

DISTRICT COURT OF GUAM

UNITED STATES OF AMERICA,

CIVIL CASE NO. 02-00022

Plaintiff,

vs.

ORDER

Next Steps Post-Hearing

GOVERNMENT OF GUAM,

Defendant.

On August 3, 2022, this case came before the court for a status hearing, at which time the parties and the Receiver discussed the work that remained at the Ordot Dump prior to the termination of the Receivership. As discussed at the hearing, the court orders the parties to meet and confer on the following matters:

(1) The parties shall develop a plan of action to identify the cause for the increased leachate volume at the Ordot Dump and possible remedies;

(2) The Consent Decree required that in February 2016, "DPW shall cease all discharges to waters of the United States and submit a certification to U.S. EPA that discharges to waters of the United States from the Ordot Dump have ceased." Consent Decree at ¶IV.8.i., ECF No. 55. The parties shall discuss whether this certification is separate from or part of post-closure operations and whether the Receiver is required to revise the certification it previously submitted as to this issue; and

(3) The Receiver's most recent cost estimates of the Ordot Dump's post-closure care has significantly increased. The parties shall review the cost estimates and discuss options for reducing the cost estimate, possible funding sources for any increased cost and alternative payment plans that may or may not involve financial assurances from the Government of Guam or the Guam Solid Waste Authority.

1 The next status hearing is scheduled for November 18, 2022, and the parties are ordered to
2 file a joint status report on the above matters no later than November 4, 2022.

3 IT IS SO ORDERED.



/s/ Frances M. Tydingco-Gatewood
Chief Judge
Dated: Sep 07, 2022