Guam SOLID WASTE RECEIVER

Briefing for the GSWA Board

May 22, 2025

1:00 PM ChST

GBB SOLID WASTE MANAGEMENT CONSULTANTS

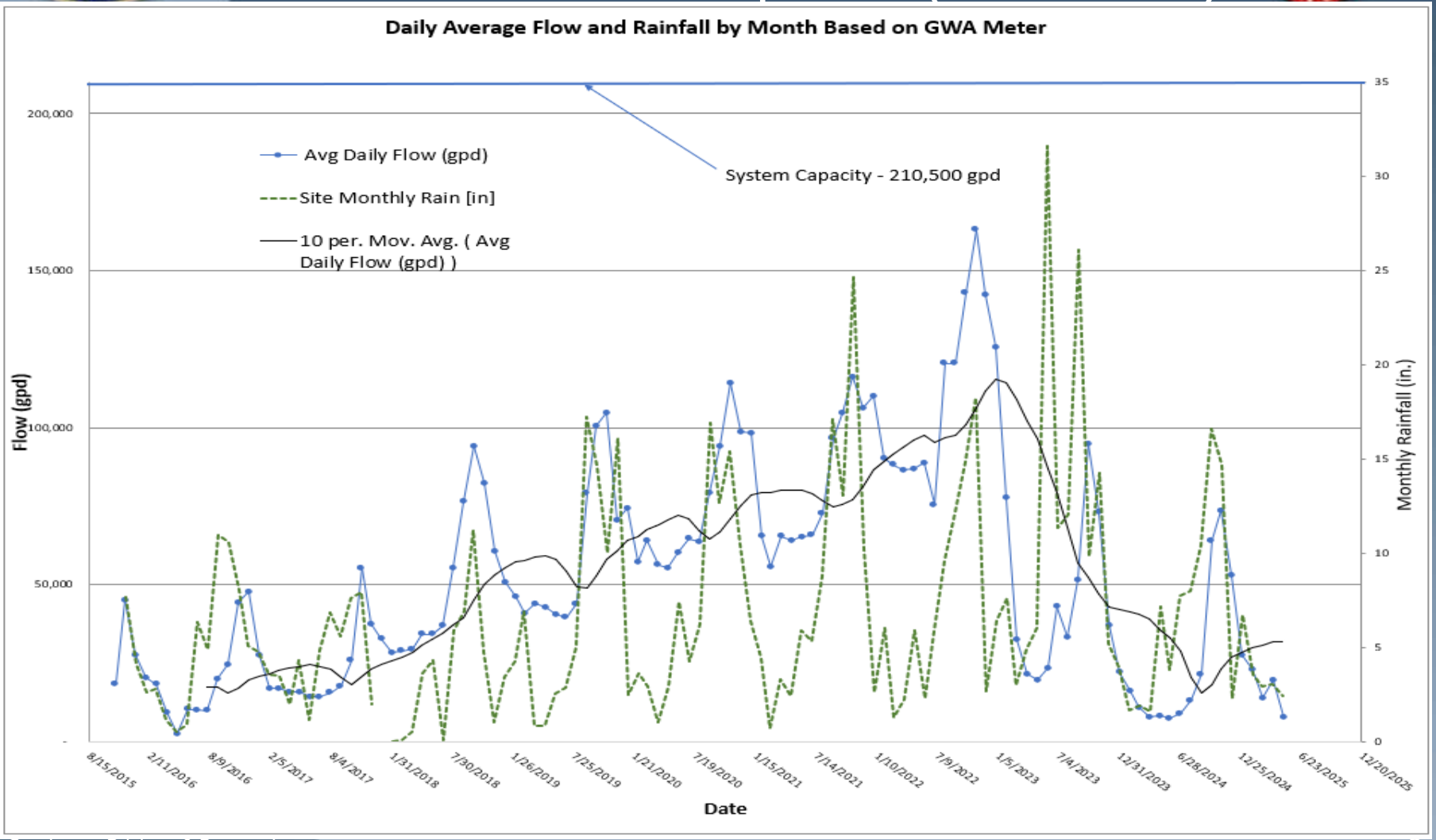
Gershman, Brickner & Bratton, Inc.

Topics

1. Leachate Flow Update
2. GWA Claim Update
3. Post-Closure Accounts Update
4. Transition Plan and Termination of Receivership

Ordot Dump, Ordot, Guam
Source: Google Maps

1. Leachate Flow Update (March '25)



1. Leachate Flow Update (cont'd)

2024 leachate flows closer to those levels experienced in 2016 and 2017 now that GWA Dero Road leaks no longer impact the Ordot Dump Facility

Year	Leachate (Gallons)
2016	**7,397,019**
2017	**8,518,884**
2018	18,658,285
2019	23,952,805
2020	27,748,045
2021	30,040,379
2022 (GWA leaks repaired in December)	40,976,930
2023	15,870,700
2024	**9,473,154**
2025 (thru April)	1,926,694 (estimated)

1. Leachate Flow Update (cont'd)

GWA Leachate Treated and Charges

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 (thru April)	1,926,694*	$ 46,739.36*

* Estimated

2. GWA Claim Update

- **Conferred with Andrew Gayle/Irv Slike regarding settlement**
  - 1/15/25 - Settlement discussions commenced
  - 1/15/25 - Receiver made a counteroffer to GWA
  - 2/14/25 - GWA responded to 1/15/25 Receiver Counteroffer
  - 3/18/25 - Receiver responded to GWA 2/14/2025 response
  - No response from GWA since
- **4/18/25 – Hearing on GWA & DB's Motion to Dismiss**
  - Kelley Drye argued for GovGuam
  - GBB raised ethical conflict for Kelley Drye to represent GovGuam
  - Decision from the Court is under advisement

3. Post-Closure Funds Status

Bank of Guam Account	Balances As of March 31, 2025	Balances As of April 30, 2025
TDOA Treasurer***3788	$ 777,543.27	$ 261,990.80
Investment 5159***	$ 5,231,294.61	$ 5,250,900.43
RCRA Trust 5175***	$ 33,109,807.88	$ 33,222,555.11
Total	**$ 39,118,645.76**	**$38,735,446.34**

4. Transition Plan and Termination of Receivership

- Remaining Consent Decree Requirements
  - GEPA Portion of the SEP Completion Report accepted by US EPA for GovGuam portion to be exchanged for GSWA HHW Ops Costs
  - Receiver files Certification of Cessation of Discharges to US waters with US EPA
- Receiver/USEPA's Special Report: Initial Technical Approach Data gathering at Ordot Dump. *See* Doc. 2189
- Receiver provided response to US EPA comment letters; *see* Doc. 2189 (Exhibit 4)

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