

I Mina'trentai Singko 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
174-35 (COR)	Sabina Flores Perez Therese M. Terlaje Telena Cruz Nelson	AN ACT TO AMEND §6106, §6113, §6119, AND §6122, ARTICLE 1, CHAPTER 6 OF TITLE 22, GUAM ADMINISTRATIVE RULES AND REGULATIONS, RELATIVE TO THE REGULATION OF PER- AND POLYFLUOROALKYL SUBSTANCES (PFAS) IN DRINKING WATER.	6/28/19 4:21 p.m.	7/12/19	Committee on Environment, Revenue and Taxation, and Procurement			Request: 7/18/19 8/9/19	

Senator Régine Biscoe Lee
Chair

Senator Amanda L. Shelton
Vice Chair

Speaker Tina Rose Muña Barnes
Member

Vice Speaker Telen Cruz Nelson
Member

Senator Kelly Marsh (Taitano), PhD
Member

Senator Sabina Flores Perez
Member



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I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÁHAN
35TH GUAM LEGISLATURE

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August 9, 2019

MEMO

To: Rennae Meno
Clerk of the Legislature

From: Senator Kelly Marsh (Taitano), PhD
Acting Chair, Committee on Rules

Re: Fiscal Note

Buenas yan Háfa adai.

Attached, please find the fiscal note for the following bill:

Bill No. 174-35 (COR)

Please forward the same to Management Information Services (MIS) for posting on our website.

For any questions or concerns, please feel free to contact Mary Maravilla, Committee on Rules Director at 472-2461.

Thank you for your attention to this matter.

Respectfully,

A handwritten signature in black ink, appearing to read "Kelly Marsh", written over a horizontal line.

Senator Kelly Marsh (Taitano), PhD
Acting Chair, Committee on Rules



**Bureau of Budget & Management Research
Fiscal Note of Bill No. 174-35 (COR)**

AN ACT TO AMEND §6106, §6113, §6119, AND §6122, ARTICLE 1, CHAPTER 6 OF TITLE 22, GUAM ADMINISTRATIVE RULES AND REGULATIONS, RELATIVE TO THE REGULATION OF PER- AND POLYFLUOROALKYL SUBSTANCE (PFAS) IN DRINKING WATER.

Department/Agency Appropriation Information	
Dept./Agency Affected: Guam Environmental Protection Agency	Dept./Agency Head: Walter Leon Guerrero, Administrator
Department's General Fund (GF) appropriation(s) to date:	\$0
Department's Other Fund (Specify) appropriation(s) to date: Air Pollution Control Fund-\$230,673; Guam Environmental Trust Fund-\$409,266; Pesticide Management Fund-\$133,038; Water Protection Fund-\$61,844; Water Research and Development Fund-\$67,811; Solid Waste Operation Landfills-\$202,992; Tourist Attraction Fund-\$108,289; Recycling Revolving Fund-\$2,895,965	4,109,878
Total Department/Agency Appropriation(s) to date:	\$4,109,878

Fund Source Information of Proposed Appropriation			
	General Fund:	Special Fund (specify)	Total:
FY 2018 Unreserved Fund Balance		\$0	\$0
FY 2019 Adopted Revenues	\$0	\$0	\$0
FY 2019 Appro. (P.L. 34-116 thru P.L. 34-162)	\$0	\$0	\$0
Sub-total:	\$0	\$0	\$0
Less appropriation in Bill	\$0	\$0	\$0
Total:	\$0	\$0	\$0

Estimated Fiscal Impact of Bill						
	One Full Fiscal Year	For Remainder of FY 2019 (if applicable)	FY 2020	FY 2021	FY 2022	FY 2023
General Fund 1/	\$0	\$0	\$0	\$0	\$0	\$0
Special Fund (specify) 1/	\$0	\$0	\$0	\$0	\$0	\$0
Total 1/	\$0	\$0	\$0	\$0	\$0	\$0

- Does the bill contain "revenue generating" provisions? / / Yes /X/ No
If Yes, see attachment
- Is amount appropriated adequate to fund the intent of the appropriation? /X/ N/A / / Yes / / No
If no, what is the additional amount required? / / N/A
- Does the Bill establish a new program/agency? / / Yes /X/ No
If yes, will the program duplicate existing programs/agencies? / / N/A / / Yes /X/ No
Is there a federal mandate to establish the program/agency? / / Yes /X/ No
- Will the enactment of this Bill require new physical facilities? / / Yes /X/ No
- Was Fiscal Note coordinated with the affected dept/agency? If no, indicate reason: /X/ Yes / / No
/ x / Requested agency comments not received by due date / / Other:

Analyst: <u>Diana E. Pobre</u> Date: <u>8/8/19</u>	Director: <u>Lester L. Carlson, Jr.</u> Date: <u>AUG 09 2019</u>
Diana e. Pobre, BMA III	Lester L. Carlson, Jr., Director

Footnotes: 1/ See attached comments.

Bureau of Budget and Management Research
Comments on Bill No. 174-35 (COR)

This proposed legislation intends to make various amendments to Article 1 of Chapter 6 of Title 22, Guam Administrative Rules and Regulations relative to the regulation of per- and polyfluoroalkyl substances (PFAS) in Drinking Water. PFAS are used in a wide variety of consumer products and industrial applications, including but not limited to food packaging, carpets and upholstery, firefighting foam, electronics, and construction. Exposure to PFAS can lead to adverse human health effects, including increased cholesterol levels, decreased fertility among women, developmental effects on infants, effects on the immune system, cancer and thyroid hormone disruption. Bill 174-35 will add the regulation of PFAS to the Guam Administrative Rules and Regulations in order to protect our community from the harmful effects of PFAS exposure and seeks to establish a maximum contaminant level for six PFAS commonly found in drinking water.

According to a Guam Daily Post Article dated July 15, 2019 on the subject of PFAS contamination, indicated that there were 22 potential PFAS contamination sites in Guam (i.e. water wells, ponding basins, landfill leachate, wastewater from sewage treatment plants) sampled in October 2018 by the Water and Environmental Research Institute (WERI), University of Guam. This article also noted that the remediation costs such as to install filtration systems on two identified contaminated well sites could cost as much as \$700,000 to \$1 million.

The Bureau have not received the requested comments from the Guam Environmental Protection Agency (GEPA) on the fiscal impact of the proposed measure as of the date of this fiscal note, however, Section 3 and 4 of Bill 174-35 could have a potential cost impact in terms of sampling and analytical requirements of PFAS and in terms of providing and complying to the Public Notice requirement for PFAS which requires the owner or operator of each community water system and each non-transient, non-community water system to issue notice to persons served by the system that may be affected by PFAS contamination in their drinking water. The GEPA may also require subsequent notices. Thus, the estimated impact of the proposed measure is undetermined at this time.