


I Mina'trentai Siette 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
53-37 (COR)	William A. Parkinson	AN ACT TO ADD NEW SUBSECTION (a)(9) TO§ 51111 OF ARTICLE 1, CHAPTER 51, DIVISION 2, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO PROTECTING GUAM FROM THE TOXIC EXPOSURE DUE TO OPEN DETONATION OF HAZARDOUS WASTE.	2/22/23 8:46 a.m.						

I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÁHAN
2023 (FIRST) Regular Session

Bill No. 53-37 (COR)

Introduced by:

William A. Parkinson 

AN ACT TO ADD NEW SUBSECTION (a)(9) TO § 51111 OF ARTICLE 1, CHAPTER 51, DIVISION 2, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO PROTECTING GUAM FROM THE TOXIC EXPOSURE DUE TO OPEN DETONATION OF HAZARDOUS WASTE.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. A *new* Subsection (a)(9) are hereby *added* to § 51111 of Article 1, Chapter 51, Title 10, Guam Code Annotated, to read as follows:

“(9) use open detonation (OD) to treat unused hazardous waste, explosives, except when explosives and munitions emergency response specialists identify, in consultation with Guam EPA, they cannot safely be disposed of through other modes of treatment. At least every five years, OD facilities must re-evaluate whether viable and safe alternative technologies exist as part of the Guam EPA permit renewal process. Where safe and viable treatment alternatives exist, facilities must implement those alternatives that provide the most for the protection of human health and the environment in lieu of OD within a timeline pursuant to regulations promulgated by Guam EPA. Guam EPA shall require a permit for the OD of unused hazardous waste explosives WWII UXO and shall develop permitting rules and regulations promulgated through the Administrative Adjudication Law found in

15 Chapter 9 of Title 5, Guam Code Annotated. All ODs shall be reported to the Guam
16 EPA within thirty (30) calendar days of each OD.

17 **Section 2. Promulgation of Rules and Regulations.** The Guam
18 Environmental Protection Agency shall promulgate regulations consistent with the
19 provisions of this Act no later than three (3) years after enactment of this Act. Until
20 such rules and regulations are promulgated, Guam EPA shall follow U.S. EPA
21 regulations.

22 **Section 3. Effective Date.** This Act shall be effective one hundred and
23 eighty (180) days after the date of final promulgation of permitting regulations by
24 Guam EPA in consultation with the U.S. EPA as required by 40 CFR §271.21.

25 **Section 4. Severability.** If any provision of this Act or its application to
26 any person or circumstance is found to be invalid or contrary to law, such invalidity
27 shall not affect other provisions or applications of this Act that can be given effect
28 without the invalid provision or application, and to this end the provisions of this
29 Act is severable.