



EXECUTIVE ORDER NO. 2006- 12

RELATIVE TO ESTABLISHING THE ORDOT CONSENT DECREE COMPLIANCE TEAM WITHIN THE OFFICE OF THE GOVERNOR AND TO ESTABLISH PRIORITY PROCUREMENT AND INTRA-AGENCY COOPERATION FOR THE ORDOT CONSENT DECREE

WHEREAS, the Organic Act of Guam provides that *I Maga'låhen Guåhan*, Governor of Guam, is tasked with the responsibility of overseeing the health and safety of the people of Guam; and

WHEREAS, the old Ordot dump poses a continuing threat to public and environmental health, and must be closed pursuant to a Consent Decree entered into by the Government of Guam, the United States Environmental Protection Agency, and the United States Department of Justice (U.S. District Court Territory of Guam Civil Case No. 02-00022); and

WHEREAS, this order reaffirms Executive Order 2004-02 and the Government of Guam's commitment to the Consent Decree, which requires the closure and post-closure of the Ordot Dump as well as the construction and operation of a new, sanitary municipal solid waste landfill; and

WHEREAS, the process of closing the old dump and opening a new landfill requires resources beyond the immediate capabilities of the Department of Public Works, and will require substantial and continuing involvement by a number of other Government of Guam agencies; and

WHEREAS, further delays in the closure of the Ordot dump and the opening of a new landfill will violate Consent Decree timelines, and may result in substantial penalties imposed on the Government of Guam.

NOW, THEREFORE, I, FELIX P. CAMACHO, *I Maga' Låhen Guåhan*, Governor of Guam, by virtue of the authority vested in me by the Organic Act of Guam, as amended, do order:

1. **Ordot Consent Decree Compliance Team.** The Ordot Consent Decree Compliance Team is hereby established and shall consist of at least one representative from the following agencies, to be designated by the Governor:
 - a. Department of Public Works
 - b. Guam Environmental Protection Agency
 - c. Bureau of Budget and Management Research
 - d. Department of Administration

The Governor also shall request representatives from the Guam Economic Development and Commerce Authority and the Office of the Attorney General.

The compliance team shall be chaired by the Governor's designee and the representative from the Office of the Attorney General.



The Governor may appoint additional representatives to the compliance team at his discretion. The purpose of the team shall be to:

1. Create a plan to meet the remaining timelines and requirements established by the Consent Decree.
2. Identify actions that will require legislative changes or approval and prepare legislative proposals for the Governor's consideration.
3. Implement the plan.

The Governor or his designee shall appoint members of the compliance team within one day of this signing of this order.

2. **Authority.** All government departments, agencies, instrumentalities and other public entities shall coordinate with the Compliance Team to comply with the mandates of the Consent Decree. All Government of Guam departments and agencies shall provide the necessary support and assistance to the compliance team for the purposes of complying with the mandates of the Consent Decree.

All existing contracts and accounts associated with the Consent Decree shall be supervised by the Compliance Team. Procurement, contractual and certifying authority shall be delegated by the Department of Public Works director to a member of the Compliance Team.

3. **Disputes.** Any disputes arising from this Executive Order shall be resolved by the Governor or his designee. The Governor or designee's determination of the dispute shall be final. The Governor's designee shall have authority to recommend appropriate disciplinary action against anyone who fails to make best efforts to comply with this Executive Order.

SIGNED AND PROMULGATED at Hagåtña, Guam this 12 day of May, 2006.

FELIX P. CAMACHO
I Maga' lähen Guåhan
Governor of Guam