business:

Brief from CH2M/Jacobs Re Current Projects – To be discussed by next month.

Bill No. 292-34 (Public Law 34-133)

The Chairman stated the intent of Bill 292-34, which was signed by the Governor on October 17, 2018, as Public Law 34-133, is for the purpose of video conferencing at Board and Commission meetings, to include the use of live streaming. However, Mr. Nic Lee clarified that the proposed measure live-streaming Board meetings was more of an option rather than a mandate. Mr. Lee further stated that the primary intent of Bill 292-34 is an attempt to provide Boards or Commissions an alternative to meeting quorum. Mr. Lee provided the following example: "If one of the board members is unable to be physically present at the board meeting, they now have the ability to teleconference in and participate in the board meeting in that manner..." The Vice-Chairman inquired if the agency had the equipment to execute the proposed measure. Mr. Lee responded with a more practical approach using more mainstream aps such as Skype over a telecommunication device. Ms. Kristan Finney recommended that rules first be established, and Mr. Lee followed with recommending policy also be established. The Vice-Chairman requested that Ms. Finney draft rules and policies to ensure that Board meetings and Board actions remain official and valid when using the option provided in Public Law 34-133.

Bill No. 350-34

The Vice-Chairman excused himself from the discussion of Bill 350-34. The Vice-Chairman's partner's name is Bello. As stated by the Chairman, Bill 350-34 seeks to appropriate approximately $600,000.00 a year from the Revolving Recycling Fund (RRF) for a total of ten (10) years to fund a prior year obligation to Mr. Benny Bello. Mr. Bello did some work for the Department of Land Management (DLM) and the Chamorro Land Trust Commission (CLTC). The Chairman cited the original contract written for the purpose of processing scrap metal to offset Mr. Bello's rent for the Chamorro Land Trust Property. The amount of metal that he processed was in excess of what they anticipated and so it would take Two-Hundred (200) years of rent offset to be able to get fully paid. The sponsors of Bill 350-34 are saying that the only way that Mr. Bello can get paid is from a funding source, and the funding source identified was the RRF. The chairman opened the discussion on Bill 350-34 to the Board members.

Director Hollister questioned the intent, execution and authorization of the original contract. The Chairman stated that Mr. Bello is only billing the agencies for 25,000 Metric Tons, which implies that Mr. Bello provided services beyond the original contract. The Administrator stated that he could avow as far as Guam EPA, that this was an agreement that was made with the DLM, Guam Ancestral Land Commission (GALC). The Administrator raised concerns over the drafting of the agency's Rules and Regulations coupled with the authority of the members of the Guam Legislature. Director Hollister questioned the use of the Revolving Recycling Fund (RRF) as a funding source considering the RRF was established in 2003 and the activity from the original contract occurred in 2001. The Administrator provided clarity on the use of the RRF resulting from the collection of junk cars and metallic debris.

Director Roth questioned the determination used to annually allocate $590,000.00 from the RRF. The Board members requested the Administrator look into past statements and/or discussions made by the agency indicating an agreement for the scope of work. (i.e. disposal of junk cars and metal scraps and/or the use of the RRF as a funding source.) The Chairman stated that DLM and GALC both agree that this is a government obligation and are simply seeking a funding source. Ms. Kristan Finney commented on Bill 350-34, stating two things—first, that the Attorney General's testimony pointed to the fact that Bill 350 attempts to dictate the terms of the original contract and amend it through legislation; and then, the funding source cited.

The Chairman asked the Board members if the body would like to "go on record" in support of or against the proposed measure. Some Board members brought up concerns with cost and the impact of the proposed annualized payments. The Administrator stated that due to the lack of rules and regulations, the agency has not spent any money from the RRF, except for what is mandated by law—which is the contract to manage the Zero Waste Program and Public Outreach and the Position that's being held for our Recycling individual. When the agency rules and regulations are adopted and if it passes without any amendments, then there will be a mechanism in place to use the RRF. The Board should also factor in all the possible methods to spending the RRF such as the Mayors' Office or incentives for the typhoon debris, facilities and all of the other items listed in statute. As of today, the Administrator confirmed that the RRF was current.

The Chairman stated that the issue may be a moot point because the AG testified that it is inorganic for the legislature to direct the Executive Branch on how to construct the contract and dictate all the terms of the contract; and the 2nd point that the current legislature could not bind future legislatures by actions of the current legislature. The Administrator clarified that the RRF was not funding for Guam EPA's use of "organizational income" but it's for everything else outside of it. As administrators of the Fund, the agency can't use the funding for enhancement purposes or for its employees, outside of what is already written in statute. So whether the RRF is used for Mr. Bello's annual payments or for other purposes, the use of the RRF will not impact the agency's operations. However, it will impact our ability to do some of the projects for the island of Guam. (i.e. recycling programs, community outreach, etc.) The Chairman deferred to the position of the Attorney General and her legal expertise on the measure. He further stated that during his confirmation hearing, he was asked his position on the proposed measure to which he replied, "if you owe the money, you should pay him one way or the other, but we have uses for that money within Guam EPA. We have different components at the Revolving Recycling Fund that we are going to be needing to do and needing to pay for…" Director Carrara stated that he didn't think the agency should comment on how the legislature or any agency chooses to handle the problem outside of Guam EPA. He further stated that the agency should participate in any discussions and provide testimony on how any proposed action would affect the mission of the agency and its operations. The Chairman recommended and then requested the Administrator to "impress upon" the legislators the affect the proposed measure would have on the agency's plans with the RRF and other programs that we are seeking to implement.

VII. Miscellaneous:

America Recycles Day: Mrs. Sablan announced that today is "America Recycles Day" and so this year we've had an increase of over 6%, our new recycling rate for 2017, is 39.16%, and climbing. The Chairman inquired what caused the big increase and Mrs. Sablan replied that the big increase was from a lot of green waste.

Food Waste Assessment: Mrs. Conchita Taitano stated that our contractor Jacobs did a survey on sixteen (16) establishments and that they have discovered that nine hundred (900) tons of waste food is generated. It exceeds the total amount of the weight of plastics and mixed paper. All the food goes to the piggery.

The Administrator stated that Mrs. Taitano had to leave the meeting for personal reasons. The Administrator also stated that Mrs. Taitano wanted to do a full-blown discussion on what her contractors were doing –which included the Pacific Islands Environmental Conference (PIEC). The Administrator stated that one of the reasons that he did not want Mrs. Taitano to do the PIEC presentation –was that he wanted to make sure that Mr. Carl Goldstein and Mr. John McCarroll had the chance to review what we were doing. The Administrator discusses more details. The Administrator announced that the agency is having a Team Building Cleanup in Tiyan and a Thanksgiving Lunch on Wednesday, November 21, 2018, and invited the board members.

(A copy of reports that were issued is available with the Board Secretary upon appointment).

VIII. Next Meeting Date/Adjournment: The Chairman stated that the next regular board meeting date and time will be on Thursday, the 20th of December 2018 at 4:00 pm. (The Chairman stated that the board meeting is tentatively scheduled and is subject to change).

Director Roth made a motion to adjourn the meeting, seconded by Director Hollister. The meeting was adjourned at 5:32 p.m.

Vilma Palajadia