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From: Speaker's Office <speaker@guamlegislature.org>
Sent: Thursday, December 31, 2020 2:37 PM
To: Clerks Office
Cc: Rennae Meno
Subject: Messages and Communications
Attachments: GEPA-Minutes and Other documents for Board of Directors Regular Meeting for December 2020.pdf

12/30/20	12:37 PM	12/23/20	Minutes and other documents for Board of Directors Regular Meeting-December 2020.	Guam Environmental Protection Agency	35GL-20-2574

Sinseru yan Minagåhet,

Office of the Speaker • Tina Rose Muña Barnes
Committee on Public Accountability, Human Resources & the Guam Buildup

35th Guam Legislature
I Mina'trentai Singko na Liheslaturan Guåhan

Guam Congress Building | 163 Chalan Santo Papa | Hagatna, GU 96910
T: (671) 477-2520/1
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Gumai pribilehu yan konfedensia este siha na mensåhi. Solo espesiåtmente para hågu ma entensioña pat ma aturisa para unrisibi. Sen prubidu kumu ti un ma aturisa para manribisa, na'setbe, pat mandespåtcha. Yanggen lachi rinisibu-mu nu este na mensåhi , put fabot ago' guatu gi I numa'huyong gi as speaker@guamlegislature.org yan despues destrosa todu siha I kopian mensåhi. Si Yu'os ma'åse'.

GUAM ENVIRONMENTAL PROTECTION AGENCY • *AHENSIAN PRUTEKSIÓN LINA'LA' GUÅHAN*
LOURDES A. LEON GUERRERO • GOVERNOR OF GUAM | JOSHUA F. TENORIO • LIEUTENANT GOVERNOR OF GUAM
WALTER S. LEON GUERRERO • ADMINISTRATOR | MICHELLE C. R. LASTIMOZA • DEPUTY ADMINISTRATOR

December 23, 2020

35GL-20-2574
Speaker Tina Rose Muña Barnes

DEC 30 2020
Time 12:37 ( )AM (✓)PM
Received By:

Honorable Tina Rose Muña-Barnes
Speaker
I Mina'trentai Singko na Liheslaturan Guåhan
163 Chalan Santo Papa
Hagåtña, Guam 96910

***RE: 5 GCA 8113.1 Reporting Requirements for Board of Directors Regular Meeting* – December 2020**

Hafa Adai Madam Speaker,

Transmitted herewith are the minutes and other required documents from the Guam Environmental Protection Agency (Guam EPA) Board of Directors Regular Meetings for December 2020, in accordance with 5 GCA §8113.1.

Should you have any questions or if the Agency can be of any assistance to you and your office, please feel free to contact the Agency at 300-4751.

Respectfully,

Arlene S. Acfalle
Guam EPA Board Secretary

cc: Guam EPA Administrator
Guam EPA Board Chair

Enclosures:
December 17, 2020 Agenda
November 19, 2020 Approved Minutes
RRF Financials
Performance Evaluation for Deputy, Michelle Lastimoza
Performance Evaluation for Board Secretary, Arlene Acfalle
Commendation Letter, Arlene Acfalle
OAG GovGuam Meetings email

GUAM ENVIRONMENTAL PROTECTION AGENCY • *AHENSIAN PRUTEKSIÓN LINA'LA' GUÅHAN*
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WALTER S. LEON GUERRERO • ADMINISTRATOR | MICHELLE C. R. LASTIMOZA • DEPUTY ADMINISTRATOR

Guam EPA Board of Directors regular meeting agenda

Thursday, December 17, 2020 – 4:00 p.m.
Location: Google Meet: https://meet.google.com/bsg-fibh-puu
Pursuant to Executive Order 2020-07 Item 4, meeting announcement published on:
oagguam.org/govguam-meetings/
Meeting will live stream on youtube.com/guamepa and facebook.com/guamepa

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I. Call to Order

II. Approval of Agenda

III. Approval of November 19, 2020 Meeting Minutes and November 25, 2020 Continuance Meeting Minutes

IV. Administrator's Report

V. Old Business:
- Water Division Active NOV's update
  - Safe Drinking Water NOV's (Lin's Hardware, Su & Zheng Corp and Feiyang Construction & Engineering)
  - Smithbridge
  - Piti failed septic system
  - Contract Watts
  - Dusit Thani
  - Sand Castle
- Sold Waste Management Program Active NOV's
  - Verona & Old Royal Palm Garage update
- Air Pollution Control Nov
  - Korando update
- HazWaste: Underground Storage Tank Rules and Regulations Update
- Air Pollution: Findings of Failure to Submit State Implementation Plans (SIP) update (for Attainment of the 2010 1-Hour Primary Sulfur Dioxide (SO_2) National Ambient Air Quality) update
- Performance Evaluation for Deputy Administrator & Board Secretary review
- MCOG (RRF PL 35-99)/ MOU Update
- RRF financial spreadsheet update
- UOG Letter for Expenditure Plan update

VI. New Business
- Open Government Law Discussion

VII. New meeting date and adjournment

AHENSIAN PRUTEKSION LINA'LA GUÅHAN
LOURDES A. LEON GUERRERO, GOVERNOR OF GUAM • JOSHUA F. TENORIO, LIEUTENANT GOVERNOR OF GUAM
WALTER S. LEON GUERRERO, ADMINISTRATOR

Guam Environmental Protection Agency
Virtual Board of Director's Meeting
Thursday, November 19, 2020
Via Google meet platform

MINUTES

I. **Call to Order**: Chairman Robert Perron called the Board of Director's meeting to order at 4:05 p.m.
The following individuals were present during the virtual board meeting via Google meet **Board Members**: Robert Perron-*Chairman*, Ann Roth-*Vice Chairwoman*, Flori Sanchez, Steve Hollister, Nicholas Pape, Steven Carbullido and Nonito Blas **Guam EPA Staff**: Walter Leon Guerrero- Administrator Michelle Lastimoza-*Deputy Administrator*, Arlene Acfalle, Nic Lee, Sabrina Sablan, Kristan Finney, Connie Aflleje, Conchita Taitano, Brian Bearden, Michael O'Mallan, Roland Gutierrez and Vince Pereira

II. **Approval of Agenda**: Director Pape requested to include under Old Business discussion on the format for the RRF spreadsheet. Director Carbullido made a motion to approve agenda with the corrections second by Vice Chairwoman Roth. All in favor, zero (0) opposed and motion passed.

III. **Approval of Minutes**: Vice Chairwoman Roth mentioned on Administrators Report, Administrator spoke about the UST and Safe Drinking Water which was sent to the Legislature and we are waiting for it to go on the floor. Later in the minutes it states the UST is being prepared to be sent to the Legislature. Should we change that to "Administrator spoke about the UST. Administrator also spoke about the Safe Drinking Water that was sent to the Legislature". Administrator chimed in stating he will provide an update with his Administrators report. Chairman Perron advised if it was already at the Legislature to remove the reference on the top of the second page that states it is being prepared to go to the Legislature. Vice Chairwoman Roth added that the amounts of $1,065,000 but in parenthesis it shows $1,365,000 and should be corrected to $1,065,000. Also half way down the second page it states Director Roth questioned a prior balance of $1,905,000 and FY20 $25K. This should be corrected to $2,525,000. Director Pape also suggested that if we are placing the dollar figure we should remove the spelling in parenthesis to avoid confusion. Chairman Perron agreed. Director Hollister also requested to correct the spelling on due to do under new business regarding the "SIP". Director Carbullido moved to approve the minutes with the corrections second by Director Hollister. All in favor, zero (0) opposed and motion passed.

IV. **Administrator's Report:** Administrator advised that during the November session the Safe Drinking Water regulations will be on the floor this week and the UST regulations will be on Dec 4t. Administrator also speaks about Bill 406-35 which would allow the CLTC to revoke the lease from the land owner if they found to be dumping illegally or have illegal environmental activity on Land Trust properties.
-Administrator announced to the Board that we did have one Covid positive case in our agency and this caused us to close down for a few days for disinfection but our operations have started up again this week. Administrator stated because of this Covid pandemic we are trying to move forward and use our electronic permit system via our server. Reid Aguon of our permit division has downloaded most of the permits and we hoping this will minimize the review time to half. GovGuam is also trying to install a business license permit electronic system. Hopefully upon completion we can sync our system with DPW and DRT.
-Monday November 16th was the virtual America's Recycles Day Proclamation which went really well. Administrator looks forward to more Board attendance on future proclamation signings. Administrator reported that Conchita did a good job on the presentation during the regional Recycling Day Summit which was hosted by

USEPA and in which LT Josh Tenorio also did an introduction to that summit. Guam was more that adequately represented during the summit, said Administrator.
-RFP- Cocos Tire Reef project – Negotiation with the primary bidder did not pan out as their bid was higher than our grant amount therefore the agency had to go with the second bidder and negotiations are underway.
Ordot Landfill Consent Decree – The review process being conducted by the Fed is not ready therefore we are not able to process the closure permit. So the draft date that was initially set is not going to happen. Our agency will continue to work with USEPA to obtain a possible date so we may end the receivership for the consent decree.
-Our Pesticides program have been working diligently day and night to process notice of arrivals (NOA) we normally have a 10day requirement of notice which we waived during the ongoing pandemic. We hope these companies understand that this is not normal operation and because of the emergency pandemic we are not requiring the 10day notice and once we go back to normal operation we will go back to the normal 10day notice requirement. -Solid Waste & Zero Waste – Conchita report that the first demonstration project with Trades Academy with consumer glass in the parking lot is completed. Second demonstration will be done for a road at the Port Authority of Guam.

V. Old Business:

- Active NOV's **Director Carbullido requested to place sub bullet points as to whose court the NOV is on. Guam EPA or violators. Administrator and Legal Counsel both agreed this can be done**
  Brian advised (for this meeting) there are no updates for the Water division NOV's and are at status quo.
- Safe Drinking Water NOV's update (Lin's Hardware, Su & Zheng Corp and Feiyang Construction & Engineering)
- Smithbridge update
- Piti failed septic system update
- Contract Watts update
- Dusit Thani update
- Sand Castle update
- Solid Waste Management Program
  - Verona & Old Royal Palm Garage update - SWMP is looking to send a letter to the new owners once we confirm an address. Seeking assistance from DRT to obtain the most current land tax contact information since the address provided by DLM is no longer active.
- Air Pollution program
  - Korando - Complaint that they were operating their rock crusher and doing clearing and grading. They currently have a permit from Water Division. However, Roland advised the complaint is the creation of dust and they were not practicing fugitive dust control. A warning was issued to provide dust control, but they have not provided any and there is no water or water truck on site. An NOV was issued for them to submit a detailed fugitive dust plan and that they must have active water on site, either a tanker for the day or have a water source. In conjunction with that emission acclamation of the fugitive ducts from their rock crusher and they were supposed to do their due diligence to ensure they have a permit prior to operation. A stop work order was issued for their rock crusher and to submit an application for a permit. The agency is working with their contractor, Willie Flores. They are still shut down based on the drive by inspections. NOV is on status quo at this time and the ball is in Corando's court. There is also a separate issue with transferring the rock off site under the permit but that does not fall under APC purview that is under Water division purview and Corando is also supposed to get permission from the Land Use Commission. Administrator did add that Guam EPA does not permit quarrying as it is not under agency regulations.
- Underground Storage Tank (HWMP) Vince updated that the public hearing is supposed to take place on the 24th of November and Mike O'Mallan has submitted a power point presentation to Senator Perez office for their review prior to the public hearing.
- Findings of Failure to Submit State Implementation Plans (SIP) for Attainment of the 2010 1-Hour Primary Sulfur Dioxide (SO_2) National Ambient Air Quality – Roland updated that the Notice of Failure to submit was published on the federal register on November 3, 2020 and it becomes final on December 3, 2020. The 18month clock starts on December 3, 2020. We have completed the NSR rule with the assistance of USEPA and a change needs to be made on our regulation, section 1310 to allow Cabras to use intermittent fuel switching strategy which is what they are using now (bunker fuel) The permits have all been changed to state that by December 31, 2021 they will not be allowed to use that strategy. There is one component in GPA hands that the modeling protocol needs to be updated due to GPA uses the average rather than the peak for

their modeling. If the modeling strategy does not change, they will never be able to run at peak. The other thing is to do the economic analysis which is being worked on with Nic and we are hoping to get everything packaged to present to the board by mid-January 2021. Roland also addressed Director Hollister question in regards to fines. Roland clarified that Kepco has agreed to pay the fines if they do not meet the date of the consent decree. The fines for the "sip" is if GPA does not close by December 31, 2021, that fines will come from under Guam EPA. According to GPA, we do not have the capacity to shut down the generators by December 2021. GPA has alluded that they will violate the "sip" and when that time comes, as part of our primacy, Guam EPA will be required to issue GPA a Notice of Violation for violating the December 31, 2021 deadline on the "sip". Meeting are ongoing with the regulatory staff and GPA general manager that if they are forced to shut the generators down we will be going into rolling power outages (black outs). Administrator mirrored off Roland's update. Chairman asked if GPA needed to run ULSD to get the emissions down. Roland advised Cabras unit cannot run on ULSD due to the heat content is higher that fuel that they are currently using and it will blow up. Roland added that Cabras 3 & 4 are the biggest on island and account for 1/3 of power generation. Director Roth inquired on USEPA holding off on section 30 highway funds as mentioned on prior minutes. Roland advised that is different. That fine is for the "sip" but if we complete the "sip" they will not hold the funds. Chairman asked if any of the fines imposed will stay with the agency. Roland clarified if it is a local NOV it will stay with the agency. If the violate the consent decree that goes straight to USEPA. The "sip" fine can be both. Director Hollister asked if GPA is still paying TRC. Roland confirmed they are.

- Format for RRF report – Administrator advised we completed the form that was provided by Director Carbullido. Administrator indicated that in prior board meetings a lot of the RRF project how much will be collected through DRT with the registration process. We've had trouble getting an exact figure on the monies being rolled over due to constant changes in the AS400 system. The numbers provided is reported to the best of our ability. Deputy Lastimoza explained that the OPA Audit stated that the non-lapsing fund could not be touched until the rules and regulations for the RRF were adopted. Guam EPA could not implement expenditure out of the RRF until the rules and regulation were adopted, which was October 2019. So the money in the non-lapsing fund is the mother account for the RRF when it was created 16yrs ago. Through the different audits that talked about money that was expended out of that account, It also goes back to 2018 when the $2.2Mil was appropriated to MCOG and the inability to spend the $2.2Mil in that fiscal year, where it was deobligated and re-appropriated through 2 cycles. It was appropriated and it wasn't all spent. It was un-encumbered and deobligated and went back into the mother account. As of today in the AS400 we believe that we are balanced at the $3,332,576 dollar amount in the mother account. So you will see the appropriated account which is for FY2021 and non-lapsing account which is the mother account. Administrator advised there is an expiration date, which is like a marker, that if it is still continuing revenue that is able to be put into the account they will extend the expiration date with proper paperwork. Deputy advised the expiration date is September 24, 2024. Director Pape clarified that the account is a non-lapsing account and we can roll things forward. Connie confirmed and also stated it just has to have an end date and we just have to request to extend it before it expires. Deputy also advised that what limited the expenditure out of the mother account was the OPA account in 2015 that stated we couldn't spend money till the rules and regs were in place to implement expenditures. Administrator reiterated that we only have 2 options in our regulations which is MCOG and the other to implement an incentive program based on the statues. Further discussion with Director Pape, Director Carbullido, Vice Chairwoman Roth, Connie, Administrator and Deputy Administrator took place in regards to the funds in each account. Administrator advised we hope to have a more accurate report by the next board meeting.
- Performance Evaluation for Administrator, Deputy Administrator and Board Secretary update –**see continuance meeting minutes**

VI. New Business:

- MCOG, Expenditure Plan- MCOG Director Angel Sablan provided an update in regards to $466K from FY20. MCOG have submitted invoices to DOA for processing and payment. DOA has paid 298 invoices with an outstanding 632

invoices that have been processed but unpaid. DOA has paid out $244,791.25 with outstanding invoices at $148,931K totaling $393,722.25 and leaving an outstanding encumbrance of $72,320.01. Although the $72,320.01 has been encumbered, because it was not utilized by the mayor's in their purchase orders, we are looking at de-obligating around $72K back to Guam EPA when the accounting is all finalized. The MCOG has changed their process of manually submitting the invoices to DOA, to emailing them. This process has become more cumbersome because each invoice needs to be scanned with the purchase orders, the receiving reports and the data reports which is submitted to DOA and Sabrina as well. MCOG Director assured the board that they are on top of this and every single penny will be accounted for. Although they would have loved to spend the whole $466K they had an expenditure rate of about 85% with only 3 months (July 2020 to September 2020) to spend the from FY2020. Director Sablan stated he is amendable to have Guam EPA hold the $466K from FY2020 from the $1.3Mil for FY2021 until they finalize the invoices. Administrator clarified that with our current process, the entire budget has to be approved by Guam EPA to include reconcilement of invoices and unused funds. Director Sablan is asking if we can provide a waiver to release the amount of $834K so they can continue the program and hold the $466K (which represents the amount that was given on FY2020) until all the invoices have been reconciled. Director Carbullido stated that if the paperwork is in order and it's only because some of the money from FY2020 is not spent, we should release a portion of the $1.3Mil from FY2021 so that the program can continue. Administrator stated he would need to verify if the process is law or policy. Depending on what it is, this would determine if the Board can make this decision. Sabrina chimed in and recommended that we should have a close out and start working on the MOU. Vice Chairwoman Roth agrees with Director Carbullido's suggestion. Director Carbullido also asked if we can extend the MOU or expenditure plan to December so that they Mayors have more time to use the funds. Director Sablan advised it is not possible as the fiscal year ends in September 30. Chairman Perron advised to get the MOU started. Vice Chairwoman Roth recommended we place an amount on the MOU to get the MCOG started. Director Carbullido suggested we reconvene this meeting till next week. This should give the Administrator time to check on the legality of this RRF process. Chairman asked if the Board would like to discuss the Performance Evaluation for Administrator before a motion is made. Vice Chairwoman Roth recommended to discuss this next week at the continuance meeting as well. Director Pape moved to recess this meeting and reconvene on November 25th at 4pm second by Vice Chairwoman Roth. All in favor, zero (0) opposed and motion passed. (Meeting recessed at 5:54pm)

Continuance Meeting Minutes
Wednesday, November 25, 2020
4:03pm

I. **Call to Order**: Chairman Robert Perron called the Board of Director's meeting to order at 4:03 p.m.
The following individuals were present during the virtual board meeting via Google meet **Board Members**: Robert Perron-*Chairman*, Ann Roth-*Vice Chairwoman*, Flori Sanchez, Steve Hollister, Nicholas Pape, Steven Carbullido and Nonito Blas **Guam EPA Staff**: Walter Leon Guerrero- Administrator Michelle Lastimoza-*Deputy Administrator*, Arlene Acfalle, Nic Lee, Sabrina Sablan, Kristan Finney, Connie Aflleje,and Conchita Taitano

II. **Continuation of RRF release of funds**– Chairman reiterated to the Board the issue at hand is if we are going to release the whole amount of upfront or release in time. Chairman repeated MCOG Director Angel Sablan request to hold the $466K from FY2020 on reserve until reconcilement is not complete and to release the difference of $834K He asked the Board if they wish to have discussion on the matter. Administrator chimed in regarding his concern on the legality of such disbursements. Administrator updated the board that he has received the response from Guam EPA Legal Counsel Kristan Finney that the Board is able to make this decision. Director Carbullido commented that over the years Guam EPA has released $900K to the MCOG and sometimes the Mayors can't spend all of it, so he asked if it will be a good idea to prorate the disbursement to get us through March of 2021 or under the MOU will be fully executed. Chairman advised a drawdown can't be made until the MOU is fully executed. So what the Board has to do is determine what the drawdowns will be and the timing of it. Director Pape weighed in stating that the cost breakdown that was provided by MCOG could determine how much disbursement can be made. Vice Chairwoman Roth agreed with Director Pape. She also inquired with Angel Sablan if the lowest bidders are normally selected as she feels that the equipment cost is quite high. Mr. Sablan stated it is a set price and if the companies do not want to participate (with the price that is offered) then they are not included. Chairman stated his concern is that we are closing in on the 1st quarter of FY2021 and by the time the MOU is signed we will be half way into 2nd Qtr. of FY2021 that the time frame will not be enough for the Mayors to use the

funds. Director Carbullido suggested that instead of doing a time limit can't we just release an initial disbursement and then revisit it once the initial disbursement is about depleted. Director Pape also made that notion to get the ball rolling. Vice Chairwoman suggest to release an initial amount of $500K and verify how the submission of invoices are being submitted. Director Blas recommended we release the total amount with the exception of the $466K from FY2021. Director Hollister agreed with Director Blas. He asked "Is the point to hold money or disburse on a quarterly basis just so we can keep tabs on the expenditure and does it hurt what the Mayors are trying to do?" He also added that it seems as if we are trying to maintain control of the money from people who are doing what we want them to do. Director Carbullido explained that hearing the recommendation of the Administrator and Sabrina on the last meeting, we want to make sure the books are closed properly from FY2020. Administrator advised that is correct. We are still working with MCOG to rectify the invoices for FY2020 but added this is an opportunity for the Board to provide the MCOG money to initiate the program sooner than later. Chairman agreed and also stated that the process is going much smoother now and a lot of the invoices is being tied up at DOA waiting for payment to go out. Mr. Sablan updated the Board with the numbers from FY2020. $394,902.25 has been paid leaving a balance of $71,140.01 to equal the $466K. There are still outstanding invoices that need to be paid so they are looking at an amount of $60-$63K to be deobligated and he should have an update report by December 4th. Administrator advised once decision is made we will include the amount in the new MOU. Chairman asked the Board if they are thinking to release an initial amount of $500K to start the process and then revisit this on a monthly basis to determine the Mayors expenditure rate and balance. All Board members agreed.

Director Roth made motion to release and initial amount of $500K and to revisit with monthly reporting's, seconded by Director Pape. All in favor, zero (0) opposed and motion passed.
Chairman asked if Sabrina will be preparing the new MOU. Sabrina advised she has a Draft copy already in process, with Administrators approval, but also wanted a commitment date from Mr. Sablan for the close out of FY2020. Mr. Sablan gave a commitment date of December 11, 2020 which will also be noted in the new MOU. Mr. Sablan thanked the Board, the Administrator and staff for their support and looks forward to working with us.

III. Administrator's PE – Director Roth made a correction on Section 3.4 referring to getting $1.466Mil to the Mayors and that should be $466K. Chairman advised Administrators PE also went to John McCarroll on Region 9. Administrator asked if he should step away and Chairman advised there is no need. Chairman advised the Board to forward any other comments to Nic so he may include in Administrator's PE. Chairman asked if the Board recommends to retain the Administrator. Director Pape made a motion to choose Yes, recommended with no conditions seconded by Director Hollister. All in favor, zero (0) opposed and motion passed.
-Chairman asked if all Board members agree with marking Yes on Section 4. Director Pape made a motion to choose Yes on section 4 under the three columns seconded by Vice Chairwoman Roth. All in favor, zero (0) opposed and motion passed.
-Chairman asked if all Board members agree with marking Yes on Final Box. Vice Chairwoman Roth moved to have all the boxes checked marks yes and seconded by Director Sanchez. All in favor, zero (0) opposed and motion passed.
-Chairman asked if a motion can be made to approve the Administrators evaluation subject to any input from the Board. Vice Chairwoman recommended to change the comment on section 3.4 to oversaw and worked with staff to develop the MOA for MCOG RRF and not developed the MOA himself. She just wants to give credit to the staff as well. Vice Chairwoman Roth made a motion to approve the Administrators evaluation and seconded by Director Pape. All in favor, zero (0) opposed and the motion passed.

Vice Chairman asked if the letter was sent to UOG in regards to the budget plan. Administrator advised this has not been done. He is waiting on UOG to respond to have a meeting to be sure he understand the conditions of the RRF. Director Roth suggested to send the letter out so it is documented. Chairman advised to send the letter and place it on the agenda for the next meeting if they chose to present their budget plan.

Administrator advised the Board that they should have received the performance evaluations for the Deputy and Board Secretary although it is not a requirement. Vice Chairwoman asked to discuss this in the next board meeting as she just received it and hasn't had a chance to review it.

IV. New Meeting Date/ Adjournment: Next meeting set for December 17. 2020 at 4pm via Google meet platform. *Vice Chairwoman* made motion to adjourn meeting and seconded by *Director Pape.* All voted in favor and meeting adjourned at 4:43pm.

Arlene S Acfalle
Board Secretary

AMOUNT APPROPRIATED BY THE LEGISLATURE FOR FY2021	**$ 2,365,523.00**		
BALANCE FROM APPROVED PROJECTS	**$ 904,996.00**	BALANCE FROM ALL APPROVED PROJECTS	

Recycling Revolving Fund Programs in Chapter 51		**Amount Legislature approved for FY '21**	**Amount GEPA Board approved to date for FY '21**	**Amount Spent/Distributed to date**
1	Recycling Industry Economic Stimulus Program	$ -	$ 500,000.00	$ -
2	Contract for Professional Services to Promote Recycling	$ 100,000.00	$ -	$ 100,000.00
3	Contract for Professional Services to develop and implement in the Guam Zero Waste Plan (2013)	$ 300,000.00	$ -	$ 300,000.00
4	Mayor's Council of Guam Island-wide Environmental Cleanup Program	$ 1,300,000.00	$ -	$ 500,000.00
5	Salaries and Benefits for 1 FTE	$ 75,000.00		$ 60,527.00
		$ 1,775,000.00	$ 500,000.00	$ 960,527.00

Miscellaneous

5	UOG G3 / Island for Sustainability	$ 500,000.00	$ -	

Programs noted in the Board's Letter to the Legislature on August 17, 2020		Status / Percent Complete
6	Integrated Solid Waste Management Plan	
7	Guam Beverage Container Program	

Funds have already been encumbered in FY2021 Outstanding Encumbrance

Recycling Revolving Fund Programs in Chapter 51

		Amount Legislature approved for FY '21
1	Recycling Industry Economic Stimulus Program	$ 500,000.00
2	Contract for Professional Services to Promote Recycling	$ 100,000.00
3	Contract for Professional Services to develop and implement in the Guam Zero Waste Plan (2013)	$ 300,000.00
4	Mayor's Council of Guam Island-wide Environmental Cleanup Program	$ 500,000.00
5	Salaries and Benefits for 1 FTE	$ 60,527.00

ALL PROJECTS	$ 1,460,527.00
TOTAL APPROPRIATED	$ 2,365,523.00
BALANC ON ANNUAL APPROPRIATION	$ (904,996.00)

	Annual Appropriation account	YTD	OUTSTANDING ENCUMBRANCE	EXPENDITURES	FY21 PROJECTS	BALANCE
SALARIES		45,014.00		8,136.64	36,877.36	-
BENEFITS		15,513.00		2,698.27	12,814.73	-
CONTRACTUAL:		2,304,996.00				
	Contract for Professional Services to Promote Recycling		100,000.00			2,204,996.00
	Contract for Professional Services to develop and implement in the Guam Zero Waste Plan (2013)		300,000.00			1,904,996.00
	Recycling Industry Economic Stimulus Program				500,000.00	1,404,996.00
	Mayor's Council of Guam Island-wide Environmental Cleanup Program				500,000.00	904,996.00
Total Amount		**2,365,523.00**	**400,000.00**	**10,834.91**	**1,049,692.09**	**904,996.00**

ACCOUNT EXPIRES 9/30/2021

	NON LAPSING account	YTD	OUTSTANDING ENCUMBRANCE	EXPENDITURES		BALANCE
SALARIES		71,333.70	-	-		71,333.70
BENEFITS		45,212.70	-	-		45,212.70
TRAVEL		33,937.47	729.00	-		33,208.47
CONTRACTUAL		3,160,033.29	-	-		3,160,033.29
SUPPLIES		10,426.59				10,426.59
EQUIPMENT		12,361.67				12,361.67
Total Amount	-	**3,333,305.42**	**729.00**	-		**3,332,576.42**

ACCOUNT EXPIRES 9/24/2024

	Fiscal Year 2021 Revenues	As of
Recycling Fees	308,233.03	11/19/2020
	484,675.78	12/16/2020

GOVERNMENT OF GUAM
WORK PLANNING & PERFORMANCE EVALUATION SYSTEM

Employee:	Michelle C.R. Lastimoza	SS No.:	
Position Title:	Deputy Director	Dept/Div:	Guam Environmental Protection Agency Administration / Green Parcel (BF) -DSMOA -HMEP
Rating Period:	11/25/2019	To:	11/19/2020
Period of Supervision	From: 11/25/2019	To:	11/19/2020
Supervisor:	Walter S. Leon Guerrero	Reviewer:	WALTER S. LEON GUERRERO, Administrator

DETAILED INSTRUCTIONS FOR COMPLETING THIS FORM CAN BE FOUND IN THE SUPERVISOR'S HANDBOOK

I. WORK PLANNING

This stage takes place at the beginning of the rating period. Supervisor and employee meet to discuss and establish primary job tasks and performance standards for the rating period. List job tasks and performance standards on the reverse of this form.

COMMENTS ATTACHED
- ☐ Employee
- ☐ Supervisor

INDIVIDUAL DEVELOPMENT PLAN ATTACHED?
- ☐ Yes
- ☒ No

Michelle C.R. Lastimoza 11/25/20
EMPLOYEE'S SIGNATURE DATE

11/25/20
WALTER S. LEON GUERRERO
SUPERVISOR'S SIGNATURE DATE

II. WORK PROGRESS

This stage may take place at anytime during the rating period. Supervisor and employee meet to review the employee's work progress in relation to the established performance standards. Comments may be made on reverse side of this form under each job task, or attached on a separate form or sheet.

COMMENTS ATTACHED
- ☐ Employee
- ☐ Supervisor

III. MID-PERIOD PERFORMANCE ADVISORY

This stage takes place within one month before or after the approximate mid-point of the rating period. Supervisor and employee meet to discuss advisory ratings assigned for the employee on each job task and overall for the first half of the rating period.

OVERALL ADVISORY RATING:
- ☐ Outstanding (Explain)
- ☐ Highly Satisfactory (Explain)
- ☐ Satifactory
- ☐ Marginal (Explain)

Supervisor's Comments:
No mid-period performance advisory was conducted during this rating period.

WALTER S. LEON GUERRERO

COMMENTS ATTACHED:
- ☐ Employee
- ☐ Supervisor
- ☐ Reviewer

Employee's Signature / Date | Supervisor's Signature / Date | Reviewer's Signature / Date

III. IV. FORMAL PERFORMANCE EVALUATION and V. PERFORMANCE EVALUATION INTERVIEW

This is the final two stages of the evaluation process. The supervisor evaluates and the supervisor and employee meet to discuss the performance ratings assigned for the employee on each job task and overall for the rating period.

OVERALL PERFORMANCE RATING:
- ☒ Outstanding (Explain)
- ☐ Satifactory
- ☐ Unsatisfactory (Explain)

SALARY INCREMENT:
- ☒ Recommended
- ☐ Not Recommended

SUPERVISOR'S COMMENTS:
Any further pay adjustments after implementation shall be at the discretion of the Governor.

Supervisor's Signature Date

EMPLOYEE: ☒ I AGREE ☐ I DISAGREE **COMMENTS:**

Michelle C.R. Lastimoza 11/25/2020
EMPLOYEE'S SIGNATURE / DATE

REVIEWER'S DETERMINATION: On the basis of my review, I have determined that the Supervisor's ratings are appropriately justified. **COMMENTS:**

11/25/20
WALTER S. LEON GUERRERO, Administrator
REVIEWER'S SIGNATURE / DATE

APPOINTING AUTHORITY: My signature below indicated that I concur with the Supervisor's evaluation of the employee, approve the recommended rating, and certify funds availability should a salary increment be recommended. **COMMENTS:**

11/25/2020
WALTER S. LEON GUERRERO, Administrator
APPOINTING AUTHORITY'S SIGNATURE / DATE

WORK PLANNING & PERFORMANCE EVALUATION SYSTEM
JOB TASKS/PERFORMANCE STANDARDS

List the employee's primary job tasks for this rating period and the performance standards, which will be used to evaluate the employee's performance of these tasks in the appropriate spaces below. Attach additional copies as needed.

JOB TASK #1:

Co-manage and oversee Agency Programs Administration

1. Along with the Administrator, oversee the management of contractual and financial functions of the Agency.
2. Ensure adherence to USEPA grant standards, policies and regulations.
3. Oversee the staff who identify and advise local organizations of grants opportunities, ensuring alignment with program objectives, and managing procurement guidance.
4. Oversee the staff responsible for grant writing, award follow up and process, and ensure that it is implemented as per grant objectives and purpose.
5. Ensure that technical reviews, progress reports are completed and submitted prior to the deadline.
6. Ensure local partners organizations are transparent in their accounting and financial management and in overall grant operations.
7. Review and finalize purchase requisitions for details and completeness, ensure approval through proper channels.
8. Oversee the staff who arrange and manage the storage of materials and inventory equipment and supplies.
9. Establish strategic goals for the management, operations, and budget for the Agency.
10. Accomplish financial objectives by forecasting requirements, preparing an annual budget, scheduling and expenditures.
11. Ensures timely development of the Agency Five Year Work Plan to the satisfaction of the Guam EPA Board of Directors.
12. Ensures adherence to USEPA Five Year Work Plan to the satisfaction of the Guam EPA Board of Directors.
13. Ensures adherence to duties listed in 10 GCA §45105, in the absence of the Administrator, to the satisfaction of the Guam EPA Board of Directors.
14. Ensures coordination with other local and federal government agencies, and the private sector to support and promote the regulatory responsibility of the Agency to the satisfaction of the Guam EPA Board of Directors.
15. Ensures regulatory, compliance and enforcement, and permitting actions to the satisfaction of the Guam EPA Board of Directors.

Performance Standard: (Employee successfully meets job requirements if):

1. The employee currently is assigned as the Acting Green Parcel-DSMOA Division Head and manages and oversees the activities of the 128a and Hazardous Materials Emergency Preparedness (HMEP) grants, and the Defense and State Memorandum of Agreement (DSMOA) program; respectively.
2. Employee provides input of up-dates on Environmental Site Assessment plans and activities within the prescribed time frame 90% of the time.
3. Employee maintains close involvement and participation in all scheduled planning meetings, provides technical comments and reports as needed, ensure that project tasks, timelines, and objectives are met as required within the prescribed time frame 90% of the time.
4. Attends and participates in planning with local and federal agencies' meetings and provide professional technical review and recommendations when needed within the prescribed time frame 90% of the time.
5. In support of the Agency's core mission and Administrator's oversight the employee plans, manages, and reports results associated with:
   - preparation of budget documents, operating plans and supporting justification for all resource decisions;
   - human resources and organizational development;
   - budget formulation and execution;
   - continuity of operations;
   - preparation and planning of studies to assess resource requirements;
   - oversight of payroll, travel and procurement actions;
   - oversight of special projects management and execution.

Work Progress Review Comments:

Employee was able to effectively expend funds accordingly as best as possible. Eight months of this rating period was during a time of the Corona virus crisis. It has been difficult to operate business as usual. Amidst the uncertainty, this employee faced the challenge of being pulled in different directions – from managing communications and crisis response planning, to maintaining some level of continuity of business operations.

ADVISORY JOB TASK RATINGS:	**FORMAL JOB TASK RATING:**
[X] Exceeds Work Performance Standards (Explain)	[X] EXCEEDS Work Performance Standards (Explain)
[ ] Highly Meets Work Performance Standards (Explain)	
[ ] Meets Work Performance Standards	[ ] MEETS Work Performance Standards
[ ] Barely Meets Work Performance Standards (Explain)	
[ ] Below Work Performance Standards (Explain)	[ ] BELOW Work Performance Standards (Explain)
COMMENTS:	**COMMENTS:** Along with the Administrator, employee provides administrative oversight, review and coordination of activities for the Agency at the 95% performance threshold. Employee prepares and conduct scheduled planning meetings and performs technical work needed to ensure project tasks and objectives.

JOB TASK #2:

Manage and oversees the planning State Response Program,128a

1. Oversee in the management of contractual and financial functions of the 128a.
2. Ensure adherence to USEPA Brownfield 128a grant standards, policies and regulations.
3. Oversee the staff who identify and advise local organizations of grants opportunities, ensuring alignment with program objectives, and managing procurement guidance.
4. Responsible for grant writing, award follow up and process, and ensure that it is implemented as per grant objectives and purpose.
5. Ensure that techinical reviews, progress reports are completed and submitted prior to the deadline.
6. Ensure local partners organizations are transparent in their accounting and financial management and in overall grant operations.
7. Review and finalize purchase requisitions for details and completeness, ensure approval through proper channels.
8. Oversee the staff who arrange and manage the storage of materials and inventory equipment and supplies.
9. Oversee and may conducts field site visits of Green Parcel/Brownfield sites and provides input and comment for the ESA Phase I and Phase II reports and work plans from those sites.
10. Compile and finalize 128a quarterly and Division annual reports preparation and submittal.
11. Establish strategic goals for the management, operations, and budget for the 128a program.
12. Accomplish financial objectives by forecasting requirements, preparing an annual budget, scheduling and expenditures.

Performance Standard: (Employee successfully meets job requirements if):

1. The employee co-manages and oversees the activities of the Agency in addition to respectively acting as the Green Parcel-DSMOA Division Head and manages and oversees the activities of the 128a and Hazardous Materials Emergency Preparedness (HMEP) grants, and the Defense and State Memorandum of Agreement (DSMOA) program.
2. Employee provides input of up-dates on Environmental Site Assessment plans and activities within the prescribed time frame 90% of the time.
3. Employee maintains close involvement and participation in all scheduled planning meetings, provides technical comments and reports as needed, ensure that project tasks, timelines, and objectives are met as required within the prescribed time frame 90% of the time.
4. Attends and participates in planning with local and federal agencies' meetings and provide professional technical review and recommendations when needed within the prescribed time frame 90% of the time.

Work Progress Review Comments:

Employee was able to effectively expend funds accordingly as best as possible. Eight months of this rating period was during a time of the Corona virus crisis. It has been difficult to operate business as usual. Amidst the uncertainty, this employee faced the challenge of being pulled in different directions – from managing communications and crisis response planning, to maintaining some level of continuity of business operations.

ADVISORY JOB TASK RATINGS:	FORMAL JOB TASK RATING:
☒ Exceeds Work Performance Standards (Explain)	☒ EXCEEDS Work Performance Standards (Explain)
☐ Highly Meets Work Performance Standards (Explain)	
☐ Meets Work Performance Standards	☐ MEETS Work Performance Standards
☐ Barely Meets Work Performance Standards (Explain)	
☐ Below Work Performance Standards (Explain)	☐ BELOW Work Performance Standards (Explain)
COMMENTS:	**COMMENTS:** Employee provides environmental technical review and coordination activities for 128a activities at the 93% performance threshold. Employee prepares and conduct scheduled planning meetings and performs technical work needed to ensure project tasks and objectives.

JOB TASK #3:

Manage and oversee the Hazardous Materials Emergency Preparedness (HMEP) Program

1. Oversees and coordinates reviews, document and files hazardous facilities plans in accordance with Emergency Planning Community Right to Know Act and SARA Tier 2 Reporting.
2. Oversees the research specifications for submitted Request for Proposals for HMEP Grant activities which may also include contractual services and equipment.
3. Oversees the plans and coordination of Community Outreach regarding emergency preparedness initiatives, training and exercises.
4. Oversees the field sites visits of Section 303 facilities and Tier 2 facilities.
5. Attends State Response meetings, provide environmental technical input, and participate in planning response exercises and activities to prepare for Emergency response within the frame work of the National Incident Management System.
6. Oversees and provides environmental technical input in regards to Area Contingency Plans.
7. Coordinates with other emergency response agencies and departments such as Guam Fire Department, Guam Homeland Security, Office of Civil Defense U.S. Coast Guard and ORRT; with GEPA emergency plan response up-dates.
8. Oversee in the management of contractual and financial functions of the 128a.
9. Ensure adherence to USEPA Brownfield 128a grant standards, policies and regulations.
10. Oversee the staff who identify and advise local organizations of grants opportunities, ensuring alignment with program objectives, and managing procurement guidance.
11. Responsible for grant writing, award follow up and process, and ensure that it is implemented as per grant objectives and purpose.
12. Ensure that techinical reviews, progress reports are completed and submitted prior to the deadline.
13. Ensure local partners organizations are transparent in their accounting and financial management and in overall grant operations.
14. Review and finalize purchase requisitions for details and completeness, ensure approval through proper channels.

Performance Standard: (Employee successfully meets job requirements if):

1. The employee currently is assigned as the Acting Green Parcel-DSMOA Division Head and manages and oversees the activities of the 128a and Hazardous Materials Emergency Preparedness (HMEP) grants, and the Defense and State Memorandum of Agreement (DSMOA) program; respectively, and ensure that project tasks, timelines, and objectives are met as required within the prescribed time frame 90% of the time.
2. Employee coordinate, reviews documents and files of hazardous facility plans in accordance EPCRA tier 2 reporting, researches specifications and submits request for proposals, which includes contractual services and equipment.
3. Plans and coordinates Community Outreach regarding emergency preparedness initiatives, training and exercises.
4. Conducts field site visits of 303 facilities and tier 2 facilities.
5. Compile and finalize HMEP quarterly and Division annual reports preparation and submittal.
6. Employee maintains close involvement and participation in all scheduled planning meetings, provides technical comments and reports as needed, ensure that project tasks, timelines, and objectives are met as required within the prescribed time frame 90% of the time.
7. Attends and participates in planning with local and federal agencies' meetings and provide professional technical review and recommendations when needed within the prescribed time frame 90% of the time.
8. Establish strategic goals for the management, operations, and budget for the HMEP program.
9. Accomplish financial objectives by forecasting requirements, preparing an annual budget, scheduling and expenditures.

Work Progress Review Comments:

Employee was able to effectively expend funds accordingly as best as possible. Eight months of this rating period was during a time of the Corona virus crisis. It has been difficult to operate business as usual. Amidst the uncertainty, this employee faced the challenge of being pulled in different directions – from managing communications and crisis response planning, to maintaining some level of continuity of business operations.

ADVISORY JOB TASK RATINGS:	FORMAL JOB TASK RATING:
[X] Exceeds Work Performance Standards (Explain)	[X] EXCEEDS Work Performance Standards (Explain)
[ ] Highly Meets Work Performance Standards	
[ ] Meets Work Performance Standards	[ ] MEETS Work Performance Standards
[ ] Barely Meets Work Performance Standards (Explain)	
[ ] Below Work Performance Standards (Explain)	[ ] BELOW Work Performance Standards (Explain)
COMMENTS:	**COMMENTS:** Employee provides environmental technical review and coordination activities for emergency plans and emergency training response activities for island responders at the 93% performance threshold.

JOB TASK #4:

Oversee inspections, compliance monitoring and enforcement

1. Within the prescribed time, initiate staff to investigate reports regarding EPCRA / CERCLA military related waste disposal and unexploded ordinances.
2. Within the prescribed time of EPCRA / CERCLA site inpsections, review written inspection reports.
3. Consult with staff who perform inpsections of CERCLA Installation Restoration Project Sites.
4. Participates in conferences, workgroups and meetings with local, state, and federal government officials and public/private agencies and representatives on EPCRA / CERCLA and Brownfields activities and clean up.

Performance Standard: (Employee successfully meets job requirements if):

1. Employee reviews investigation reports
2. Employee may conduct investigations and prepares written inspection reports.
3. Employee may prepare documents and memoranda to support cases requiring further EPCRA / CERCLA investigation.
4. Employee partipates in program activities and when assigned, participates in conferences, workgroup and meetings pertaining to EPCRA / CERCLA and Brownfields as scheduled at least 90% of the time within the prescribed time.

Work Progress Review Comments: Employee contributes to team effort by accomplishing related duties as needed.

ADVISORY JOB TASK RATINGS:	FORMAL JOB TASK RATING:
[X] Exceeds Work Performance Standards (Explain)	[X] EXCEEDS Work Performance Standards (Explain)
[ ] Highly Meets Work Performance Standards	
[ ] Meets Work Performance Standards	[ ] MEETS Work Performance Standards
[ ] Barely Meets Work Performance Standards (Explain)	
[ ] Below Work Performance Standards (Explain)	[ ] BELOW Work Performance Standards (Explain)
COMMENTS:	**COMMENTS:** Employee is at a 91% threshold performing inspections as needed, compliance monitoring and enforcement. She provides written reports as needed. When required, she performs facility assessment visits with data available in accordance with EPCRA and CERCLA requirements within the prescribe time. She reviews and prepares input to support CERCLA cases requiring further investigation.

JOB TASK #5:

Correspondence, Reporting, Coordination, Technical Support

1. Performs the duties to enforce provision of EPCRA and CERCLA statute, National Priorities List Sites.
2. Coordinate and conduct review of Remedial Investigation Plans, as needed.
3. Attend RAB meetings as needed.
4. Review EPCRA, CERCLA, and Green Parcels technical documents.

Performance Standard: (Employee successfully meets job requirements if):

1. Employee provides timely, critical review of technical documents.
2. Attend quarterly RPM and RAB meetings, as needed.
3. Assist in performing oversight of Installation Restoration Projects.
4. Review CERCLA Planning technical documents and within the prescribed time frame.
5. Review and assess the effectiveness of selected and implemented remediation strategies review time at least 90% of the time.

Work Progress Review Comments: Employee met a 91% performance standard by actively partcipating in site remediation assessment strategies and reviewing best and appropriate cleanup technologies.

ADVISORY JOB TASK RATINGS:	FORMAL JOB TASK RATING:
☒ Exceeds Work Performance Standards (Explain) ☐ Highly Meets Work Performance Standards ☐ Meets Work Performance Standards ☐ Barely Meets Work Performance Standards (Explain) ☐ Below Work Performance Standards (Explain)	☒ EXCEEDS Work Performance Standards (Explain) ☐ MEETS Work Performance Standards ☐ BELOW Work Performance Standards (Explain)
COMMENTS:	**COMMENTS:** Employee is at a 91% threshold by providing technical support to assist environmental regulatory partners. She actively excels in community outreach with associated division and Agency objectives.

JOB TASK #6:

Provide Internal Planning Services, Review and Project Leadership for Agency Initiatives

1. Ensure that various assigned projects are completed within prescribed schedules.
2. Ensure that proper scope and detailed input is coordinated among division and programs to properly accomplish projects with quality and professionalism.
3. Coordinate Agency planning projects and initiatives.
4. Participate in Area Maritime Incident Committee Planning Meetings and SERC/LEPC meetings.

Performance Standard: (Employee successfully meets job requirements if):

1. Projects are completed as scheduled 80% of the time.
2. Planning, review and coordination services meet prescribed project specific standards (e.g. standard formats, guidelines, content and relative levels of detail are provided as specified) 90% of the time.
3. Coordinate and participate in community planning meetings, as needed.

Work Progress Review Comments:

Employee collaborates with the Agency collegues on clean-up work plans 91% of the time. Employee is active in the coordination and participation of community planning meetings.

ADVISORY JOB TASK RATINGS:	FORMAL JOB TASK RATING:
☒ Exceeds Work Performance Standards (Explain) ☐ Highly Meets Work Performance Standards ☐ Meets Work Performance Standards ☐ Barely Meets Work Performance Standards (Explain) ☐ Below Work Performance Standards (Explain)	☒ EXCEEDS Work Performance Standards (Explain) ☐ MEETS Work Performance Standards ☐ BELOW Work Performance Standards (Explain)
COMMENTS:	**COMMENTS:** Employee is at a 91% threshold to ensure that various assigned projects are accomplished. She uses proper scope and detailed technical input to coordinate among divisions and agency programs which allows her to accomplish projects in a timely and prescribe manner. Her planning, review and coordination has met at 91% threshold by accomplishing completion of assigned projects according to project specific standards and

JOB TASK #7:

Coordinate Agency Contributions to Various Planning Projects and Initiatives

1. Participate and coordinate Area Maritime Incident Committee Planning Meetings including formulation of elements of a comprehensive plan and the implementaiton of plans through various regulations and procedures; and ensure that project tasks, timelines, and objectives are met as required within the prescribed time frame 90% of the time.
2. Oversee the coordinating and planning for the SERC/LEPC meetings.
3. Attend and participate in training, workshops, meetings, conferences, or seminars, as assigned or designated.

Performance Standard: (Employee successfully meets job requirements if):

1. Employee maintains close involvement and participation in all scheduled planning meetings 90% of the time and provides technical comments and reports as needed.
2. Ensures that projects tasks, timelines, and objectives are met

Work Progress Review Comments:

Using expertise and knowledge, employee assists in various regulatory compliance activities. The employee coordinates with other GovGuam and federal collegues and counterparts on regulatory issues as necessary. She helps prepare requisitions (as needed) and contract specifications related to DSMOA, Green Parcels, and HMEP funding in accordance with GSA requirments. She coordinates with the Agency's ASO to required documents, guidelines and reports.

ADVISORY JOB TASK RATINGS:	FORMAL JOB TASK RATING:
☒ Exceeds Work Performance Standards (Explain)	☒ EXCEEDS Work Performance Standards (Explain)
☐ Highly Meets Work Performance Standards	☐ MEETS Work Performance Standards
☐ Meets Work Performance Standards	☐ BELOW Work Performance Standards (Explain)
☐ Barely Meets Work Performance Standards (Explain)	
☐ Below Work Performance Standards (Explain)	
COMMENTS:	**COMMENTS:** Employee is at a 93% threshold by maintaining professional relationships with her collegues to ensure the working environmental is condusive to meeting project tiemliens, tasks and objectives. She provides professional recommendation and direction. Employee is always positive and maintains the respect of the staff and managers. She initiates converation and dialogue at planning meetings with partners and stakeholders on environmental projects and initiatives.

AHENSIAN PRUTEKSION LINA'LA GUÅHAN

LOURDES A. LEON GUERRERO, GOVERNOR OF GUAM • JOSHUA F. TENORIO, LIEUTENANT GOVERNOR OF GUAM
WALTER S. LEON GUERRERO, ADMINISTRATOR

PERFORMANCE REVIEW – BOARD SECRETARY – ARLENE S ACFALLE

Pursuant to **5 GCA §43202**: the governing Boards for all agencies, instrumentalities, or entities shall issue performance reviews of the Chief Executive selected for that agency six (6) months after appointment of the said Chief Executive and every twelve (12) months thereafter that the Chief Executive is retained by the Governing Board. Each performance review shall document the Chief Executive's performance, accomplishments, and the respective Governing Board's reasons for retaining the said Chief Executive.

REVIEW TYPE:		PERIOD:
☐ 6 Month X 12 Month		From _04/03/2019 To 10312019
OVERALL PERFORMANCE RATING:	**BOARD OF DIRECTORS RECOMMENDATION**	**BOARD COMMENTS:**
☐ Outstanding X Highly Satisfactory ☐ Satisfactory ☐ Marginal ☐ Unsatisfactory	☐ Yes, recommended ☐ Yes, recommended with attached conditions ☐ No, not recommended	
BOARD SECRETARY REVIEW:		**BOARD SECRETARY'S COMMENTS:**
☐ Agree ☐ Disagree Board Secretary's Signature/Date		
ADMINISTRATOR'S REVIEW:		**ADMINISTRATOR'S COMMENTS**
✓ Agree ☐ Disagree 11/26/2020 Administrator's Signature/Date		
PERFORMANCE REVIEW ATTESTED BY:		**VICE CHAIRPERSON'S COMMENTS:**
Vice Chairperson's Signature/Date		
BOARD CHAIRPERSON'S CERTIFICATION OF PERFORMANCE REVIEW:		**CHAIRPERSON'S COMMENTS:**
Chairperson's Signature/Date		

BOARD SECRETARY'S PERFORMANCE STANDARDS (AS DETERMINED BY THE BOARD OF DIRECTORS)		
Board Secretary	Administrator's Executive Assistant	Deputy Administrator's Assistant
*Provides administrative and clerical support to the Board *Keeps the Board informed of agency activities *Keeps copies of the organization's bylaws	*Provides administrative assistance to the Agency Administrator, which may involve highly sensitive and/or confidential matters. *Relieves the Director of day-to-day administrative work	• All the job duties in the absence of the Administrator.

*Signs Board Minutes to attest to their accuracy. Records all corrections to Minutes. *Keeps copies of Minutes of Board meetings. Distributes copies of Board Minutes and actions to Board Members after meetings *Conducts general Board correspondence and keeps records of all Board correspondence. Signs official documents of the organization as required. *Responds to concerns of the Board of Directors		

ACCOMPLISHMENTS

April 22, 2019 – Participated in Earth Day clean up at Pago Bay beach

April 2019 - Participated in the Guam CHamoru Orthography training provided by I Kumision I Fino CHamoru – Nominated to be the Liaison for Guam EPA

May 2019 – POC for Relay for Life Festivities.

May 24, 2019 – Participated in Relay for Life Festivities at GWHS field

June 1, 2019 – Participafed in the Lt. Governor's Island Beautification Task Force Clean up – RISE UP!

June 27, 2019 – Participated in the 2019 PIEC Conference
June 27, 2019 – Volunteered to be a Proctor for the Radon Testing during the PIEC

July 2019 – Completed the Fall Protection Awareness Training course based upon the US EPA –Region 9 Fall Protection Training Program

September 2019 – POC for the 2019 Government of Guam Labor Day festivities at Ypao beach

September 2019 – Participated in the International Coastal Clean Up

August 1, 2020 – Participated in the Island Beautification Clean up.

August to September 2020 – Assisted Hearing Happy Rons with critical matters in regards to case between Guam EPA and R&R Distributors (please see attached Commendation Letter)

BOARD OF DIRECTORS REVIEW OF BOARD SECRETARY'S PERFORMANCE		
Board Secretary Job Description	Administrator Executive Assistant	Deputy Administrator Assistant
Does the Board Secretary perform duties at level of the standards set by the Board of Directors? ☐ Yes ☐ No	**Does the Board Secretary perform duties at level of the standards set by the Administrator?** ☑ Yes ☐ No	**Does the Board Secretary perform at level of the standards set by the Deputy Administrator?** ☐ Yes ☐ No
Comments:	Comments:	Comments:
	Doc. No. 35GL-20-2574.*	

☐ Yes ☐ No Please rate the Board Secretary's accomplishments, as Board Secretary. ☐ Outstanding ☐ Highly Satisfactory ☐ Satisfactory ☐ Marginal ☐ Unsatisfactory	the capacity as Executive Assistant to the Administrator? ☐ Yes ☐ No Please rate the Board Secretary's accomplishments as Executive Assistant to the Administrator. ☐ Outstanding ☑ Highly Satisfactory ☐ Satisfactory ☐ Marginal ☐ Unsatisfactory	in the capacity as Assistant to the Deputy Administrator? ☐ Yes ☐ No Please rate the Board Secretary's accomplishments as Assistant to the Deputy Administrator ☐ Outstanding ☐ Highly Satisfactory ☐ Satisfactory ☐ Marginal ☐ Unsatisfactory
Comments:	Comments:	Comments:

BOARD OF DIRECTORS REASONS FOR RETAINING THE BOARD SECRETARY

The decision to retain the Board Secretary is based on the following (please check all that apply):

☐ The Board Secretary has performed at the level of performance standards prescribed by the Board of Directors

☐ The Board Secretary's accomplishments have met the expectations of the Board of Directors

☐ The Agency is performing its duties as prescribed by 10 GCA §45102

☐ The Board Secretary performs other duties that are beneficial to the Agency that outside of the performance standards prescribed by the Board of Directors

☐ The Board of Directors recommends retaining the Board Secretary, but with the following conditions:

20 September 2020

Mr. Walter Leon Guerrero, Administrator
Guam Environmental Protection Agency
and
Mr. Robert Perron, Chairman, Board of Directors
Guam Environmental Protection Agency
and
Board of Directors Members
Guam Environmental Protection Agency

RE: Commendation of Board Secretary Ms. Arlene Acfalle

Dear Gentlepersons:

Recently I had the delightful experience of working with Ms. Arlene Acfalle on the administrative hearing case of R&R Distributors, Inc. v. Guam EPA. Working with Ms. Acfalle was an outstanding experience which prompts me to write this letter of commendation.

Ms. Acfalle demonstrated great communication and organizational skills throughout our time working together. Her emails were always clear and concise, and never left me wondering.

She was extremely dependable and reliable. Whenever I sent a document or email for the Board her way to deal with, I could put it out of my mind and move on to the next task, without worrying about whether my work requests to her would be completed. They always were, and promptly. She went above and beyond my expectations when she dealt with matters I sent her on a weekend, even though I did not expect them to be addressed until the following Monday.

Ms. Acfalle's attention to detail was stunning. She never hesitated to ask me about any matter I sent her way, in which I may have mis-spoken or been less than clear, and made sure that our work product for the Board or the attorneys was perfect in every way. This went hand in hand with her foresight and anticipation of problems, resolving them before they happened.

She was tech savvy and patient with me in my less-than-tech-savvy nature. She even volunteered to set up a "trial run" Google Meet event for me, which we did, to make sure I was competent in the process, and confident in my abilities to engage in that technology. It increased my comfort level and decreased my stress over that process, allowing me to focus on the legal aspect of matters instead.

Ms. Acfalle did not have experience working on legal documents prior to this case, that I am aware of. Yet she rose to the challenge of doing legal documents for me at times when I did not have access to legal secretaries at the Office of the Attorney General. She was also extremely patient with my numerous revisions of such documents.

In my experience working with her, I found Ms. Acfalle extremely resourceful, diplomatic and, in essence, she radiated professionalism. It was a wonderful and rewarding experience to work with her over the past month and a half, for which I am very grateful.

Mr. Administrator Leon Guerrero, I would request that you put a copy of this letter in Ms. Acfalle's personnel file, so that it will be there for any future work performance evaluations which may occur, or for any other reasons it might be helpful. Thank you.

Sinseremente,

R. Happy Rons

R. Happy Rons, AAG
Administrative Hearing Officer

Arlene Acfalle <arlene.acfalle@epa.guam.gov>

Guam EPA Board of Directors Meeting - 4:00pm - Thursday, December 17, 2020

GovGU Meeting <govguammeetings@oagguam.org> Tue, Dec 15, 2020 at 2:37 PM
To: Arlene Acfalle <arlene.acfalle@epa.guam.gov>
Cc: Walter Leon Guerrero <walter.leonguerrero@epa.guam.gov>, Robert Perron <rperron@ite.net>, Robert Perron <perron.bobguam@gmail.com>, Michelle Lastimoza <michelle.lastimoza@epa.guam.gov>, Nic Lee- GEPA <nic.rupley@epa.guam.gov>, Kristan Finney- GEPA <kristan.finney@epa.guam.gov>

Håfa Adai Arlene,

Your notice has been posted and can be found on the GovGuam Meetings page here: http://oagguam.org/govguam-meetings/

Please review and let us know if you have any questions.

Si Yu'os ma'åse'!

Vince Taitingfong
Computer Analyst II
Division of General Counsel/IT Section
Ufisinan Hinirat Abugao (Office of the Attorney General)
590 S. Marine Corps Drive, Suite 901
Tamuning, GU 96913
Tel: (671) 475-2700
Fax: (671) 477-4703
govguammeetings@oagguam.org

[Quoted text hidden]

Doc. No. 35GL-20-2574.