I Mina'trentai Ocho Na Liheslaturan Guåhan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	FISCAL NOTES	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	NOTES
212-38 (COR)	Sabina Flores Perez V. Anthony Ada Chris Barnett Therese M. Terlaje	AN ACT TO *ADD* § 51111 (a)(9) OF ARTICLE 1, CHAPTER 51, DIVISION 2, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO UPDATING THE PROHIBITION OF OPEN DETONATION AND CLARIFYING THE IMPLEMENTATION OF SAFE ALTERNATIVES FOR THE PROTECTION OF GUAM'S AIR, WATER, LAND, AND THE HEALTH OF ITS PEOPLE.	10/27/25 9:31 a.m. ^11/7/25 12:38 p.m.						

I MINA'TRENTAI OCHO NA LIHESLATURAN GUÅHAN
2025 (FIRST) Regular Session

Bill No. 212-38 (COR)

Introduced by: Sabina Flores Perez
V. Anthony Ada
Chris Barnett
Therese M. Terlaje

AN ACT TO *ADD* § 51111 (a)(9) OF ARTICLE 1, CHAPTER 51, DIVISION 2, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO UPDATING THE PROHIBITION OF OPEN DETONATION AND CLARIFYING THE IMPLEMENTATION OF SAFE ALTERNATIVES FOR THE PROTECTION OF GUAM'S AIR, WATER, LAND, AND THE HEALTH OF ITS PEOPLE.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds that a prohibition of the open detonation of hazardous waste may not address all situations in which safer alternatives for managing hazardous waste explosives are not currently available.

It is the intent of *I Liheslaturan Guåhan* to update the current open detonation regulations to allow for the treatment of hazardous waste explosives in case there is a situation where no safe alternatives for management of that waste exist.

I Liheslatura further intends to require that all instances of open detonation for the treatment of explosive hazardous wastes are reported within five (5) days of

taking place to Guam EPA. These reports may be utilized by Guam EPA to assess and gage the implementation of safer alternatives to open detonation for the protection of Guam's air, water, land, and health of its people.

Section 2. § 51111 (a)(9) of Article 1, Chapter 51, Division 2, Title 10, Guam Code Annotated, is hereby *added* to read as follows:

"(9) use open detonation (OD) to treat hazardous waste, except for those hazardous waste explosives that Guam Environmental Protection Agency in consultation with U.S. Environmental Protection Agency has determined that no safe alternative management option (including treatment and disposal technologies, storage, or transport) exists. Where one or more safe alternative management options to OD exists, the safe alternative, or combination of alternatives that provides the most protection of human health and the environment, shall be used. The prohibition in this paragraph does not apply to those hazardous waste explosives managed during an "explosives or munitions emergency response" or to an "explosives or munitions emergency," as defined by 40 C.F.R. § 260.10. as of July 1, 2022. Nothing in this paragraph shall be construed to prohibit the Guam EPA from developing rules and regulations governing the use of OD as part of explosives or munitions emergency responses.

The Guam EPA shall develop rules and regulations promulgated through the Administrative Adjudication Law found in Chapter 9 of Title 5, Guam Code Annotated, that include the following:

a) specify those categories of hazardous waste explosives for which one or more safe alternative management option exist and those categories of hazardous waste explosives for which no safe alternative to OD exist;

b) determine requirements for evaluation of safe alternative management options or combinations thereof to OD that provide the most protection to human health and the environment; and

c) develop steps for implementation or compliance of identified options.

Annually, the Guam EPA, in consultation with USEPA, must re-evaluate whether safe alternative management options exist and must promptly revise its rules and regulations to account for any new information regarding safe alternative management options.

Every OD, including ODs done as part of an explosives or munitions emergency response, shall be reported to the Guam EPA within five (5) days after the OD occurs. These reports shall include, but not be limited to, the date and place of the OD, the findings of the Explosive Ordnance Disposal (EOD) technicians/specialists, and any other information required by the Guam EPA.

The Guam EPA shall promulgate rules and regulations consistent with the provisions of this Act no later than one (1) year after enactment of this Act. Until such rules and regulations are promulgated, existing rules and regulations shall govern any OD."

Section 3. Severability. If any provision of this Act or its application to any person or circumstance is found to be invalid or inorganic, such invalidity shall not affect other provisions or applications of this Act that can be given effect without the invalid provision or application, and to this end the provisions of this Act are severable.

Section 4. Effective Date. This Act shall be effective upon enactment.