

Special Report of the Receiver

Regarding Approval of the Solid Waste Facility Permit by the Guam
Environmental Protection Agency

Civil Case No. 02-00022
United States of America v. Government of Guam
Guam Solid Waste Management Division

Prepared for:



U.S. District Court of Guam

Submitted by:



Gershman, Brickner & Bratton, Inc.
8550 Arlington Blvd, Suite 304
Fairfax, Virginia 22031

November 24, 2009

Printed on recycled paper

Civil Case No. 02-00022
United States of America v Government of Guam

Solid Waste Management Division

The Receiver is pleased to inform the Court that the Solid Waste Facility Permit for the Layon Landfill has been approved by the Guam Environmental Protection Agency (GEPA). The Notice of Decision to issue the permit was completed November 23, 2009, and allows for all activities related to the construction of the Landfill to move forward in compliance with the Consent Decree. In addition, GEPA issued the Air Pollution Control Permit at the same time. The issuance of these permits is a major milestone in the 23-year-long process of closing the Ordot Dump and building an environmentally compliant waste disposal facility for the island's municipal solid waste.

The design of the new landfill and the plans for operating it underwent a rigorous review by the Guam Environmental Protection Agency and the United States Environmental Protection Agency, passing all of the requirements to assure that Guam's environment is protected. This is the last major step in the approval process for the Layon Landfill and, in accordance with the Court's Orders, clears the way for a final closure of the Ordot Dump and an end to the environmental damage it has inflicted on Guam for many years.

As the Court knows, preconstruction earthwork has been underway since February 2009 under a contract awarded to Maeda Pacific Corporation and is nearing completion. The Receiver has also awarded construction contracts to Core Tech International for the Access Road and Utilities and to Black Construction Corporation for the Landfill Entrance Facilities and Landfill systems for Cells 1 & 2. Construction is anticipated to commence soon and take about 500 days. There are 611 days of airspace remaining at the Ordot Dump providing a tight, but sufficient window, to complete this vital project.

We appreciate the Court's continuing support.