Guam SOLID WASTE RECEIVER

Briefing for the GSWA Board

January 22, 2026 1:00 PM

GBB SOLID WASTE MANAGEMENT CONSULTANTS

Gershman, Brickner & Bratton, Inc.

Receiver Presentation Topics

I. District Court Order - Global Mediation

II. Cessation Certification

- Status of the EPA Additional Work

III. Ordot Dump Operations

- Leachate Status
- Ongoing Routine and Non-Routine Operations
- Qnergy Proposal

IV. Ordot Dump Post-Closure Funds

I. District Court Order - Global Mediation

- Mediation will take place on March 24 and 25, 2026 in San Francisco
- The parties will mediate claims in the following cases:
  - U.S. v. Government of Guam (CV 02-0022)
  - Government of Guam v. Black Construction et al., (CV 24-00011)
  - GBB as Federal Receiver v. GWA and DB Insurance (Superior Court, CV 0593-24)
- Parties selected Roger Peters as the mediator (https://www.floridaconstructionadr.com/)

I. District Court Order - Global Mediation (cont'd)

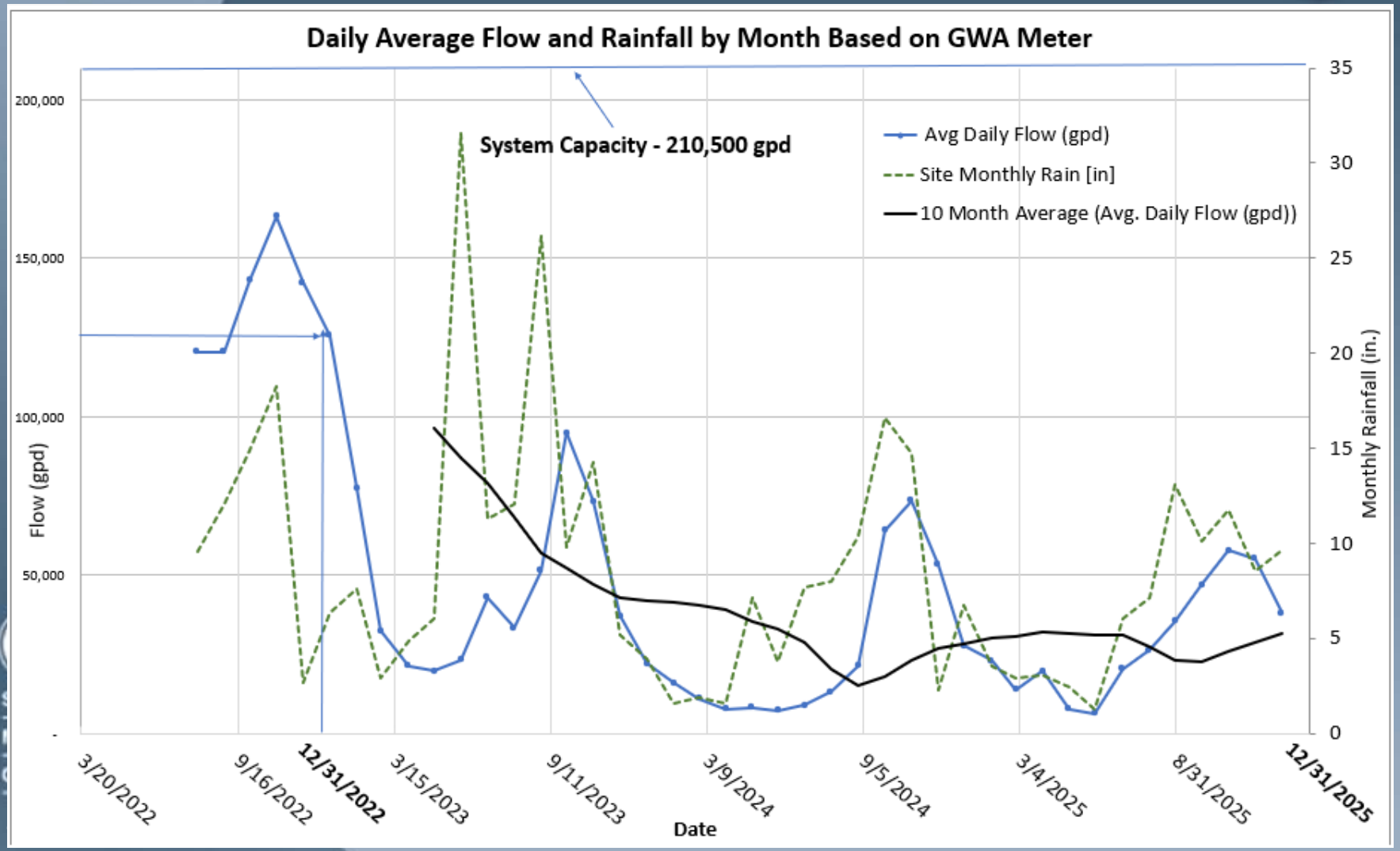
- On December 4, 2025, Judge Frances Tydingco-Gatewood issued an order staying all cases pending the parties' mediation efforts. (ECF 2238)
- Receiver filed a brief joint report of the status of the mediation on January 16, 2026. Updates every 60 days. (ECF 2238)
- January 16, 2026, 9th Circuit Court of Appeals issued order staying the Appeal until April 13, 2026.

II. Cessation Certification Status of the EPA Additional Work

Status of Additional Investigations for EPA requested Data

- Key milestones and activities since last month's Board report on December 19, 2025:
  - Field investigation summary report at request of USEPA was provided to USEPA, GEPA and GSWA on December 23.
  - Received Laboratory analysis for the first of the two sampling events (November, 2025) and results undergoing internal review. Anticipate to provide results to USEPA, GEPA and GSWA this week.

III. Ordot Dump Operations - Leachate Status



III. Ordot Dump Operations - Leachate Status

- We continue to look for trends
- We check leachate flows regularly
- We are requesting volume flow data from GWA related to Dero Road waterlines

Year	Leachate (Gallons)
2022*	40,976,930
2023	15,870,700
2024	**9,473,154**
2025	**10,477,530****

* *GWA leaks repaired in December 2022*

** *Reflects January and February 2025 leachate overcharge corrections*

III. Ordot Dump Operations - Leachate Status

GWA Leachate Volume Treated and Treatment Cost		
Year	**Gallons**	**Cost ($)**
2022	40,976,930	$1,126,653.88
2023	15,870,700	$ 358,176.30
2024	9,473,154	$ 152,382.65
2025	10,477,530	$ 184,449.99**

** GWA rate increased from $16.41 to $17.76 per 1000 gallons in October '25, a 8.227% increase*

***Includes credit of $(15,547.64) for January and $(15,547.64) for February*

III. Ordot Dump Operations - Ongoing Routine and Non-Routine Operations

- **Ongoing Routine Operations**
  - No changes – continue to provide timely and appropriate reporting
  - Scheduling for the 5 – year topographic Settlement Survey to be performed this month
  - Annual Surface Emissions Monitoring anticipated for Jan. 26
  - Maintenance of Wellheads – repainting.
- **Non-Routine Operations**
  - **Storm Swale Repair Construction**
    - Final contract closeout remains
  - **Soil Vapor Extraction**
    - American Builder submitted permit applications later than expected. Anticipate permit from DPW end of January
- **Receiver provides weekly updates on activities to GSWA, GEPA and EPA**

IV. Ordot Dump Operations – Qnergy Proposal

- As reported last month Qnergy provides a technology solution to capture methane and provide on-site power
- Technology well suited for lower flows and lower concentrations of methane like at Ordot Dump
- Technology is based on a Free Piston Stirling Engine, a highly reliable and low maintenance engine that Qnergy reports to be able to run continuously for over 60,000 hours without maintenance

Qnergy

https://qnergy.com/

IV. Ordot Dump Post-Closure Funds

Payments Made (December 2025)			
GBB Control Number	**Company/Vendor Invoice**	**Payment Amount**	**Payment Date**
OPC-2025-140	GWA Invoice No. 5234 (Oct 2025)	$ 32,277.43	12/17/2025
OPC-2025-141	GPA REIMB INVOICE NO. GSWA25-004 (Apr 2025 - Sep 2025)	$ 8,764.32	12/17/2025
	Total	**$ 41,041.75**	

IV. Ordot Dump Post-Closure Funds (cont'd)

Bank of Guam Account	Balances as of October 31, 2025	Balances as of November 30, 2025	Balances as of December 31, 2025
TDOA Treasurer***3788	$ 460,994.56	$ 461,005.93	$ 123,755.85
Investment 5159***	$ 4,793,616.12	$ 4,819,231.51	$ 4,840,366.42
RCRA Trust 5175***	$ 33,985,182.29	$ 34,092,566.03	$ 34,219,414.49
Total	**$ 39,239,792.97**	**$ 39,372,803.47**	**$ 39,183,536.76**

Seasons' Greetings and Si Yu'us Ma'ase

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