

I Mina'trentai Sais Na Liheslaturan Guåhan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES	NOTES
284-36 (LS) As amended by the Committee on Environment, Revenue and Taxation, Labor, Procurement, and Statistics, Research, and Planning; and substituted and further amended on the Floor	Sabina Flores Perez Telo T. Taitague Jose "Pedro" Terlaje Tina Rose Muña Barnes	AN ACT TO AMEND ARTICLE 3 OF CHAPTER 51, TITLE 10, GUAM CODE ANNOTATED, AND AMEND ARTICLE 3 OF CHAPTER 24, DIVISION 4, TITLE 22, GUAM RULES AND REGULATIONS, RELATIVE TO PROMOTING RECYCLING AND ZERO WASTE INITIATIVES.	4/4/22 5:38 p.m.	4/8/22	Committee on Environment, Revenue and Taxation, Labor, Procurement, and Statistics, Research, and Planning	5/11/22 9:00 a.m.	9/14/22 2:24 p.m. As amended by the Committee on Environment, Revenue and Taxation, Labor, Procurement, and Statistics, Research, and Planning	Request: 4/11/22 4/26/22	
	SESSION DATE	TITLE	DATE PASSED	TRANSMITTED	DUE DATE	NOTES			
	9/23/22	AN ACT TO AMEND ARTICLE 3 OF CHAPTER 51, TITLE 10, GUAM CODE ANNOTATED, TO CODIFY AND AMEND ARTICLE 3 OF CHAPTER 24, DIVISION 4, TITLE 22, GUAM ADMINISTRATIVE RULES AND REGULATIONS, RELATIVE TO PROMOTING RECYCLING AND ZERO WASTE INITIATIVES.	9/30/22	9/30/22	10/12/22				



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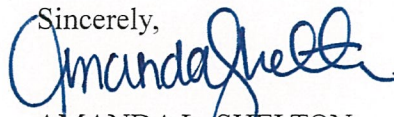
I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN
Thirty-Sixth Guam Legislature

September 30, 2022

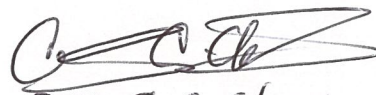
The Honorable Lourdes A. Leon Guerrero
I Maga'hågan Guåhan
Ufisinan I Maga'håga
Hagåtña, Guam 96910

Dear *Maga'håga* Leon Guerrero:

Transmitted herewith are **Bill Nos. 191-36 (COR), 259-36 (LS), 278-36 (COR), 303-36 (COR), and 309-36 (LS);** and **Substitute Bill Nos. 284-36 (LS) and 333-36 (COR)** which were passed by *I Mina'trentai Sais Na Liheslaturan Guåhan* on September 30, 2022.

Sincerely,

AMANDA L. SHELTON
Legislative Secretary

Enclosure (7)

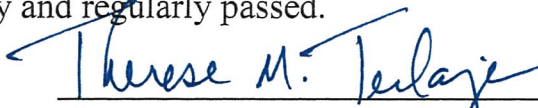

P. C. Chong
9/30/22 7:30 p.m.



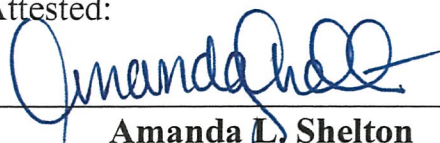
I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN
2022 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'HÅGAN GUÅHAN

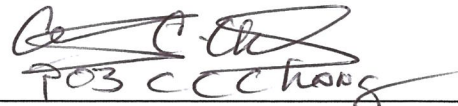
This is to certify that **Substitute Bill No. 284-36 (LS), "AN ACT TO AMEND ARTICLE 3 OF CHAPTER 51, TITLE 10, GUAM CODE ANNOTATED, TO CODIFY AND AMEND ARTICLE 3 OF CHAPTER 24, DIVISION 4, TITLE 22, GUAM ADMINISTRATIVE RULES AND REGULATIONS, RELATIVE TO PROMOTING RECYCLING AND ZERO WASTE INITIATIVES,"** was on the 30th day of September 2022, duly and regularly passed.


Therese M. Terlaje
Speaker

Attested:


Amanda L. Shelton
Legislative Secretary

This Act was received by *I Maga'hågan Guåhan* this 30th day of Sept.,
2022, at 7:30 o'clock P..M.


Assistant Staff Officer
Maga'håga's Office

APPROVED:

Lourdes A. Leon Guerrero
I Maga'hågan Guåhan

Date: _____

Public Law No. _____

I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN
2022 (SECOND) Regular Session

Bill No. 284-36 (LS)

As amended by the Committee on Environment,
Revenue and Taxation, Labor, Procurement, and
Statistics, Research, and Planning; and substituted
and further amended on the Floor.

Introduced by:

Sabina Flores Perez
Telo T. Taitague
Jose "Pedro" Terlaje
Tina Rose Muña Barnes
V. Anthony Ada
Frank Blas Jr.
Joanne Brown
Christopher M. Dueñas
James C. Moylan
Telen Cruz Nelson
Clynton E. Ridgell
Joe S. San Agustin
Amanda L. Shelton
Therese M. Terlaje
Mary Camacho Torres

**AN ACT TO AMEND ARTICLE 3 OF CHAPTER 51,
TITLE 10, GUAM CODE ANNOTATED, TO CODIFY
AND AMEND ARTICLE 3 OF CHAPTER 24, DIVISION 4,
TITLE 22, GUAM ADMINISTRATIVE RULES AND
REGULATIONS, RELATIVE TO PROMOTING
RECYCLING AND ZERO WASTE INITIATIVES.**

1 **BE IT ENACTED BY THE PEOPLE OF GUAM:**

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
3 that the global recycling industry has changed significantly in the sixteen (16) years

1 since the Recycling Revolving Fund (RRF) was established. While traditional
2 recycling models are no longer financially sustainable, newer “zero waste”
3 initiatives are proving successful. “Zero waste” expands upon principles of recycling
4 by focusing on overall waste reduction, and the approach is a cost-effective means
5 of preserving resources and building resiliency against the negative impacts of
6 climate change.

7 With the drastic economic impacts of the global pandemic, measures must be
8 taken now to improve the management of waste streams and reduce their financial
9 impact on our community. The Guam Zero Waste Act modernizes local statutes to
10 catalyze island-wide implementation of recycling and zero waste programs,
11 improves recycling and cleanup processes that are currently costly and inefficient,
12 and establishes the Zero Waste Grants Program within the Recycling Revolving
13 Fund to support innovative solutions that significantly divert materials from our
14 landfill and gainfully employ our people.

15 *I Liheslatura* further finds that it is necessary to increase the Guam
16 Environmental Protection Agency’s capacity to promote and implement recycling
17 and zero waste programs within the government and the community through a self-
18 sustaining and long-term approach that combines research, planning,
19 implementation, and evaluation. To this end, it is necessary to fund studies to
20 determine the effectiveness of existing recycling and zero waste initiatives, and
21 research best practices for reducing and diverting different waste streams to reach
22 fifty percent (50%) and seventy-five percent (75%) waste reduction by 2035 and
23 2045, respectively. Additionally, it is essential to provide funding to support
24 innovative solutions to significantly reduce our waste stream by repurposing
25 materials and rethinking production in order to reduce the environmental and social
26 impacts from the extraction, distribution, and use of raw materials.

27 *I Liheslatura* further finds that plastic has become the priority along with
28 abandoned vehicles and white goods due to the uncertainty of global recyclers

1 accepting plastics. Additionally, the increasing volume of non-biodegradable,
2 single-use plastics imported into Guam poses cumulative environmental impacts,
3 which can be addressed with proactive, upstream and other zero waste measures.

4 *I Liheslatura* further finds that promoting and coordinating with the Guam
5 Solid Waste Authority (GSWA), a government-run utility, in recycling and zero
6 waste initiatives is essential. The challenges of shipping plastics and other materials
7 to off-island recyclers have become financially challenging or unsustainable and
8 may significantly decrease the life of our landfill.

9 *I Liheslatura* further finds that it is important to ensure the Recycling
10 Revolving Fund's sustainability by ensuring accountability, transparency, and
11 ethical behavior in carrying out recycling and zero waste projects.

12 Additionally, this Act moves the Fund's fee schedule into the Guam Code
13 Annotated Administrative Rules and Regulations, which was the original intent of
14 the law, but the fees are not being adjusted at this time.

15 *I Liheslatura* further finds that the island-wide cleanup program undertaken
16 by the Mayors Council of Guam (MCOG) is a valuable tool in combating litter and
17 cleaning illegal dump sites; and this Act affords the option of utilizing the
18 Department of Public Works and/or the MCOG to contract private recycling
19 companies.

20 Therefore, *I Liheslaturan Guåhan* intends to modernize the provisions of the
21 Recycling Revolving Fund, which is retooled to build capacity and develop long-
22 term sustainable solutions towards zero waste and circular use of materials, as the
23 Recycling Revolving Fund is intended to fund far-reaching, impactful, effective zero
24 waste initiatives to transition toward a circular economy, create new green jobs, save
25 taxpayer funds by extending the life of Guam's landfill, reduce litter and illegal
26 dumping, and thereby benefit Guam's tourism industry, and safeguard the
27 environment.

1 **Section 2.** This Act shall be known and may be cited as the *Guam Zero*
2 *Waste Act*.

3 **Section 3.** Article 3 of Chapter 51, Title 10, Guam Code Annotated, is
4 hereby *amended* to read as follows:

5 **“ARTICLE 3**

6 **RECYCLING REVOLVING FUND**

7 § 51301. Definitions.

8 § 51302. Recycling Revolving Fund.

9 § 51303. Continuing Appropriation and Use of Funds.

10 § 51304. Administration of the Recycling Revolving Fund.

11 § 51305. Levy and Collection of Recycling Fees.

12 § 51306. Authorization for Department of Public Works and the
13 Mayors Council of Guam to Contract with Recycling
14 Companies.

15 § 51307. Adjustment of Recycling Fees.

16 § 51308. Recycling Industry Economic Stimulus Program.

17 § 51309. Zero Waste Grant Program.

18 § 51310. Guam Solid Waste Authority Residential Recycling
19 Program.

20 **§ 51301. Definitions.**

21 As used in this Article, and except as otherwise provided, the following
22 words and phrases shall mean:

23 (a) “Administrator” shall mean the Administrator of the
24 Guam Environmental Protection Agency, or his designee.

25 (b) “Beneficial Use” shall mean the substitution of materials,
26 either as generated or following additional processing, for some or all
27 of the virgin materials in a natural or commercial product in a way that

1 provides a functional benefit; meets product specifications; and does
2 not pose concerns to human health or the environment.

3 (c) "Best Available Technology" shall mean a recognized and
4 approved technology by the United States Environmental Protection
5 Agency.

6 (d) "Board" shall mean the Board of Directors of the Guam
7 Environmental Protection Agency.

8 (e) "Compost" or "Composting" shall mean a mixture,
9 consisting primarily of decayed organic matter and is used for
10 fertilizing and conditioning land or to converting a material, such as
11 plant debris, to compost.

12 (f) "DPW" shall mean the Department of Public Works.

13 (g) "Director" shall mean the Director of the Department of
14 Public Works.

15 (h) "Disaster Debris" shall mean any items and materials
16 broken, destroyed, or displaced by a natural or man-made federally or
17 locally declared disaster. Examples of disaster debris include, but are
18 not limited to, trees, construction and demolition material, and personal
19 property.

20 (i) "Disaster Debris Management" shall mean the removal
21 and disposal of debris that was generated by a disaster and which
22 presents an immediate threat to the public interest.

23 (j) "Electronic Waste" or "E-Waste" shall mean electrical and
24 electronic equipment that is dependent on electric currents or
25 electromagnetic fields to function (including all components,
26 subassemblies and consumables, which are part of the original
27 equipment at the time of discarding). E-waste may include, but is not
28 limited to, consumer electronics, entertainment devices, televisions,

1 DVD players and tuners, office devices, information and
2 communications technology, computers, circuit boards, telephones, and
3 mobile phones.

4 (k) "Enameled White Goods" shall mean appliances for home
5 or commercial use, including, but not limited to, refrigerators, water
6 heaters, air conditioners, washers, dryers, and stoves.

7 (l) "Extended User Responsibility" shall mean policies or
8 practices that place a shared responsibility for end-of-life product
9 management on producers and other entities involved in the product
10 chain.

11 (m) "GEPA" or "Guam EPA" shall mean the Guam
12 Environmental Protection Agency.

13 (n) "Gross Vehicle Weight" or "Gross Vehicle Weight
14 Rating" means the value specified by the manufacturer as the loaded
15 weight of a single vehicle.

16 (o) "Heavy Equipment" shall mean any equipment, motor
17 vehicle or motor carrier, or non-road motor vehicle with a gross weight
18 or gross vehicle weight of five (5) tons or more.

19 (p) "Junk Vehicle" means a motor vehicle, regardless of
20 operating condition, that the registered owner has declared to have no
21 value or no use, or that is abandoned by being placed, discarded, or
22 disposed of on public or private property without approval by the
23 owners of said property, or that is no longer registered in accordance
24 with Chapter 7 of Title 16 GCA.

25 (q) "Motor Vehicle" or "Motorized Vehicle" shall mean
26 automobiles, automobile trucks, automobile wagons, buses, trucks,
27 motorcycles, or other self-propelled wheeled conveyances that are
28 primarily for use on Guam's public streets, roads, and highways that

1 are required to be registered with the Motor Vehicles Division,
2 Department of Revenue and Taxation, Government of Guam.

3 (r) "Municipal Solid Waste" is a subset of solid waste and is
4 defined as durable goods (e.g., appliances, batteries, tires), nondurable
5 goods (e.g., newspapers, books, magazines), containers and packaging,
6 food wastes, yard trimmings, and miscellaneous organic wastes from
7 residential, commercial, and industrial non-process sources.

8 (s) "Person" or "Persons" shall mean any individual,
9 partnership, co-partnership, firm, company, corporation, association,
10 joint-stock company, trust, estate, or any agency, department, or
11 instrumentality of the federal or local government, or any other legal
12 representatives, agents or assigns.

13 (t) "Recovered Resources" shall mean material or solid waste
14 that has been diverted from disposal for recycling, composting, or
15 mulching. This term does not include incineration of those materials
16 generated and normally reused on-site for manufacturing purposes.

17 (u) "Recyclable Materials" means materials which still have
18 useful physical or chemical properties after serving a specific purpose
19 for the same or other purpose. Recyclable materials are as follows:

20 (1) batteries (i.e., lead-acid, portable computer
21 batteries, nickel-cadmium, sealed types for power backup);

22 (2) automobiles, buses, and trucks or any motor
23 vehicle;

24 (3) tires (passenger/commercial);

25 (4) enameled white goods;

26 (5) home appliances (other small appliances that are not
27 considered enameled white goods);

28 (6) glass and plastic bottles;

- (7) foam padding;
- (8) lead;
- (9) metals (ferrous/non-ferrous);
- (10) organic material (i.e., tree trimmings, palm fronds, grass, food waste, soiled cardboard);
- (11) paper products;
- (12) wood pallets and scrap wood;
- (13) construction and demolition debris ("C&D");
- (14) x-ray film;
- (15) automobile oil and fluids;
- (16) freon and other refrigerant gases;
- (17) electronic waste (i.e., computers, circuit boards, televisions, and portable phones);
- (18) heavy equipment;
- (19) abandoned derelict vessels; and
- (20) other recyclable materials deemed recyclable by Guam EPA pursuant to its rules and regulations.

(v) "Recycle or Recycling" means a method by which recovered resources are converted for use as raw materials or feedstock to make new products, as defined in § 51102(ii) of Chapter 51 of Title 10 GCA.

(w) "Recycling Company" shall mean any business licensed by the Department of Revenue and Taxation, and permitted, as required in § 51104 of Chapter 51 of Title 10 GCA, by the Guam Environmental Protection Agency to conduct business on Guam.

(x) "Recycling Facility" shall mean all contiguous land, structures, and other appurtenances, and improvements on land used for the collection, separation, recovery, and sale or reuse of recovered

1 resources that would otherwise be disposed of as municipal solid waste,
2 and is an integral part of a manufacturing process aimed at producing a
3 marketable product made of post-consumer material.

4 (y) "Recycling Fee" shall mean an annual fee levied upon the
5 registered owner of a motor vehicle to assist in the recycling and
6 disposal of motor vehicles and other recyclable materials in accordance
7 with this Article.

8 (z) "Recycling Industry Economic Stimulus Program" shall
9 mean a program that provides economic stimulus to local recycling
10 companies that ship recyclable materials off-island.

11 (aa) "Reuse" shall mean to use again, including in a different
12 way or after reclaiming or reprocessing.

13 (bb) "Solid Waste Management Facility" means any facility, or
14 any machinery, equipment, vehicles, structures, or any part of
15 accessories thereof installed or acquired for the primary purpose of
16 collection, transportation, storage, recycling, processing or disposal of
17 solid waste, and shall include sanitary landfills or resource recovery
18 facilities.

19 (cc) "Stimulus Certification Form" shall mean a form officially
20 issued by Guam EPA to be completed by an eligible recycling facility
21 to disclose and certify the types and quantities of recyclable materials
22 shipped off-island to a recycling facility.

23 (dd) "Sustainable Materials Management" means a systemic
24 approach to using and reusing materials more productively over their
25 entire lifecycles.

26 (ee) "Upcycle" or "Upcycling" shall mean to recycle material
27 in such a way that the resulting product is of a higher value than the
28 component materials.

1 (ff) "Zero Waste" means a holistic approach to addressing the
2 problem of unsustainable resource flows. Zero Waste encompasses
3 waste eliminated at the source through product design and producer
4 responsibility, and waste reduction strategies further down the supply
5 chain such as recycling, upcycling, reuse and composting.

6 **§ 51302. Recycling Revolving Fund.**

7 There is hereby created the Recycling Revolving Fund (Fund), which
8 shall be non-lapsing and maintained separate and apart from any other funds,
9 including the General Fund of the government of Guam, and independent
10 records and accounts shall be maintained thereof. The Recycling Revolving
11 Fund shall not be commingled with the General Fund and shall be kept in a
12 separate bank account. All revenue generated from recycling fees collected
13 pursuant to this Article, including interest earned, shall be deposited into the
14 Recycling Revolving Fund and shall be expended exclusively for the purposes
15 authorized in Article 3 of Chapter 51 of Title 10, Guam Code Annotated. All
16 monies in the Recycling Revolving Fund are hereby appropriated, and shall
17 continue to be deemed appropriated, to the Guam Environmental Protection
18 Agency to be expended in accordance with this Article. The Administrator of
19 Guam Environmental Protection Agency shall present the budget to the GEPA
20 Board of Directors and the expenditures shall be reported quarterly to *I*
21 *Liheslaturan Guåhan*. The funds deposited into the Recycling Revolving
22 Fund shall not be subject to the transfer authority of *I Maga'hågan Guåhan*.

23 **§ 51303. Continuing Appropriation and Use of Funds.**

24 (a) All revenues from the Recycling Revolving Fund are hereby
25 appropriated to the Guam Environmental Protection Agency to fund the
26 following:

27 (1) Guam EPA Administration and Planning of the Zero
28 Waste and Recycling Programs.

1 (A) The Administrator is authorized to spend ten
2 percent (10%) of the Fund to administer and implement this
3 Article. Funds may be used for:

4 (i) operational costs directly related to recycling
5 and zero waste for the Solid Waste Management Program,
6 which includes, but is not limited to, personnel, supplies,
7 equipment, and training of staff;

8 (ii) compliance training for prospective
9 recipients of funds from the Recycling Revolving Fund;

10 (iii) implementation of a zero waste and recycling
11 program for the government and the community in
12 accordance with this Article.

13 (B) In addition to amounts specified in § 51303
14 (a)(1)(A), upon approval by the Board, the Administrator is
15 authorized to spend up to Fifty Thousand Dollars (\$50,000) to
16 either procure professional services, pursuant to the Guam
17 Procurement Law, or fund grants for education and outreach to
18 promote recycling and zero waste.

19 (C) In addition to amounts specified in § 51303
20 (a)(1)(A), upon approval by the Board, the Administrator is
21 authorized to spend up to Two Hundred Thousand Dollars
22 (\$200,000) to either procure professional and technical services,
23 pursuant to the Guam Procurement Law, or fund grants to update
24 and further develop the Guam Zero Waste Masterplan and a
25 holistic government and island-wide Zero Waste implementation
26 plan to reach fifty percent (50%) and seventy-five percent (75%)
27 waste reduction by 2035 and 2045, respectively; to evaluate the
28 effectiveness of zero waste and recycling programs; and/or to

1 research other areas deemed priority by the Administrator.
2 Grants are awarded through a competitive process using
3 established criteria by the Board and Administrator.

4 (D) General Terms and Conditions for Use of Funds.

5 (i) All proposals for use of funds shall be
6 submitted to the Board and Administrator for review.
7 Proposals must be approved by the Board and
8 Administrator before the expenditure of funds, which are
9 subject to availability.

10 (ii) Prior to submitting bids or grant proposals,
11 potential recipients of funds shall obtain environmental
12 regulatory compliance, ethics, and other relevant training
13 provided by Guam EPA or a designated provider.
14 Required permits shall be obtained as a condition of the
15 use of the funds.

16 (iii) Performance Targets. Projects shall meet
17 performance/waste diversion targets as determined by the
18 Administrator.

19 (iv) Reporting Requirements. Reports and
20 deliverables shall be presented biannually to the Board and
21 posted on Guam EPA's website.

22 (v) Ethical Requirement. All persons utilizing
23 funds from the Recycling Revolving Fund shall complete
24 ethics training sponsored by the Ethics Commission, or a
25 designated provider, and shall attest to spending funds
26 according to ethical requirements by Guam law. Non-
27 compliance of ethics, in addition to other remedies
28 allowed under Guam law, may result in termination of the

1 award and barring of future application for grants for a
2 minimum period of two (2) years upon the findings of non-
3 compliance by the Ethics Commission or, in the absence
4 of the Ethics Commission, by the Board.

5 (2) Community Zero Waste and Recycling Programs.

6 (A) The Mayors Council of Guam (MCOG) Island-wide
7 Environmental Cleanup Program (IECP) authorized in § 51306.

8 (B) The Recycling Industry Economic Stimulus
9 Program authorized in § 51308.

10 (C) The Zero Waste Grant Program authorized in §
11 51309.

12 (D) The Guam Solid Waste Authority Residential
13 Recycling Program authorized in § 51310.

14 (3) All other purposes stipulated in Article 3; provided, that
15 the rules and regulations regarding the Recycling Revolving Fund have
16 been promulgated by the Guam Environmental Protection Agency and
17 adopted in accordance with the Administrative Adjudication Law.

18 (b) The Department of Administration shall prepare and transmit to
19 the Guam Environmental Protection Agency a weekly report on the current
20 balance and transactions of the Recycling Revolving Fund. The Guam
21 Environmental Protection Agency shall post this information on its website as
22 it becomes available.

23 **§ 51304. Administration of the Recycling Revolving Fund.**

24 The Administrator shall administer the Fund and shall encumber all
25 amounts available in the Fund as expeditiously as possible for the purposes of
26 assisting and encouraging recycling of recyclable materials and zero waste
27 initiatives. The Administrator shall administer the Fund in accordance with

1 this Article to cause the following material/waste to be recycled or otherwise
2 disposed according to the following priority:

3 (a) First Priority - junk vehicles, tires, batteries, waste oil,
4 white goods/appliances, and plastic;

5 (b) Second Priority - paper, cardboard, and glass;

6 (c) Third Priority - other recyclable materials as determined
7 by the Administrator and waste that can be reduced, reused, recycled,
8 or prevented.

9 **§ 51305. Levy and Collection of Recycling Fees.**

10 The Director of Revenue and Taxation is hereby authorized to levy a
11 Recycling Fee on individuals who are renewing their annual motor vehicle
12 registration with the Department of Revenue and Taxation Division of Motor
13 Vehicles, through the vehicle registration system. The Director of Revenue
14 and Taxation shall collect the Recycling Fees mandated by this Article and
15 transmit the fees to the Administrator for deposit in the Recycling Revolving
16 Fund.

17 **§ 51306. Authorization for the Department of Public Works**
18 **and the Mayors Council of Guam to Contract with Recycling Companies.**

19 (a) The Department of Public Works (DPW) and the Mayors Council
20 of Guam (MCOG), in accordance with the applicable procurement laws and
21 with the approval of the Administrator, are authorized to enter into contracts
22 with recycling companies for the collection, recycling, zero waste initiatives,
23 interim storage, disposal, and processing, or any combination thereof, of
24 automobiles, buses, heavy equipment, trucks, batteries, tires, white goods, and
25 other recyclable materials, and as required by, or in accordance with, Articles
26 3 and 4 of Title 10 GCA, Chapter 51.

27 (b) At a minimum, DPW and MCOG shall require that all
28 solicitations include proof of current approved permits, certification of

1 compliance with Title 10, GCA, Chapter 51 from GEPA, and a plan to remove
2 collected recyclable materials, including abandoned vehicles, from Guam's
3 waste stream. Contractors employed under this Section shall perform all work
4 under this Article in compliance with all applicable laws, including those of
5 this Chapter, and the applicable rules and regulations of GEPA.

6 (c) The Guam Environmental Protection Agency shall promulgate
7 the necessary rules and regulations, in accordance with the Administrative
8 Adjudication Law, to properly implement this Article.

9 (d) It is at the discretion of the Administrator to approve DPW,
10 MCOG, or both to contract for services as provided by this § 51306, and such
11 approval may be revoked by the Administrator at any time.

12 **§ 51307. Adjustment of Recycling Fees.**

13 (a) The Administrator may establish new fees pursuant to the
14 Administrative Adjudication Act.

15 (b) The Administrator shall review the fees authorized by §
16 51305 and this Act, supra, every twenty-four (24) months, and is
17 authorized to adjust the fees by not more than twenty-five percent
18 (25%) in accordance with the Administrative Adjudication Law.

19 **§ 51308. Recycling Industry Economic Stimulus Program.**

20 There is hereby created a Recycling Industry Economic Stimulus
21 Program (Program) to be administered by the Guam Environmental Protection
22 Agency. The purpose of the Program is to provide economic stimulus funding
23 to local recycling companies to support their recycling efforts. To qualify for
24 this Program, a recycling company must be licensed to do business in Guam
25 and hold a valid permit from the Guam Environmental Protection Agency for
26 the processing, temporary storage, and beneficial reuse of recyclable materials
27 solely generated on Guam. Recycling companies who qualify under this
28 Program shall receive subsidies for the off-island shipment of recyclables to

1 recycling facilities, pending funding availability and based on an economic
2 sliding scale developed by Guam EPA that is based on factors such as fair
3 market value and transportation. Qualified companies must provide
4 documentation to Guam EPA evidencing proof of delivery of recyclable
5 materials, such as with a bill of lading or similar document from off-island
6 recycling facilities confirming receipt of recyclable materials from Guam.
7 Evidence of proof of delivery shall be submitted to Guam EPA no later than
8 fourteen (14) days after recyclable materials are received by off-island
9 recycling facilities. Solid waste or recyclables imported into Guam shall not
10 qualify under this Program. The Administrator of the Guam Environmental
11 Protection Agency shall make quarterly and annual reports to *I Maga'hågan*
12 *Guåhan* and *I Liheslaturan Guåhan* on the condition of, and activity within,
13 the Program.

14 **§ 51309. Zero Waste Grant Program.**

15 The Administrator is authorized to establish a Zero Waste Grant
16 Program that is in accordance with the Guam Zero Waste Masterplan that
17 targets fifty percent (50%) and seventy-five percent (75%) waste reduction by
18 2035 and 2045, respectively.

19 (a) Funds may be used for development, infrastructure, and
20 operations of waste reduction and/or diversion projects or other
21 assistance for zero waste initiatives within the community, including,
22 but not limited to, the following:

23 (1) development or deployment of technologies or
24 practices to increase rates of waste prevention, re-cycling,
25 composting, or product reuse;

26 (2) capital investment in infrastructure to start or
27 expand waste prevention, recycling, composting, or product
28 reuse programs; and

1 (3) partnerships with local businesses interested in
2 incorporating new technologies or processes to reduce or prevent
3 waste in production or packaging.

4 (b) With Board approval, the Administrator is authorized to
5 spend up to Four Hundred Thousand Dollars (\$400,000) for zero waste
6 grants. With Board approval, the Administrator is authorized to award
7 Tier 1, Tier 2, and/or Tier 3 level grants in the following manner:

8 (1) Tier 1 grants range are above \$50,000 but not to
9 exceed \$100,000;

10 (2) Tier 2 grants are above \$25,000 but not to exceed
11 \$50,000;

12 (3) Tier 3 grants are not to exceed \$25,000.

13 (c) Selection of proposals for grant awards and the tier levels
14 will be based on selection criteria developed by Guam EPA with public
15 input and approval by the Board of Directors.

16 (d) Proposals shall include performance waste diversion
17 targets.

18 (e) Proposals shall be selected by the Board and the
19 Administrator using criteria developed pursuant to § 51309(c).

20 **§ 51310. Guam Solid Waste Authority Residential Recycling**
21 **Program.**

22 The Administrator is authorized to annually reimburse Guam Solid
23 Waste Authority, as a government entity, up to Four Hundred Thousand
24 Dollars (\$400,000) in accordance with the Guam Zero Waste Masterplan for
25 expenses that includes, but is not limited to, curbside recycling, household
26 hazardous waste, electronic, and white goods collection, processing, and
27 marketing/shipping. GSWA shall submit a proposal, including total costs, to
28 the Administrator and Board for approval.”

1 **Section 4.** Article 3 of Chapter 24, Division 4, Title 22, Guam
2 Administrative Rules and Regulations, is hereby *codified* and *amended* to read as
3 follows:

4 **“CHAPTER 24**
5 **GUAM RECYCLING REVOLVING FUND**
6 **RULES AND REGULATIONS**
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4 **§ 24301. GENERAL PROVISIONS**

5 **§ 24301.1. Purpose and Applicability.**

6 The purpose of this Chapter is to clarify existing statute, provide a
7 uniform competitive business environment to all, and establish the minimum
8 standards to properly implement and administer Guam's Recycling Revolving
9 Fund in accordance with Title 10 GCA, Chapter 51, Article 3, under the
10 authority granted by 10 GCA § 51306(c).

11 **§ 24301.2. Definitions.**

12 For the purposes of this Chapter, the terms defined in 10 GCA, Chapter
13 51, Article 3, § 51301 shall have the meaning ascribed to them therein, and
14 the following words and phrases, together with all of the common derivations
15 thereof, shall have the meaning ascribed to them as follows:

16 (a) "Administrator" shall mean the Administrator of the
17 Guam Environmental Protection Agency, or designee.

18 (b) "Beneficial Use" shall mean the substitution of materials,
19 either as generated or following additional processing, for some or all
20 of the virgin materials in a natural or commercial product in a way that
21 provides a functional benefit, meets product specifications, and does
22 not pose concerns to human health or the environment.

23 (c) "Best Available Technology" shall mean a recognized and
24 approved technology by the United States Environmental Protection
25 Agency.

26 (d) "Board" shall mean the Board of Directors of the Guam
27 Environmental Protection Agency.

1 (e) "Compost" or "Composting" shall mean a mixture,
2 consisting primarily of decayed organic matter and is used for
3 fertilizing and conditioning land or converting a material, such as plant
4 debris, to compost.

5 (f) "DPW" shall mean the Department of Public Works.

6 (g) "Director" shall mean the Director of the Department of
7 Public Works.

8 (h) "Disaster Debris" shall mean any items and materials
9 broken, destroyed, or displaced by a natural or man-made federally or
10 locally declared disaster. Examples of disaster debris include, but are
11 not limited to, trees, construction and demolition material, and personal
12 property.

13 (i) "Disaster Debris Management" shall mean the removal
14 and disposal of debris that was generated by a disaster and which
15 presents an immediate threat to the public interest.

16 (j) "Electronic Waste" or "E-Waste" shall mean electrical and
17 electronic equipment dependent on electric currents or electromagnetic
18 fields to function (including all components, subassemblies and
19 consumables, which are part of the original equipment at the time of
20 discarding). E-waste may include, but is not limited to, consumer
21 electronics, entertainment devices, televisions, DVD players and
22 tuners, office devices, information and communications technology,
23 computers, circuit boards, telephones, and mobile phones.

24 (k) "Enameled White Goods" shall mean appliances for home
25 or commercial use including, but not limited to, refrigerators, water
26 heaters, air conditioners, washers, dryers, and stoves.

27 (l) "Extended User Responsibility" shall mean policies or
28 practices that place a shared responsibility for end-of-life product

1 management on producers and other entities involved in the product
2 chain.

3 (m) "GEPA" or "Guam EPA" shall mean the Guam
4 Environmental Protection Agency.

5 (n) "Gross Vehicle Weight" or "Gross Vehicle Weight
6 Rating" means the value specified by the manufacturer as the loaded
7 weight of a single vehicle.

8 (o) "Heavy Equipment" shall mean any equipment, motor
9 vehicle or motor carrier, or non-road motor vehicle with a gross weight
10 or gross vehicle weight of five (5) tons or more.

11 (p) "Junk Vehicle" means a motor vehicle, regardless of
12 operating condition, that the registered owner has declared to have no
13 value or no use, or that is abandoned by being placed, discarded, or
14 disposed of on public or private property without approval by owners
15 of said property, or that is no longer registered in accordance with
16 Chapter 7 of Title 16 GCA.

17 (q) "Motor Vehicle" or "Motorized Vehicle" shall mean
18 automobiles, automobile trucks, automobile wagons, buses, trucks,
19 motorcycles, or other self-propelled wheeled conveyances that are
20 primarily for use on Guam's public streets, roads, and highways that
21 are required to be registered with the Motor Vehicles Division,
22 Department of Revenue and Taxation, Government of Guam.

23 (r) "Municipal Solid Waste" is a subset of solid waste and is
24 defined as durable goods (e.g., appliances, batteries, tires), nondurable
25 goods (e.g., newspapers, books, magazines), containers and packaging,
26 food wastes, yard trimmings, and miscellaneous organic wastes from
27 residential, commercial, and industrial non-process sources.

1 (s) “Person” or “Persons” shall mean any individual,
2 partnership, co-partnership, firm, company, corporation, association,
3 joint stock company, trust, estate, or any agency, department, or
4 instrumentality of the federal or local government, or any other legal
5 representatives, agents or assigns.

6 (t) “Priority Materials” shall mean all those materials
7 identified by the Fund, in the order specified in § 24302.1(b) of this
8 Chapter.

9 (u) “Recovered Resources” shall mean material or solid waste
10 that has been diverted from disposal for the purpose of recycling,
11 composting or mulching. This term does not include incineration or
12 those materials that are generated and normally reused on-site for
13 manufacturing purposes.

14 (v) “Recyclable Materials” means materials that still have
15 useful physical or chemical properties after serving a specific purpose
16 for the same or other purpose. Recyclable materials are as follows:

- 17 (1) batteries (i.e., lead-acid, portable computer
18 batteries, nickel-cadmium, sealed types for power
19 backup);
- 20 (2) automobiles, buses, and trucks or any motor
21 vehicle;
- 22 (3) tires (passenger/commercial);
- 23 (4) enameled white goods;
- 24 (5) home appliances (other small appliances that are not
25 considered enameled white goods);
- 26 (6) glass and plastic bottles;
- 27 (7) foam padding;
- 28 (8) lead;

- (9) metals (ferrous/non-ferrous);
- (10) organic material (i.e., tree trimmings, palm fronds, grass, food waste, soiled cardboard);
- (11) paper products;
- (12) wood pallets and scrap wood;
- (13) construction and demolition debris ('C&D');
- (14) x-ray film;
- (15) automobile oil and fluids;
- (16) freon and other refrigerant gases;
- (17) electronic waste (i.e., computers, circuit boards, televisions, and portable phones);
- (18) heavy equipment;
- (19) abandoned derelict vessels; and
- (20) other recyclable materials deemed recyclable by Guam EPA pursuant to its rules and regulations.

(w) "Recycle or Recycling" means a method by which recovered resources are converted for use as raw materials or feedstock to make new products, as defined in § 51102(ii) of Chapter 51 of Title 10 GCA.

(x) "Recycling Company" shall mean any business licensed by the Department of Revenue and Taxation, and permitted, as required in § 51104 of Chapter 51 of Title 10 GCA, by the Guam Environmental Protection Agency to conduct business on Guam.

(y) "Recycling Facility" shall mean all contiguous land, structures, and other appurtenances, and improvements on land used for the collection, separation, recovery, and sale or reuse of recovered resources that would otherwise be disposed of as municipal solid waste,

1 and is an integral part of a manufacturing process aimed at producing a
2 marketable product made of post-consumer material.

3 (z) "Recycling Fee" shall mean an annual fee levied upon the
4 registered owner of a motor vehicle to assist in the recycling and
5 disposal of motor vehicles and other recyclable materials in accordance
6 with this Chapter.

7 (aa) "Recycling Industry Economic Stimulus Program" shall
8 mean a program that provides economic stimulus to local recycling
9 companies that ship recyclable materials off-island.

10 (bb) "Solid Waste Management Facility" means any facility, or
11 any machinery, equipment, vehicles, structures, or any part of
12 accessories thereof installed or acquired for the primary purpose of
13 collection, transportation, storage, recycling, processing or disposal of
14 solid waste, and shall include sanitary landfills or resource recovery
15 facilities.

16 (cc) "Stimulus Certification Form" shall mean a form officially
17 issued by Guam EPA to be completed by the Economic Stimulus
18 Program Participants to disclose and certify the types and quantities of
19 recyclable materials shipped off-island to a recycling facility.

20 (dd) "Sustainable Materials Management" means a systemic
21 approach to using and reusing materials more productively over their
22 entire lifecycles.

23 (ee) "Special Waste" means white goods, household hazardous
24 waste, automotive batteries, and abandoned vehicles.

25 (ff) "Upcycle" or "Upcycling" shall mean to recycle material
26 in such a way that the resulting product is of a higher value than the
27 component materials.

1 (gg) "Zero Waste" means a holistic approach to addressing the
2 problem of unsustainable resource flows. Zero Waste encompasses
3 waste eliminated at the source through product design and producer
4 responsibility, and waste reduction strategies further down the supply
5 chain such as recycling, upcycling, reuse and composting.

6 **§ 24301.3. Fees.**

7 The Recycling Fees authorized in § 51305 of Article 3, Chapter 51,10
8 GCA are hereby imposed as follows:

9 (a) Twenty-Five Dollars (\$25.00) annually for each
10 automobile, bus, and truck registered by the Department of Revenue
11 and Taxation through the annual vehicle registration system.

12 (b) Three Dollars (\$3.00) for each motorcycle and trailer
13 registered by the Department of Revenue and Taxation through the
14 annual vehicle registration system.

15 (c) Thirty Dollars (\$30.00) for each piece of heavy equipment
16 registered by the Department of Revenue and Taxation through the
17 annual vehicle registration system.

18 (d) The Recycling Fee in Subsection (a) shall be waived upon
19 initial issuance and subsequent renewal of vehicle license and
20 registration for any veteran determined by the U.S. Department of
21 Veterans Affairs (USDVA) to be 100% Disabled or Individually
22 Unemployable due to military service-connected injuries. The fee shall
23 be waived for one (1) non-commercial passenger vehicle, which
24 includes sedans, coupes, pick-up trucks, motorcycles, and station
25 wagons manufactured primarily to carry passengers, and including
26 those passenger cars pulling other light trailers registered to the veteran,
27 or legal guardian applying for benefits under this Section. A document
28 issued by the USDVA or a U.S. military ID card, which certifies the

1 disability rating, must be furnished to the Department of Revenue and
2 Taxation in order to waive the annual Recycling Fee.

3 **§ 24301.4. General Terms and Conditions for Use of Recycling**
4 **Revolving Funds.**

5 (a) All proposals for use of funds shall be submitted to the Board
6 and Administrator for review and approval, before the expenditure of funds
7 that are subject to availability. Award amounts are final. Reimbursement for
8 additional costs are not allowed.

9 (b) Prior to submitting bids or grant proposals, potential recipients
10 of funds shall obtain environmental regulatory compliance, ethics, and other
11 relevant training provided by Guam EPA or a designated provider. Required
12 permits shall be obtained as a condition for the use of funds.

13 (c) Performance Targets. Projects shall meet performance/waste
14 diversion targets as determined by the Administrator.

15 (d) Reporting Requirements. Reports and deliverables shall be
16 presented biannually to the Board and posted on Guam EPA's website.

17 (e) Ethical Requirement. All recipients of funds from the Recycling
18 Revolving Fund shall complete ethics training sponsored by the Ethics
19 Commission, or a designated provider, and shall attest to spending funds
20 according to ethical requirements under Guam law. Non-compliance of ethics,
21 in addition to other remedies allowed under Guam law, can result in
22 termination of the award and barring of future application for grants for a
23 minimum period of two (2) years upon the findings of non-compliance by the
24 Ethics Commission or, in the absence of the Ethics Commission, by the Board.

25 **§ 24302. ADMINISTRATION AND PLANNING OF THE**
26 **RECYCLING REVOLVING FUND**

27 **§ 24302.1. Administration of Recycling Revolving Fund.**

1 (a) Monies in the Recycling Revolving Fund shall be administered,
2 managed, and maintained by the GEPA Administrator to implement 10 GCA
3 Chapter 51, Article 3, in accordance with the requirements of the Article.

4 (b) The Administrator may use the Fund for the purposes described
5 under §§ 24302 and 24303 of this Chapter with the following priorities:

6 (1) First Priority: junk vehicles, tires, batteries, waste oil,
7 white goods/appliances, and plastic;

8 (2) Second Priority: paper, cardboard, and glass; and

9 (3) Third Priority: other recyclables as determined by the
10 Administrator.

11 (c) The Administrator shall determine the funding for each recycling
12 and zero waste initiatives and submit the determination to the Guam EPA
13 Board of Directors for approval by March 31st of the current fiscal year, and
14 the approved funding will be effective in the following fiscal year.

15 (d) The Administrator is authorized to spend ten percent (10%) of
16 the Fund to administer and implement this Chapter. Funds may be used for:

17 (1) operational costs directly related to recycling and zero
18 waste initiatives for the Solid Waste Management Program, which
19 includes, but is not limited to, personnel, supplies, equipment, and
20 training of staff;

21 (2) compliance training for prospective recipients of funds of
22 the Recycling Revolving Fund; and the

23 (3) implementation of a zero waste and recycling program for
24 government and the community in accordance with Article 3, Chapter
25 51 of Title 10 Guam Code Annotated.

26 **§ 24302.2. Planning of Recycling Revolving Fund.**

27 (a) The Administrator may approve contracts between the
28 Department of Public Works (DPW) or the Mayors Council of Guam

1 (MCOG) and recycling companies for the collection, recycling, zero waste
2 initiatives, interim storage, disposal and processing, or any combination
3 thereof, of automobiles, buses, heavy equipment, trucks, batteries, tires, white
4 goods, and other recyclable materials in accordance with Articles 3 and 4 of
5 Chapter 51, Title 10 GCA, and § 24303.1(b) of this Chapter, to implement an
6 Island-wide Environmental Cleanup Program (IECP) on behalf of the Mayors
7 Council of Guam with the following conditions:

8 (b) In addition to amounts specified in 10 GCA, Chapter 51, §
9 51303(a)(1)(A), upon approval by the Board, the Administrator is authorized
10 to spend up to Two Hundred Thousand Dollars (\$200,000) to either procure
11 professional and technical services, pursuant to the Guam Procurement Law,
12 or to fund grants to update and further develop the Guam Zero Waste
13 Masterplan and holistic implementation plan to reach zero waste targets of
14 fifty percent (50%) and seventy-five percent (75%) waste reduction by 2035
15 and 2045, respectively; to evaluate the effectiveness of zero waste and
16 recycling programs; and/or to research other areas deemed a priority by the
17 Administrator. Grants are awarded through a competitive process using
18 established criteria by the Board and Administrator.

19 **§ 24303. COMMUNITY ZERO WASTE AND RECYCLING**
20 **INITIATIVES.**

21 **§ 24303.1. Mayors Council of Guam (MCOG) Island-wide**
22 **Environmental Cleanup Program (IECP).**

23 (a) The Administrator may approve contracts between the
24 Department of Public Works (DPW) or the Mayors Council of Guam
25 (MCOG) and recycling companies for the collection, recycling, zero waste
26 initiatives, interim storage, disposal and processing or any combination
27 thereof, of automobiles, buses, heavy equipment, trucks, batteries, tires, white
28 goods, and other recyclable materials in accordance with Articles 3 and 4 of

1 Title 10 GCA, Chapter 51, and § 24303.1(b) of this Chapter, to implement an
2 Island-wide Environmental Cleanup Program (IECP) on behalf of the Mayors
3 Council of Guam with the following conditions:

4 (1) all applicable procurement laws must be followed;

5 (2) each contract must be conditioned upon proof that the
6 recycling company has current permits for the work it is to perform,
7 including, but not limited to, solid waste facility permits, solid waste
8 collection permits, certifications, or other permits or licenses required
9 to collect, remove, recycle or dispose of solid waste;

10 (3) each contract must be conditioned upon compliance with
11 all solid waste rules and regulations; and

12 (4) each contract must require the recycling company to report
13 all recyclables collected per village under this program to Guam EPA
14 upon submittal of invoices to DPW or MCOG, as outlined in the
15 contract approved by the Administrator, for payment.

16 (b) In each fiscal year, prior to any collection, processing, or storage
17 of recyclable materials under contract pursuant to this Section, a
18 comprehensive *Operation Plan* for the contractual work described in
19 §24303.1(a) must be submitted by DPW or MCOG, as outlined in the contract
20 approved by the Administrator, to Guam EPA and receive approval from the
21 Administrator. The Administrator shall only approve the *Operation Plan* if
22 the *Operation Plan* contains in detail the operational systems that address
23 collection, processing, storage, emergency procedures, health and safety,
24 reporting, and closeout procedures for each municipality.

25 (c) The Administrator may use funds to support the recycling and
26 zero waste initiatives in this Section subject to the following conditions:

27 (1) funds may be expended only in accordance with valid
28 contracts approved under this Section;

1 (2) no funds shall be disbursed prior to the Administrator's
2 approval of the *Operation Plan* described in § 24303.1(b); and

3 (3) unused funds must be returned to the Recycling Revolving
4 Fund every fiscal year.

5 **§ 24303.2. Recycling Industry Economic Stimulus Program;**
6 **Applicability and Eligibility.**

7 (a) Potential Recycling Industry Economic Stimulus Program
8 participants must establish eligibility by meeting all of the following criteria:

9 (1) possess a valid license from the Guam Department of
10 Revenue and Taxation to conduct business on Guam;

11 (2) possess a valid solid waste management facility permit
12 from Guam EPA for processing and storage;

13 (3) provide a bill of lading or similar documentation detailing
14 the types of recyclable materials shipped, quantity in tons, and name of
15 receiving facility;

16 (4) complete and submit all applicable Stimulus Certification
17 Forms provided by Guam EPA; and

18 (5) remain in compliance with all solid waste rules and
19 regulations.

20 (b) Only recyclable materials generated on Guam are eligible for
21 payments under this Section. Recyclable materials imported into Guam for
22 purposes such as, but not limited to, transit, transshipment, or consolidation
23 shall not qualify under this Program.

24 **§ 24303.3. Recycling Industry Economic Stimulus Program;**
25 **Payment Calculation.**

26 (a) Recycling Industry Economic Stimulus Program participants
27 who establish eligibility by meeting all the criteria specified in § 24303.2(a)

1 may receive an economic stimulus payment for each ton of recyclable material
2 transported off Guam to a recycling facility.

3 (b) Stimulus payments will be made in the order that completed
4 forms are received by Guam EPA until approved funding has been exhausted.

5 (c) By March 31st of each year, the Administrator may select the
6 eligible recycling materials for the next fiscal year based on global market
7 trends, and submit a written recommendation to the Board for its approval. If
8 the Board does not approve any eligible recycling materials for a particular
9 year, no stimulus payments will be made in that year.

10 (d) Each year, the Administrator may determine the dollar amount
11 per recyclable material to be disbursed to the eligible recycling facilities and
12 submit a written recommendation to the Board for its approval. The dollar
13 amount per recyclable material shall be based on factors, including the
14 prioritization of materials, market conditions, economic analyses, and
15 operational, transportation, and processing costs in its assessment, and:

16 (1) A base stimulus payment calculation per recyclable
17 material expressed as follows: Base Stimulus Payment [dollars per ton]
18 = Shipping Cost - Market Price.

19 (A) "Shipping Cost" is calculated using the World
20 Freight Rates Freight Calculator or comparable shipping cost
21 resource for port-to-port containerized ocean shipments and the
22 USEPA Office of Resource Conservation and Recovery
23 Volume-to-Weight Conversion Factors.

24 (B) "Market Price" is equivalent to the RecycleNet
25 scrap index or comparable market index material sale price on
26 the first day of the quarter preceding the start of the next fiscal
27 year.

1 (2) A stimulus payment may be issued for recyclable
2 materials when the calculated Stimulus Payment exceeds zero dollars
3 (\$0.00) per ton (i.e., stimulus will not be paid when the recycled
4 material is revenue positive).

5 (3) The Administrator shall determine the funding levels of
6 stimulus payments to be paid subject to the availability of funds and
7 funding priorities.

8 (e) For the fiscal year beginning October 1, 2019, the Administrator
9 may select the eligible materials, subject to Board approval and applicable
10 stimulus payments.

11 § 24303.4. **Guam Beverage Container Recycling - RESERVE**

12 § 24303.5. **Integrated Solid Waste Management Plan - RESERVE**

13 § 24303.6. **Green Waste Plan – Composting and Organics -**
14 **RESERVE**

15 § 24303.7. **Disaster Debris Management – RESERVE**

16 § 24303.8. **Zero Waste Grant Program— RESERVE**

17 § 24303.9. **Guam Solid Waste Authority Residential Recycling**
18 **Program—RESERVE”**

19 **Section 5.** Notwithstanding any other provision of law, funds appropriated
20 to the Mayors Council of Guam in Fiscal Year 2022 from the Recycling Revolving
21 Fund shall not lapse and shall continue to be available until expended.

22 **Section 6. Promulgation of Rules and Regulations for the *Guam Zero***
23 ***Waste Act.*** Guam EPA shall promulgate rules and regulations for the Green Waste
24 Plan - Composting and Organics, the Zero Waste Grant Program, and the Guam
25 Solid Waste Authority Residential Recycling Program no later than one (1) year
26 upon enactment of this Act.

27 **Section 7. Effective Date.** This Act shall be effective upon enactment.

28 **Section 8. Severability.** If any provision of this Act or its application to any

1 person or circumstance is found to be invalid or contrary to law, such invalidity shall
2 not affect other provisions or applications of this Act that can be given effect without
3 the invalid provision or application, and to this end the provisions of this Act are
4 severable.