

Re: Messages & Communications Doc. No. 38GL-26-2265 through 2273.

From 38th Committee On Rules <committeeonrules@guamlegislature.gov>
 Date Wed 4/29/2026 4:08 PM
 To Guam Legislature Clerks <clerks@guamlegislature.gov>

Håfa Adai Clerks Office,

Please see attached, Messages & Communications Doc. No. 38GL-26-2265 through 2267 and 2271 for processing:

38GL-26-2265	Guam Memorial Hospital Authority	FY2026 2nd Quarter Staffing Pattern.
38GL-26-2266	Guam Environmental Protection Agency	This is a Transmittal to 1 Liheslaturan Guåhan of Proposed Rules and Regulations pursuant to the Administrative Adjudication Law which would update Chapter 12 of Title 22, Public Law 37-105, enacted on July 18, 2024, authorized Guam Environmental Protection Agency to issue regulations for Type 4 Wastewater Treatment Facilities and Holding Tanks, and also authorized Guam Environmental Protection Agency to Establish Fees for Permits, Inspections, and Related Services. This is a Transmittal to 1 Liheslaturan Guåhan of Proposed Rules and Regulations pursuant to the Administrative Adjudication Law which would update Chapter 12 of Title 22, Public Law 37-105, enacted on July 18, 2024, to issue regulations for Type 4 Wastewater Treatment Facilities and Holding Tanks.
38GL-26-2267	Guam Community College	Unaudited Revenues and Expenditures Report and Staffing Pattern as of March 31, 2026*
38GL-26-2271	Public Defender Service Corporation - Government of Guam	Board of Trustees Meeting Packet for April 21, 2026*

Please retrieve Doc. No. 38GL-26-2265 through 2267 and 2271 from link below:

[Messages & Communications Physical Scanned Copy - Google Drive](#)

Kindly reply to this email



Si Yu'os ma'åse',

Marie Crisostomo

Committee on Rules Assistant

COMMITTEE ON RULES

Vice Speaker V. Anthony Ada, Chairperson

I Mina'trentai Ocho Na Liheslaturan Guåhan

38th Guam Legislature

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On Wed, Apr 29, 2026 at 3:54 PM Guam Legislature Clerks <clerks@guamlegislature.gov> wrote:

Håfa Adai,
 We are unable to process the Messages and Communications.

38GL-26-2265	Guam Memorial Hospital Authority	FY2026 2nd Quarter Staffing Pattern.
38GL-26-2266	Guam Environmental Protection Agency	This is a Transmittal to 1 Liheslaturan Guåhan of Proposed Rules and Regulations pursuant to the Administrative Adjudication Law which would update Chapter 12 of Title 22, Public Law 37-105, enacted on July 18, 2024, authorized Guam Environmental Protection Agency to issue regulations for Type 4 Wastewater Treatment Facilities and Holding Tanks, and also authorized Guam Environmental Protection Agency to Establish Fees for Permits, Inspections, and Related Services. This is a Transmittal to 1 Liheslaturan Guåhan of Proposed Rules and Regulations pursuant to the Administrative Adjudication Law which would update Chapter 12 of Title 22, Public Law 37-105, enacted on July 18, 2024, to issue regulations for Type 4 Wastewater Treatment Facilities and Holding Tanks.
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38GL-26-2271	Public Defender Service Corporation - Government of Guam	Board of Trustees Meeting Packet for April 21, 2026*

please contact our office (671) 472-3465. Thank you.

Clerks Office



I Mina'trentai Ocho na Liheslaturan Guahan

Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

Voice: (671) 472-3465/3460 Fax: (671) 472-3524

guamlegislature.gov

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From: 38th Committee On Rules <committeeonrules@guamlegislature.gov>

Sent: Wednesday, April 29, 2026 3:02 PM

To: Guam Legislature Clerks <clerks@guamlegislature.gov>

Cc: Frank Blas Jr. <speakerblas@guamlegislature.gov>

Subject: Messages & Communications Doc. No. 38GL-26-2265 through 2273.

Håfa Adai Clerks Office,

Please see attached, **Messages & Communications Doc. No. 38GL-26-2265 through 2273** for processing:

✓	38GL-26-2265	Guam Memorial Hospital Authority	FY2026 2nd Quarter Staffing Pattern.
✓	38GL-26-2266	Guam Environmental Protection Agency	This is a Transmittal to I Liheslaturan Guahan of Proposed Rules and Regulations pursuant to the Administrative Adjudication Law which would update Chapter 12 of Title 22. Public Law 37-105, enacted on July 18, 2024, authorized Guam Environmental Protection Agency to issue regulations for Type 4 Wastewater Treatment Facilities and Holding Tanks, and also authorized Guam Environmental Protection Agency to Establish Fees for Permits, Inspections, and Related Services. This is a Transmittal to I Liheslaturan Guahan of Proposed Rules and Regulations pursuant to the Administrative Adjudication Law which would update Chapter 12 of Title 22, Public Law 37-105, enacted on July 18, 2024, to issue regulations for Type 4 Wastewater Treatment Facilities and Holding Tanks.
✓	38GL-26-2267	Guam Community College	Unaudited Revenues and Expenditures Report and Staffing Pattern as of March 31, 2026*
✓	38GL-26-2268	Department of Public Health and Social Services	Guam Board of Examiners for Optometry Board Meeting Packet for April 28, 2026*
✓	38GL-26-2269	Guam Power Authority	Notification of Temporary Assignment or Detail – Zachary Sablan, Plant Operator/Maintenance Leader, 03/15/26; Ronald Navara, Information Security Administrator, 4/1/26; Theodore Tamashiro, Substation Electrician Leader, 4/1/26*
✓	38GL-26-2270	Guam Solid Waste Authority	Documents Relative to Small Purchases and Sole Source and Emergency Purchases for the month of March 2026*
✓	38GL-26-2271	Public Defender Service Corporation - Government of Guam	Board of Trustees Meeting Packet for April 21, 2026*
✓	38GL-26-2272	Department of Agriculture	Prior Year Obligations to pay Xerox Corporation in the total amount of \$713.94; to pay Lagu, LLC in the total amount of \$535.00; to pay Pacific Data Systems in the total amount of \$663.69*
✓	38GL-26-2273	A.B. Won Pat International Airport Authority	FY2026 2nd Quarter Staffing Pattern*

Please retrieve Doc. No. 38GL-26-2265 through 2267 and 2271 from link below:

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Kindly reply to this email



Si Yu'os ma'åse',

Marie Crisostomo

Committee on Rules Assistant

COMMITTEE ON RULES

Vice Speaker V. Anthony Ada, Chairperson

I Mina'trentai Ocho Na Liheslaturan Guahan

38th Guam Legislature

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Messages and Communications 38GL-26-2266.

2 messages

Speaker Frank Blas Jr. <speakerblas@guamlegislature.gov>

Tue, Apr 28, 2026 at 11:30 AM

To: 38th Committee On Rules <committeeonrules@guamlegislature.gov>, Sabrina Salas Matanane <office.senatorbri@guamlegislature.gov>

Håfa Adai,

Please see attached M&C Doc. No. 38GL-26-2266

38GL-26-2266	Guam Environmental Protection Agency	This is a Transmittal to I Liheslaturan Guåhan of Proposed Rules and Regulations pursuant to the Administrative Adjudication Law which would update Chapter 12 of Title 22. Public Law 37-105, enacted on July 18, 2024, authorized Guam Environmental Protection Agency to issue regulations for Type 4 Wastewater Treatment Facilities and Holding Tanks, and also authorized Guam Environmental Protection Agency to Establish Fees for Permits, Inspections, and Related Services.
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*Si Yu'os Ma'åse'***Bernice Rivera**

Administrative Assistant

**Office of Speaker Frank F. Blas, Jr.**I Mina'trentai Ocho na Liheslaturan Guåhan 38th Guam Legislature

Guam Congress Building, 163 Chalan Santo Papa, Hagatña

(671)969-6456

speakerblas@guamlegislature.gov

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**38th Committee On Rules** <committeeonrules@guamlegislature.gov>

Wed, Apr 29, 2026 at 10:10 AM

To: "Speaker Frank Blas Jr." <speakerblas@guamlegislature.gov>

Håfa Adai,

Received, and thank you.

*Si Yu'os ma'åse',*

Marie Crisostomo

Committee on Rules Assistant

COMMITTEE ON RULES

Vice Speaker V. Anthony Ada, Chairperson

*I Mina'trentai Ocho Na Liheslaturan Guåhan**38th Guam Legislature*

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[Quoted text hidden]



GUAM ENVIRONMENTAL PROTECTION AGENCY • AHENSIAN PRUTEKSIÓN LINA'LA' GUÅHAN
LOURDES A. LEON GUERRERO • GOVERNOR OF GUAM | JOSHUA F. TENORIO • LIEUTENANT GOVERNOR OF GUAM
MICHELLE C. R. LASTIMOZA • ADMINISTRATOR

April 27, 2026

The Honorable Frank Blas, Jr.
I Mina 'Trentai Ocho 'na Liheshlaturan Guahan
38th Guam Legislature
Guam Congress Building
163 Chalan Santo Papa
Hagåtña, Guam 96910

38GL-26-2266
OFFICE OF THE SPEAKER
FRANK F. BLAS JR.

APR 28 2026

Time: 10:25 am
Received: [Signature]

RE: This is a Transmittal to I Liheshlaturan Guåhan of Proposed Rules and Regulations pursuant to the Administrative Adjudication Law

Buenas yan Hafa Adai Speaker Blas,

The Guam Environmental Protection Agency (Guam EPA or GEPA) has completed all of the requirements for the Guam Administrative Rules and Regulations which would update Chapter 12 of Title 22. Public Law 37-105, enacted on July 18, 2024, authorized Guam EPA to issue regulations for Type 4 wastewater treatment facilities and holding tanks, and also authorized Guam EPA to establish fees for permits, inspections, and related services.

Pursuant to the Administrative Adjudication Act, Guam EPA sought public comment by both a public comment period from July 15-30, 2025, and a held a public hearing on July 30, 2025, as public notices published on July 15 and July 28, 2025 demonstrate. All comments received from the public were considered in the development of our final draft of proposed updates. The proposed rules and regulations have been reviewed and approved by both the Attorney General and *Maga'håga* Leon Guerrero as to policy, constitutionality, and compliance with the AAL. A copy of the entire agency record is attached as Appendix A. GEPA is hereby transmitting its proposed draft of these rules and regulations to you in accordance with the Administrative Adjudication Act for your review and written approval in conformance of policy, as required by statute.

If you have any questions or concerns about any of the documents provided to you, please contact our office at 671-588-4751/2, or email CAPT Elizabeth DeGrange at elizabeth.degrange@epa.guam.gov. Thank you for your time and attention to this matter.

Dångkolu na si Yu'us ma'åse'.



38GL-26-2266
Messages and Communications
RECEIVED
COMMITTEE ON RULES
April 28, 2026
11:30 a.m.

Marie Crisostomo

[Signature]
MICHELLE C.R. LASTIMOZA
Administrator



GUAM EPA | 17-3304 Mariner Avenue Tiyan Barrigada, Guam 96913-1617 | Tel: (671) 588.4751 | Fax: (671) 588.4531 | epa.guam.gov
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OFFICE OF LEGAL COUNSEL

Ufsinan I Maga'hågan Guåhan
OFFICE OF THE GOVERNOR

LOURDES A. LEON GUERRERO
GOVERNOR OF GUAM

JOSHUA F. TENORIO
LIEUTENANT GOVERNOR OF GUAM

TRANSMITTED VIA CENTRAL FILES

April 22, 2026

MICHELLE C.R. LASTIMOZA

Administrator

GUAM ENVIRONMENTAL PROTECTION AGENCY
17-3304 Mariner Avenue
Tiyán-Barrigada, Guam 96913

Re: REVIEW OF ADMINISTRATIVE RULES AND REGULATIONS | CF#2026-25620

Håfa Adai Administrator Lastimoza:

The following document is transmitted with the signature of *I Maga'hågan Guåhan*:

GUAM ENVIRONMENTAL PROTECTION AGENCY (GEPA) | CF#2026-25620

Review of Administrative Rules and Regulations, Proposed Draft Onsite Wastewater Treatment and Disposal System Regulations for Residential Septic Tank and Leaching System and Temporary Toilet Facilities (22 GAR 12)

Any questions or concerns can be sent directly to the Legal Counsels via email at legal@guam.gov. You may also call our office at (671) 473-1117/8.

Senseramente,

ALEXANDER FORD

Assistant Legal Counsel

Enclosure(s): CF#2026-25620

cc via email: *I Maga'hågan Guåhan*
I Sigundo Maga'låhen Guåhan

LOURDES A. LEON GUERRERO
GOVERNOR



JOSHUA F. TENORIO
LT. GOVERNOR

UFISINAN I MAGA'HÅGAN GUÅHAN
OFFICE OF THE GOVERNOR OF GUAM

In accordance with 5 GCA § 9303(a)(2), the Guam Environmental Protection Agency submitted for my review and approval its proposed Administrative Rules and Regulations. These proposed rules and regulations were required by Public Law No. 36-118.

The submission included:

- One duplicate printed copy
- One electronic copy
- A copy of the agency record, including the transcript of the public hearing, as required by law
- Preliminary Cost Impact Assessments

Please note that the estimated economic impact of the proposed rule changes does not exceed the Five Hundred Thousand Dollar (\$500,000) threshold established under the Administrative Adjudication Law (AAL).

Pursuant to 5 GCA § 9303(a)(4), after review of the submitted documents, I approve the proposed administrative rules and regulations.

Senseramente,

A handwritten signature in black ink, appearing to read "Lourdes A. Leon Guerrero".

LOURDES A. LEON GUERRERO
Maga'hågan Guåhan
Governor of Guam



GUAM ENVIRONMENTAL PROTECTION AGENCY • AHENSIAN PRUTEKSIÓN LINA'LA' GUÁHAN
LOURDES A. LEON GUERRERO • GOVERNOR OF GUAM | JOSHUA F. TENORIO • LIEUTENANT GOVERNOR OF GUAM
MICHELLE C. R. LASTIMOZA • ADMINISTRATOR

March 11, 2026

Honorable Lourdes A. Leon Guerrero
Maga'hågan Guahan
Governor of Guam
Ricardo J. Bordallo Governor's Complex
513 W. Marine Corps Drive
Hagåtña, Guam 96910

RE: Review of Administrative Rules and Regulations, Proposed Draft Onsite Wastewater Treatment and Disposal System Regulations for Residential Septic Tank and Leaching System and Temporary Toilet Facilities (22 GAR 12)

Håfa Adai Madam Governor,

The Guam Environmental Protection Agency ("Guam EPA") has completed all of the requirements for the Guam Administrative Rules and Regulations which would update Chapter 12 of Title 22. Public Law 37-105 enacted on July 18, 2024, authorized Guam EPA to issue regulations for Type 4 wastewater treatment facilities and holding tanks, and also authorized Guam EPA to establish fees for permits, inspections, and related services.

Pursuant to the Guam Administrative Adjudication Law, 5 GCA Chapter 9, Guam EPA sought public comment by both a public comment period from July 15-30, 2025, and held a public hearing on July 30, 2025, as public notices published on July 15 and July 29, 2025 demonstrate. A copy of the entire agency record is attached as Appendix A.

Guam EPA is hereby transmitting its proposed draft of these rules and regulations to you in accordance with the Administrative Adjudication Act for your review and written approval as to policy, as required by statute. The Attorney General of Guam has approved the rules and regulations as to constitutionality, compliance with the Guam Administrative Adjudication law and compliance with the statutory authority for the promulgation of the rules.

If you have any questions or concerns about any of the documents provided to you, please contact our office at 671-588-4751/2 or email CAPT. Elizabeth DeGrange at elizabeth.degrange@epa.guam.gov. Thank you for your time and attention to this matter.

Dångkolu na si Yu'us ma'åse'.

Glenn V. San Nicolas
For MICHELLE C.R. LASTIMOZA
Administrator

Digitally signed by Glenn V. San Nicolas
DN: cn=Glenn V. San Nicolas, o=Guam Environmental Protection Agency, ou=Acting Deputy Administrator, email=glenn.sannicolas@epa.guam.gov, c=US
Date: 2026.03.11 14:40:01 +1000

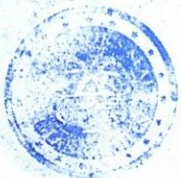
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2026-25420
OFFICE OF THE GOVERNOR
CENTRAL FILES OFFICE
Rec'd By: Moises Gomez
Date: 3-11-26 Time: 4:26p



OFFICE OF THE GOVERNOR
GOVERNOR'S CHAMBER



DATE: 4-10-26
TIME: 1:31 p
RECEIVED BY: DB
GC2026-04058

OFFICE OF THE GOVERNOR
GOVERNOR'S CHAMBER



DATE: 4-21-26
TIME: 10:41 a
RECEIVED BY: DB
Ref.: GC2026-04058



February 26, 2026

INFORMATION AND GUIDANCE

Ref: GEPA 25-0598

To: Michelle C.R. Lastimoza, Administrator

From: Douglas B. Moylan, Attorney General of Guam

**Re: Review of Guam Environmental and Protection Agency ("GEPA") Administrative Rules and Regulations, Proposed Draft Onsite Wastewater Treatment and Disposal System Regulations for Residential Septic Tank and Leaching System and Temporary Toilet Facilities (22 GAR 12).
Ref.: PCF No. 25-0598**

The Office of the Attorney General of Guam ("AG's Office") is in receipt of GEPA's request for Review of Guam Environmental and Protection Agency ("GEPA") Administrative Rules and Regulations, Proposed Draft Onsite Wastewater Treatment and Disposal System Regulations for Residential Septic Tank and Leaching System and Temporary Toilet Facilities (22 GAR 12). For the reasons stated herein, the Administrative Rules and Regulations are approved as to constitutionality, compliance with the Act (5 GCA Ch. 9), and compliance with the statutory authority for the promulgation of the rules.

GEPA has completed all of the requirements for the Guam Administrative Rules and Regulations ("GAR") which would update Chapter 12 of Title 22. Public Law 37-105 authorizes GEPA to issue regulations for Type 4 wastewater treatment facilities and hold tanks, and also authorizes the agency to establish fees for permits, inspections, and related services.

Public comment was sought from July 15-30, 2025, with public notices published on July 15 and 28, 2025, to facilitate this. A public hearing was held on July 30, 2025. All comments received from the public were considered in the development of the final draft of the proposed updates and is attached as Appendix A in the record.

The updates proposed to be implemented are of special and vital nature and have been determined to be in the best public interest. Thank you.

DOUGLAS B. MOYLAN
Attorney General of Guam

Office of the Attorney General
Douglas B. Moylan · Attorney General of Guam

134 W Soledad Avenue, Ste 302 · Hagåtña, Guam 96910 · USA
671-475-2709 · 671-475-2493 (fax) · solicitors@oagguam.org · www.guamattorneygeneral.org

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Doc. No. 38GL-26-2266.*



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1/8/26
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GUAM ENVIRONMENTAL PROTECTION AGENCY • AHENSIAN PRUTEKSIÓN LINA'LA' GUÅHAN
LOURDES A. LEON GUERRERO • GOVERNOR OF GUAM | JOSHUA F. TENORIO • LIEUTENANT GOVERNOR OF GUAM
MICHELLE C. R. LASTIMOZA • ADMINISTRATOR

January 8, 2026

Douglas Moylan, Attorney General
Office of the Attorney General
590 S Marine Corps Drive, Suite 901
Tamuning, GU 96913

RE: Review of Administrative Rules and Regulations, Proposed Draft Onsite Wastewater Treatment and Disposal System Regulations for Residential Septic Tank and Leaching System and Temporary Toilet Facilities (22 GAR 12)

Dear Attorney General Moylan,

On December 04, 2025, Guam Environmental Protection Agency (Guam EPA or GEPA) transmitted to you its proposed draft which would update Chapter 12 of Title 22 of the Guam Administrative Rules and Regulations for your review and written approval in conformance of policy, as required by statute.

Upon initial review of our submission, your office identified several inconsistencies and requested that we address them. There were, in summary, as follows:

1. Please clarify the wording in Section 12106(d)(3);
2. Please clarify is the word “leaching” in the GEPA Note between Section 12112 and 12113, as it was struck 2 out of 3 times;
3. Please make consistent the capitalization of the “a” in “Administrator throughout the Chapter; and
4. Please make consistent the abbreviation for the unit of measure in Section 12122(b)(2).

Guam EPA has addressed these inconsistencies by:

1. Clarifying the wording in Section 12106(d)(3) by striking “If work is continued without interruption for,” and adding language so that the statement now reads:
“(3) The expiration date of the permit is reached. Prior to permit expiration, the permittee must apply for a new permit if the project has not been completed.”
2. Striking “leaching” or “leach” in Section 12112(f) and throughout the GEPA Note; replacing each with “absorption” or “absorbing,” as appropriate;
3. Consistently capitalizing the “A” in “Administrator;”
4. Consistently spelling out “inches” in Section 12122(b)(2).



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Additionally, upon further review, Guam EPA:

1. Struck “Leaching” from the Chapter Title, and replaced it with “Soil Absorption,” so as to add further consistency;
2. Replaced “leaching” with “soil absorption” in the Notes at the end of Sections 12103 and 12105;
3. Added clarifying language in Section 12109, noting that absorption bed is “sometimes called “leaching field,” as is common vernacular;
4. Striking “(Leaching Field)” from Section 12123(c)(1).

As such, the Guam Environmental Protection Agency (Guam EPA or GEPA) reconfirms it has completed all of the requirements for the Guam Administrative Rules and Regulations which would update Chapter 12 of Title 22. Public Law 37-105, enacted on July 18, 2024, authorized Guam EPA to issue regulations for Type 4 wastewater treatment facilities and holding tanks, and also authorized Guam EPA to establish fees for permits, inspections, and related services.

Pursuant to the Administrative Adjudication Act, Guam EPA sought public comment by both a public comment period from July 15-30, 2025, and a held a public hearing on July 30, 2025, as public notices published on July 15 and July 28, 2025 demonstrate. All comments received from the public were considered in the development of our final draft of proposed updates. A copy of the entire agency record is attached as Appendix A.

GEPA is hereby retransmitting its proposed draft of these rules and regulations to you in accordance with the Administrative Adjudication Act for your review and written approval in conformance of policy, as required by statute.

If you have any questions or concerns about any of the documents provided to you, please contact our office at 671-588-4751/2, or email CAPT Elizabeth DeGrange at elizabeth.degrange@epa.guam.gov. Thank you for your time and attention to this matter.

Dangkolu na si Yu'us ma'åse'.


MICHELLE C.R. LASTIMOZA
Administrator



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22 GAR - GEPA
DIV. 2 - WATER CONTROL
CH. 12 - ONSITE WASTEWATER TREATMENT AND DISPOSAL SYSTEM
REGULATIONS

CHAPTER 12
ONSITE WASTEWATER TREATMENT AND DISPOSAL SYSTEM
REGULATIONS FOR RESIDENTIAL SEPTIC TANK AND
~~LEACHING SOIL ABSORPTION~~ SYSTEM AND TEMPORARY
TOILET FACILITIES

2023 NOTE: These regulations are published in a Guam Environmental Protection Agency document on file at the Compiler's Office. According to the GEPA publication, the regulations revised and renamed the Individual Wastewater Regulations, were adopted by the GEPA Board on July 2, 1987, and approved by the Attorney General on Sept. 1, 1987. In the 1997 printed GAR, these regulations are entitled "Individual Wastewater Disposal System Regulations" and include the following annotation:

NOTE: Rule-making authority cited by Guam Environmental Protection Agency, 10 GCA § 45106.

These regulations were filed with Legislative Secretary on September 11, 1987.

There are differences between the 1997 GAR codification and the GEPA publication; as published in the 1997 GAR, the regulations were renumbered, certain provisions had different language, and drawings and/or figures were omitted.

This 2023 GAR online publication reflects the language from the GEPA publication, renumbered pursuant to 1 GCA § 1606. Differences in language between the GEPA document and the 1997 GAR are noted in a Compiler's annotation. Annotations in the original GEPA publication are identified as "GEPA NOTE." References to the Public Utilities Agency of Guam replaced with Guam Waterworks Authority pursuant to P.L. 23-110:3 (July 31, 1996).

- § 12101. Authority.
- § 12102. Purpose.
- § 12103. Definitions.
- § 12104. Non-Availability of Public Sewer.
- § 12105. Private Sewage Disposal System (General).
- § 12106. Permit Application for Wastewater Disposal Systems.
- § 12107. Capacity of Septic Tanks.
- § 12108. Location and Installation of Private Sewage Disposal System.
- § 12109. Area of Soil Absorption Systems ~~Disposal Fields and Seepage Pits.~~
- § 12110. Septic Tank Design and Construction. (~~Figure 3- & 3A~~).
- § 12111. Percolation Tests.
- § 12112. Subsurface Soil Absorption Systems. (~~Figure 4~~).
- § 12113. Mound Systems

COL 11/03/2023

22 GAR - GEPA
DIV. 2 - WATER CONTROL
CH. 12 - ONSITE WASTEWATER TREATMENT AND DISPOSAL SYSTEM
REGULATIONS

- § 121134. Type 4 Toilet Facilities.
- § 121145. Holding Tanks.
- § 121136. Inspection of Work in Progress.
- § 121147. Stop Work Orders.
- § 121178. Operating Permits.
- § 121159. Certificate of Occupancy.
- § 1214620. Temporary Toilet Facilities (TTF).
- § 1214721. Cleaning Wastewater System, Disposal of Wastewater, Requirements and Procedures.
- § 1214822. Operation and Maintenance.
- § 1214923. Sample Design Illustration Calculation (Conventional Soil Absorption System).
- § 1212024. Penalties.
- § 121245. Fees.

§ 12101. Authority.

Section 45106 of Chapter 45, Title 10 of the GCA authorizes the Guam Environmental Protection Agency to adopt such regulations as may be necessary to implement Chapter 48, Toilet Facilities and Sewage Disposal, of Title 10.

2023 NOTE: As published in the printed 1997 GAR, this provision read follows:

(a) Title 10 Chapter 45 §45106 authorizes the Guam Environmental Protection Agency to adopt such regulations as may be necessary to implement Chapter 48, Toilet Facilities and Sewage Disposal, of Title 10.

§ 12102. Purpose.

The purpose of these regulations is:

(a) Protect the health of the septic tank user and his neighbors.

(b) To establish minimum standards that will ensure that wastes discharged:

(1) Will not pollute or contaminate the waters of any bathing beach, shellfish breeding grounds, or stream or groundwater source which could be used for public or domestic water supply purposes or for recreational purposes;

(2) Will not pose a health hazard by being accessible to children.

(3) Will not give rise to a nuisance due to odor or unsightly appearance;

(4) Will not violate any other laws or regulations

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governing water pollution or sewage disposal.

§ 12103. Definitions.

~~(a) *Administrator* means the Administrator of Guam Environmental Protection Agency or his duly authorized representative.~~

~~(b) *Individual Sewage Disposal System* means a system designed and installed to dispose of sewage from a single building or group of buildings located on one lot. Such a system may consist of a septic tank, together with a leaching field or seepage pit, or other treatment unit.~~

~~(c) *Septic Tank* means a water tight receptacle which receives the discharge of sewage and is designed and constructed so as to retain solids, digest organic matter through a period of detention, and allow the liquids to discharge into a subsurface leaching system.~~

~~(d) *Leaching System* means a subsurface system of open-jointed or perforated piping bedded in crushed rock or coral, where septic tank effluent may seep or leach into the surrounding porous soil.~~

~~(e) *Sewage or Wastewater* means untreated or insufficiently-treated human excreta, food waste disposed of through sewers; wash water; liquid wastes from residences, commercial buildings, public buildings, agricultural operations, and industrial establishments or other places of assembly, and such diluting water as may have entered the waste disposal system.~~

~~(f) *House Sewer or Building Drain* means that part of the lowest piping of a drainage system which receives the discharge from all waste lines and other drainage pipes inside the walls of the building except those discharging grease and oil, and conveys it to the building sewer pipe beginning 5 feet outside the building walls. Rain water from roof drains or any source shall not be diverted to the said system.~~

~~(g) *Water of the Territory* means all shore waters surrounding Guam, streams, lakes, springs, irrigation system, marshes, water courses, waterways, drainage system, and other bodies of water, surface and underground, natural or artificial, publicly or privately owned.~~

~~(h) *Public Sewer* means a common sewage collection system serving more than one lot, directly controlled by public authority.~~

~~(i) *Abutting Property* means that property, which lies next to any road, street or easement in which a public sewer is located. The boundary of the private property abutting the sewer need not~~

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~~physically touch the sewer easement so long as that piece of land separating the sewer easement from the abutting property consists of a public right of way, easement, road, or street not owned or controlled by another private owner, so that the abutting property owner would be required to obtain a private easement in order to connect this property with that of the sewer.~~

~~(j) *Cesspool* means excavation which receives or is intended to receive untreated sewage and from which the liquid directly seeps or leaches into surrounding porous soil. NO cesspool construction is allowed under this regulations.~~

~~(k) *Adjacent Homeowners* means homeowners where residences are adjacent to and abut a road, street or other way or easement on which a sewer is installed.~~

~~(l) *Privy* means a structure and excavation for the disposal of human excreta by non water carriage methods and includes the term pit privy, trench latrine, and bored hole latrine.~~

~~(m) *Single Family Residence* means a building designed exclusively for occupancy for one family and containing only one dwelling unit.~~

~~(n) *Duplex* means a detached building containing two dwelling units. This is the same definition as found in 21 GCA §61103 for a two family dwelling.~~

~~(o) *Type 2* means a toilet flushed with water and connected to a septic tank and leaching system.~~

~~(p) *Type 3* means privy type, including pit privy, trench latrine and bored hole latrine.~~

~~(q) *Agency* means Guam Environmental Protection Agency (GEPA).~~

For the purposes of this Chapter, the definitions in 10 GCA Chapter 48 are adopted in addition to the following:

(a) *Abutting Property* means that property, which lies next to any road, street or easement in which a public sewer is located. The boundary of the private property abutting the sewer need not physically touch the sewer easement so long as that piece of land separating the sewer easement from the abutting property consists of a public right of way, easement, road, or street not owned or controlled by another private owner, so that the abutting property owner would be required to obtain a private easement in order to connect this property with that of the sewer.

(b) *Accessory Dwelling Unit (ADU)* means a secondary studio or bedroom dwelling unit that includes a separate

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entrance, kitchen, and bathroom facilities, detached from or attached to the primary single-family home on the zoning lot.

(c) Adjacent Homeowners means homeowners where residences are adjacent to and abut a road, street or other way or easement on which a sewer is installed.

(d) Administrator means the Administrator of Guam Environmental Protection Agency or his duly authorized representative.

(e) Advanced Nitrogen-reducing Onsite Disposal System (ANODS) means an onsite wastewater treatment and disposal system that reduces total nitrogen in effluent by at least fifty percent (50%) and that is certified by Guam Environmental Protection Agency in accordance with this Chapter.

(f) Agency means Guam Environmental Protection Agency (GEPA).

(g) Conventional soil absorption system means a system employing gravity flow from the septic or other treatment tank and applying effluent to the soil through the use of a seepage trench, bed, or pit.

(h) Duplex (also "Dwelling, Two-Family") means a detached building containing two dwelling units.

(i) Holding Tank means an approved water tight receptacle for collecting and holding sewage.

(j) House Sewer or Building Drain means that part of the lowest piping of a drainage system which receives the discharge from all waste lines and other drainage pipes inside the walls of the building except those discharging grease and oil, and conveys it to the building sewer pipe beginning 5 feet outside the building walls. Rain water from roof drains or any source shall not be diverted to the said system.

(k) Public Sewer means a common sewage collection system serving more than one lot, directly controlled by public authority.

(l) Single Family Residence (also "Single Family Home" or "Dwelling, One-Family") means a building designed exclusively for occupancy for one family and containing only one dwelling unit.

(m) Type 2 toilet facility means a toilet flushed with water and connected to ~~a septic tank and leaching system~~ a private sewage disposal system, not including cesspools.

(n) Type 3 toilet facility means privy type, including pit privy, trench latrine and bored-hole latrine.

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(o) Type 4 toilet facility means toilets flushed with water and connected to an Advanced Nitrogen-reducing Onsite Disposal System

(p) Water of the Territory means all shore waters surrounding Guam, streams, lakes, springs, irrigation system, marshes, water courses, waterways, drainage systems, and other bodies of water, surface and underground, natural or artificial, publicly or privately owned.

2023 NOTE: As published in the printed 1997 GAR, there were differences in language of subsections (c), (e), and (f), which read as follows: means

(c) Septic Tank means a water tight receptacle which receives the discharge of sewage and is designed and constructed so as to retain solids, digest organic matter through a period of detention, and allow the treated liquids to discharge into a subsurface ~~leaching~~soil absorption system.

(e) Sewage or Wastewater means untreated or insufficiently treated human excreta, food waste disposed of through sewers; wash water; liquid wastes from residences, commercial buildings, agricultural operations, and industrial establishments or other places of assembly, and such diluting water as may have entered the waste disposal system.

(f) House Sewer or Building Drain means that part of the lowest piping of a drainage system which receives the discharge all waste lines and other drainage pipes inside the walls of the building except those discharging grease and oil, and conveys it to the building sewer pipe beginning 5 feet outside the building walls. Rain water from roof drains or any source shall not be diverted to the said system.

§ 12104. Non-Availability of Public Sewer.

(a) When public sewer intended to serve any lot or premises is not available in any thoroughfare or right of way abutting such lot or premises, drainage piping from any building or works shall be connected to an approved private sewage disposal system. Availability of public sewer shall be determined in accordance with 22 GAR Chapter 25, Connection to Public Sewer Regulations.

~~(b) The public sewer may be considered as not being available to a single family residence or duplex or any residential building, when such public sewer is located more than two hundred (200) feet away from any proposed single family residential unit or duplex, or any existing residential building on any lot or premises which abuts and is served by such public sewer.~~

~~The Administrator may grant exemption for a single family residential unit or duplex where a public sewer is less than 200~~

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~~feet away from the building and such residential building cannot be connected to the public sewer by gravity due to obstructions. Exception may only be granted by the Administration, if the Administrator is convinced that after written findings an exemption will not jeopardize the general public health and welfare.~~

~~(c) Vertical Alignments — Where public sewer is available to a particular building and sewer location is, (1) more than twenty (20) feet above the lowest floor level of the single family residence or a duplex; or (2) more than fifty (50) feet above the lowest floor level of any other structures, public sewer may be considered as not being available.~~

~~(b) Exemptions, where the vertical distances between lowest floor level and the sewer is less than 20 feet, may be granted by the Administrator for a single family residential unit or duplex when by written findings it is determined that the public health and welfare will not be jeopardize. Where water is available from the Guam Waterworks Authority, but a public sewer is not available, toilet facilities shall be type 2 or type 4.~~

2023 NOTE: As published in the printed 1997 GAR, there was a difference in language of subsection (b), second paragraph, which read as follows:

The Administrator may grant exemption for a single-family residential unit or duplex where a public sewer is less than 200 feet away from the building and such residential building cannot be connected to the public sewer or gravity due to obstructions. Exception may only be granted by the Administration, if the Administrator is convinced that after written findings an exemption will not jeopardize the general public health and welfare.

§ 12105. Private Sewage Disposal System (General).

(a) Where permitted by § 12104, a building may be connected to a private sewage disposal system which complies with other provisions set forth in these regulations. The type of system shall be determined on the basis of location, property area, soil porosity, and ground water level and shall be designed to receive all sanitary sewage from the property. ~~The system, except as otherwise provided, shall consist of a septic tank with effluent discharge into a sub-surface disposal field.~~

(b) Where conditions are such that the above system cannot be expected to function satisfactorily for commercial, agricultural and industrial plumbing systems; for installations where appreciable amounts of industrial or indigestible waste are produced; for hotels, hospitals, office buildings, schools; for occupancies producing abnormal quantities of sewage or liquid waste; the method of sewage treatment and disposal shall be first approved by the Administrator. Special sewage disposal systems

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for minor, limited or temporary uses shall be first approved by the Administrator.

(c) Disposal systems shall be designed to utilize the absorptive portions of the soil formation. Where the ground water level extends to within ~~twelve (12)~~ three (3) feet or less of the ~~ground surface~~ bottom of the soil absorption system or where the upper soil depth is insufficient and the underlying stratum is rock or impervious soil, a ~~septic tank and conventional~~ soil absorption system may not be installed. Under such conditions, it may be possible to utilize a mound system, if site conditions allow and all requirements under § 12113 can be met.

(d) All lots served by ~~an on-site disposal system~~ private sewage disposal system which utilizes a soil absorption system shall contain sufficient reserve area which would permit at least 100% replacement of the proposed ~~leach field~~ soil absorption system. No division of the lot or erection of structures on the lot shall be made if such division or structure impairs the functional usefulness of the designated 100% expansion area.

(e) No property shall be improved in excess of its capacity to properly absorb sewage effluent in the quantities and by the means provided in these regulations.

(f) When there is insufficient lot area or improper soil conditions for adequate sewage disposal from a building or proposed use of the land as determined by the Administrator, no building permit shall be issued and no private sewage disposal shall be permitted. Where space or soil conditions are critical, no building permit shall be issued until engineering data and test reports satisfactory to the Administrator have been submitted and approved.

(g) Where public sewers may be installed at a future date, provisions ~~should~~ shall be made in the household plumbing system for connection to such sewer upon notification by the Administrator ~~within 5 years period after it is available~~ pursuant to 22 GAR Chapter 25.

(h) New ~~septic tanks, leaching fields, out houses or other on-site private sewage disposal systems~~ shall not be permitted within flood hazard areas. All sewage disposal lines shall be connected to ~~government sewage~~ public sewer at the developer's expense. Sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the system and discharges from the systems into flood waters in accordance with 18 GAR Chapter 3 (~~Section IV. E. Standards for flood Hazard Area Management, Floor Hazard and Wetland Area Rules and Regulations.~~ Variances to such standard or

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procedure maybe granted through appeal to the Guam Land Use Territorial Planning Commission which may grant such variances only upon written findings that applicant satisfied all the criteria outlined granting variances under 21 GCA § 61616-7).

(i) Nothing contained in these regulations shall be construed to prevent the Administrator from requiring compliance with higher requirements than those contained herein where such higher requirements are essential to maintain a safe and sanitary condition.

(j) No wastewater disposal system installations, constructions, repairs or additions shall be made by the owner of the property without written permit from the Agency.

(k) Any person whose application for a permit under these regulations has been denied ~~shall be notified in writing as to the reason for denial and such person may within 15 days after date of official notification, shall file a written request for a hearing before the Agency. Such hearing shall be held by the Agency within 30 days after receipt of the request and upon reasonable notice to the applicant. The Board of Directors of the Agency shall affirm, modify, or revoke the denial, or issue the permit on the basis of the evidence presented at the hearing may appeal such denial in accordance with the process and timeframes specified in 10 GCA Chapter 48.~~

(l) The design criteria presented in these regulations can only be applied to systems utilized by residential units up to and including a ~~four-plex~~ two-unit dwelling (duplex). Systems which must serve larger residential complexes, commercial, or industrial facilities shall be based on the current edition of the International Private Sewage Disposal Code (IPSDC) as adopted under the Building Law at 21 GCA § 67101.4, or other design guidance approved by the Administrator and subject to the requirements of the Guam Water Quality Standards (22 GAR Chapter 5). ~~must be based on design criteria specific to the facility.~~ The standard guidance presented within these regulations is not considered adequate for such facilities.

(m) Approval of Administrator required. No toilet or sewage facilities or single-family residences subdivisions, apartments, motels, hotels or other multi-housing facilities, commercial buildings, institutions, and industrial facilities, may be constructed without the approval of the Administrator, or put into operation without his inspection and approval.

(n) Within the Groundwater Protection Zone (GPZ), the following requirements apply, consistent with the policies established under the Water Quality Standards (22 GAR § 5101

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(c):

(1) Type 2 or Type 4 toilet facilities which utilize a soil absorption system for effluent disposal may only be permitted for single family dwellings, accessory dwelling units (ADUs), or duplexes

(2) No private sewage disposal system shall be permitted unless:

(A) A lot area of at least 19,200 square feet is provided per dwelling unit*; or

(B) The lot is subject to the exemptions in 21 GCA §62104 ("parental" and "decedent" lots), no less than 9600 square feet, and the dwelling is connected to a Type 4 toilet facility which is operated under a valid operating permit issued pursuant to this chapter.

*Note: Relative to Sec 12105(n)(1)(A), the Administrator may allow small deviations from this minimum lot area requirement, up to ten (10) percent, to account for takings of easements and rights of way or other purposes. In such cases, the Administrator must state the reasons for allowing the deviation in writing in the permit approval letter.

2023 NOTE: As published in the printed 1997 GAR, there were differences in language of subsections (h) and (i), which read as follows:

(h) ~~New septic tanks, leachingsoil absorption fields, out houses~~ or other on-site sewage disposal systems shall not be permitted within flood hazard areas. All sewage disposal lines shall be connected to government sewage at the developer's expense. Sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the system and discharges from the systems into flood waters. Variances to such standard or procedure maybe granted through appeal to the Territorial Planning Commission which may grant such variances only upon written findings that applicant satisfied all the criteria outlined granting variances satisfied all the criteria outlined granting variances under 21 GCA § 61617.

(i) Nothing contained in these regulations shall be construed to prevent the Administrator from requiring compliance with higher requirements are essential to maintain a safe and sanitary condition.

In subsection (a), the reference to "Section IV of these regulations" has been replaced with § 12104 to reflect the renumbering, pursuant to ~~to~~ the authority of 1 GCA § 1606.

~~§ 12106. Permit Application Issuance Procedures and Requirements for Wastewater Disposal Systems.~~

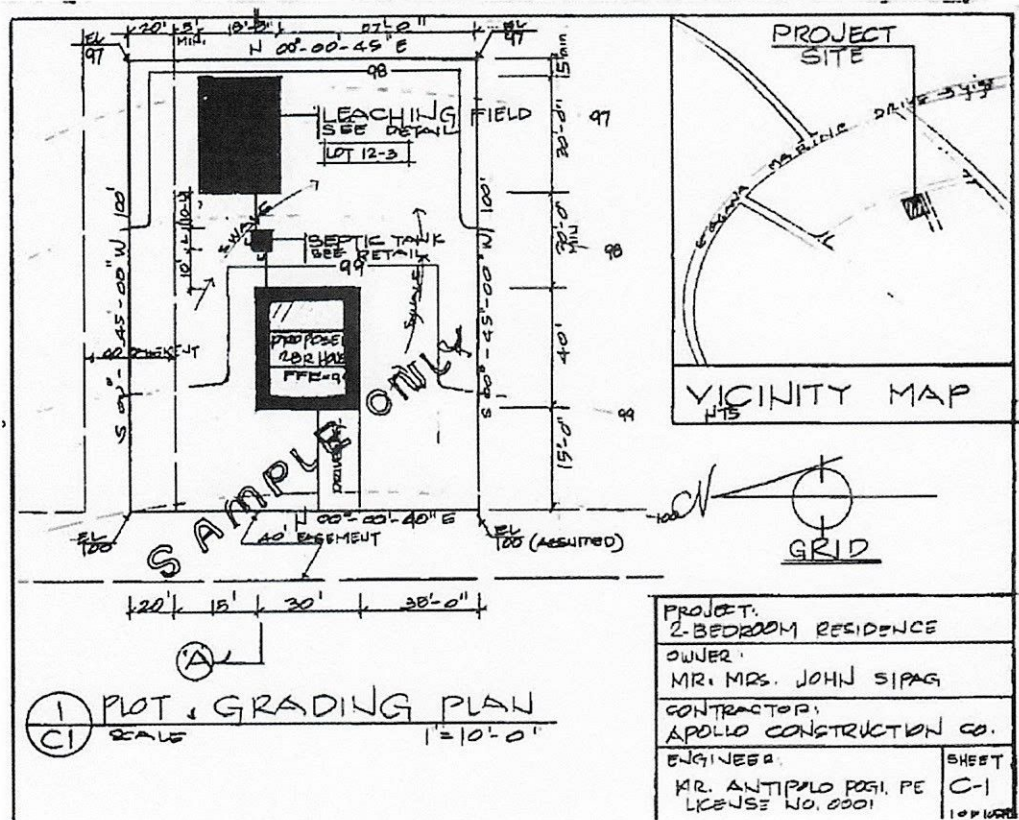
(a) Before specific plans and specifications for individual

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private wastewater disposal system permit application are reviewed for compliance with Guam Environmental Protection Agency (GEPA) regulations, such plans and specifications shall contain the following as minimum:

(1) Vicinity Map - plans must include vicinity map to locate property showing adjacent streets with names and other land marks that can easily locate the property where the proposed improvement is to be established.

(2) Plot and Grading Plan (DWG-C-1) - plans must include a plot plan, drawn to scale and completely dimensioned, showing direction and approximate slope of the ground surface, and must contain the following:



1: DWG-C-1

- (A) Delineation of property boundaries, lot number and zone designation;
- (B) Delineation of public rights of way, easements and access roads, if applicable;
- (C) Indication of location of all present or

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proposed or existing retaining walls, drainage channels, water supply lines or walls, paved areas and structures on the plot with relation to lot lines and structures.

(D) Location of proposed or existing sewage facilities in relation to property boundaries, public rights of way, easements and access roads, existing structures and utilities, and the proposed building.

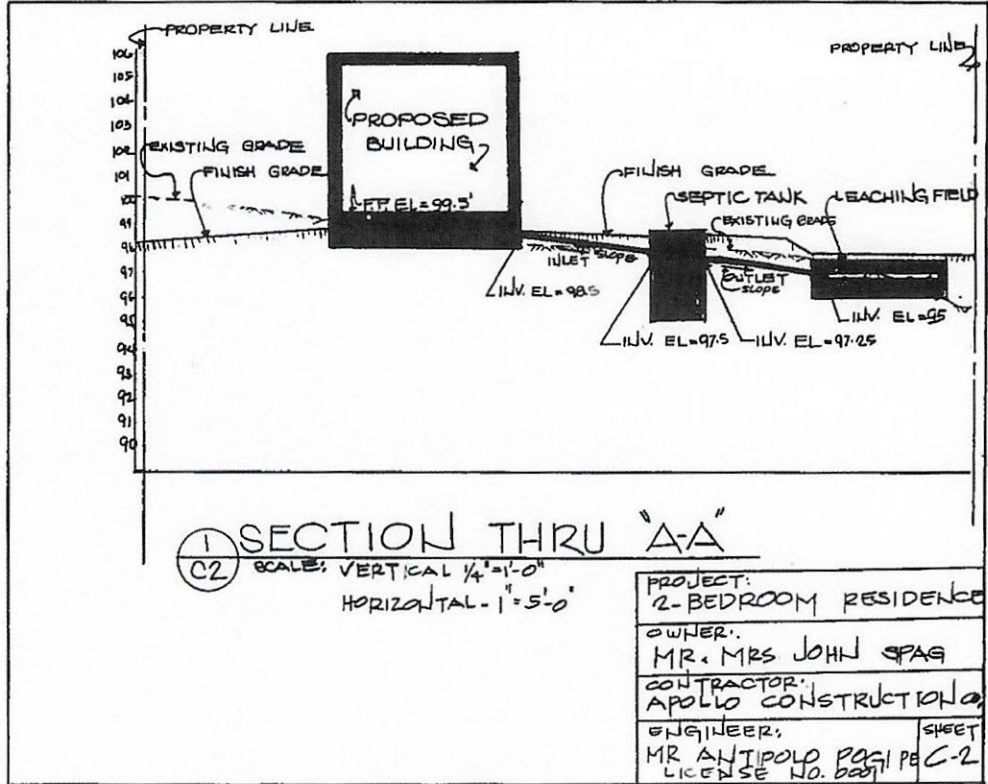
(E) A description of the complete installation including quality, kind and grade of materials, equipment, construction, workmanship and methods of assembly and installation.

(F) A log of soil formation and ground water levels as determined by the test holes dug, in accordance with the requirements of the Administrator, at the location of the proposed ~~leaching~~ soil absorption system.

(G) Topography of the area, showing contour lines and floor elevation of the existing or proposed building.

(H) Profile of existing ground and elevations of flowline along sewerline as per cross-section plan drawing (DWG-C-2).

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2: DWG-C-2

(3) Regardless of the type of disposal system applied for, the permit application should bear the signature of the Guam Waterworks Authority for water and sewer availability verification, and approval for sewer connection if sewers are available and location of connection point. The Department of Land Management must process the plans for verification of property boundary, confirmation of ownership, zoning and itemization Guam Planning Commission/Guam Seashore Planning Commission of conditions prior to GEPA review and their signature must be included on the Building Permit Application Form.

(A) When a property is within the wetland zone, review and clearance and approval from Land Management, Bureau of Planning, ACOE U.S. Army Corps of Engineers, and Department of Agriculture is required prior to GEPA review and their signature or other written proof of approval must be included with the Building Permit application.

(4) Design calculations of supporting the proposed

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wastewater disposal system ~~is~~ are required and the design must be ~~done~~ performed under the direct supervision and bear the stamp and signature of a licensed specialty contractor or registered professional engineer.

(5) ~~A~~ The log of soil formations, water table depth, and percolation test results and water table tests should be performed under the supervision of ~~by~~ a registered professional engineer and such test results should bear ~~his~~ the engineer's stamp and signature. This requirement may be waived by the ~~Agency Administrator~~, if the ~~Agency Administrator~~ Administrator has sufficient information to determine the suitability of the soil conditions.

(6) Complete ~~septic tank and leaching field or aeration tank and leaching field~~ design and construction details must be included in the building plans and specifications for the proposed private sewage disposal system.

(b) A building permit application form, completely filled out with name(s) and address of applicant, job location, lot, block and tract numbers, and area of lot in square feet or square meters.

(c) Three (3) complete sets of building plans, one for the Environmental Protection Agency (EPA) and the other two (2) for distribution to other agencies, or one set in a readily accessible electronic format (e.g., pdf files) if acceptable to the Administrator.

(d) ~~Septic Tank Permit Validity - Any septic tank permit for the construction of a private wastewater disposal system shall be void if the work authorized by said permit is not commenced within three (3) months after its issuance; or is suspended or abandoned for a period of three (3) months at any time the work has commenced; provided that for just cause stated in writing to the Administrator, the Administrator may allow up to a maximum of three (3) months extension. All such extensions shall be in writing and noted on the septic tank permit and in the individual wastewater records of the Section of Individual Wastewater Program become null and void under the following conditions:~~

(1) If permitted work is not started within one hundred eighty (180) calendar days after the date of issuance of the permit; or

(2) If work is suspended or abandoned any time after the work is commenced for a minimum period of sixty (60) days; or

(3) The expiration date of the permit is reached. Prior

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to permit expiration, the permittee must apply for a new permit if the project has not been completed.

Once a permit has expired, the owner/applicant shall pay the required fees and obtain a new permit pursuant to these regulations, before resuming or beginning new work.

(e) No building permit or certificate of occupancy under the Building Law of Guam shall be issued without prior compliance with the requirements of the above section.

2023 NOTE: As published in the printed 1997 GAR, there were differences in language of subitems (a)(2)(C) and (G), and subsection (d) as follows:

(C) Indication of location of all present or proposed or existing retaining walls, drainage channels, water supply lines or walls, drainage channels, water supply lines or walls, paved areas and structures on the plot with relation to lot lines and structures.

(G) Topography of the area, showing contour lines and floor elevation of the existing or proposed building.

(d) Septic Tank Permit Validity - Any septic tank permit shall be void if the work authorized by said permit is not commenced within three (3) months after its issuance; or is suspended or abandoned for a period of three (3) months at any time the work has commenced; provided that for just cause stated in writing to the Administrator, the Administrator may allow up to a maximum of three (3) months extension. All such extensions shall be in writing and noted on the septic tank permit and in the individual wastewater records of the Section of Individual Wastewater Program.

Reference to the Territorial Planning Commission/Territorial Seashore Planning Commission replaced with Guam Planning Commission/Guam Seashore Planning Commission pursuant to 1 GCA § 420.

§ 12107. Capacity of Septic Tanks.

(a) The net volume or effective capacity below the flow line of a septic tank, for flows up to 500 gpd, should be at least 750 gallons. For flows between 500 and 1500 gpd, the capacity of the tank should equal to at least 1-1/2 days sewage flow. The liquid capacity and sizes of septic tank as determined by the number of bedrooms or duplex units in any dwelling occupancies shall be as established in Table 1 - "Guidelines for Construction of Septic Tank (Liquid Capacity)".

TABLE I
 GUIDELINES FOR CONSTRUCTION OF SEPTIC TANK
 (LIQUID CAPACITY)

Number of Bedrooms	Recommended Sewage Flow* (Gallons) GPD	Recommended Minimum Tank Capacity	Recommended Minimum Inside Tank Dimension L. W. D.

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 (Gallons)

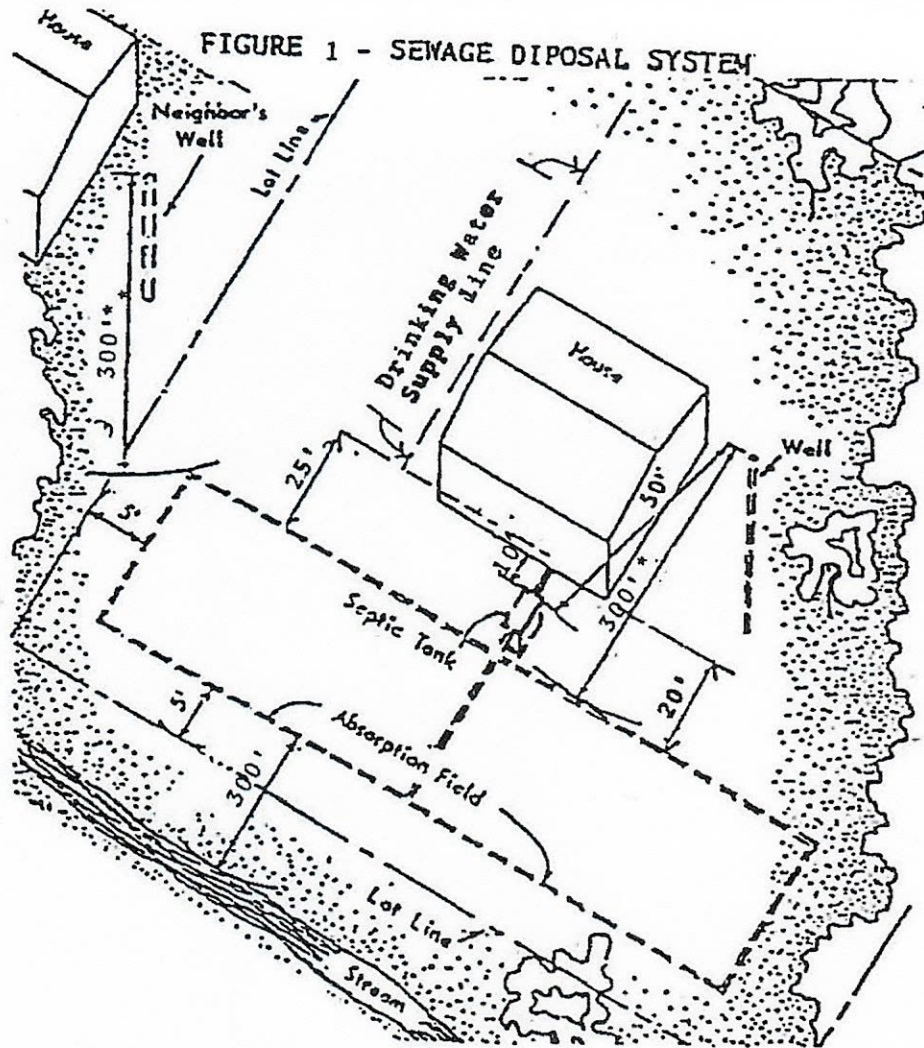
2	480	750	6' x 4' x 6'
3	720	1,080	7' -6" x 4' x 6'
4	960	1,440	7' x 6' x 6'
5	1,200	1,800	7' x 7' x 6'
6	1,400	2,160	8.5' x 7' x 6'

Source: GEPA, Rural Islandwide Facilities Plan, Table 5-2, Page 5-17. Manual of Septic Tank Practice - U.S. Department of Health; Education and Welfare. Public Health Service Publication #526.

§ 12108. Location and Installation of Private Sewage Disposal System.

(a) No part of the system shall be located so that is nearer to any water supply than outlined in Figure 1 and Table II, or so that surface drainage from its location may reach any domestic water supply. The distances given in Figure 1 and Table I are the minimum distances to any water of the territory, property lines, dwelling, school, public building, or a building used for commercial, or industrial purposes or as a place of assembly.

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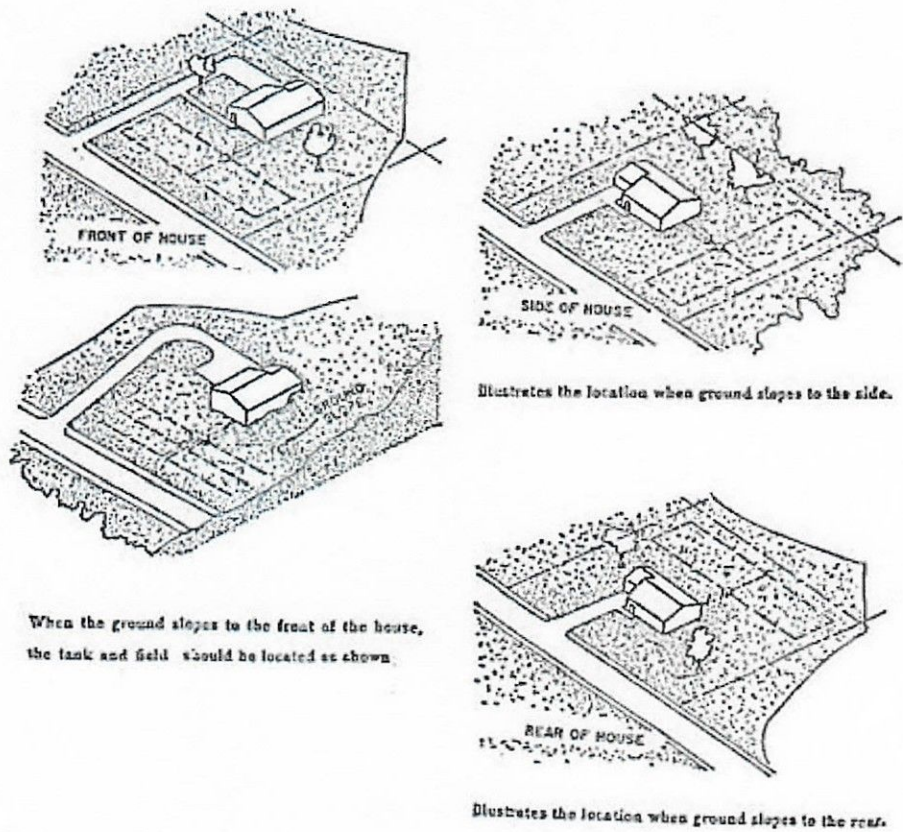


(*) See Notes on Table II

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(b) Suggested location of tank and disposal field-
soil absorption system on varying ground slopes (Figure
2).

**In locating the septic tank, consider future extension of a public sewer
so that a minimum rerouting of the building sewer will be necessary.**



(c) Location for Type 2 toilet facilities, other than holding tanks, shall be such as to provide not less than the stated minimum distances in Table II - A. Location for Type 4 toilet facilities and Holding Tanks shall be not less than the stated minimum distances in Table II - B.

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TABLE II – A
 MINIMUM SAFE HORIZONTAL DISTANCES IN FEET
 FOR CONVENTIONAL SOIL ABSORPTION SYSTEMS AND PRIVIES

From	To			
	Privy	Septic Tank	Soil Absorption Bed System	Absorption Field
1. Any water of the Territory		300'	300'	300'
2. Any dwelling, school, public building, or a building used for commercial or industrial purpose	20'	10'	20'	20'
3. Property boundary lines		5'	5'	5'
4. Water lines		10'	25'	
5. Wells*		300/1000*	300/1000*	300*

* This applies only to potable water supply wells, as described and regulated under 22 GAR Chapter 7, Water Resource Development and Operating Regulations.

TABLE II – B
 MINIMUM SAFE HORIZONTAL DISTANCES IN FEET
 FOR TYPE 4 TOILET FACILITIES AND HOLDING TANKS

From	To		
	Holding Tank	Treatment Tank	Soil Absorption System
1. Any water of the Territory	50**/150'	300'	300'
2. Any dwelling, school, public building, or a building used for commercial or industrial purpose	20'	10'	20'
3. Property boundary lines	5'	5'	5'
4. Water lines		10'	25'
5. Wells*	300*	300*	300*

* This applies only to potable water supply wells, as described and regulated under 22 GAR Chapter 7, Water Resource Development and Operating Regulations.

** 50' only for facilities that have a legitimate government or commercial need to be in such close proximity to waters of the territory, and only with specific written approval from the Administrator, contained in the permit approval letter.

GEPA NOTE:

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1. Should there be any legislative amendment to any minimum safe distance requirement, the latest amendment shall govern.
2. No septic, treatment, or holding tank shall be constructed in a position not easily accessible for emptying or cleaning.
- ~~*3. Minimum distances from well to sources of bacterial contamination.~~

Formation	Minimum Acceptable Distance
Favorable- (Unconsolidated)	300 feet. Lesser distances only on Administrator's approval following comprehensive sanitary survey of proposed site and immediate surroundings.

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~~Unknown — 300 feet only after comprehensive geological survey of the site and its surroundings has established, to the satisfaction of the Administrator, that favorable formations exist.~~

~~Poor- Safe distances can only be established following both the comprehensive geological and comprehensive sanitary surveys. These surveys also permit determining the direction in which a well may be located with respect to sources of contamination. In no case should the acceptable distance be less than 300 feet.~~
(Consolidate)

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§ 12109. Area of ~~Disposal Fields~~ Soil Absorption Systems.

The minimum effective absorption area required for ~~disposal fields soil absorption systems~~ in square feet of absorption leachfield bed (sometimes called "leaching field"), shall be predicated on the wastewater loading, soil conditions and required size of septic tank for the type of soil percolation rate as established in Table III - "Guidelines for Construction of Septic Tank and Leachfield Soil Absorption Systems on Guam".

§ 12110. Septic Tank Design and Construction (~~Figures 3 and 3A~~).

(a) Septic tank design shall be such as to provide access for cleaning, adequate volume for settling, and for sludge and scum storage. The structural design shall provide for a sound durable tank which will sustain all loads and pressures and will resist corrosion.

(b) Location shall be such as to provide not less than the stated distances in Figure 1 and Table II.

(c) Liquid capacity shall be based on the number of bedrooms proposed or reasonably anticipated and shall be at least as required in Table I.

(1) The liquid depth of the tank or compartment thereof shall be five (5) feet and not more than six (6) feet. A liquid depth greater than six (6) feet shall not be considered in determining tank capacity;

(2) No tank or compartment thereof shall have an inside horizontal dimension of less than four (4) feet or 48 inches. Scum storage shall equal 15% of the total liquid depth and shall be measured from the top of the liquid level to the vertical top of the inlet tee and outlet tee excluding the one (1) inch air space at the top of the tank. In no case shall this area be less than seven (7) inches;

(3) The vertical leg of the inlet tee shall not be less than six (6) inches below the liquid surface and above the liquid surface as required in (c)(2) above.

(d) Inlet and outlet connections must be located no less than six (6) feet apart and shall be submerged so as to obtain effective retention of scum and sludge. The inlet invert shall be at least three (3) inches above the outlet invert. Access to both inlet and outlet connections shall be provided through manholes or inspection ports.

(e) The vertical leg of the outlet tee shall extend upward to within 1 inch of the underside of the cover and downward to a point which is 40% of the liquid depth below the liquid surface. When a partition wall is used to subdivide the tank, it shall have a 4 inch diameter minimum opening, with the same invert elevation as the tank outlet (See Figure 3A). The partition wall opening shall have an outlet device equivalent to the tank inlet or outlet, so that outside air can enter both sides of the partition.

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(f) When multi-compartment tanks are used, the volume of the first compartment shall be equal to or greater than that of any compartment.

(g) Access to each compartment of the tank shall be provided by a 18" x 18" minimum manhole or removable cover. The inlet and outlet tee connections shall also be accessible through properly placed manholes, handholes or by easily removed covers.

(h) Where the top of the septic tank is below ground grade level, manholes shall be built up to ground grade level.

~~(i) Concrete septic tanks shall be pre-cast or site-constructed meeting the requirements of Section 504.1.1 of the current edition of the International Private Sewage Disposal Code as adopted under the Building Law at 21 GCA § 67101.4, and ASTM C 1227 as required therein. The floor and walls of a site-constructed tank must be monolithic in construction, except that a construction joint may be allowed in the lower 12 inches of the sidewalls, with a keyway meeting the width requirements as specified in the IPSDC. The minimum compressive strength of any concrete septic tank wall, top and covers, or floor shall not be less than 4000 psi (pound per square inch) at 28 days in accordance with ASTM C1227. Septic tanks constructed using hollow block, concrete masonry units (CMUs) shall not be permitted. Other septic tank types shall be evaluated and approved by the Administrator but must be allowable under the IPSDC. The wall of the tank shall not be less than 4 inches thick reinforced concrete poured in place, or not less than 8 inches thick load bearing concrete hollow block reinforced at every 16" on center laid on a solid foundation and mortar joints well filled, plastered with 1/2 inch concrete mortar in the inside of the tank. The tank covers and floor slabs shall be not less than 6 inch thick reinforced concrete. Septic tank covers may either be poured in place or pre-cast. The minimum compressive strength of any concrete septic tank wall, top and covers, or floor shall not be less than 2500psi (pound per square inch).~~

~~(j) All septic tank covers shall be capable of supporting an earth load of not less than 300 pounds per square foot where the maximum coverage does not exceed three (3) feet. All septic tanks shall be subjected to a water-tightness test as follows (ASTM C 1227): fill the tank to the outlet invert elevation, cover the tank, and let stand for 24 hours. Refill tank. The tank is approved if the water level is held for one (1) hour after refilling. GEPA shall observe the water level at the start and end of the 24 hour hold time, and at the start and end of the one (1) hour test.~~

(k) After the completion of the septic tank, the inside shall be cleaned, ~~and~~ all forms removed, ~~and~~ the tank shall pass the required water-tightness test before occupancy permits will be issued.

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FIGURE DELETED – NO LONGER
APPLICABLE

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§ 12111. Percolation Tests.

(a) Individual residences. The absorption areas for ~~disposal field~~ soil absorption systems for individual residences whenever applicable shall be computed or determined from Table III when sufficient information about area soils is available.

(b) In addition to the test hole required in order to develop the log of soil formations underlying the site. ~~All~~ proposed sites shall be subjected to percolation tests acceptable to the Administrator ~~if~~ unless it is determined that ~~insufficient~~ information exists concerning the permeability characteristics of soils within the proposed site.

(1) For individual lots, one (1) percolation test per lot is required as a minimum, and shall be performed at the location of the proposed soil absorption system ~~field~~. Where the soil is not uniform or there is more than one type of soil on the lot, one percolation test is required as a minimum at the center of each variation or type of soil that exists within the soil absorption system ~~disposal field~~ area.

(2) For subdivisions or multiple lots, a sufficient number of percolation tests must be performed to determine the general acceptability of the area. Final ~~disposal field~~ soil absorption system size must be based on a minimum of one test per site.

(c) Test Procedure (Figure 5). All percolation tests required should be performed in accordance with the following:

(1) Dig or bore the holes with horizontal dimensions from 4 to 12 inches and vertical sides to the depth of the bottom of the proposed absorption device. Holes can be bored with 4 inch diameter post-hole type auger.

(2) Roughen or scratch the bottom and sides of the holes to provide a natural surface. Remove all loose materials from the hole. Place about 2 inches of coarse sand or fine gravel in the hole to prevent bottom scouring.

(3) Fill the hole with clear water to a minimum depth of 12 inches over the gravel. By refilling, or by supplying a surplus reservoir of water (automatic siphon), keep water in hole for at least four hours, and preferably overnight. In granular soils, ~~i.e.,~~ such as those classified as GW, GP, SW, or SP ~~classified~~ according to the Unified Soils Classification System," the test can be made after the water from one filling has seeped away.

(4) Percolation rate measurements should be made on

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the day following the saturation process, except in sandy soils.

(5) If water remains in the test hole after overnight saturation, adjust the depth to 6 inches over the gravel. From a fixed reference point, measure the drop in water level at approximately 30-minute intervals over a 4-hour period. The drop which occurs during the final 30-minute period is used to calculate the percolation rate. It must be noted that if a soil or site is determined to be poorly drained with an accompanying high water table, it is unsuitable regardless of percolation test data.

(6) If no water remains in the hole after overnight saturation, add clear water to a depth of about six inches over the gravel. From a fixed reference point, measure the height of the water surface at approximately 30 minute intervals over a 4-hour period, refilling the hole to a depth of six inches when the percolation rate indicates the hole will run dry before the next reading is made. The drop which occurs during the final 30-minute period is used to calculate the percolation rate. It should be noted that if a hole must be refilled to obtain a final 30-minute reading, determine from the previous reading the water level drop during that interval, add water until the level above the bottom equals this figure plus one-half inch. Continue the test, measuring the drop during the final 30-minute period.

(7) In sandy soils, or other soils in which the first six (6) inches of water seeps away in less than 30 minutes, after the overnight saturation period, the time interval between measurements can be taken as 10 minutes and the test run over a period of one hour. The drop which occurs in the final 10-minute period is used to calculate the percolation rate.

2023 NOTE: In the 1997 printed GAR publication, subsection (a) stated: "(a) Individual residences. The absorption areas for disposal field and seepage pits for individual residences whenever applicable shall be computed or determined from Table III when sufficient information about area soils is available." However, "and seepage pits" is not in the GEPA document and has been omitted here.

§ 12112. Subsurface Soil Absorption Systems (~~Figure 4~~).

(a) Bed Construction (Figure 4)

Where percolation rates are faster than 1" per 30 minutes and soil characteristics and site conditions are acceptable to the Administrator, an ~~absorption~~ bed-type soil absorption system may be installed.

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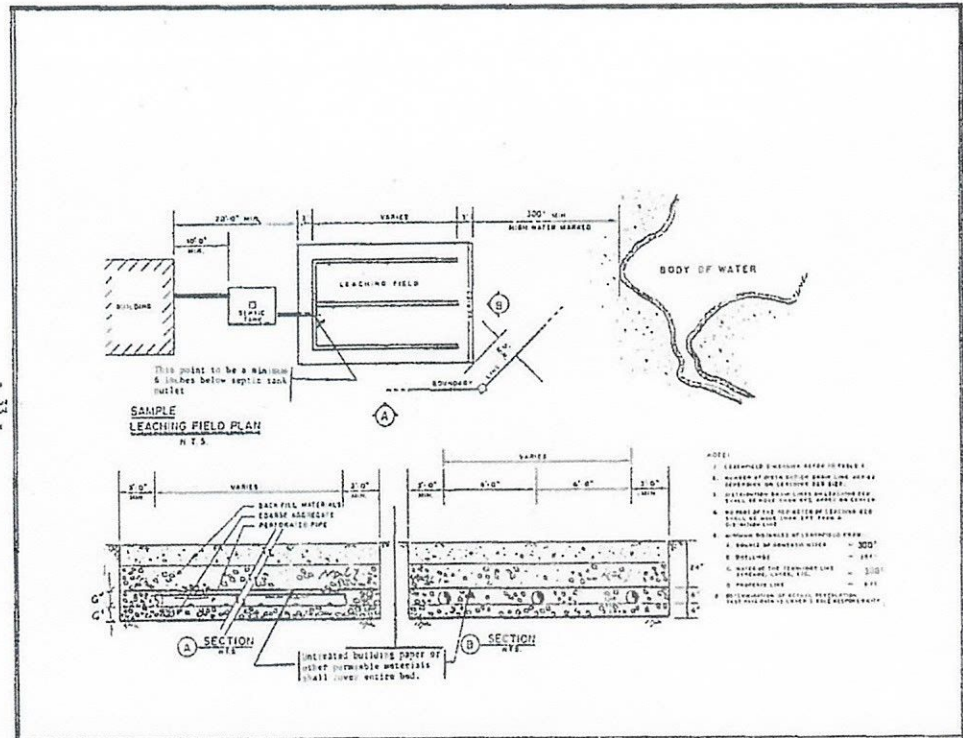


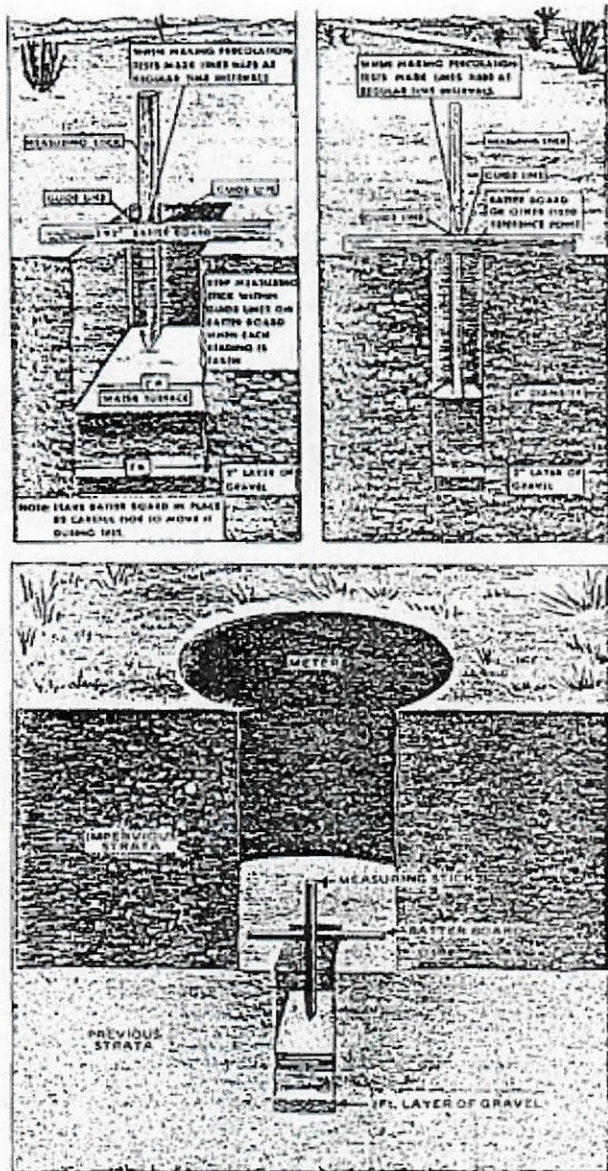
Figure 4

(b) Trench Construction (Figure 5)

Where percolation rates are 1" per 30 minutes or slower but faster than 1" per 60 minutes and all other soil conditions and site characteristics are acceptable to the Administrator, an absorption trench-type soil absorption system must be installed. Minimum required absorption areas are given in Table III. For a bed type system, this the absorption area in the table represents the floor area of the bed. For a trench type system, the absorption area in the table represents the bottom area of the trench. The standard trench width is three feet.

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Figure 5 - METHODS OF MAKING PERCOLATION TESTS



SOURCE: Public Health and Social Services, No. 526

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TABLE III
 GUIDELINES FOR CONSTRUCTION OF SEPTIC TANK AND ~~LEACHFIELD~~
 SOIL ABSORPTION SYSTEM ON GUAM

Number of Bedrooms	Wastewater Flow (gpd/GPD)	Septic Tank Capacity (gal/Gallons)	Percolation Test Rate	Required Absorption Area (Sq. Feet)
2	480	750	1" - 5 min	250
			1" - 10 min	330
			1" - 15 min	380
			1" - 30 min	500
			1" - 45 min	600
			1" - 60 min	800
3	750	1,080	1" - 5 min	328
			1" - 10 min	450
			1" - 15 min	554
			1" - 30 min	800
			1" - 45 min	900
			1" - 60 min	1,200
4	960	1,440	1" - 5 min	436
			1" - 10 min	600
			1" - 15 min	738
			1" - 30 min	1,070
			1" - 45 min	1,200
			1" - 60 min	1,600
5	1,200	1,800	1" - 5 min	545
			1" - 10 min	750
			1" - 15 min	924
			1" - 30 min	1,340
			1" - 45 min	1,500
			1" - 60 min	2,000
6	1,440	2,160	1" - 5 min	660
			1" - 10 min	900
			1" - 15 min	1,100
			1" - 30 min	1,600
			1" - 45 min	1,800
			1" - 60 min	2,400

SOURCE: GEPA, Rural Islandwide Facilities Plan, Table 5-2, Page 5-17.

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TABLE III - A
 RECOMMENDED MINIMUM ~~LEACHFIELD SOIL~~
 ABSORPTION SYSTEM SIZES

No. of Bed-rooms	Daily Sewage Flow Gallons* (GPD)	Tank Capacity (Gallons)	Percolation Test Rate	Required Absorption Area (Gal/SF/Day)	Leaching-Field Bed Dimension	Absorption Area (Sq. Feet)
2	480	750	1"-5 Min.		12' x 21'	250 sq.ft.
			1"-10 Min.		18' x 20'	330 sq.ft.
			1"-15 Min.		18' x 22'	380 sq.ft.
			1"-30 Min.		Trench	500 sq.ft.
			1"-45 Min.		System	600 sq.ft.
			1"-60 Min.		Required	800 sq.ft.
3	750	1,080	1"-5 Min.	2.2g/da.	18' x 19'	328 sq.ft.
			1"-10 Min.	1.6g/da.	18' x 25'	450 sq.ft.
			1"-15 Min.	1.3g/da.	18' x 31'	554 sq.ft.
			1"-30 Min.	0.9g/da.	Trench	800 sq.ft.
			1"-45 Min.	0.8g/da.	System	900 sq.ft.
			1"-60 Min.	0.6g/da.	Required	1,200 sq.ft.
4	960	1,440	1"-5 Min.		18' x 25'	436 sq.ft.
			1"-10 Min.		18' x 34'	600 sq.ft.
			1"-15 Min.		18' x 41'	
					or 24 x 31	738 sq.ft.
			1"-30 Min.		Trench	1,070 sq.ft.
			1"-45 Min.		System	1,200 sq.ft.
			1"-60 Min.		Required	1,600 sq.ft.
5	1,200	1,800	1"-5 Min.		18' x 31'	545 sq.ft.
			1"-10 Min.		18' x 42'	750 sq.ft.
			1"-15 Min.		24' x 38'	924 sq.ft.
			1"-30 Min.		Trench	1,340 sq.ft.
			1"-45 Min.		System	1,500 sq.ft.
			1"-60 Min.		Required	2,000 sq.ft.
6	1,440	2,160	1"-5 Min.		18' x 37'	660 sq.ft.
			1"-10 Min.		24' x 38'	900 sq.ft.
			1"-15 Min.		30' x 37'	1,100 sq.ft.
			1"-30 Min.		Trench	1,600 sq.ft.
			1"-45 Min.		System	1,800 sq.ft.
			1"-60 Min.		Required	2,400 sq.ft.

(e) ~~Subsurface leaching soil absorption systems~~, if found to be applicable by percolation test, should be designed and constructed in accordance with Table III and III-A, ~~and the following items:~~

(1) The minimum distances ~~given below~~ identified in Tables II - A or II - B, accordingly, shall be used when determining where the disposal field can be located:

(A) Sources of domestic water supplies — 300 ft.

(B) Water of the territory — 300 ft.

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(C) Dwellings

- (i) Septic tank ————— 10 ft.
- (ii) Leaching System ——— 20 ft.
- (iii) Privy ————— 20 ft.

(D) Property lines ————— 5 ft.

(E) Wells ————— 300 ft.

{GEPA} NOTE: When existing wells are involved or exceptionally coarse soil formations are encountered, the 300-foot distance from any water supply shall be evaluated and separations maintained in accordance with the recommendations of the Administrator.

(d) Construction of a leachfield subsurface soil absorption system in filled ground is not acceptable.

(1) All leaching fields subsurface soil absorption systems shall be constructed within the following standards:

TABLE IV
 SUBSURFACE LEACHING FILED SOIL ABSORPTION SYSTEM CONSTRUCTION DETAILS

Item	Unit	Bed		Trench	
		Max.	Min.	Max.	Min.
Number of Distribution Drain lines	----	7	2	8	2
Distance from drain line along perimeter of leachbed	feet	3	3	1-1/2	---
Length of <u>Leach Field Bed</u>	feet	100	21	100'	---
Width of <u>Leach Field Bed</u>	feet	50	12	3'	3'
Depth of <u>Leach Field Bed Bottom</u>	inches	48	24	48	24
Depth of course material:					
Under pipe (Min.)	inches		6		6
Over pipe (Min.)	inches		2		2
Total (Min.)	inches		12		12
Size of course material	inches	2-1/2	3/4	2-1/2	3/4
Depth of backfill over course material	inches	36	12	36	12
Distance between Drain lines center to center	feet	6	---	---	6

(Exceptions to the above table may be made by GEPA when Soil conditions warrant.)

(e) Distribution drain lines shall be constructed of perforated PVC pipes or perforated clay pipes or other approved materials may be used, provided that sufficient openings are available for distribution drain lines of the effluent into the ~~leach~~

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bed or trench area.

(f) Before placing filter material or drain lines in a prepared excavation, all smeared or compacted surfaces shall be removed from ~~leaching~~soil absorption bed areas by raking to a depth of 1-inch and the loose material removed. Clean stone, gravel slag or similar filter material acceptable to the Administrator, varying in sizes from 3/4" to 2-1/2" shall be placed in the trench to the depth and grade required in Table IV and Figure 4 and Figures 5, 5A and 5B.

Drain lines shall then be covered with filter material to the minimum depth required on Table IV and the entire bed or trench area covered with untreated building paper, straw, or similar porous material which will prevent closure of voids within the gravel fill. No earth backfill shall be placed over the filter material cover until after inspection and acceptance by the Administrator or his authorized representative.

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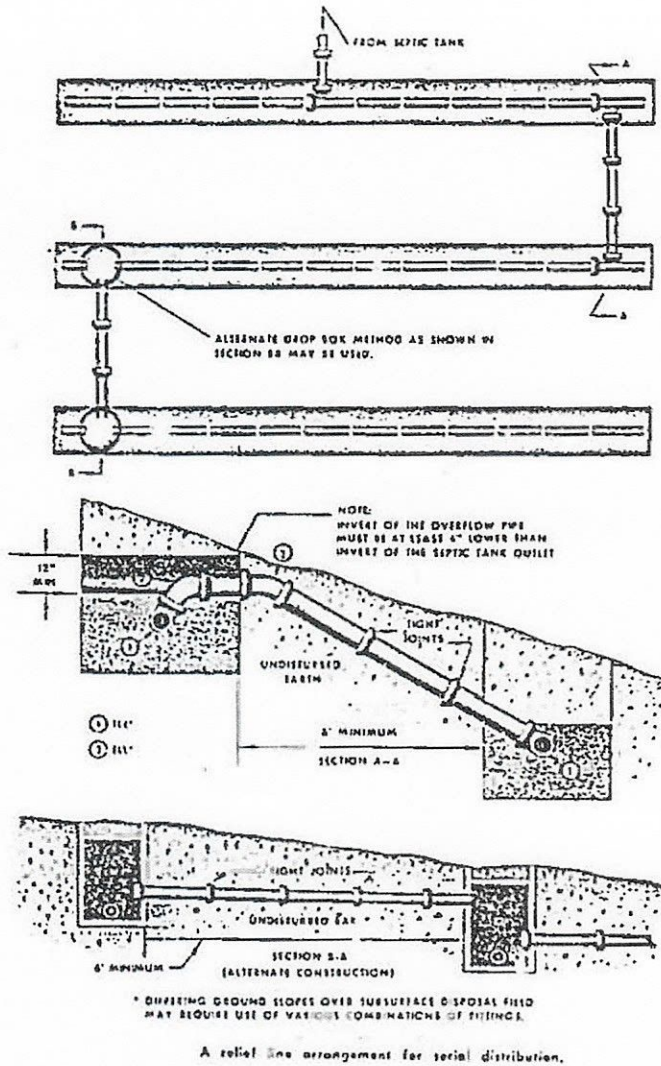
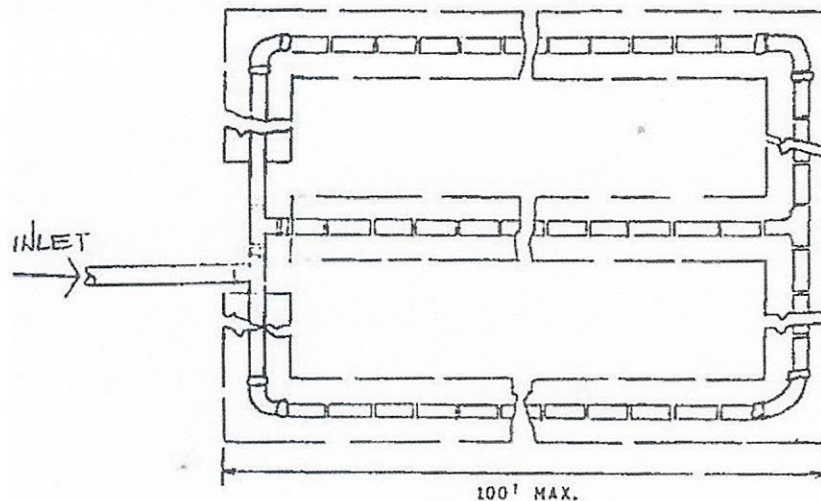


Figure 5A

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DISPOSAL FIELD LAYOUT
 (LEVEL LOT)

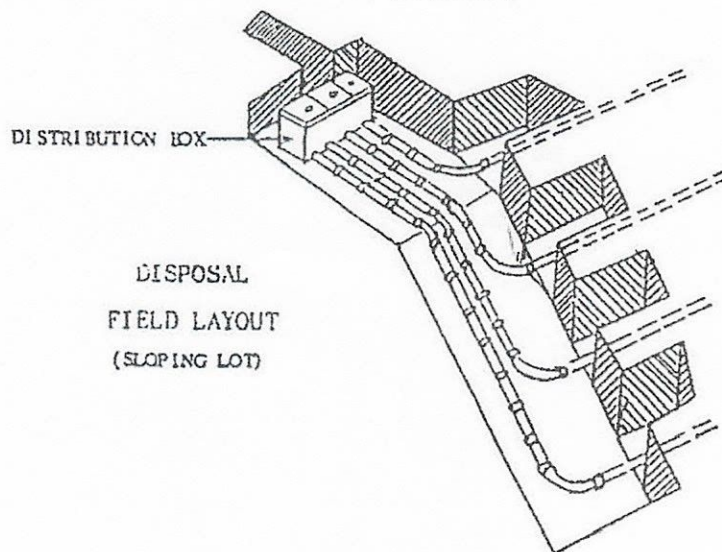


Figure 5B

(g) Connections between a septic tank and main distribution line shall be laid with approved pipe with water tight joints on natural ground or compacted fill.

(h) ~~Disposal or leaching field~~ The subsurface soil absorption system (bed or trench) shall be constructed as follows:

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	<u>Bed</u>	<u>Trench</u>
Minimum number of drain lines -----	2	4
Maximum length of each line -----	100 feet	100'
Minimum bottom width of leachfield bed -----	12 feet	3'
Maximum bottom width of leachfield bed -----	50 feet	3'
Minimum bottom width of leachfield bed -----	21 feet	3'
Maximum bottom length of leachfield bed -----	103 feet	103'
Minimum spacing of drain lines center to center	6 feet	6'
Preferred depth of cover of lines -----	24 inches	24"
Minimum depth of earth cover over -----	12 inches	12"
Minimum filter material under drain lines -----	6 inches	6"
Minimum filter material over drain lines -----	2 inches	2"
Minimum Total Filter Material -----	12 inches	12"
* Maximum grade of lines -----	6 inches	100'
* Minimum grade of lines -----	3 inches	100'

GEPA NOTE:

*When perforated pipe is used, it shall be laid level and with the end of the line capped. Where ~~leaching~~ beds are permitted, distribution drain lines in ~~leaching~~ beds shall not be more than six (6) feet apart on centers and no part of the perimeter of the ~~leaching~~ absorption bed shall be more than three (3) feet from a distribution drain line. When necessary on sloping ground to prevent excessive line slope, ~~leach~~ absorption lines or ~~leach~~ absorption beds shall be stepped. The lines between each horizontal section shall be made with watertight joints and shall be utilized to the maximum capacity before the effluent shall pass to the next lower ~~leach~~ absorption line or bed. The lines between each horizontal ~~leaching~~ absorbing section shall be made with approved watertight joints.

§ 12113. Mound Systems.

Where a site is found to not be suitable for the installation of a subsurface soil absorption system due to the presence of shallow groundwater or bedrock near the soil surface, a mound system may be possible. Mound systems are a Type 2 Toilet Facility that use pressure distribution of effluent to an above-grade bed of engineered soil (the "mound") which can facilitate the absorption of effluent in the upper portions of soil that lie above the restricting condition (seasonally high groundwater or bedrock). Mound systems require the use of a pump to distribute effluent to the above-grade bed, and as such, are somewhat more complex and expensive to operate than a conventional soil absorption system, but much less expensive and troublesome than a holding tank. A mound system is not possible on every site, and installation of a mound system does not always guarantee success.

(a) Mound systems must be designed and constructed in

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strict accordance with the applicable provisions of Chapters 7, 8, and 9 of the current edition of the International Private Sewage Disposal Code (IPSDC - International Code Council, Inc., <https://codes.iccsafe.org/>) as adopted under the Building Law at 21 GCA § 67101.4.

(b) As specified in Section 902 of the IPSDC, minimum soil depths for mound system installation are as follows:

<u>Restricting Factor</u>	<u>Minimum Soil Depth to Restriction (inches)</u>
<u>High ground water</u>	<u>24</u>
<u>Impermeable rock strata</u>	<u>60</u>
<u>Pervious rock</u>	<u>24</u>
<u>Rock fragments (50-percent volume)</u>	<u>24</u>

(c) Installation and commissioning of mound systems must be done under the supervision of an installer approved by GEPA under § 12118.

(d) Because of the additional complexities and risks inherent with operating and maintaining a mound system, an owner of a mound system is required to obtain an operation permit as required under § 12118.

§ 12114. Type 4 Toilet Facilities.

Additional permit application, design, and construction requirements shall apply for Type 4 toilet facilities (advanced nitrogen-reducing onsite disposal systems) as follows.

(a) All Type 4 toilet facilities must be listed as approved under NSF/ANSI Standard 245, Wastewater Treatment Systems – Nitrogen Reduction.

(1) The applicant must provide manufacturer documentation of NSF-245 certification for the proposed Type 4 toilet facility which will be installed as part of their permit application.

(2) The Guam Environmental Protection Agency (GEPA) shall independently verify NSF-245 certification status using the publicly available NSF-245 product listing. The Administrator shall not approve any Type 4 toilet facility that is not listed by NSF as being NSF-245 certified.

(b) All applications for Type 4 toilet facilities must include a valid operation and maintenance contract which meets the relevant requirements of §12117 of this Chapter.

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(c) The Administrator may approve, upon concurrence of the Chief Engineer, a reduction of the required soil absorption system area for Type 4 toilet facilities of up to 50%, if supported by an engineering soils report which addresses the following:

(1) A percolation test report must be provided which shows that the measured percolation rate within the area of the proposed soil absorption system is 1 inch in 15 minutes (4 inches per hour) or faster;

(2) The soil type at the depth of the proposed soil absorption system is granular or limestone, and is not clayey; and

(3) The certifying engineer must specify the recommended percentage reduction in required soil absorption area (up to 50% maximum), and must include a signed statement that the site soil and hydrologic characteristics will support the proposed reduction in soil absorption system area.

(d) Installation and commissioning of Type 4 toilet facilities must be done under the supervision of an installer or operation and maintenance provider approved by GEPA under § 12118(b).

§ 12115. Holding Tanks.

Where site limitations of hydrology and/or soil type are such that methods of on-site wastewater disposal described herein cannot be utilized, the possibility of storing a dwelling's or small government or commercial operation's wastewater in water-tight tanks (holding tanks), with periodic pumping by a hauler registered under § 12120 of this Chapter may be permitted in very limited circumstances.

A holding tank is not seen as a viable or sustainable long-term solution to on-site treatment and disposal of wastewater for many uses, including residential, because of: (1) the high cost of pumping; (2) the inconvenience of using a holding tank, where for some periods of time the building plumbing cannot be used until a registered hauler is able to remove the wastes; and (3) the potential for impacts to public health caused by illicit discharge, whether through overflow or illegal conversion to a cesspool as a result of the high cost and inconvenience of operating a holding tank.

(a) Holding tanks for new buildings may be permitted only if all of the following conditions are met:

(1) There is no available sewer;

(2) A soil absorption system is not possible due to site

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hydrology or soil conditions;

(3) The purpose of operating a holding tank is not to evade any required setback distances or lot sizes under this Chapter;

(4) The holding tank is for a single family dwelling, government-owned and operated facility, or commercial facility specifically approved in writing by the Administrator;

(5) The owner and (as applicable) renter or lessee obtains and provides to GEPA a valid operation and maintenance contract which meets the relevant requirements of §12118 of this Chapter; and

(6) For single-family dwellings, the owner and (as applicable) the renter or lessee occupying the building shall sign and provide to GEPA a statement acknowledging and committing to pay the estimated annual costs and perform the requirements of operating and maintaining the holding tank (using the form provided in Appendix A to this Chapter); or

(7) For government or commercial buildings, the official with expenditure authority or the owner (as applicable) shall provide to GEPA an engineer's economic analysis showing the present value, using a reasonable estimate for inflation, of the total cost to construct, pump and maintain the holding tank for a twenty (20) year period compared the estimated cost to connect the building to sewer. The official with expenditure authority or the owner (as applicable) shall sign a statement acknowledging the engineer's estimate and confirming that the government or commercial entity will pay to properly operate and maintain the holding tank in accordance with this Chapter.

(b) Holding tanks for existing buildings may be permitted only if all of the following conditions are met:

(1) The need for a holding tank is brought about by the failure of the existing private sewage disposal system. A holding tank shall not be permitted for existing buildings seeking expansion.

(2) There is no available sewer.

(3) A soil absorption system is not possible due to site location, hydrology, soil conditions, or other reasons acceptable to the Administrator;

(4) The owner and (as applicable) renter or lessee must obtain and provide to GEPA a valid operation and

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maintenance contract which meets the relevant requirements of §12118 of this Chapter; and

(5) For single-family dwellings, the owner and (as applicable) the renter or lessee occupying the building shall sign and provide to GEPA a statement acknowledging and committing to pay the estimated annual costs and perform the requirements of operating and maintaining the holding tank (using the form provided in Appendix A to this Chapter); or

(6) For government or commercial buildings, the official with expenditure authority or the owner (as applicable) shall provide to GEPA an engineer's economic analysis showing the present value, using a reasonable estimate for inflation, of the total cost to construct, pump and maintain the holding tank for a twenty (20) year period compared the estimated cost to connect the building to sewer. The official with expenditure authority or the owner (as applicable) shall sign a statement acknowledging the engineer's estimate and confirming that the government or commercial entity will pay to properly operate and maintain the holding tank in accordance with this Chapter.

(c) Existing holding tanks in use at the time this Regulation became effective may be permitted to continue operating if the following conditions are met and the owner or operator complies with the following requirements no later than one (1) year following the effective date of this Regulation.

(1) An application for a Holding Tank Operating Permit must be submitted in accordance with this Section and § 12118, inclusive of all required documentation.

(2) The owner or operator of the holding tank must provide to GEPA copies of the water service billing statements from the Guam Waterworks Authority (GWA) or relevant Public Water System and copies of the holding tank pumping receipts for the previous twelve (12) months.

(3) The owner or operator of the holding tank must request an inspection of the existing holding tank by GEPA. The holding tank shall be pumped completely empty and cleaned immediately prior to the GEPA-scheduled inspection to enable visual inspection of the tank interior. The owner or operator of the holding tank shall complete any repairs or other work as required by GEPA as a result of the inspection.

(4) The holding tank shall then be subjected to a water tightness test in accordance with subpart (d) of this Section.

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(5) If GEPA determines that the tank is unable to hold liquid without leakage, on the basis of records obtained and/or inspections conducted under this Subpart, and repairs are unsuccessful or deemed by GEPA to not be feasible, the owner shall be required to replace the holding tank with a new tank meeting the requirements of this Chapter, including those of subpart (e) of this Section or with another adequate Type 2 or Type 4 toilet facility.

(6) Existing holding tanks must be fitted with warning devices and a vent in accordance with Subpart (d) of this Section.

(7) The owner or (as applicable), operator, renter or lessee must obtain and provide to GEPA a valid operation and maintenance contract which meets the relevant requirements of §12118 of this Chapter; and

(8) For single-family dwellings, the owner and (as applicable) the renter or lessee occupying the building shall sign and provide to GEPA a statement acknowledging and committing to pay the estimated annual costs and perform the requirements of operating and maintaining the holding tank (using a form provided by GEPA to this Chapter); or

(9) For government or commercial buildings, the official with expenditure authority or the owner (as applicable) shall provide to GEPA an engineer's economic analysis showing the present value, using a reasonable estimate for inflation, of the total cost to construct, pump and maintain the holding tank for a twenty (20) year period compared the estimated cost to connect the building to sewer. The official with expenditure authority or the owner (as applicable) shall sign a statement acknowledging the engineer's estimate and confirming that the government or commercial entity will pay to properly operate and maintain the holding tank in accordance with this Chapter.

(10) The Administrator may require a building served by an existing holding tank to connect to sewer or request that the Department of Public Works condemn the building if it is found by GEPA that continued service by holding tank is not practical (for example if the daily wastewater flow exceeds typical pump truck capacity), poses a threat to public health or the environment, or for other reasons as justified in writing.

(d) Holding tanks shall be subjected to a water-tightness test as follows (ASTM C 1227): fill the tank to the outlet invert elevation, cover the tank, and let stand for 24 hours. Refill tank. The tank is approved if the water level is held for one

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(1) hour after refilling. GEPA shall observe the water level at the start and end of the 24 hour hold time, and at the start and end of the one (1) hour test.

(e) Standards for the sizing, construction, installation, warning devices, manholes, and vents for holding tanks shall be as specified in Section 805 of the current edition of the International Private Sewage Disposal Code (IPSDC - reference) as adopted under the Building Law at 21 GCA § 67101.4. A brief summary of the IPSDC requirements is provided as follows, but this does not replace the need to consult the IPSDC for the specifics.

(1) Table V summarizes holding tank sizing requirements for up to 6 bedrooms, to be consistent with the sizing requirements contained in this Chapter. See the IPSDC for sizing for other uses.

(2) Concrete holding tanks shall be pre-cast or site-constructed meeting the requirements of Section 504.1.1 of the current edition of the IPSDC and ASTM C 1227 as required therein. The floor and walls of a site-constructed tank must be monolithic in construction, except that a construction joint may be allowed in the lower 12 inches of the sidewalls, with a keyway meeting the width requirements as specified in the IPSDC. The minimum compressive strength of any concrete holding tank wall, top and covers, or floor shall not be less than 4000 psi (pound per square inch) at 28 days in accordance with ASTM C1227. Holding tanks constructed using hollow block, concrete masonry units (CMUs) shall not be permitted. Other holding tank types shall be evaluated and approved by the Administrator but must be allowable under the IPSDC.

(3) Holding tanks shall be located so that the servicing manhole is not less than 10 feet from a road or driveway accessible to a pumping truck.

(4) The holding tank must be equipped with warning devices providing either audible or illuminated alarm, meeting the specific requirements of the IPSDC Section 805.5.

(5) Holding tank manholes must meet the requirements of the IPSDC Section 805.6.

(6) Holding tanks shall be provided with a vent meeting the requirements of the IPSDC Section 805.8.

TABLE V
REQUIRED CAPACITY OF HOLDING TANKS

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Number of Bedrooms	Holding Tank Capacity (gallons)
2	2,000
3	2,000
4	2,500
5	3,000
6	3,500

§ ~~12113~~ 12116. Inspection of Work in Progress.

The project shall be inspected on regular basis by inspectors from the Guam Environmental Protection Agency (GEPA) to ~~assure~~ ensure that construction of ~~septic tanks, and leaching soil absorption systems~~ private sewage disposal systems and/or grease traps are in compliance with approved plans and specifications, and in accordance with the Guam Environmental Protection Agency regulations.

GEPA NOTE: In accordance with GEPA standards:

(a) Schedule of concrete pouring must be made at least twenty- four business hours in advance and work must be performed in the presence of an Environmental Inspector.

(b) Inspection before covering. No cover shall be placed over any septic tank, until the depth and other interior dimensions of such septic tank, have been inspected and approved by the Administrator.

(c) It shall be the duty of the permit holders pursuant to this regulation to notify the Agency issuing the permit when (a) and/ or (b) above are ready for inspection.

Failure to comply with the above requirements may result in unnecessary delays to the project or a suspension of work or denial of a Certificate of Occupancy and an order to remove portions or all of the offending structures.

After completion of the project, final inspection by a GEPA inspector shall be conducted on ~~septic tanks, and leaching soil absorption~~ systems, and other private sewage disposal system components to assure that the work is in accordance with the approved plans and specifications and that GEPA requirements are met.

§ ~~12114~~ 12117. Stop Work Orders.

~~In the event a project is commenced without a septic tank~~

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~~and leaching system permit, or work performed is not in accordance with approved plans and specifications or any approved changes or revisions thereto, or unsafe construction practices are continued after sufficient warnings by the Administrator or his authorized representatives, a STOP WORK ORDER shall be issued and take effect until the conflict is resolved. Issuance and enforcement of Stop Work Orders shall follow the requirements of 10 GCA Chapter 48.~~

§ 12118. Operating Permits.

Operating permits are required to discharge wastewater from Type 4 toilet facilities, mound systems, and holding tanks.

(a) Operating permits for new Type 4 toilet facilities and mound systems. An operating permit for a Type 4 toilet facility or mound system shall be valid for a period of two (2) years following issuance. An operating permit for a new Type 4 toilet facility or mound system may be issued by GEPA if all of the following requirements are met:

(1) Certification that the Type 4 toilet facility or mound system has been properly constructed, commissioned, and is operating adequately must be provided in writing by the GEPA-approved installer.

(2) The new Type 4 toilet facility or mound system must pass inspection by GEPA.

(3) A valid Type 4 toilet facility operation and maintenance contract must be provided, with a term of no less than two (2) years, signed by both the applicant and the operation and maintenance provider. The operation and maintenance contract must include the following:

(A) The Type 4 toilet facility or mound system must be inspected and serviced at a frequency as required by the manufacturer's operation and maintenance instructions, and on no less than an annual basis;

(B) Any defects found must be corrected, and any faulty Type 4 toilet facility or mound system components must be replaced or repaired as soon as possible;

(C) The solids must be pumped from the Type 4 toilet facility at a frequency not less than that recommended by the manufacturer's operation and maintenance instructions, and no less than once every 3 years for mound systems, by a wastewater hauler

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registered under this Chapter;

(D) The operation and maintenance provider must be available to respond in a timely manner upon notification by the Type 4 toilet facility or mound system owner or operator, in the event of any alarm or other problem;

(E) Within three (3) months of the end of the contract period, timed such as to allow the timely submission of the operating permit renewal application, the operation and maintenance provider must provide a summary report, in writing, which documents all service and repairs conducted over the term of the contract, any outstanding repair or replacement needs, and a statement certifying that the Type 4 toilet facility or mound system is operating in accordance with manufacturer specifications.

(F) At the discretion of the owner and operation and maintenance provider, the contract may also include services associated with renewal of the Type 4 toilet facility or mound system operating permit on behalf of the owner or operator.

(b) Approval of Type 4 toilet facility or mound system installers and operation and maintenance providers. Any person who proposes to provide installation or operation and maintenance services for Type 4 toilet facilities or mound systems shall first be approved by the Administrator. GEPA will maintain a current list of all approved Type 4 toilet facility and mound system installers and operation and maintenance providers, and this list will be made publicly available at the Agency's office and on the Agency's website. In order to be approved to provide services for Type 4 toilet facilities or mound systems, an interested person must provide documentation demonstrating that the following requirements have been met:

(1) An installation provider must have written manufacturer authorization to perform installation and commissioning (start-up) of the specific Type 4 toilet facilities they intend to provide;

(2) A Type 4 toilet facility operation and maintenance provider, if they are not a manufacturer-authorized installation provider, must provide written manufacturer authorization to purchase parts from each manufacturer of all Type 4 toilet facilities which they intend to service.

(3) A mound system operation and maintenance

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provider must provide written assurance that they have access to purchase pumps and other system components necessary to repair the specific mound system they are contracted to service.

(4) Both installation and operation and maintenance providers must have on their staff, or on contract, at least one Class I (or higher) Wastewater Treatment Operator certified under the Water & Wastewater Operator Certification Regulations, 22 GAR Chapter 11.

(5) The Administrator may revoke approval of a Type 4 toilet facility or mound system installer or operation and maintenance provider, in writing and after a review of the facts, for any of the following reasons:

(A) The installer or provider has practiced fraud or deception, or has submitted falsified reports or falsified other records to GEPA;

(B) The installer or provider does not use, in the judgment of the Administrator, reasonable care, judgment, or the application of knowledge in the performance of the provider's duties; or

(C) Agency records indicate that the installer or provider has a history of failing to perform their duties in compliance with the requirements of the Agency.

(c) Operating permits for holding tanks. An operating permit for a holding tank shall be valid for a period of one (1) year following issuance.

(1) An operating permit for a new holding tank for a new or existing building may be issued by GEPA if all of the following requirements are met:

(A) The new holding tank must pass inspection by GEPA, including GEPA observation of the start and end of the water tightness test required under § 12115 (d).

(B) A valid holding tank pumping contract meeting the requirements of subpart (3) of this subsection must be provided to GEPA

(2) An operating permit for an existing holding tank that was in use at the time this Regulation became effective may be issued by GEPA if all of the following requirements are met:

(A) The existing holding tank must pass inspection and approval by GEPA as required under §

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12115 (c) and (d).

(B) Copies the water service billing statements from the Guam Waterworks Authority (GWA) and copies of the holding tank pumping receipts for the previous twelve (12) months must be provided as required under § 12115 (c)(2), and must demonstrate that the existing holding tank does not leak. If these records indicate potential leakage, repairs or replacement of the tank must be completed as required under § 12115.

(C) A valid holding tank pumping contract meeting the requirements of subpart (3) of this subsection must be provided to GEPA.

(3) A holding tank pumping contract must have a term of no less than one (1) year, and be signed by both the applicant and a wastewater hauling service registered under § 12121 of this Chapter. The pumping contract must indicate that the holding tank will be pumped as needed. The operation and maintenance contract must include the following:

(A) A statement that any observed problems, such as (but not limited to) leaks, alarm failures or overflow will be promptly reported to both GEPA and the owner or operator of the holding tank.

(B) At the end of the contract period, the registered wastewater hauling service must provide the owner a listing of all pumping trips to include date and gallons pumped, along with a copy of all pumping receipts.

(C) At the discretion of the owner and registered wastewater hauling service, the contract may also include services associated with renewal of the holding tank operating permit on behalf of the owner or operator.

(d) Pursuant to 10 GCA Chapter 45, Sec 45106, operating permits for other types of onsite wastewater treatment and disposal systems will be developed by Guam EPA on a case-by-case basis in accordance with applicable Federal and Territorial requirements.

(e) Required Conditions for operating permits will be defined in each permit.

(f) Applications for new operating permits.

(1) Applications for new Type 4 or mound system

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operating permits shall be submitted prior to issuance of a Certificate of Occupancy, using the relevant form provided by GEPA. Supporting documents shall include;

(A) A Certificate of Commissioning as required under subpart (a)(1) of this section;

(B) An Operation and Maintenance Contract as required under subpart (a)(3) of this section; and

(C) A completed GEPA inspection form indicating approval of the Type 4 or mound-type toilet facility.

(2) Applications for new holding tank operating permits (for both new holding tanks and holding tanks in use at the time this Regulation became effective) shall be submitted prior to issuance of a Certificate of Occupancy using the relevant form provided by GEPA. Supporting documents shall include;

(A) For single-family dwellings, a statement signed by the owner, and (as applicable) the renter or lessee occupying the building acknowledging and committing to pay the estimated annual costs and perform the requirements of operating and maintaining the holding tank (using a form provided by GEPA);

(B) For government buildings, an engineer's economic analysis showing the present value, using a reasonable estimate for inflation, of the total cost to construct, pump and maintain the holding tank for a twenty (20) year period compared the estimated cost to connect the building to sewer, and a statement signed by the official with expenditure authority or the owner (as applicable) acknowledging the engineer's estimate and confirming that the government will pay to properly operate and maintain the holding tank in accordance with this Chapter.

(C) A holding tank pumping contract meeting the requirements of subpart (c)(3) of this section; and

(D) A completed GEPA inspection form indicating approval of the holding tank.

(3) Applications for operating permits for other onsite wastewater treatment and disposal systems will be developed on a case-by-case basis in accordance with applicable Federal and Territorial requirements.

(g) Renewal of operating permits.

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(1) Renewal applications for Type 4 or mound system operating permits shall be submitted at least one (1) month prior to expiration of the previous operating permit, using the relevant form provided by GEPA. Supporting documents shall include:

(A) A new two (2) – year Operation and Maintenance Contract meeting the requirements of subpart (a)(3) of this section; and

(B) An “end of contract” summary report, which documents all service and repairs conducted over the term of the contract, any outstanding repair or replacements needs, and a statement certifying that the Type 4 toilet facility or mound system is operating in accordance with manufacturer specifications, as required under subpart (a)(3)(E) of this section;

(2) Renewal applications for holding tank operating permits shall be submitted at least one (1) month prior to expiration of the previous operating permit, using the relevant form provided by GEPA. Supporting documents shall include:

(A) A statement signed by the owner, and (as applicable) the renter or lessee occupying the building acknowledging and committing to pay the estimated annual costs and perform the requirements of operating and maintaining the holding tank (using a form provided by GEPA);

(B) The listing provided by the registered wastewater hauling service of all pumping trips to include date and gallons pumped, along with a copy of all pumping receipts;

(C) A copy of all water service billing statements for the term of the previous contract, for the purpose of determining potential leakage of the holding tank through comparison with the pumping log; and

(D) A new one (1) – year holding tank pumping contract meeting the requirements of subpart (c)(3) of this section.

(h) Non-transferability of operating permits.

Operating permits are not transferrable to new owners, renters, or lessees. Upon change in ownership or occupancy, the new owner, renter, or lessee must apply for a new operating permit.

(i) Failure to renew an operating permits.

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Failure to renew an operating permit shall be considered a violation under this Chapter.

§ ~~12115~~ 12119. Certificate of Occupancy.

After final inspection of the ~~septic tank and leaching soil absorption~~ private sewage disposal system indicates that the work performed was done in accordance with approved plans and specifications, and after review of all documentation required under this Chapter has been completed and has met all GEPA requirements, the Administrator or his authorized representative shall issue a Certificate of Occupancy.

§ ~~12116~~ 12120. Temporary Toilet Facilities (TTF).

(a) Temporary Toilet Facilities (TTF) shall be provided for:

(1) any construction job-site where working toilets connected to an approved type sanitary disposal system are insufficient or unavailable or such facilities are determined to be not readily available for the needs of the employees.

(A) The number of facilities required, whether permanent, temporary or combination thereof shall be in accordance with the requirements detailed in Table VI.

(B) The term readily available as used in item (i) above, shall be defined as being within 300 feet of the work area. Facilities which are within this distance but are not under the direct control of the developer/contractor shall require a written authorization/certification from the owner of such facilities that unrestricted access to these toilet facilities will be available to the contractors_/workers for the entire period of the construction project.

(C) All arrangements for sanitary facilities must be made and in place before any clearing or construction may proceed.

(2) any carnival, fair, sporting event, outdoor concert or large public gathering requiring a permit, hereafter, collectively referred to as a "special event", where adequate working toilet facilities connected to a sanitary sewer does not exist. Adequacy shall be determined from the Table VII - Toilet Receptacles Required for Special Events.

(b) Temporary Toilet Facilities may be chemical, recirculating or combustion, providing they comply with existing

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Guam Codes.

(c) The minimum number of TTF required for construction site shall be based in accordance with Table VI below:

(i) Table VI - Number of TTF required for construction sites

<u>Number of Employees</u>	<u>Minimum Number of Units</u>
1 to 15	1
16 to 30	2
31 to 51	3
52 to 72	4
73 to 93	5
Over 93	1 Add'l unit/20 employees

(ii) The minimum number of temporary toilet receptacles at any special event shall be in accordance with Table VII below:

TABLE VII
 TOILET RECEPTACLES REQUIRED FOR SPECIAL EVENTS (MINIMUM)

<u>Number of Attendees</u>	<u>Number of Event Hours</u>									
	1	2	3	4	5	6	7	8	9	10
1,000 or below	1	1	1	2	2	2	3	3	3	4
2,000	1	2	2	3	4	4	5	6	6	7
3,000	1	2	3	4	5	6	7	8	9	10
4,000	2	3	4	6	7	8	9	12	12	14
5,000	2	4	5	7	9	10	12	15	17	19
6,000	2	4	6	8	10	12	14	16	18	20
7,000	3	5	7	10	12	14	17	19	21	24
8,000	3	6	8	11	14	16	19	22	24	27
9,000	3	6	9	12	15	18	21	24	27	30
10,00	4	7	10	14	17	20	24	27	30	34

Numbers highlighted in gray are the # of TTF required

Ref.: Satellite Industries of Minneapolis, Minn. Portable Sanitation Unit Calculator for Special Events.

(d) Any construction site or special event requiring GEPA approval for permitting will provide proof that the minimum required number of toilet facilities are available or will be available for the period of time that the permits are valid.

(e) Failure to comply

(i) Any construction site not complying with

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the minimum number of TTF will be given a written warning and given 48 hours to comply. Failure to comply within the given period will result in the revocation of the GEPA approval required for the building permit which will temporarily suspended all construction at this site.

(ii) Any special event not meeting the minimum number of TTF will have its permit to operate immediately suspended.

§ ~~12117~~ 12121. Cleaning Wastewater Systems, Disposal of Wastewater, Requirements and Procedures.

(a) No person shall engage in the business of cleaning ~~individual private~~ sewage disposal systems, grease traps, or disposing of the waste therefrom unless; a business license has been secured from the Department of Revenue and Taxation, and Registration has been issued to him by the Aadministrator. Such business shall be conducted in conformity with the following requirements and in accordance with the regulations.

(1) The name and address of the person, shall be legibly lettered on both sides of each vehicle used for cleaning purposes.

(2) Every vehicle used for cleaning purposes shall be equipped with a watertight tank or body and be maintained in a clean and sanitary condition. Sewage waste shall not be transported in an open body vehicle.

(3) All portable receptacles used for transporting liquid or solid waste shall be watertight, equipped with tight-fitting lids, and shall be cleaned daily.

(4) All pumps and hose lines shall be properly maintained so as to prevent leakage.

(5) Approval in writing shall be obtained from the Administrator for every site at which the person plans to discharge the waste material collected. The approval may be given after consultation with the Guam Waterworks Authority.

(6) The hose or any similar devise used for discharging waste must be inserted into the earmarked manhole to a depth of approximately two (2) feet, to prevent any spray or spillage into the surrounding area.

(7) Every precaution must be taken to prevent any public nuisance or health hazard which may be caused by their service.

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(b) Registration shall be issued to any person properly making application therefor, who is not less than twenty-one (21) years of age, has successfully demonstrated the ability to handle the equipment, and only after the place or places and manner of disposal of the cleaning proposed by said applicant are approved by the Administrator.

(c) Registration issued pursuant to these Regulations is not transferable and shall expire December 30th of each year. A Registration may be renewed for an ensuing year by making application for renewal of the registration, upon determination of the applicant's observance of sanitary laws, ordinance, and directions. Such application shall have the effect of extending the validity of the current registration until a new registration is received or the applicant is notified by the Administrator that the renewal of the registration has been refused.

(d) All persons, who are registered to clean ~~individual private~~ private sewage disposal systems, i.e., holding tank, etc., or to dispose of the wastewater there from, shall file with the Administrator a statement giving the name and the address of the owner or tenant of each and every one of the premises where an individual sewage disposal system has been cleaned by said registrant, or his employer, or by others on his behalf. The report must be submitted on a monthly basis, covering a 4 weeks period.

(e) Non-compliance with ~~of~~ the requirements of these regulations may result in the revocation or suspension of the applicant's registration. Any applicant whose registration is suspended must correct all discrepancies noted in the suspension within 30 days, otherwise his registration may be revoked.

(f) Registration under these regulations shall not be construed as impairing in any manner, the existing powers and duties of the Department of Public Health and Social Services, Guam Waterworks Authority, Guam Police Department, Department of Revenue and Taxation, and Department of Commerce under other laws.

§ ~~12118~~ 12122. Operation and Maintenance.

(a) Maintenance of ~~septic tanks and leaching fields~~ private sewage disposal systems shall be the responsibility of the owner, lessee, occupant, or person in possession of property, unless mutually agreeable arrangements are made with a private company.

(b) Owners of septic tanks shall empty and clean the tank or pit when necessary, or when ordered by the Administrator in the

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interest of public health, and the contents disposed of in such place and manner as shall be authorized by the Administrator.

(c) Septic Tanks should be inspected by the owner at intervals of no more than 3 years to determine the rates of scum and sludge accumulation. The inlet and outlet structures and key joints should be inspected for damage after each pump-out.

(d) The tank should be cleaned whenever:

(1) the bottom of the scum layer is within 3 inches of the bottom of the outlet device;

(2) the sludge level is within 8 ~~inches~~ of the bottom of the outlet device.

(e) Septic tank sludge, holding tank contents, and Temporary Toilet Sludge shall be disposed of by hauling to a sewage treatment facility. If for some unique reason disposal cannot be done at an approved facility land spreading of waste may be considered on a specific case by case basis. The specifics of each request will be evaluated separately and a permit obtained from GEPA for each separate request. Any such disposal can only take place after review and approval by the Administrator and only done under the direct supervision of GEPA staff.

(f) Grease Traps. This subsection applies to grease traps which discharge to both private sewage disposal systems and to public sewer. In order to be effective, grease traps must be operated properly and cleaned regularly to prevent the escape of appreciable quantities of grease. The frequency of cleaning at any given installation can best be determined by experience based on observation. Generally, cleaning should be done when 75% of the grease- retention capacity has been reached. At restaurants, pumping frequencies range from once a week to once every 2 or 3 months.

§ 12119 12123. Sample Design Illustration Calculation (Conventional Soil Absorption System).

(a) Flow Estimate

Given:	3 BR House with washing machine and garbage grinder 2 person per bedroom 75 gallons per person per day
Additional:	40% of flow for washing machine 20% of flow for garbage grinder
Flow:	3 BR x 2 person/Br x 75 gal/Person/Day = 450 gallons/day
Total Flow:	450 + 40% (450) + 20% (450)

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 $450 + 60\% (450)$
 $450 + 270$
 $= 720 \text{ gallons/day}$

(b) Septic Tank Design - (Three Bedroom House)

$V = \text{Total flow} + 50\% (\text{total flow})$
 (provision for detention period for treatment
 inside septic tank)

$$\begin{aligned} V &= 720 + 50\% (720) \\ &= 720 + 360 \\ &= 1080 \text{ gallons} \\ &= \underline{1080} \text{ gallons} \\ &= 7.48 \text{ gal/cu. ft.} \\ &= 144.3 \text{ cubic feet} \end{aligned}$$

Depth = 5'-0" + 1'-0" Air Space

Try Width = 4'-0"

$$\text{Therefore length} = \frac{144}{5 \times 4} = 7.22' \text{ say } 7'-6"$$

Septic Tank

Dimension = 7'-6" x 4'W x 5'D

$$\text{Volume} = \frac{7'-6''}{150} \times \frac{4'}{144} \times 5' = 150 \text{ cu. ft.}$$

$$\text{Check: } 1.5 \frac{L}{W} \cdot 2.5 \frac{L}{W} \text{ ratio} = 1.88$$

Adopt Septic Tank Dimension = 7'-6" x 4'W x 6'D

(c) Absorption Area: (Three Bedroom)

Total

Flow = 720 gallons

Say percolation rate of 1" - 15 minutes

720

$$\frac{720}{1.3} = 545 \text{ sq. ft.}$$

Actual percolation rate determined by testing.

(1) Bed-type Soil Absorption System (Leaching Field):

NOTE: (Separation of Leaching Pipe shall be 6 ft on
 center)

Say Width = 18'-0"

$$\text{Length} = \frac{545}{18} = 30.2 \text{ ft. say } 31 \text{ feet}$$

Therefore length of field size = 18'W x 31'L

2023 NOTE: As published by GEPA and the 1997 GAR, this provision was entitled "Appendix A - Sample Design Illustration." To avoid confusion, the reference to "Appendix A" has been omitted.

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§ 12120-12124. Penalties.

(a) ~~Any person who violates any provisions of this regulations or who refuses or neglects to comply with any lawful order issued by the Administrator shall be guilty of misdemeanor and subject to a fine not to exceed \$1,000.00. Each day of violation shall constitute a separate offense (10 GCA § 48126).~~

(b) ~~Any penalty imposed pursuant to sub section (a) of this Section shall not be bar to enforcement of this Chapter or the rules and regulations in force pursuant thereto or orders made pursuant to this Chapter by injunction or other remedy, to institute and maintain in the name of territory all such enforcement proceedings (10 GCA § 48126(b)).~~

Violations and penalties shall be as prescribed in the Toilet Facilities and Sewage Disposal Act, 10 GCA Chapter 48.

2023 NOTE: Past print publications of the GAR omitted "Any" from the start of subsection (a).

§ 12125. Fees.

(a) Application review and inspection fees are listed in Table VIII, and include: initial application review; a second review of responses to first GEPA comments, if applicable; review of occupancy certification request; review of the application for a new operating permit, if applicable; and the minimum number of inspections required to support the application, occupancy, and initial operating permit issuance process. The application review and inspection fee does not include additional application reviews after the review of responses to first GEPA comments, and does not include re-inspection due to deficiencies noted on first inspections, or re-inspection due to the work not being ready for inspection at the time of inspector arrival.

(b) Additional review fees are listed in Table VIII and apply upon the applicant's second response to a written GEPA deficiency notice, where the first response has failed to address the identified deficiencies, and to all subsequent reviews.

(c) Additional inspection fees are listed in Table VIII and apply when additional inspections are required due to deficiencies noted in writing on the first inspection, or where the work is not ready for inspection at the time of arrival of the GEPA inspector.

(d) Operating permit renewal fees are listed in Table VII and include: initial application review; a second review of responses to first GEPA comments, and occasional (spot) inspections to verify application accuracy (an inspection will not be performed for every renewal application). If additional

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reviews are required, additional review fees will apply as listed in subsection (b) of this Section. If an inspection is required due to potential violation of these regulations, based on GEPA review of the renewal application documents, an additional inspection fee as listed in subsection (c) of this Section will apply.

(e) Wastewater hauler registration fees are listed in table VII and include: application review and up to one (1) inspection of hauler’s pump trucks and facilities, as needed.

TABLE VIII
 FEES FOR SERVICES

Service	Fee			
	Conventional soil absorption system	Holding tank	Type 4 or mound toilet facility	Other system types
<u>1. Application review and inspection fee</u>				
residential up to duplex	\$200	\$300	\$300	\$1,000
other building types	\$500	\$1,000	\$1,225	\$2,000
<u>2. Additional review fee (per hour)</u>				
residential up to duplex	\$115	\$160	\$140	\$220
other building types	\$160	\$180	\$190	\$230
<u>3. Additional inspection fee</u>				
	\$65	\$135	\$100	\$150
<u>4. Operating permit, Initial</u>				
residential up to duplex		\$150	\$150	\$150
other building types		\$300	\$250	\$500
<u>4. Operating permit renewal</u>				
residential up to duplex		\$100	\$100	\$100
other building types		\$150	\$200	\$250
<u>5. Hauler Registration fee (per truck)</u>				
		\$250/\$200^		

^Hauler Registration fee for first truck is \$250, and \$200 for each subsequent truck owned and operated by the same company.



ACKNOWLEDGEMENT OF RECEIPT

DATE: January 6, 2026

TO: Guam Environmental Protection Agency

SUBJECT: Review of Administrative Rules and Regulations, Proposed Draft Onsite Wastewater Treatment and Disposal System Regulations for Residential Septic Tank and Leaching System and Temporary Toilet Facilities (22 GAR 12)

- (1) Draft Administrative Rules and Regulations returned

2AAD

Print Name

Signature

1149 hrs / 06 Jan 2026

Date & Time

- COPY -
original to OAG

Office of the Attorney General
Douglas B. Moylan · Attorney General of Guam

134 W Soledad Avenue, Ste 302 · Hagatña, Guam 96910 · USA
671-475-2709 · 671-475-2493 (fax) · solicitors@oagguam.org · www.guamattorneygeneral.org

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Doc. No. 38GL-26-2266.*



Elizabeth DeGrange <elizabeth.degrange@epa.guam.gov>

PICKUP NOTICE: AG No. 25-0598 - Review of Administrative Rules and Regulations, Proposed Draft Onsite Wastewater Treatment and Disposal System Regulations for Residential Septic Tank and Leaching System and Temporary Toilet Facilities (22 GAR 12)

1 message

Krista Cruz-Lynch <kcruz-lynch@oagguam.org>

Tue, Jan 6, 2026 at 9:08 AM

To: elizabeth.degrange@epa.guam.gov, michelle.lastimoza@epa.guam.gov

Cc: Danielle Tenorio-Balbas <dtenorio-balbas@oagguam.org>

Hafa Adai,

Please be advised that our office will be returning the above matter for further review and action.

Kindly send an agency representative to the Solicitors Division in Hagåtña on the 3rd floor to pick up your agency's document(s).

Please ensure that the individual picking up your agency's document(s) presents this email to the individual at the front desk as proof of authorization to pick up documents from our office. Please note that this document will be kept for our records.

--

Very Respectfully,

**Krista Cruz-Lynch**

Paralegal I

Solicitors Division

Office of the Attorney General of Guam

134 W. Soledad Avenue, Suite 302

Hagåtña, GU 96910

Tel: (671) 475-3324 ext. 3664

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January 5, 2026

VIA EMAIL

Ms. Michelle C.R. Lastimoza
Administrator
Guam Environmental and Protection Agency
17-3304 Mariner Avenue
Tiyán Barrigada, Guam 96913-1617

Re: Review of Guam Environmental and Protection Agency ("GEPA") Administrative Rules and Regulations, Proposed Draft Onsite Wastewater Treatment and Disposal System Regulations for Residential Septic Tank and Leaching System and Temporary Toilet Facilities (22 GAR 12)
Ref.: GEPA-PCF No.:25-0598

Dear Ms. Lastimoza,

The Office of the Attorney General ("OAG") is in receipt of GEPA's request for Review of its Administrative Rules and Regulations, Proposed Draft Onsite Wastewater Treatment and Disposal System Regulations for Residential Septic Tank and Leaching System and Temporary Toilet Facilities (22 GAR 12).

The Agency has completed all of the requirements for the Guam Administrative Rules and Regulations (GAR) which would update Chapter 12 of Title 22. Public Law 37-105 authorizes GEPA to issue regulations for Type 4 wastewater treatment facilities and hold tanks, and also authorizes the agency to establish fee for permits, inspections, and related services.

Public comment was sought from July 15-30, 2025, with public notices published on July 15 and 28, 2025 to facilitate this. A public hearing was held on July 30, 2025. All comments received from the public were considered in the development of the final draft of proposed updates and is attached as Appendix A in the record.

The updates proposed to be implemented are of special and vital nature and have been determined to be in the best public interest. However, prior to recommending approval of these Administrative Rules and Regulations, there are items within the body of the proposed rules that need to be revisited for it to be deemed legally sound.

There is a list of inconsistencies that should be revisited/revised for the sake of legal clarification. They are as follows:

Office of the Attorney General
Douglas B. Moylan · Attorney General of Guam

134 W Soledad Avenue, Ste 302 · Hagåtña, Guam 96910 · USA
671-475-2709 · 671-475-2493 (fax) · solicitors@oagguam.org · www.guamattorneygeneral.org

"Guam's Debt No. 5801-26-2266" *

January 6, 2026

- Under Section 12106, (a), subsection (6)(d)(3), it states: Permit Validity – any permit for the construction of a private wastewater disposal system shall become null and void under the following conditions:

“If work is continued without interruption for one (1) year, beginning with the date of issuance of the Building Permit.”

Please clarify this wording, as it appears to state that the permit will become invalid if work is in progress for a year without interruption after it has been issued by GEPA. The Administrative Rules and Regulations do not contain a provision stating that the permit becomes invalid within a year of continuous, uninterrupted work after its issuance.

- The GEPA Note that appears right after Section 12112 (g) and just above Section 12113, has language reflecting striking of the word “leaching” in the second sentence.
 - However, the third appearance of the word “leaching” has not been struck out. Was this intentional, or should that third “leaching” reference be struck?
- Under Section 12121(a), the word “administrator” as found in the first paragraph appears with a lower-cased “a”.
 - It is noted that in other parts of the Chapter, the word is referenced with an upper-cased “A”. Was the reference here intended to be with a lower-cased “a”?
- Under Section 12122(b)(2), the measurement is referenced as “8 in.”, while in subsection (1), the word “inches” is spelt out.
 - For the sake of consistency, the suggestion is either using the abbreviation “in.” or spelling out the word “inches.”

The issues/areas of concern that have been highlighted are being brought to your attention for clarification and consistency. Any feedback would be greatly appreciated.

Please feel free to reach out to our office with any questions or concerns.

Regards,

_____/s/_____
Gillian Russell
Assistant Attorney General

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12/04/25
ML



GUAM ENVIRONMENTAL PROTECTION AGENCY • AHENSIAN PRUTEKSIÓN LINA'LA' GUÁHAN
LOURDES A. LEON GUERRERO • GOVERNOR OF GUAM | JOSHUA F. TENORIO • LIEUTENANT GOVERNOR OF GUAM
MICHELLE C. R. LASTIMOZA • ADMINISTRATOR

December 03, 2025

Douglas Moylan, Attorney General
Office of the Attorney General
590 S Marine Corps Drive, Suite 901
Tamuning, GU 96913

RE: Review of Administrative Rules and Regulations, Proposed Draft Onsite Wastewater Treatment and Disposal System Regulations for Residential Septic Tank and Leaching System and Temporary Toilet Facilities (22 GAR 12)

Dear Attorney General Moylan,

The Guam Environmental Protection Agency (Guam EPA or GEPA) has completed all of the requirements for the Guam Administrative Rules and Regulations which would update Chapter 12 of Title 22. Public Law 37-105, enacted on July 18, 2024, authorized Guam EPA to issue regulations for Type 4 wastewater treatment facilities and holding tanks, and also authorized Guam EPA to establish fees for permits, inspections, and related services.

Pursuant to the Administrative Adjudication Act, Guam EPA sought public comment by both a public comment period from July 15-30, 2025, and a held a public hearing on July 30, 2025, as public notices published on July 15 and July 28, 2025 demonstrate. All comments received from the public were considered in the development of our final draft of proposed updates. A copy of the entire agency record is attached as Appendix A.

GEPA is hereby transmitting its proposed draft of these rules and regulations to you in accordance with the Administrative Adjudication Act for your review and written approval in conformance of policy, as required by statute.

If you have any questions or concerns about any of the documents provided to you, please contact our office at 671-588-4751/2, or email CAPT Elizabeth DeGrange at elizabeth.degrange@epa.guam.gov. Thank you for your time and attention to this matter.

Dāngkohu na si Yu'us ma'āse'.

1:37
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OFFICE OF THE ATTORNEY GENERAL
SOLICITOR DIVISION
12/04/25
ML

Michelle C.R. Lastimoza
MICHELLE C.R. LASTIMOZA
Administrator



GUAM EPA | 17-3304 Mariner Avenue Tiyán Barrigada, Guam 96913-1617 | Tel: (671) 588.4751 | Fax: (671) 588.4531 | epa.guam.gov
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LOURDES A. LEON GUERRERO • GOVERNOR OF GUAM | JOSHUA F. TENORIO • LIEUTENANT GOVERNOR OF GUAM
MICHELLE C. R. LASTIMOZA • ADMINISTRATOR

December 3, 2025

TO: Office of the Attorney General
FROM: Administrator, Guam Environmental Protection Agency
SUBJECT: Certification of agency record and compliance with Administrative Adjudication Law


I, Michelle Lastimoza, hereby certify that the attached Guam Environmental Protection Agency Record for the promulgation of Onsite Wastewater and Disposal System Rules and Regulations is complete and accurate, and that Guam EPA has complied with each of the requirements of 5 GCA Chapter 9 in the promulgation of the proposed rules and regulations.

The following documents are included in this agency record:

1. Printed and electronic (PDF and Word) versions of the proposed rules
2. Resolution demonstrating Guam EPA Board approval of the proposed rules
3. Economic impact statement
4. Copies of notices seeking public comment and of public hearing
5. Transcript of public hearing held on July 30, 2025 on the proposed rules
6. Public comments and responses

I further certify that Guam EPA has adhered to all procedural and substantive requirements set forth in 5 GCA Chapter 9, including but not limited to, public notice and public hearings.

Dāngkolu na si Yu'us ma'ase'.


MICHELLE C.R. LASTIMOZA
Administrator



GUAM EPA | 17-3304 Mariner Avenue Tiyan Barrigada, Guam 96913-1617 | Tel: (671) 588.4751 | Fax: (671) 588.4531 | epa.guam.gov
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CHAPTER 12
ONSITE WASTEWATER TREATMENT AND DISPOSAL SYSTEM
REGULATIONS FOR RESIDENTIAL SEPTIC TANK AND
LEACHING SYSTEM AND TEMPORARY TOILET FACILITIES

2023 NOTE: These regulations are published in a Guam Environmental Protection Agency document on file at the Compiler's Office. According to the GEPA publication, the regulations revised and renamed the Individual Wastewater Regulations, were adopted by the GEPA Board on July 2, 1987, and approved by the Attorney General on Sept. 1, 1987. In the 1997 printed GAR, these regulations are entitled "Individual Wastewater Disposal System Regulations" and include the following annotation:

NOTE: Rule-making authority cited by Guam Environmental Protection Agency, 10 GCA § 45106.

These regulations were filed with Legislative Secretary on September 11, 1987.

There are differences between the 1997 GAR codification and the GEPA publication; as published in the 1997 GAR, the regulations were renumbered, certain provisions had different language, and drawings and/or figures were omitted.

This 2023 GAR online publication reflects the language from the GEPA publication, renumbered pursuant to 1 GCA § 1606. Differences in language between the GEPA document and the 1997 GAR are noted in a Compiler's annotation. Annotations in the original GEPA publication are identified as "GEPA NOTE." References to the Public Utilities Agency of Guam replaced with Guam Waterworks Authority pursuant to P.L. 23-110:3 (July 31, 1996).

- § 12101. Authority.
- § 12102. Purpose.
- § 12103. Definitions.
- § 12104. Non-Availability of Public Sewer.
- § 12105. Private Sewage Disposal System (General).
- § 12106. Permit Application for Wastewater Disposal Systems.
- § 12107. Capacity of Septic Tanks.
- § 12108. Location and Installation of Private Sewage Disposal System.
- § 12109. Area of Soil Absorption Systems ~~Disposal Fields and Seepage Pits.~~
- § 12110. Septic Tank Design and Construction. (~~Figure 3 & 3A~~).
- § 12111. Percolation Tests.
- § 12112. Subsurface Soil Absorption Systems. (~~Figure 4~~).
- § 12113. Mound Systems
- § 121134. Type 4 Toilet Facilities.

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- § 121145 Holding Tanks.
- § 121136. Inspection of Work in Progress.
- § 121147. Stop Work Orders.
- § 121178. Operating Permits.
- § 121159. Certificate of Occupancy.
- § 1214620. Temporary Toilet Facilities (TTF).
- § 1214721. Cleaning Wastewater System, Disposal of Wastewater, Requirements and Procedures.
- § 1214822. Operation and Maintenance.
- § 1214923. Sample Design Illustration Calculation (Conventional Soil Absorption System).
- § 1212024. Penalties.
- § 121245. Fees.

§ 12101. Authority.

Section 45106 of Chapter 45, Title 10 of the GCA authorizes the Guam Environmental Protection Agency to adopt such regulations as may be necessary to implement Chapter 48, Toilet Facilities and Sewage Disposal, of Title 10.

2023 NOTE: As published in the printed 1997 GAR, this provision read follows:

- (a) Title 10 Chapter 45 §45106 authorizes the Guam Environmental Protection Agency to adopt such regulations as may be necessary to implement Chapter 48, Toilet Facilities and Sewage Disposal, of Title 10.

§ 12102. Purpose.

The purpose of these regulations is:

- (a) Protect the health of the septic tank user and his neighbors.
- (b) To establish minimum standards that will ensure that wastes discharged:
 - (1) Will not pollute or contaminate the waters of any bathing beach, shellfish breeding grounds, or stream or groundwater source which could be used for public or domestic water supply purposes or for recreational purposes;
 - (2) Will not pose a health hazard by being accessible to children.
 - (3) Will not give rise to a nuisance due to odor or unsightly appearance;
 - (4) Will not violate any other laws or regulations governing water pollution or sewage

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disposal.

§ 12103. Definitions.

~~(a) *Administrator* means the Administrator of Guam Environmental Protection Agency or his duly authorized representative.~~

~~(b) *Individual Sewage Disposal System* means a system designed and installed to dispose of sewage from a single building or group of buildings located on one lot. Such a system may consist of a septic tank, together with a leaching field or seepage pit, or other treatment unit.~~

~~(c) *Septic Tank* means a water tight receptacle which receives the discharge of sewage and is designed and constructed so as to retain solids, digest organic matter through a period of detention, and allow the liquids to discharge into a subsurface leaching system.~~

~~(d) *Leaching System* means a subsurface system of open jointed or perforated piping bedded in crushed rock or coral, where septic tank effluent may seep or leach into the surrounding porous soil.~~

~~(e) *Sewage or Wastewater* means untreated or insufficiently treated human excreta, food waste disposed of through sewers; wash water; liquid wastes from residences, commercial buildings, public buildings, agricultural operations, and industrial establishments or other places of assembly, and such diluting water as may have entered the waste disposal system.~~

~~(f) *House Sewer or Building Drain* means that part of the lowest piping of a drainage system which receives the discharge from all waste lines and other drainage pipes inside the walls of the building except those discharging grease and oil, and conveys it to the building sewer pipe beginning 5 feet outside the building walls. Rain water from roof drains or any source shall not be diverted to the said system.~~

~~(g) *Water of the Territory* means all shore waters surrounding Guam, streams, lakes, springs, irrigation system, marshes, water courses, waterways, drainage system, and other bodies of water, surface and underground, natural or artificial, publicly or privately owned.~~

~~(h) *Public Sewer* means a common sewage collection system serving more than one lot, directly controlled by public authority.~~

~~(i) *Abutting Property* means that property, which lies next to any road, street or easement in which a public sewer is located. The boundary of the private property abutting the sewer need not~~

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~~physically touch the sewer easement so long as that piece of land separating the sewer easement from the abutting property consists of a public right of way, easement, road, or street not owned or controlled by another private owner, so that the abutting property owner would be required to obtain a private easement in order to connect this property with that of the sewer.~~

~~(j) *Cesspool* means excavation which receives or is intended to receive untreated sewage and from which the liquid directly seeps or leaches into surrounding porous soil. NO cesspool construction is allowed under this regulations.~~

~~(k) *Adjacent Homeowners* means homeowners where residences are adjacent to and abut a road, street or other way or easement on which a sewer is installed.~~

~~(l) *Privy* means a structure and excavation for the disposal of human excreta by non-water carriage methods and includes the term pit privy, trench latrine, and bored-hole latrine.~~

~~(m) *Single Family Residence* means a building designed exclusively for occupancy for one family and containing only one dwelling unit.~~

~~(n) *Duplex* means a detached building containing two dwelling units. This is the same definition as found in 21 GCA §61103 for a two family dwelling.~~

~~(o) *Type 2* means a toilet flushed with water and connected to a septic tank and leaching system.~~

~~(p) *Type 3* means privy type, including pit privy, trench latrine and bored-hole latrine.~~

~~(q) *Agency* means Guam Environmental Protection Agency (GEPA).~~

For the purposes of this Chapter, the definitions in 10 GCA Chapter 48 are adopted in addition to the following:

(a) *Abutting Property* means that property, which lies next to any road, street or easement in which a public sewer is located. The boundary of the private property abutting the sewer need not physically touch the sewer easement so long as that piece of land separating the sewer easement from the abutting property consists of a public right of way, easement, road, or street not owned or controlled by another private owner, so that the abutting property owner would be required to obtain a private easement in order to connect this property with that of the sewer.

(b) *Accessory Dwelling Unit (ADU)* means a secondary studio or bedroom dwelling unit that includes a separate

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entrance, kitchen, and bathroom facilities, detached from or attached to the primary single-family home on the zoning lot.

(c) *Adjacent Homeowners* means homeowners where residences are adjacent to and abut a road, street or other way or easement on which a sewer is installed.

(d) *Administrator* means the Administrator of Guam Environmental Protection Agency or his duly authorized representative.

(e) *Advanced Nitrogen-reducing Onsite Disposal System (ANODS)* means an onsite wastewater treatment and disposal system that reduces total nitrogen in effluent by at least fifty percent (50%) and that is certified by Guam Environmental Protection Agency in accordance with this Chapter.

(f) *Agency* means Guam Environmental Protection Agency (GEPA).

(g) *Conventional soil absorption system* means a system employing gravity flow from the septic or other treatment tank and applying effluent to the soil through the use of a seepage trench, bed, or pit.

(h) *Duplex (also "Dwelling, Two-Family")* means a detached building containing two dwelling units.

(i) *Holding Tank* means an approved water tight receptacle for collecting and holding sewage.

(j) *House Sewer or Building Drain* means that part of the lowest piping of a drainage system which receives the discharge from all waste lines and other drainage pipes inside the walls of the building except those discharging grease and oil, and conveys it to the building sewer pipe beginning 5 feet outside the building walls. Rain water from roof drains or any source shall not be diverted to the said system.

(k) *Public Sewer* means a common sewage collection system serving more than one lot, directly controlled by public authority.

(l) *Single Family Residence (also "Single Family Home" or "Dwelling, One-Family")* means a building designed exclusively for occupancy for one family and containing only one dwelling unit.

(m) *Type 2 toilet facility* means a toilet flushed with water and connected to a septic tank and leaching system a private sewage disposal system, not including cesspools.

(n) *Type 3 toilet facility* means privy type, including pit privy, trench latrine and bored-hole latrine.

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(o) Type 4 toilet facility means toilets flushed with water and connected to an Advanced Nitrogen-reducing Onsite Disposal System

(p) Water of the Territory means all shore waters surrounding Guam, streams, lakes, springs, irrigation system, marshes, water courses, waterways, drainage systems, and other bodies of water, surface and underground, natural or artificial, publicly or privately owned.

2023 NOTE: As published in the printed 1997 GAR, there were differences in language of subsections (c), (e), and (f), which read as follows: means

(c) Septic Tank means a water tight receptacle which receives the discharge of sewage and is designed and constructed so as to retain solids, digest organic matter through a period of detention, and allow the treated liquids to discharge into a subsurface leaching system.

(e) Sewage or Wastewater means untreated or insufficiently treated human excreta, food waste disposed of through sewers; wash water; liquid wastes from residences, commercial buildings, agricultural operations, and industrial establishments or other places of assembly, and such diluting water as may have entered the waste disposal system.

(f) House Sewer or Building Drain means that part of the lowest piping of a drainage system which receives the discharge all waste lines and other drainage pipes inside the walls of the building except those discharging grease and oil, and conveys it to the building sewer pipe beginning 5 feet outside the building walls. Rain water from roof drains or any source shall not be diverted to the said system.

§ 12104. Non-Availability of Public Sewer.

(a) When public sewer intended to serve any lot or premises is not available in any thoroughfare or right of way abutting such lot or premises, drainage piping from any building or works shall be connected to an approved private sewage disposal system. Availability of public sewer shall be determined in accordance with 22 GAR Chapter 25, Connection to Public Sewer Regulations.

~~(b) The public sewer may be considered as not being available to a single family residence or duplex or any residential building, when such public sewer is located more than two hundred (200) feet away from any proposed single family residential unit or duplex, or any existing residential building on any lot or premises which abuts and is served by such public sewer.~~

~~The Administrator may grant exemption for a single family residential unit or duplex where a public sewer is less than 200~~

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~~feet away from the building and such residential building cannot be connected to the public sewer by gravity due to obstructions. Exception may only be granted by the Administration, if the Administrator is convinced that after written findings an exemption will not jeopardize the general public health and welfare.~~

~~(c) Vertical Alignments — Where public sewer is available to a particular building and sewer location is, (1) more than twenty (20) feet above the lowest floor level of the single family residence or a duplex; or (2) more than fifty (50) feet above the lowest floor level of any other structures, public sewer may be considered as not being available.~~

~~Exemptions, where the vertical distances between lowest floor level and the sewer is less than 20 feet, may be granted by the Administrator for a single-family residential unit or duplex when by written findings it is determined that the public health and welfare will not be jeopardize.~~

(b) Where water is available from the Guam Waterworks Authority, but a public sewer is not available, toilet facilities shall be type 2 or type 4.

2023 NOTE: As published in the printed 1997 GAR, there was a difference in language of subsection (b), second paragraph, which read as follows:

The Administrator may grant exemption for a single-family residential unit or duplex where a public sewer is less than 200 feet away from the building and such residential building cannot be connected to the public sewer or gravity due to obstructions. Exception may only be granted by the Administration, if the Administrator is convinced that after written findings an exemption will not jeopardize the general public health and welfare.

§ 12105. Private Sewage Disposal System (General).

(a) Where permitted by § 12104, a building may be connected to a private sewage disposal system which complies with other provisions set forth in these regulations. The type of system shall be determined on the basis of location, property area, soil porosity, and ground water level and shall be designed to receive all sanitary sewage from the property. ~~The system, except as otherwise provided, shall consist of a septic tank with effluent discharge into a sub-surface disposal field.~~

(b) Where conditions are such that the above system cannot be expected to function satisfactorily for commercial, agricultural and industrial plumbing systems; for installations where appreciable amounts of industrial or indigestible waste are produced; for hotels, hospitals, office buildings, schools; for occupancies producing abnormal quantities of sewage or liquid waste; the method of sewage treatment and disposal shall be first

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approved by the Administrator. Special sewage disposal systems for minor, limited or temporary uses shall be first approved by the Administrator.

(c) Disposal systems shall be designed to utilize the absorptive portions of the soil formation. Where the ground water level extends to within ~~twelve (12)~~ three (3) feet or less of the ~~ground surface~~ bottom of the soil absorption system or where the upper soil depth is insufficient and the underlying stratum is rock or impervious soil, a ~~septic tank and~~ conventional soil absorption system may not be installed. Under such conditions, it may be possible to utilize a mound system, if site conditions allow and all requirements under § 12113 can be met.

(d) All lots served by an ~~on site disposal system~~ private sewage disposal system which utilizes a soil absorption system shall contain sufficient reserve area which would permit at least 100% replacement of the proposed ~~leach field~~ soil absorption system. No division of the lot or erection of structures on the lot shall be made if such division or structure impairs the functional usefulness of the designated 100% expansion area.

(e) No property shall be improved in excess of its capacity to properly absorb sewage effluent in the quantities and by the means provided in these regulations.

(f) When there is insufficient lot area or improper soil conditions for adequate sewage disposal from a building or proposed use of the land as determined by the Administrator, no building permit shall be issued and no private sewage disposal shall be permitted. Where space or soil conditions are critical, no building permit shall be issued until engineering data and test reports satisfactory to the Administrator have been submitted and approved.

(g) Where public sewers may be installed at a future date, provisions ~~should~~ shall be made in the household plumbing system for connection to such sewer upon notification by the Administrator ~~within 5 years period after it is available~~ pursuant to 22 GAR Chapter 25.

(h) New ~~septic tanks, leaching fields, out houses or other on-site private sewage disposal systems~~ shall not be permitted within flood hazard areas. All sewage disposal lines shall be connected to ~~government sewage~~ public sewer at the developer's expense. Sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the system and discharges from the systems into flood waters in accordance with 18 GAR Chapter 3 ~~(Section IV. E. Standards for flood Hazard Area Management, Floor Hazard and Wetland Area Rules and Regulations.~~ Variances to such standard or procedure maybe

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granted through appeal to the Guam Land Use Territorial Planning Commission which may grant such variances only upon written findings that applicant satisfied all the criteria outlined granting variances under 21 GCA § 61616-7).

(i) Nothing contained in these regulations shall be construed to prevent the Administrator from requiring compliance with higher requirements than those contained herein where such higher requirements are essential to maintain a safe and sanitary condition.

(j) No wastewater disposal system installations, constructions, repairs or additions shall be made by the owner of the property without written permit from the Agency.

(k) Any person whose application for a permit under these regulations has been denied ~~shall be notified in writing as to the reason for denial and such person may within 15 days after date of official notification, shall file a written request for a hearing before the Agency. Such hearing shall be held by the Agency within 30 days after receipt of the request and upon reasonable notice to the applicant. The Board of Directors of the Agency shall affirm, modify, or revoke the denial, or issue the permit on the basis of the evidence presented at the hearing may appeal such denial in accordance with the process and timeframes specified in 10 GCA Chapter 48.~~

(l) The design criteria presented in these regulations can only be applied to systems utilized by residential units up to and including a ~~four-plex~~ two-unit dwelling (duplex). Systems which must serve larger residential complexes, commercial, or industrial facilities ~~shall be based on the current edition of the International Private Sewage Disposal Code (IPSDC) as adopted under the Building Law at 21 GCA § 67101.4, or other design guidance approved by the Administrator and subject to the requirements of the Guam Water Quality Standards (22 GAR Chapter 5).~~ must be based on design criteria specific to the facility. The standard guidance presented within these regulations is not considered adequate for such facilities.

(m) Approval of Administrator required. No toilet or sewage facilities or single-family residences subdivisions, apartments, motels, hotels or other multi-housing facilities, commercial buildings, institutions, and industrial facilities, may be constructed without the approval of the Administrator, or put into operation without his inspection and approval.

(n) Within the Groundwater Protection Zone (GPZ), the following requirements apply, consistent with the policies established under the Water Quality Standards (22 GAR § 5101 (c)):

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(1) Type 2 or Type 4 toilet facilities which utilize a soil absorption system for effluent disposal may only be permitted for single family dwellings, accessory dwelling units (ADUs), or duplexes

(2) No private sewage disposal system shall be permitted unless:

(A) A lot area of at least 19,200 square feet is provided per dwelling unit*; or

(B) The lot is subject to the exemptions in 21 GCA §62104 (“parental” and “decedent” lots), no less than 9600 square feet, and the dwelling is connected to a Type 4 toilet facility which is operated under a valid operating permit issued pursuant to this chapter.

*Note: Relative to Sec 12105(n)(1)(A), the Administrator may allow small deviations from this minimum lot area requirement, up to ten (10) percent, to account for takings of easements and rights of way or other purposes. In such cases, the Administrator must state the reasons for allowing the deviation in writing in the permit approval letter.

2023 NOTE: As published in the printed 1997 GAR, there were differences in language of subsections (h) and (i), which read as follows:

(h) New septic tanks, leaching fields, out houses or other on-site sewage disposal systems shall not be permitted within flood hazard areas. All sewage disposal lines shall be connected to government sewage at the developer's expense. Sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the system and discharges from the systems into flood waters. Variances to such standard or procedure may be granted through appeal to the Territorial Planning Commission which may grant such variances only upon written findings that applicant satisfied all the criteria outlined granting variances satisfied all the criteria outlined granting variances under 21 GCA § 61617.

(i) Nothing contained in these regulations shall be construed to prevent the Administrator from requiring compliance with higher requirements are essential to maintain a safe and sanitary condition.

In subsection (a), the reference to “Section IV of these regulations” has been replaced with § 12104 to reflect the renumbering, pursuant to ~~to~~ the authority of 1 GCA § 1606.

§ 12106. ~~Permit Application Issuance Procedures and Requirements for Wastewater Disposal Systems.~~

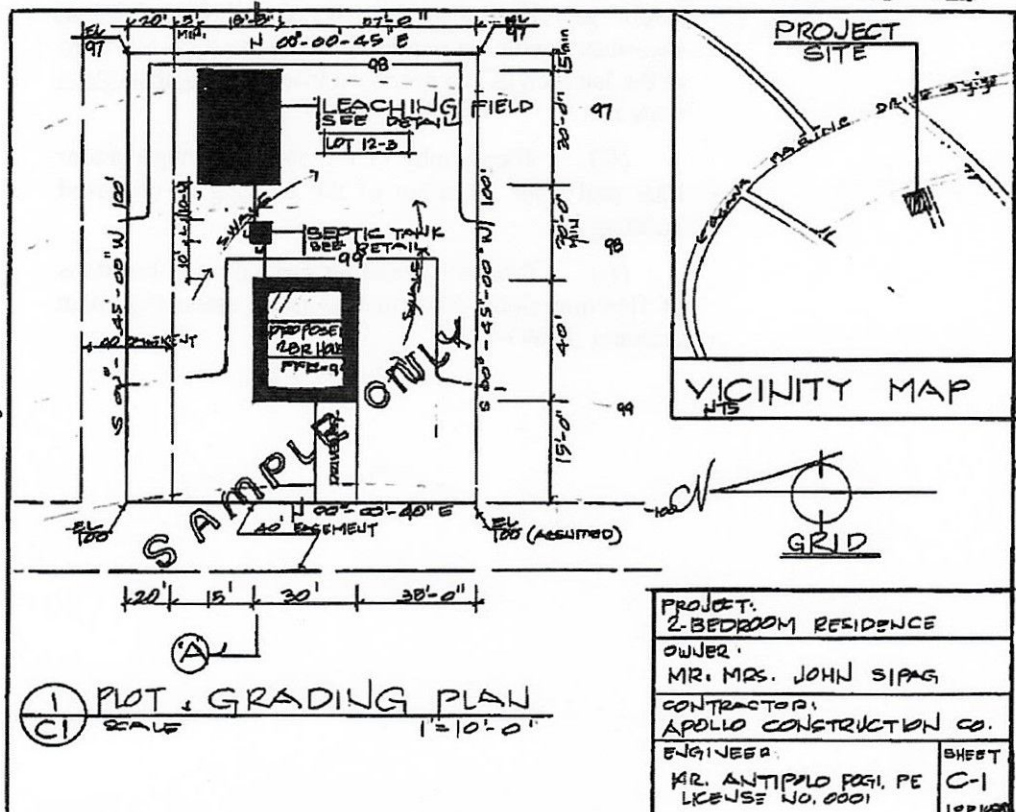
(a) Before specific plans and specifications for ~~individual~~ private wastewater disposal system permit application are

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 reviewed for compliance with Guam Environmental Protection Agency (GEPA) regulations, such plans and specifications shall contain the following as minimum:

- (1) Vicinity Map - plans must include vicinity map to locate property showing adjacent streets with names and other land marks that can easily locate the property where the proposed improvement is to be established.
- (2) Plot and Grading Plan (DWG-C-1) - plans must include a plot plan, drawn to scale and completely dimensioned, showing direction and approximate slope of the ground surface, and must contain the following:



1: DWG-C-1

- (A) Delineation of property boundaries, lot number and zone designation;
- (B) Delineation of public rights of way, easements and access roads, if applicable;
- (C) Indication of location of all present or proposed or existing retaining walls, drainage

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channels, water supply lines or walls, paved areas and structures on the plot with relation to lot lines and structures.

(D) Location of proposed or existing sewage facilities in relation to property boundaries, public rights of way, easements and access roads, existing structures and utilities, and the proposed building.

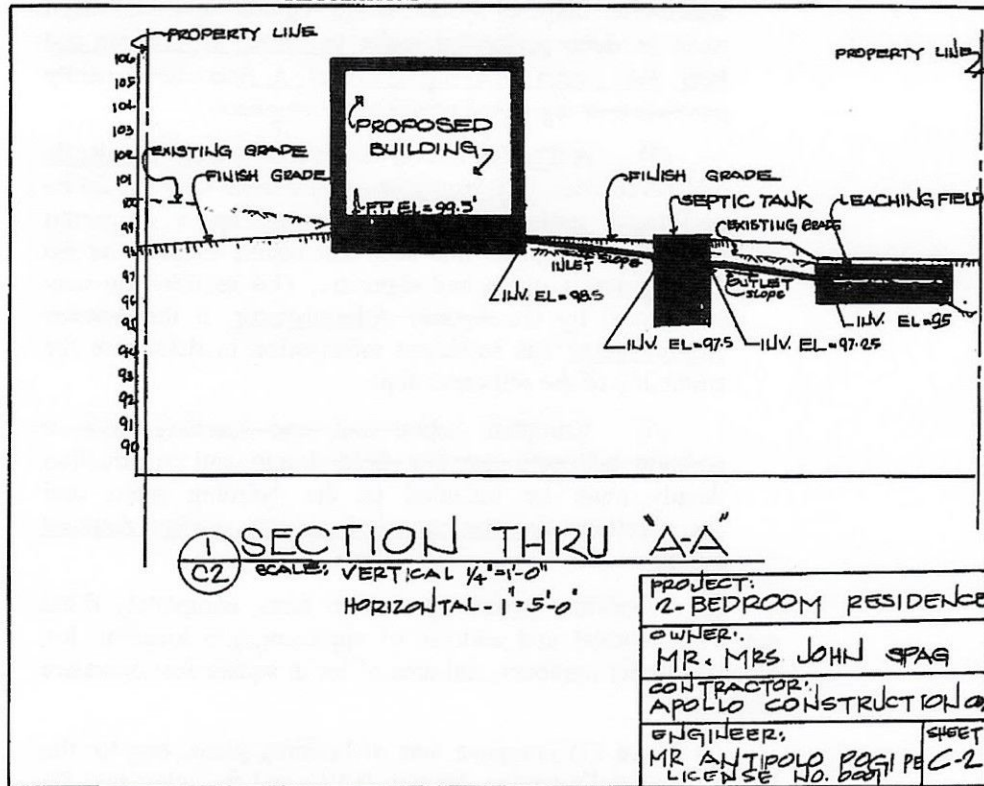
(E) A description of the complete installation including quality, kind and grade of materials, equipment, construction, workmanship and methods of assembly and installation.

(F) A log of soil formation and ground water levels as determined by the test holes dug, in accordance with the requirements of the Administrator, at the location of the proposed ~~leaching~~ soil absorption system.

(G) Topography of the area, showing contour lines and floor elevation of the existing or proposed building.

(H) Profile of existing ground and elevations of flowline along sewerline as per cross-section plan drawing (DWG-C-2).

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2: DWG-C-2

(3) Regardless of the type of disposal system applied for, the permit application should bear the signature of the Guam Waterworks Authority for water and sewer availability verification, and approval for sewer connection if sewers are available and location of connection point. The Department of Land Management must process the plans for verification of property boundary, confirmation of ownership, zoning and itemization Guam Planning Commission/Guam Seashore Planning Commission of conditions prior to GEPA review and their signature must be included on the Building Permit Application Form.

(A) When a property is within the wetland zone, review and clearance and approval from Land Management, Bureau of Planning, ACOE U.S. Army Corps of Engineers, and Department of Agriculture is required prior to GEPA review and their signature or other written proof of approval must be included with the Building Permit application.

(4) Design calculations of supporting the proposed

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wastewater disposal system ~~is~~ are required and the design must be ~~done~~ performed under the direct supervision and bear the stamp and signature of a licensed specialty contractor or registered professional engineer.

(5) ~~A~~ The log of soil formations, water table depth, and percolation test results and water table tests should be performed under the supervision of ~~by~~ a registered professional engineer and such test results should bear ~~his~~ the engineer's stamp and signature. This requirement may be waived by the ~~Agency Administrator~~, if the ~~Agency Administrator~~ Administrator has sufficient information to determine the suitability of the soil conditions.

(6) ~~Complete septic tank and leaching field or aeration tank and leaching field design and construction details must be included in the building plans and specifications for the proposed private sewage disposal system.~~

(b) A building permit application form, completely filled out with name(s) and address of applicant, job location, lot, block and tract numbers, and area of lot in square feet or square meters.

(c) Three (3) complete sets of building plans, one for the Environmental Protection Agency (EPA) and the other two (2) for distribution to other agencies, or one set in a readily accessible electronic format (e.g., pdf files) if acceptable to the Administrator.

(d) ~~Septic Tank Permit Validity - Any septic tank permit for the construction of a private wastewater disposal system shall be void if the work authorized by said permit is not commenced within three (3) months after its issuance, or is suspended or abandoned for a period of three (3) months at any time the work has commenced; provided that for just cause stated in writing to the Administrator, the Administrator may allow up to a maximum of three (3) months extension. All such extensions shall be in writing and noted on the septic tank permit and in the individual wastewater records of the Section of Individual Wastewater Program become null and void under the following conditions:~~

(1) If permitted work is not started within one hundred eighty (180) calendar days after the date of issuance of the permit; or

(2) If work is suspended or abandoned any time after the work is commenced for a minimum period of sixty (60) days; or

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(3) If work is continued without interruption for one (1) year, beginning with the date of issuance of the Building Permit.

Once a permit has expired, the owner/applicant shall pay the required fees and obtain a new permit pursuant to these regulations, before resuming or beginning new work.

(e) No building permit or certificate of occupancy under the Building Law of Guam shall be issued without prior compliance with the requirements of the above section.

2023 NOTE: As published in the printed 1997 GAR, there were differences in language of subitems (a)(2)(C) and (G), and subsection (d) as follows:

(C) Indication of location of all present or proposed or existing retaining walls, drainage channels, water supply lines or walls, drainage channels, water supply lines or walls, paved areas and structures on the plot with relation to lot lines and structures.

(G) Topography of the area, showing contour lines and floor elevation of the existing or proposed building.

(d) Septic Tank Permit Validity - Any septic tank permit shall be void if the work authorized by said permit is not commenced with three (3) months after its issuance; or is suspended or abandoned for a period of three (3) months at any time the work has commenced; provided that for just cause stated in writing to the Administrator, the Administrator may allow up to a maximum of three (3) months extension. All such extensions shall be in writing and noted on the septic tank permit and in the individual wastewater records of the Section of Individual Wastewater Program.

Reference to the Territorial Planning Commission/Territorial Seashore Planning Commission replaced with Guam Planning Commission/Guam Seashore Planning Commission pursuant to 1 GCA § 420.

§ 12107. Capacity of Septic Tanks.

(a) The net volume or effective capacity below the flow line of a septic tank, for flows up to 500 gpd, should be at least 750 gallons. For flows between 500 and 1500 gpd, the capacity of the tank should equal to at least 1-1/2 days sewage flow. The liquid capacity and sizes of septic tank as determined by the number of bedrooms or duplex units in any dwelling occupancies shall be as established in Table 1 - "Guidelines for Construction of Septic Tank (Liquid Capacity)".

TABLE I
GUIDELINES FOR CONSTRUCTION OF SEPTIC TANK
(LIQUID CAPACITY)

Number of Bedrooms	Recommended Sewage Flow* (Gallons) GPD	Recommended Minimum Tank Capacity	Recommended Minimum Inside Tank Dimension L. W. D.
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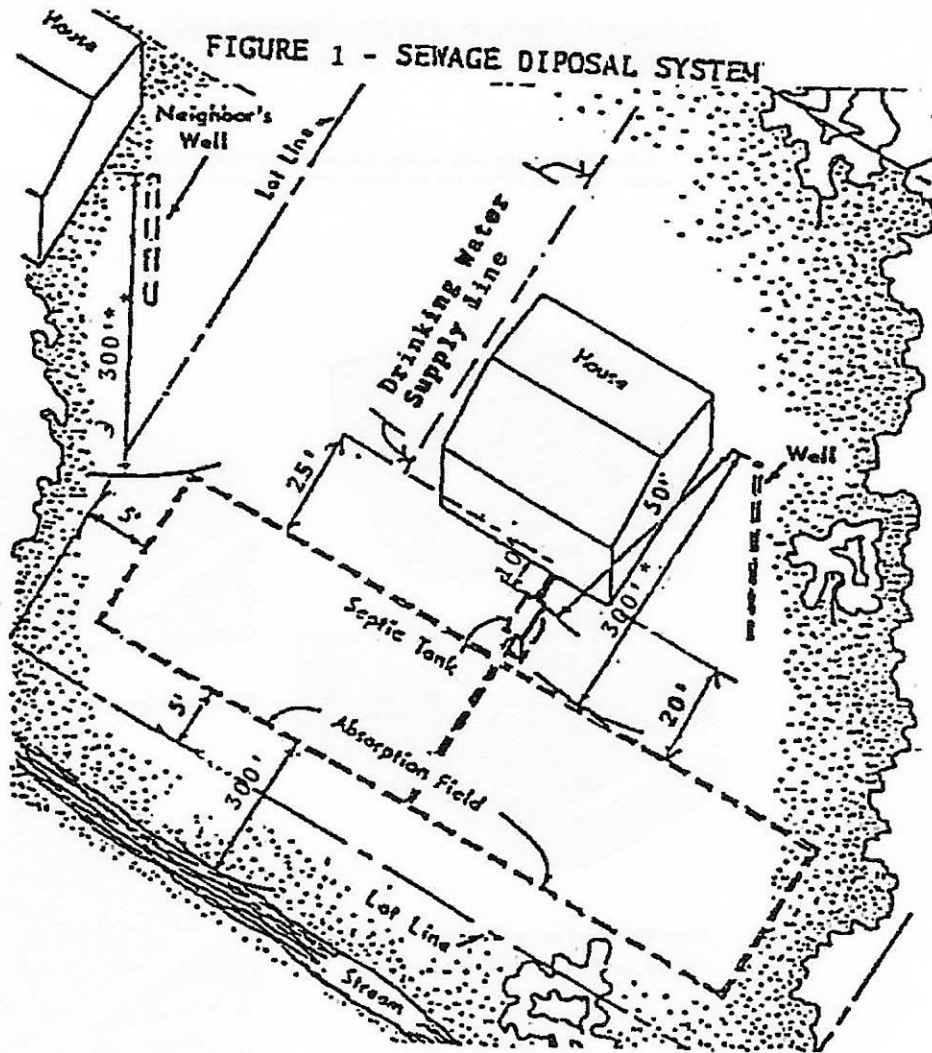
REGULATIONS			
(Gallons)			
2	480	750	6' x 4' x 6'
3	720	1,080	7' -6" x 4' x 6'
4	960	1,440	7' x 6' x 6'
5	1,200	1,800	7' x 7' x 6'
6	1,400	2,160	8.5' x 7' x 6'

Source: GEPA, Rural Islandwide Facilities Plan, Table 5-2, Page 5-17. Manual of Septic Tank Practice - U.S. Department of Health; Education and Welfare. Public Health Service Publication #526.

§ 12108. Location and Installation of Private Sewage Disposal System.

(a) No part of the system shall be located so that is nearer to any water supply than outlined in Figure 1 and Table II, or so that surface drainage from its location may reach any domestic water supply. The distances given in Figure 1 and Table I are the minimum distances to any water of the territory, property lines, dwelling, school, public building, or a building used for commercial, or industrial purposes or as a place of assembly.

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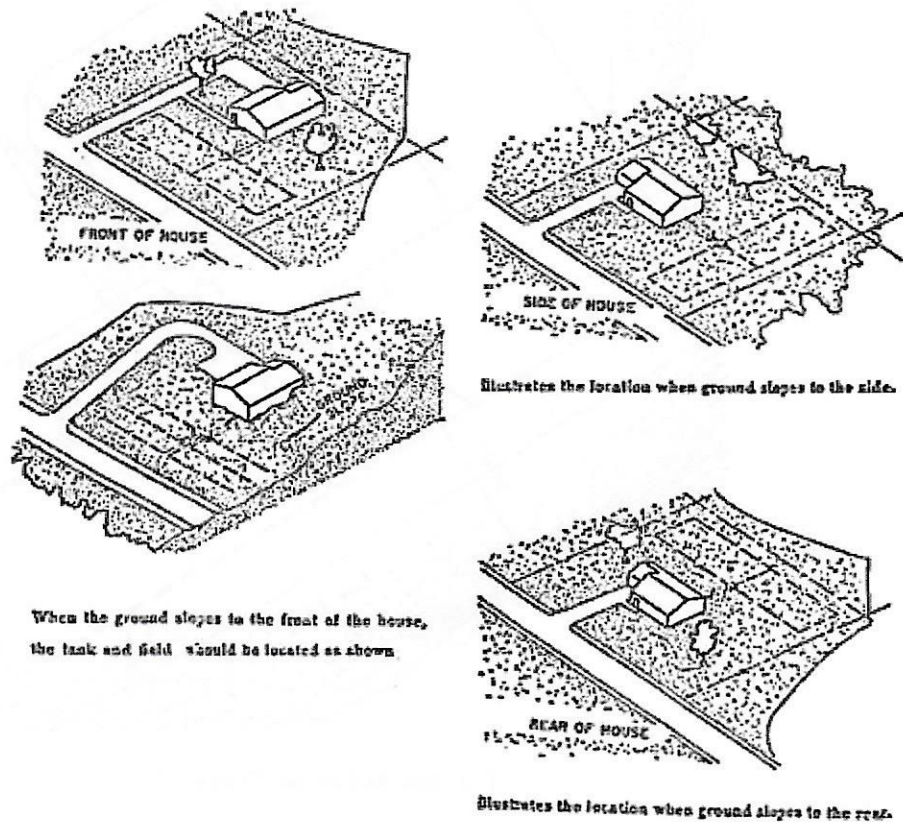


(*) See Notes on Table II

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(b) Suggested location of tank and disposal field soil absorption system on varying ground slopes (Figure 2).

In locating the septic tank, consider future extension of a public sewer so that a minimum rerouting of the building sewer will be necessary.



(c) Location for Type 2 toilet facilities, other than holding tanks, shall be such as to provide not less than the stated minimum distances in Table II - A. Location for Type 4 toilet facilities and Holding Tanks shall be not less than the stated minimum distances in Table II - B.

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TABLE II - A
 MINIMUM SAFE HORIZONTAL DISTANCES IN FEET
 FOR CONVENTIONAL SOIL ABSORPTION SYSTEMS AND PRIVIES

From	To			
	Privy	Septic Tank	Soil Absorption Bed System	Absorption Field
1. Any water of the Territory		300'	300'	300'
2. Any dwelling, school, public building, or a building used for commercial or industrial purpose	20'	10'	20'	20'
3. Property boundary lines		5'	5'	5'
4. Water lines		10'	25'	
5. Wells*		300/1000*	300/1000*	300*

* This applies only to potable water supply wells, as described and regulated under 22 GAR Chapter 7, Water Resource Development and Operating Regulations.

TABLE II - B
 MINIMUM SAFE HORIZONTAL DISTANCES IN FEET
 FOR TYPE 4 TOILET FACILITIES AND HOLDING TANKS

From	To		
	Holding Tank	Treatment Tank	Soil Absorption System
1. Any water of the Territory	50**/150'	300'	300'
2. Any dwelling, school, public building, or a building used for commercial or industrial purpose	20'	10'	20'
3. Property boundary lines	5'	5'	5'
4. Water lines		10'	25'
5. Wells*	300*	300*	300*

* This applies only to potable water supply wells, as described and regulated under 22 GAR Chapter 7, Water Resource Development and Operating Regulations.

** 50' only for facilities that have a legitimate government or commercial need to be in such close proximity to waters of the territory, and only with specific written approval from the Administrator, contained in the permit approval letter.

GEPA NOTE:

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1. Should there be any legislative amendment to any minimum safe distance requirement, the latest amendment shall govern.
2. No septic, ~~treatment, or holding~~ tank shall be constructed in a position not easily accessible for emptying or cleaning.
- ~~*3. Minimum distances from well to sources of bacterial contamination.~~

Formation Favorable (Unconsolidated)	Minimum Acceptable Distance 300 feet. Lesser distances only on Administrator's approval following comprehensive sanitary survey of proposed site and immediate surroundings.
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~~Unknown~~ 300 feet only after comprehensive geological survey of the site and its surroundings has established, to the satisfaction of the Administrator, that favorable formations exist.

Poor (Consolidate) Safe distances can only be established following both the comprehensive geological and comprehensive sanitary surveys. These surveys also permit determining the direction in which a well may be located with respect to sources of contamination. In no case should the acceptable distance be less than 300 feet.

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§ 12109. Area of ~~Disposal Fields~~ Soil Absorption Systems.

The minimum effective absorption area required for ~~disposal fields~~ soil absorption systems in square feet of absorption leachfield bed (leaching field), shall be predicated on the wastewater loading, soil conditions and required size of septic tank for the type of soil percolation rate as established in Table III - "Guidelines for Construction of Septic Tank and ~~Leachfield~~ Soil Absorption Systems on Guam".

§ 12110. Septic Tank Design and Construction (~~Figures 3 and 3A~~).

(a) Septic tank design shall be such as to provide access for cleaning, adequate volume for settling, and for sludge and scum storage. The structural design shall provide for a sound durable tank which will sustain all loads and pressures and will resist corrosion.

(b) Location shall be such as to provide not less than the stated distances in Figure 1 and Table II.

(c) Liquid capacity shall be based on the number of bedrooms proposed or reasonably anticipated and shall be at least as required in Table I.

(1) The liquid depth of the tank or compartment thereof shall be five (5) feet and not more than six (6) feet. A liquid depth greater than six (6) feet shall not be considered in determining tank capacity;

(2) No tank or compartment thereof shall have an inside horizontal dimension of less than four (4) feet or 48 inches. Scum storage shall equal 15% of the total liquid depth and shall be measured from the top of the liquid level to the vertical top of the inlet tee and outlet tee excluding the one (1) inch air space at the top of the tank. In no case shall this area be less than seven (7) inches;

(3) The vertical leg of the inlet tee shall not be less than six (6) inches below the liquid surface and above the liquid surface as required in (c)(2) above.

(d) Inlet and outlet connections must be located no less than six (6) feet apart and shall be submerged so as to obtain effective retention of scum and sludge. The inlet invert shall be at least three (3) inches above the outlet invert. Access to both inlet and outlet connections shall be provided through manholes or inspection ports.

(e) The vertical leg of the outlet tee shall extend upward to within 1 inch of the underside of the cover and downward to a point which is 40% of the liquid depth below the liquid surface. When a partition wall is used to subdivide the tank, it shall have a 4 inch diameter minimum opening, with the same invert elevation as the tank outlet (See Figure 3A). The partition wall opening shall have an outlet device equivalent to the tank inlet or outlet, so that outside air can enter both sides of the partition.

(f) When multi-compartment tanks are used, the volume of the first

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compartment shall be equal to or greater than that of any compartment.

(g) Access to each compartment of the tank shall be provided by a 18" x 18" minimum manhole or removable cover. The inlet and outlet tee connections shall also be accessible through properly placed manholes, handholes or by easily removed covers.

(h) Where the top of the septic tank is below ground grade level, manholes shall be built up to ground grade level.

(i) Concrete septic tanks shall be pre-cast or site-constructed meeting the requirements of Section 504.1.1 of the current edition of the International Private Sewage Disposal Code as adopted under the Building Law at 21 GCA § 67101.4, and ASTM C 1227 as required therein. The floor and walls of a site-constructed tank must be monolithic in construction, except that a construction joint may be allowed in the lower 12 inches of the sidewalls, with a keyway meeting the width requirements as specified in the IPSDC. The minimum compressive strength of any concrete septic tank wall, top and covers, or floor shall not be less than 4000 psi (pound per square inch) at 28 days in accordance with ASTM C1227. Septic tanks constructed using hollow block, concrete masonry units (CMUs) shall not be permitted. Other septic tank types shall be evaluated and approved by the Administrator but must be allowable under the IPSDC. The wall of the tank shall not be less than 4 inches thick reinforced concrete poured in place, or not less than 8 inches thick load bearing concrete hollow block reinforced at every 16" on center laid on a solid foundation and mortar joints well filled, plastered with 1/2 inch concrete mortar in the inside of the tank. The tank covers and floor slabs shall be not less than 6 inch thick reinforced concrete. Septic tank covers may either be poured in place or pre-cast. The minimum compressive strength of any concrete septic tank wall, top and covers, or floor shall not be less than 2500psi (pound per square inch).

(j) All septic tank covers shall be capable of supporting an earth load of not less than 300 pounds per square foot where the maximum coverage does not exceed three (3) feet. All septic tanks shall be subjected to a water-tightness test as follows (ASTM C 1227): fill the tank to the outlet invert elevation, cover the tank, and let stand for 24 hours. Refill tank. The tank is approved if the water level is held for one (1) hour after refilling. GEPA shall observe the water level at the start and end of the 24 hour hold time, and at the start and end of the one (1) hour test.

(k) After the completion of the septic tank, the inside shall be cleaned, ~~and~~ all forms removed, and the tank shall pass the required water-tightness test before occupancy permits will be issued.

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Figure 3

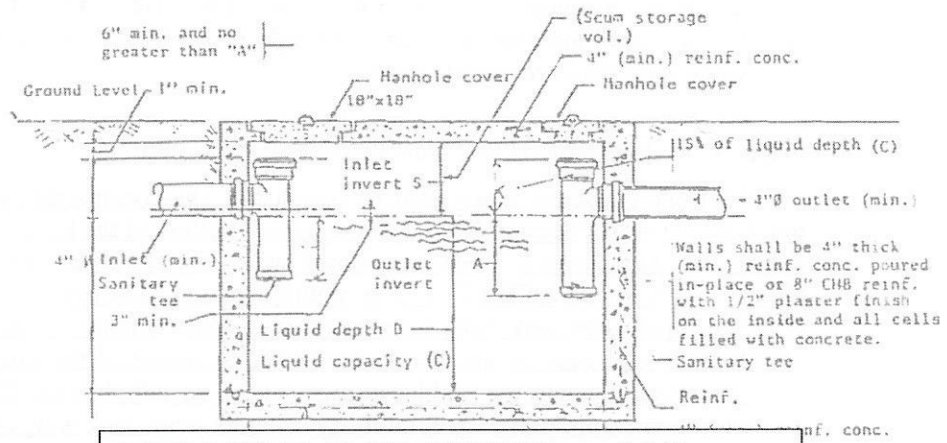
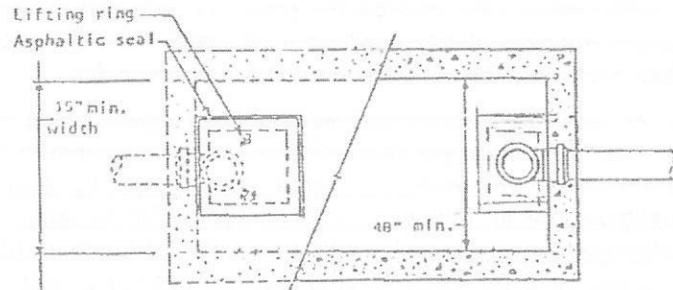


FIGURE DELETED - NO LONGER APPLICABLE

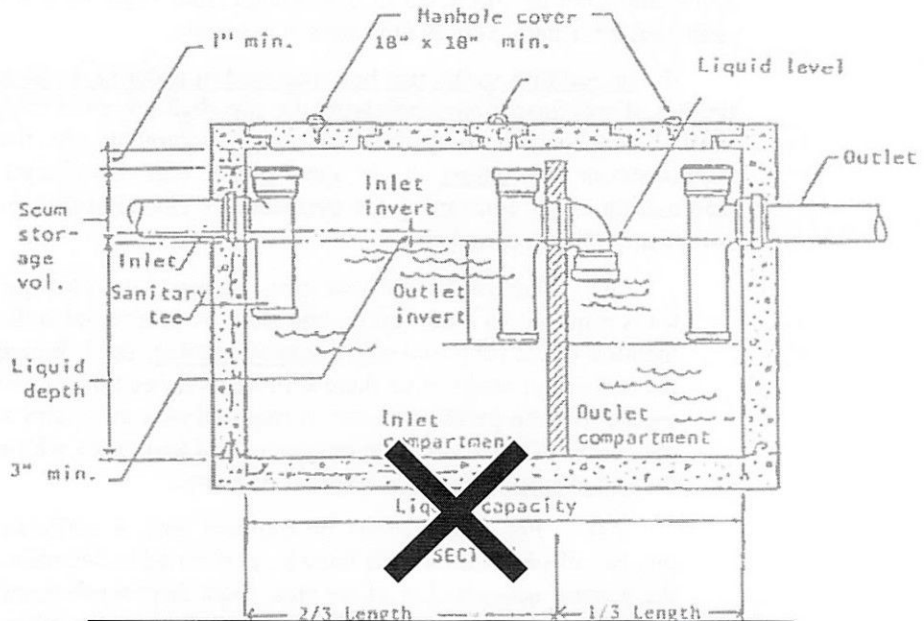
1. Septic tank size, depends on number of bedrooms contemplated in the dwelling served. Refer to Table 1 for septic tank size.
2. Schedule of concrete reinforcement (Min.)
 - A. Cover - #4 at 8" O.C. EW.
 - B. Walls - 1. Conc. PIP - #6 at 10" O.C. EW.
 2. CHU - #4 vert. bar at 16" O.C. and 8" DUR-O-WALL at every two layers.
 - C. Bottom slab - #4 at 10" O.C. EW.



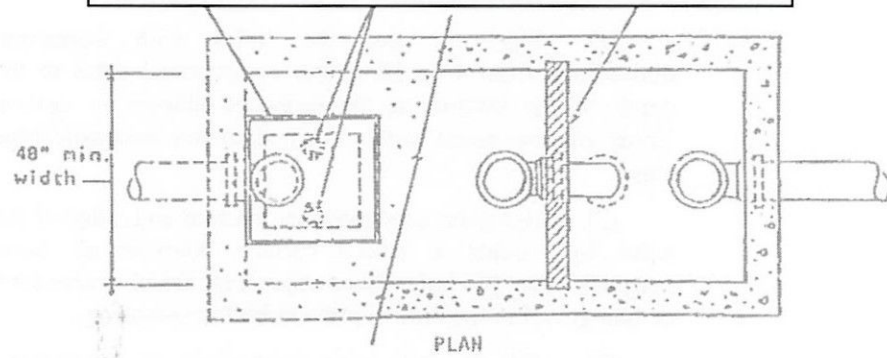
PLAN
 SINGLE COMPARTMENT SEPTIC TANK

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Figure 3A



**FIGURE DELETED - NO
LONGER APPLICABLE**



DOUBLE COMPARTMENT SEPTIC TANK

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§ 12111. Percolation Tests.

(a) Individual residences. The absorption areas for ~~disposal field~~ soil absorption systems for individual residences whenever applicable shall be computed or determined from Table III when sufficient information about area soils is available.

(b) In addition to the test hole required in order to develop the log of soil formations underlying the site, ~~All~~ proposed sites shall be subjected to percolation tests acceptable to the Administrator ~~if~~ unless it is determined that ~~insufficient~~ information exists concerning the permeability characteristics of soils within the proposed site.

(1) For individual lots, one (1) percolation test per lot is required as a minimum, and shall be performed at the location of the proposed soil absorption system ~~field~~. Where the soil is not uniform or there is more than one type of soil on the lot, one percolation test is required as a minimum at the center of each variation or type of soil that exists within the soil absorption system ~~disposal field~~ area.

(2) For subdivisions or multiple lots, a sufficient number of percolation tests must be performed to determine the general acceptability of the area. Final ~~disposal field~~ soil absorption system size must be based on a minimum of one test per site.

(c) Test Procedure (Figure 5). All percolation tests required should be performed in accordance with the following:

(1) Dig or bore the holes with horizontal dimensions from 4 to 12 inches and vertical sides to the depth of the bottom of the proposed absorption device. Holes can be bored with 4 inch diameter post-hole type auger.

(2) Roughen or scratch the bottom and sides of the holes to provide a natural surface. Remove all loose materials from the hole. Place about 2 inches of coarse sand or fine gravel in the hole to prevent bottom scouring.

(3) Fill the hole with clear water to a minimum depth of 12 inches over the gravel. By refilling, or by supplying a surplus reservoir of water (automatic siphon), keep water in hole for at least four hours, and preferably overnight. In granular soils, ~~i.e.,~~ such as those classified as GW, GP, SW, or SP ~~classified~~ according to the Unified Soils Classification System," the test can be made after the water from one filling has seeped away.

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(4) Percolation rate measurements should be made on the day following the saturation process, except in sandy soils.

(5) If water remains in the test hole after overnight saturation, adjust the depth to 6 inches over the gravel. From a fixed reference point, measure the drop in water level at approximately 30-minute intervals over a 4-hour period. The drop which occurs during the final 30-minute period is used to calculate the percolation rate. It must be noted that if a soil or site is determined to be poorly drained with an accompanying high water table, it is unsuitable regardless of percolation test data.

(6) If no water remains in the hole after overnight saturation, add clear water to a depth of about six inches over the gravel. From a fixed reference point, measure the height of the water surface at approximately 30 minute intervals over a 4-hour period, refilling the hole to a depth of six inches when the percolation rate indicates the hole will run dry before the next reading is made. The drop which occurs during the final 30-minute period is used to calculate the percolation rate. It should be noted that if a hole must be refilled to obtain a final 30-minute reading, determine from the previous reading the water level drop during that interval, add water until the level above the bottom equals this figure plus one-half inch. Continue the test, measuring the drop during the final 30-minute period.

(7) In sandy soils; or other soils in which the first six
(6) inches of water seeps away in less than 30 minutes, after the overnight saturation period, the time interval between measurements can be taken as 10 minutes and the test run over a period of one hour. The drop which occurs in the final 10-minute period is used to calculate the percolation rate.

2023 NOTE: In the 1997 printed GAR publication, subsection (a) stated: "(a) Individual residences. The absorption areas for disposal field and seepage pits for individual residences whenever applicable shall be computed or determined from Table III when sufficient information about area soils is available." However, "and seepage pits" is not in the GEPA document and has been omitted here.

§ 12112. Subsurface Soil Absorption Systems ~~(Figure 4)~~.

(a) Bed Construction (Figure 4)

Where percolation rates are faster than 1" per 30 minutes and soil characteristics and site conditions are acceptable to the Administrator, an ~~absorption~~ bed-type soil absorption system

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may be installed.

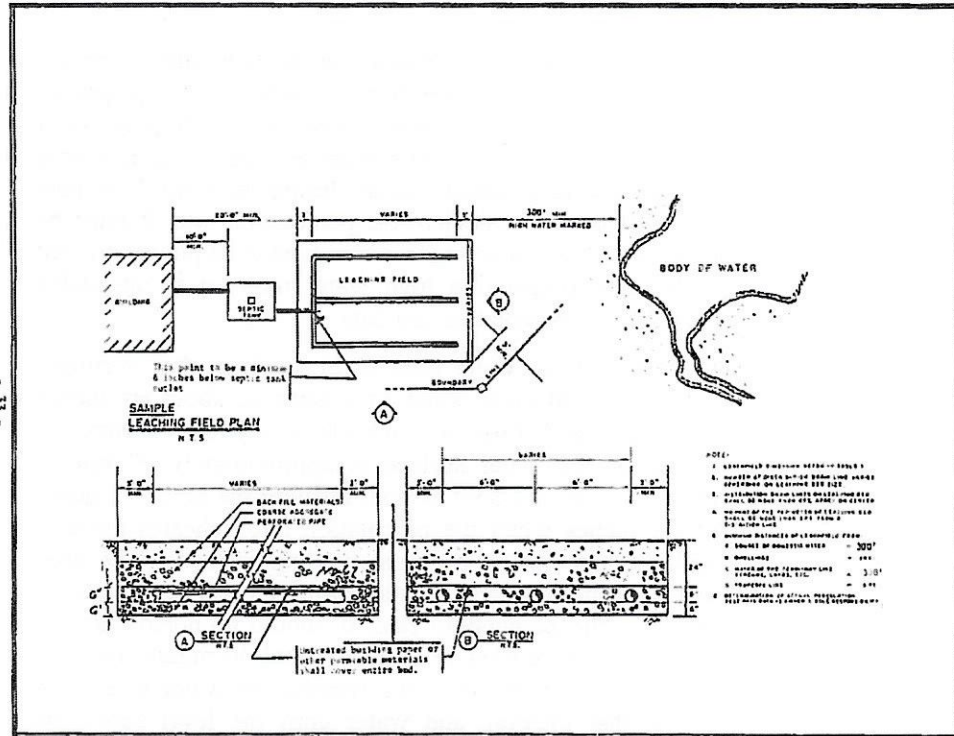


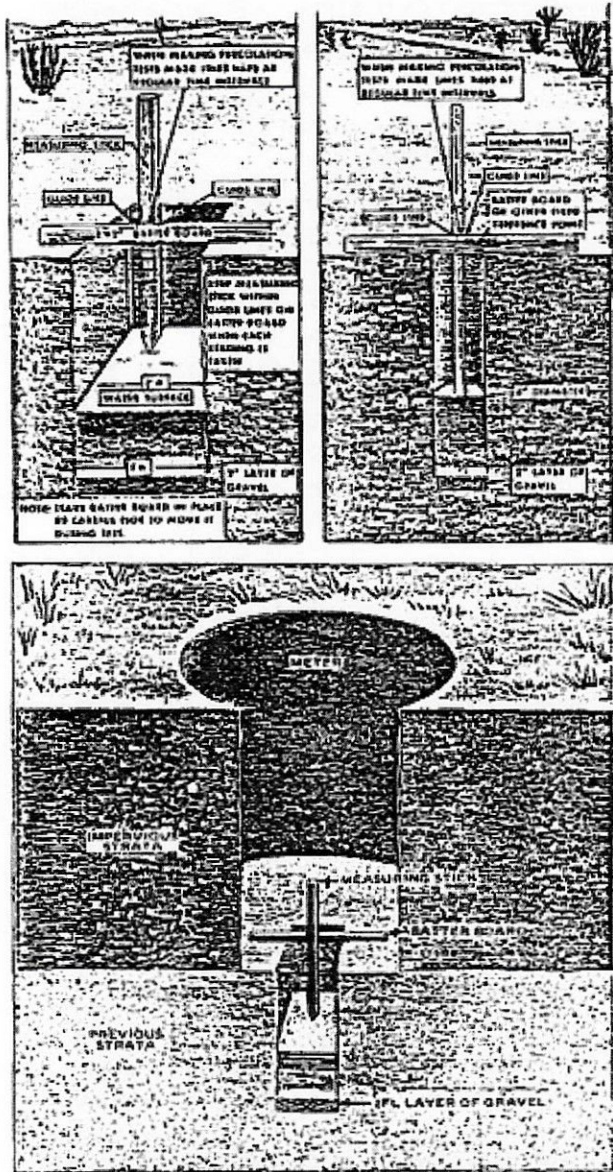
Figure 4

(b) Trench Construction (Figure 5)

Where percolation rates are 1" per 30 minutes or slower but faster than 1" per 60 minutes and all other soil conditions and site characteristics are acceptable to the Administrator, an absorption trench-type soil absorption system must be installed. Minimum required absorption areas are given in Table III. For a bed type system, this the absorption area in the table represents the floor area of the bed. For a trench type system, the absorption area in the table represents the bottom area of the trench. The standard trench width is three feet.

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Figure 5 - METHODS OF MAKING PERCOLATION TESTS



SOURCE: Public Health and Social Services, No. 526

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TABLE III
GUIDELINES FOR CONSTRUCTION OF SEPTIC TANK AND LEACHFIELD
SOIL ABSORPTION SYSTEM ON GUAM

Number of Bedrooms	Wastewater Flow (gpd/GPD)	Septic Tank Capacity (gal/Gallons)	Percolation Test Rate	Required Absorption Area (Sq. Feet)
2	480	750	1" – 5 min	250
			1" – 10 min	330
			1" – 15 min	380
			1" – 30 min	500
			1" – 45 min	600
			1" – 60 min	800
3	750	1,080	1" – 5 min	328
			1" – 10 min	450
			1" – 15 min	554
			1" – 30 min	800
			1" – 45 min	900
			1" – 60 min	1,200
4	960	1,440	1" – 5 min	436
			1" – 10 min	600
			1" – 15 min	738
			1" – 30 min	1,070
			1" – 45 min	1,200
			1" – 60 min	1,600
5	1,200	1,800	1" – 5 min	545
			1" – 10 min	750
			1" – 15 min	924
			1" – 30 min	1,340
			1" – 45 min	1,500
			1" – 60 min	2,000
6	1,440	2,160	1" – 5 min	660
			1" – 10 min	900
			1" – 15 min	1,100
			1" – 30 min	1,600
			1" – 45 min	1,800
			1" – 60 min	2,400

SOURCE: GEPA, Rural Islandwide Facilities Plan, Table 5-2, Page 5-17.

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TABLE III – A
RECOMMENDED MINIMUM LEACHFIELD SOIL
ABSORPTION SYSTEM SIZES

No. of Bed-rooms	Daily Sewage Flow Gallons* (GPD)	Tank Capacity (Gallons)	Percolation Test Rate	Required Absorption Area (Gal/SF/Day)	<u>Leaching Field Bed</u> Dimension	Absorption Area (Sq. Feet)
2	480	750	1"-5 Min.		12' x 21'	250 sq.ft.
			1"-10 Min.		18' x 20'	330 sq.ft.
			1"-15 Min.		18' x 22'	380 sq.ft.
			1"-30 Min.		Trench	500 sq.ft.
			1"-45 Min.		System	600 sq.ft.
			1"-60 Min.		Required	800 sq.ft.
3	750	1,080	1"-5 Min.	2.2g/da.	18' x 19'	328 sq.ft.
			1"-10 Min.	1.6g/da.	18' x 25'	450 sq.ft.
			1"-15 Min.	1.3g/da.	18' x 31'	554 sq.ft.
			1"-30 Min.	0.9g/da.	Trench	800 sq.ft.
			1"-45 Min.	0.8g/da.	System	900 sq.ft.
			1"-60 Min.	0.6g/da.	Required	1,200 sq.ft.
4	960	1,440	1"-5 Min.		18' x 25'	436 sq.ft.
			1"-10 Min.		18' x 34'	600 sq.ft.
			1"-15 Min.		18' x 41'	
					or 24 x 31	738 sq.ft.
			1"-30 Min.		Trench	1,070 sq.ft.
			1"-45 Min.		System	1,200 sq.ft.
1"-60 Min.	Required	1,600 sq.ft.				
5	1,200	1,800	1"-5 Min.		18' x 31'	545 sq.ft.
			1"-10 Min.		18' x 42'	750 sq.ft.
			1"-15 Min.		24' x 38'	924 sq.ft.
			1"-30 Min.		Trench	1,340 sq.ft.
			1"-45 Min.		System	1,500 sq.ft.
			1"-60 Min.		Required	2,000 sq.ft.
6	1,440	2,160	1"-5 Min.		18' x 37'	660 sq.ft.
			1"-10 Min.		24' x 38'	900 sq.ft.
			1"-15 Min.		30' x 37'	1,100 sq.ft.
			1"-30 Min.		Trench	1,600 sq.ft.
			1"-45 Min.		System	1,800 sq.ft.
			1"-60 Min.		Required	2,400 sq.ft.

(c) ~~Subsurface leaching soil absorption systems, if found to be applicable by percolation test, should be designed and constructed in accordance with Table III and III-A, and the following items:~~

(1) ~~The minimum distances given below identified in Tables II – A or II – B, accordingly, shall be used when determining where the disposal field can be located.:~~

(A) ~~Sources of domestic water supplies --- 300 ft.~~

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(B) Water of the territory ----- 300 ft.

(C) Dwellings

(i) Septic tank ----- 10 ft.

(ii) Leaching System ----- 20 ft.

(iii) Privy ----- 20 ft.

(D) Property lines ----- 5 ft.

(E) Wells ----- 300 ft.

[GEPA] NOTE: When existing wells are involved or exceptionally coarse soil formations are encountered, the 300 foot distance from any water supply shall be evaluated and separations maintained in accordance with the recommendations of the Administrator.

(d) Construction of a leachfield subsurface soil absorption system in filled ground is not acceptable.

(1) All leaching fields subsurface soil absorption systems shall be constructed within the following standards:

TABLE IV
SUBSURFACE LEACHING FIELD SOIL ABSORPTION SYSTEM CONSTRUCTION DETAILS

Item	Unit	Bed		Trench	
		Max.	Min.	Max.	Min.
Number of Distribution Drain lines	----	7	2	8	2
Distance from drain line along perimeter of leachbed	feet	3	3	1-1/2	---
Length of Leach Field Bed	feet	100	21	100'	---
Width of Leach Field Bed	feet	50	12	3'	3'
Depth of Leach Field Bed Bottom	inches	48	24	48	24
Depth of course material:					
Under pipe (Min.)	inches		6		6
Over pipe (Min.)	inches		2		2
Total (Min.)	inches		12		12
Size of course material	inches	2-1/2	3/4	2-1/2	3/4
Depth of backfill over course material	inches	36	12	36	12
Distance between Drain lines center to center	feet	6	---	---	6

(Exceptions to the above table may be made by GEPA when Soil conditions warrant.)

(e) Distribution drain lines shall be constructed of

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perforated PVC pipes or perforated clay pipes or other approved materials may be used, provided that sufficient openings are available for distribution drain lines of the effluent into the ~~leach~~ bed or trench area.

(f) Before placing filter material or drain lines in a prepared excavation, all smeared or compacted surfaces shall be removed from leaching bed area by raking to a depth of 1-inch and the loose material removed. Clean stone, gravel slag or similar filter material acceptable to the Administrator, varying in sizes from 3/4" to 2-1/2" shall be placed in the trench to the depth and grade required in Table IV and Figure 4 and Figures 5, 5A and 5B.

Drain lines shall then be covered with filter material to the minimum depth required on Table IV and the entire bed or trench area covered with untreated building paper, straw, or similar porous material which will prevent closure of voids within the gravel fill. No earth backfill shall be placed over the filter material cover until after inspection and acceptance by the Administrator or his authorized representative.

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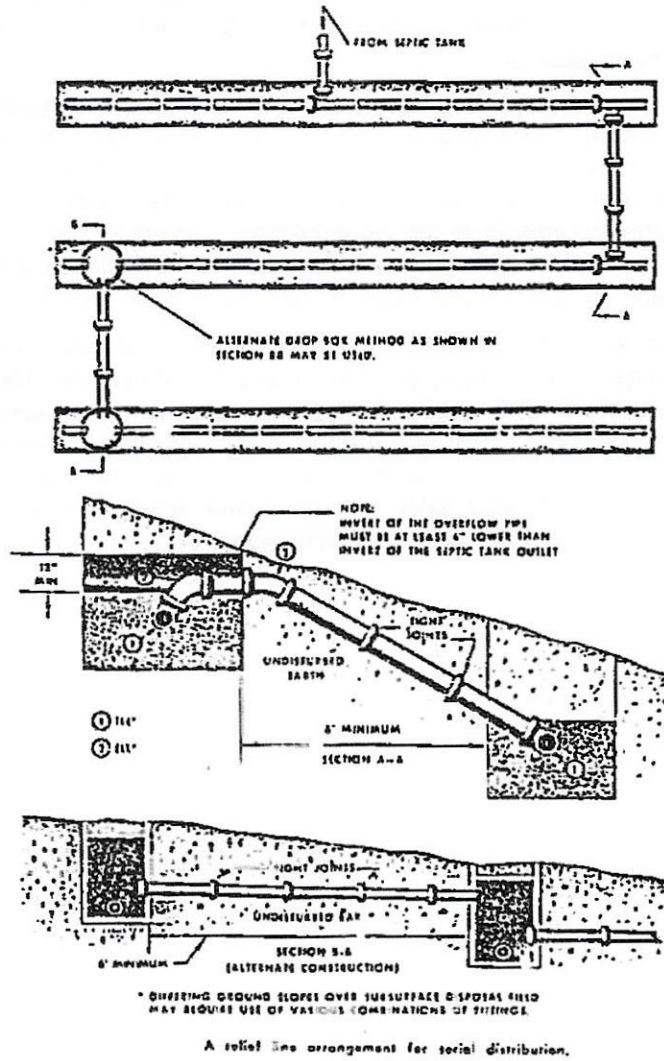
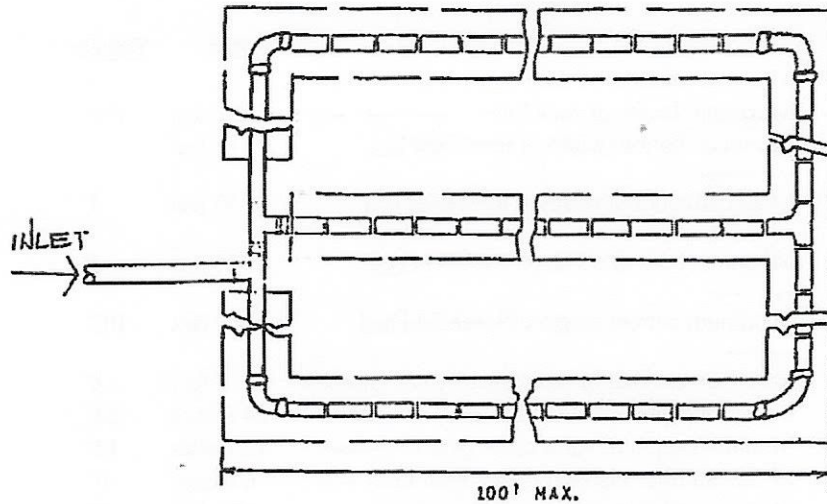


Figure 5A

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DISPOSAL FIELD LAYOUT
(LEVEL LOT)

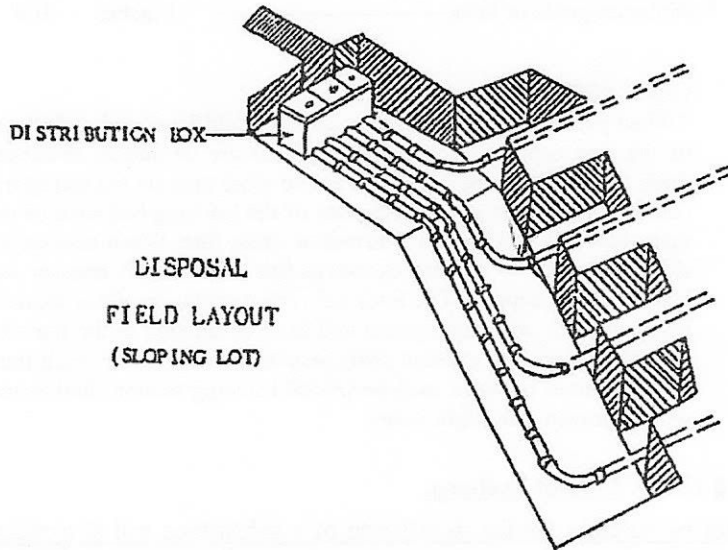


Figure 5B

(g) Connections between a septic tank and main distribution line shall be laid with approved pipe with water tight joints on natural ground or compacted fill.

(h) ~~Disposal or leaching field~~ The subsurface soil absorption system (bed or trench) shall be constructed as follows:

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	<u>Bed</u>	<u>Trench</u>
Minimum number of drain lines -----	2	4
Maximum length of each line -----	100 feet	100'
Minimum bottom width of leachfield <u>bed</u> -----	12 feet	3'
Maximum bottom width of leachfield <u>bed</u> -----	50 feet	3'
Minimum bottom width of leachfield <u>bed</u> -----	21 feet	3'
Maximum bottom length of leachfield <u>bed</u> -----	103 feet	103'
Minimum spacing of drain lines center to center	6 feet	6'
Preferred depth of cover of lines -----	24 inches	24"
Minimum depth of earth cover over -----	12 inches	12"
Minimum filter material under drain lines -----	6 inches	6"
Minimum filter material over drain lines -----	2 inches	2"
Minimum Total Filter Material -----	12 inches	12"
* Maximum grade of lines -----	6 inches	100'
* Minimum grade of lines -----	3 inches	100'

GEPA NOTE:

*When perforated pipe is used, it shall be laid level and with the end of the line capped. Where ~~leaching~~ beds are permitted, distribution drain lines in ~~leaching~~ beds shall not be more than six (6) feet apart on centers and no part of the perimeter of the leaching bed shall be more than three (3) feet from a distribution drain line. When necessary on sloping ground to prevent excessive line slope, leach lines or leach beds shall be stepped. The lines between each horizontal section shall be made with watertight joints and shall be utilized to the maximum capacity before the effluent shall pass to the next lower leach line or bed. The lines between each horizontal leaching section shall be made with approved watertight joints.

§ 12113. Mound Systems.

Where a site is found to not be suitable for the installation of a subsurface soil absorption system due to the presence of shallow groundwater or bedrock near the soil surface, a mound system may be possible. Mound systems are a Type 2 Toilet Facility that use pressure distribution of effluent to an above-grade bed of engineered soil (the "mound") which can facilitate the absorption of effluent in the upper portions of soil that lie above the restricting condition (seasonally high groundwater or bedrock). Mound systems require the use of a pump to distribute effluent to the above-grade bed, and as such, are somewhat more complex and expensive to operate than a conventional soil absorption system, but much less expensive and troublesome than a holding tank. A mound system is not possible on every site, and installation of a mound system

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does not always guarantee success.

(a) Mound systems must be designed and constructed in strict accordance with the applicable provisions of Chapters 7, 8, and 9 of the current edition of the International Private Sewage Disposal Code (IPSDC - International Code Council, Inc., <https://codes.iccsafe.org/>) as adopted under the Building Law at 21 GCA § 67101.4.

(b) As specified in Section 902 of the IPSDC, minimum soil depths for mound system installation are as follows:

<u>Restricting Factor</u>	<u>Minimum Soil Depth to Restriction (inches)</u>
<u>High ground water</u>	<u>24</u>
<u>Impermeable rock strata</u>	<u>60</u>
<u>Pervious rock</u>	<u>24</u>
<u>Rock fragments (50-percent volume)</u>	<u>24</u>

(c) Installation and commissioning of mound systems must be done under the supervision of an installer approved by GEPA under § 12118.

(d) Because of the additional complexities and risks inherent with operating and maintaining a mound system, an owner of a mound system is required to obtain an operation permit as required under § 12118.

§ 12114. Type 4 Toilet Facilities.

Additional permit application, design, and construction requirements shall apply for Type 4 toilet facilities (advanced nitrogen-reducing onsite disposal systems) as follows.

(a) All Type 4 toilet facilities must be listed as approved under NSF/ANSI Standard 245, Wastewater Treatment Systems – Nitrogen Reduction.

(1) The applicant must provide manufacturer documentation of NSF-245 certification for the proposed Type 4 toilet facility which will be installed as part of their permit application.

(2) The Guam Environmental Protection Agency (GEPA) shall independently verify NSF-245 certification status using the publicly available NSF-245 product listing. The Administrator shall not approve any Type 4 toilet facility that is not listed by NSF as being NSF-245 certified.

(b) All applications for Type 4 toilet facilities must include

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a valid operation and maintenance contract which meets the
relevant requirements of §12117 of this Chapter.

(c) The Administrator may approve, upon concurrence of the Chief Engineer, a reduction of the required soil absorption system area for Type 4 toilet facilities of up to 50%, if supported by an engineering soils report which addresses the following:

(1) A percolation test report must be provided which shows that the measured percolation rate within the area of the proposed soil absorption system is 1 inch in 15 minutes (4 inches per hour) or faster;

(2) The soil type at the depth of the proposed soil absorption system is granular or limestone, and is not clayey; and

(3) The certifying engineer must specify the recommended percentage reduction in required soil absorption area (up to 50% maximum), and must include a signed statement that the site soil and hydrologic characteristics will support the proposed reduction in soil absorption system area.

(d) Installation and commissioning of Type 4 toilet facilities must be done under the supervision of an installer or operation and maintenance provider approved by GEPA under § 12118(b).

§ 12115. Holding Tanks.

Where site limitations of hydrology and/or soil type are such that methods of on-site wastewater disposal described herein cannot be utilized, the possibility of storing a dwelling's or small government or commercial operation's wastewater in water-tight tanks (holding tanks), with periodic pumping by a hauler registered under § 12120 of this Chapter may be permitted in very limited circumstances.

A holding tank is not seen as a viable or sustainable long-term solution to on-site treatment and disposal of wastewater for many uses, including residential, because of: (1) the high cost of pumping; (2) the inconvenience of using a holding tank, where for some periods of time the building plumbing cannot be used until a registered hauler is able to remove the wastes; and (3) the potential for impacts to public health caused by illicit discharge, whether through overflow or illegal conversion to a cesspool as a result of the high cost and inconvenience of operating a holding tank.

(a) Holding tanks for new buildings may be permitted only if all of the following conditions are met:

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- (1) There is no available sewer;
 - (2) A soil absorption system is not possible due to site hydrology or soil conditions;
 - (3) The purpose of operating a holding tank is not to evade any required setback distances or lot sizes under this Chapter;
 - (4) The holding tank is for a single family dwelling, government-owned and operated facility, or commercial facility specifically approved in writing by the Administrator;
 - (5) The owner and (as applicable) renter or lessee obtains and provides to GEPA a valid operation and maintenance contract which meets the relevant requirements of §12118 of this Chapter; and
 - (6) For single-family dwellings, the owner and (as applicable) the renter or lessee occupying the building shall sign and provide to GEPA a statement acknowledging and committing to pay the estimated annual costs and perform the requirements of operating and maintaining the holding tank (using the form provided in Appendix A to this Chapter); or
 - (7) For government or commercial buildings, the official with expenditure authority or the owner (as applicable) shall provide to GEPA an engineer's economic analysis showing the present value, using a reasonable estimate for inflation, of the total cost to construct, pump and maintain the holding tank for a twenty (20) year period compared the estimated cost to connect the building to sewer. The official with expenditure authority or the owner (as applicable) shall sign a statement acknowledging the engineer's estimate and confirming that the government or commercial entity will pay to properly operate and maintain the holding tank in accordance with this Chapter.
- (b) Holding tanks for existing buildings may be permitted only if all of the following conditions are met:
- (1) The need for a holding tank is brought about by the failure of the existing private sewage disposal system. A holding tank shall not be permitted for existing buildings seeking expansion.
 - (2) There is no available sewer.
 - (3) A soil absorption system is not possible due to site location, hydrology, soil conditions, or other reasons acceptable to the Administrator;

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(4) The owner and (as applicable) renter or lessee must obtain and provide to GEPA a valid operation and maintenance contract which meets the relevant requirements of §12118 of this Chapter; and

(5) For single-family dwellings, the owner and (as applicable) the renter or lessee occupying the building shall sign and provide to GEPA a statement acknowledging and committing to pay the estimated annual costs and perform the requirements of operating and maintaining the holding tank (using the form provided in Appendix A to this Chapter); or

(6) For government or commercial buildings, the official with expenditure authority or the owner (as applicable) shall provide to GEPA an engineer's economic analysis showing the present value, using a reasonable estimate for inflation, of the total cost to construct, pump and maintain the holding tank for a twenty (20) year period compared the estimated cost to connect the building to sewer. The official with expenditure authority or the owner (as applicable) shall sign a statement acknowledging the engineer's estimate and confirming that the government or commercial entity will pay to properly operate and maintain the holding tank in accordance with this Chapter.

(c) Existing holding tanks in use at the time this Regulation became effective may be permitted to continue operating if the following conditions are met and the owner or operator complies with the following requirements no later than one (1) year following the effective date of this Regulation.

(1) An application for a Holding Tank Operating Permit must be submitted in accordance with this Section and § 12118, inclusive of all required documentation.

(2) The owner or operator of the holding tank must provide to GEPA copies of the water service billing statements from the Guam Waterworks Authority (GWA) or relevant Public Water System and copies of the holding tank pumping receipts for the previous twelve (12) months.

(3) The owner or operator of the holding tank must request an inspection of the existing holding tank by GEPA. The holding tank shall be pumped completely empty and cleaned immediately prior to the GEPA-scheduled inspection to enable visual inspection of the tank interior. The owner or operator of the holding tank shall complete any repairs or other work as required by GEPA as a result of the inspection.

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(4) The holding tank shall then be subjected to a water tightness test in accordance with subpart (d) of this Section.

(5) If GEPA determines that the tank is unable to hold liquid without leakage, on the basis of records obtained and/or inspections conducted under this Subpart, and repairs are unsuccessful or deemed by GEPA to not be feasible, the owner shall be required to replace the holding tank with a new tank meeting the requirements of this Chapter, including those of subpart (e) of this Section or with another adequate Type 2 or Type 4 toilet facility.

(6) Existing holding tanks must be fitted with warning devices and a vent in accordance with Subpart (d) of this Section.

(7) The owner or (as applicable), operator, renter or lessee must obtain and provide to GEPA a valid operation and maintenance contract which meets the relevant requirements of §12118 of this Chapter; and

(8) For single-family dwellings, the owner and (as applicable) the renter or lessee occupying the building shall sign and provide to GEPA a statement acknowledging and committing to pay the estimated annual costs and perform the requirements of operating and maintaining the holding tank (using a form provided by GEPA to this Chapter); or

(9) For government or commercial buildings, the official with expenditure authority or the owner (as applicable) shall provide to GEPA an engineer's economic analysis showing the present value, using a reasonable estimate for inflation, of the total cost to construct, pump and maintain the holding tank for a twenty (20) year period compared the estimated cost to connect the building to sewer. The official with expenditure authority or the owner (as applicable) shall sign a statement acknowledging the engineer's estimate and confirming that the government or commercial entity will pay to properly operate and maintain the holding tank in accordance with this Chapter.

(10) The Administrator may require a building served by an existing holding tank to connect to sewer or request that the Department of Public Works condemn the building if it is found by GEPA that continued service by holding tank is not practical (for example if the daily wastewater flow exceeds typical pump truck capacity), poses a threat to public health or the environment, or for other reasons as justified in writing.

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(d) Holding tanks shall be subjected to a water-tightness test as follows (ASTM C 1227): fill the tank to the outlet invert elevation, cover the tank, and let stand for 24 hours. Refill tank. The tank is approved if the water level is held for one (1) hour after refilling. GEPA shall observe the water level at the start and end of the 24 hour hold time, and at the start and end of the one (1) hour test.

(e) Standards for the sizing, construction, installation, warning devices, manholes, and vents for holding tanks shall be as specified in Section 805 of the current edition of the International Private Sewage Disposal Code (IPSDC - reference) as adopted under the Building Law at 21 GCA § 67101.4. A brief summary of the IPSDC requirements is provided as follows, but this does not replace the need to consult the IPSDC for the specifics.

(1) Table V summarizes holding tank sizing requirements for up to 6 bedrooms, to be consistent with the sizing requirements contained in this Chapter. See the IPSDC for sizing for other uses.

(2) Concrete holding tanks shall be pre-cast or site-constructed meeting the requirements of Section 504.1.1 of the current edition of the IPSDC and ASTM C 1227 as required therein. The floor and walls of a site-constructed tank must be monolithic in construction, except that a construction joint may be allowed in the lower 12 inches of the sidewalls, with a keyway meeting the width requirements as specified in the IPSDC. The minimum compressive strength of any concrete holding tank wall, top and covers, or floor shall not be less than 4000 psi (pound per square inch) at 28 days in accordance with ASTM C1227. Holding tanks constructed using hollow block, concrete masonry units (CMUs) shall not be permitted. Other holding tank types shall be evaluated and approved by the Administrator but must be allowable under the IPSDC.

(3) Holding tanks shall be located so that the servicing manhole is not less than 10 feet from a road or driveway accessible to a pumping truck.

(4) The holding tank must be equipped with warning devices providing either audible or illuminated alarm, meeting the specific requirements of the IPSDC Section 805.5.

(5) Holding tank manholes must meet the requirements of the IPSDC Section 805.6.

(6) Holding tanks shall be provided with a vent

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meeting the requirements of the IPSDC Section 805.8.

TABLE V
 REQUIRED CAPACITY OF HOLDING TANKS

Number of Bedrooms	Holding Tank Capacity (gallons)
2	2,000
3	2,000
4	2,500
5	3,000
6	3,500

§ ~~12113~~ 12116. Inspection of Work in Progress.

The project shall be inspected on regular basis by inspectors from the Guam Environmental Protection Agency (GEPA) to assure~~ensure~~ that construction of septic tanks, and leaching soil absorption systems~~private sewage disposal systems and/or grease traps~~ are in compliance with approved plans and specifications, and in accordance with the Guam Environmental Protection Agency regulations.

GEPA NOTE: In accordance with GEPA standards:

- (a) Schedule of concrete pouring must be made at least twenty- four business hours in advance and work must be performed in the presence of an Environmental Inspector.
- (b) Inspection before covering. No cover shall be placed over any septic tank, until the depth and other interior dimensions of such septic tank, have been inspected and approved by the Administrator.
- (c) It shall be the duty of the permit holders pursuant to this regulation to notify the Agency issuing the permit when
 - (a) and/ or (b) above are ready for inspection.

Failure to comply with the above requirements may result in unnecessary delays to the project or a suspension of work or denial of a Certificate of Occupancy and an order to remove portions or all of the offending structures.

After completion of the project, final inspection by a GEPA inspector shall be conducted on septic tanks, and leaching soil absorption systems, and other private sewage disposal system

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components to assure that the work is in accordance with the approved plans and specifications and that GEPA requirements are met.

§ ~~12114~~ 12117. Stop Work Orders.

In the event a project is commenced without a septic tank and leaching system permit, or work performed is not in accordance with approved plans and specifications or any approved changes or revisions thereto, or unsafe construction practices are continued after sufficient warnings by the Administrator or his authorized representatives, a STOP WORK ORDER shall be issued and take effect until the conflict is resolved. Issuance and enforcement of Stop Work Orders shall follow the requirements of 10 GCA Chapter 48.

§ 12118. Operating Permits.

Operating permits are required to discharge wastewater from Type 4 toilet facilities, mound systems, and holding tanks.

(a) Operating permits for new Type 4 toilet facilities and mound systems. An operating permit for a Type 4 toilet facility or mound system shall be valid for a period of two (2) years following issuance. An operating permit for a new Type 4 toilet facility or mound system may be issued by GEPA if all of the following requirements are met:

(1) Certification that the Type 4 toilet facility or mound system has been properly constructed, commissioned, and is operating adequately must be provided in writing by the GEPA-approved installer.

(2) The new Type 4 toilet facility or mound system must pass inspection by GEPA.

(3) A valid Type 4 toilet facility operation and maintenance contract must be provided, with a term of no less than two (2) years, signed by both the applicant and the operation and maintenance provider. The operation and maintenance contract must include the following:

(A) The Type 4 toilet facility or mound system must be inspected and serviced at a frequency as required by the manufacturer's operation and maintenance instructions, and on no less than an annual basis;

(B) Any defects found must be corrected, and any faulty Type 4 toilet facility or mound system components must be replaced or repaired as soon as possible;

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(C) The solids must be pumped from the Type 4 toilet facility at a frequency not less than that recommended by the manufacturer's operation and maintenance instructions, and no less than once every 3 years for mound systems, by a wastewater hauler registered under this Chapter;

(D) The operation and maintenance provider must be available to respond in a timely manner upon notification by the Type 4 toilet facility or mound system owner or operator, in the event of any alarm or other problem;

(E) Within three (3) months of the end of the contract period, timed such as to allow the timely submission of the operating permit renewal application, the operation and maintenance provider must provide a summary report, in writing, which documents all service and repairs conducted over the term of the contract, any outstanding repair or replacement needs, and a statement certifying that the Type 4 toilet facility or mound system is operating in accordance with manufacturer specifications.

(F) At the discretion of the owner and operation and maintenance provider, the contract may also include services associated with renewal of the Type 4 toilet facility or mound system operating permit on behalf of the owner or operator.

(b) Approval of Type 4 toilet facility or mound system installers and operation and maintenance providers. Any person who proposes to provide installation or operation and maintenance services for Type 4 toilet facilities or mound systems shall first be approved by the Administrator. GEPA will maintain a current list of all approved Type 4 toilet facility and mound system installers and operation and maintenance providers, and this list will be made publicly available at the Agency's office and on the Agency's website. In order to be approved to provide services for Type 4 toilet facilities or mound systems, an interested person must provide documentation demonstrating that the following requirements have been met:

(1) An installation provider must have written manufacturer authorization to perform installation and commissioning (start-up) of the specific Type 4 toilet facilities they intend to provide;

(2) A Type 4 toilet facility operation and maintenance provider, if they are not a manufacturer-authorized installation provider, must provide

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written manufacturer authorization to purchase parts from each manufacturer of all Type 4 toilet facilities which they intend to service.

(3) A mound system operation and maintenance provider must provide written assurance that they have access to purchase pumps and other system components necessary to repair the specific mound system they are contracted to service.

(4) Both installation and operation and maintenance providers must have on their staff, or on contract, at least one Class I (or higher) Wastewater Treatment Operator certified under the Water & Wastewater Operator Certification Regulations, 22 GAR Chapter 11.

(5) The Administrator may revoke approval of a Type 4 toilet facility or mound system installer or operation and maintenance provider, in writing and after a review of the facts, for any of the following reasons:

(A) The installer or provider has practiced fraud or deception, or has submitted falsified reports or falsified other records to GEPA;

(B) The installer or provider does not use, in the judgment of the Administrator, reasonable care, judgment, or the application of knowledge in the performance of the provider's duties; or

(C) Agency records indicate that the installer or provider has a history of failing to perform their duties in compliance with the requirements of the Agency.

(c) Operating permits for holding tanks. An operating permit for a holding tank shall be valid for a period of one (1) year following issuance.

(1) An operating permit for a new holding tank for a new or existing building may be issued by GEPA if all of the following requirements are met:

(A) The new holding tank must pass inspection by GEPA, including GEPA observation of the start and end of the water tightness test required under § 12115 (d).

(B) A valid holding tank pumping contract meeting the requirements of subpart (3) of this subsection must be provided to GEPA

(2) An operating permit for an existing holding tank

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that was in use at the time this Regulation became effective may be issued by GEPA if all of the following requirements are met:

(A) The existing holding tank must pass inspection and approval by GEPA as required under § 12115 (c) and (d).

(B) Copies the water service billing statements from the Guam Waterworks Authority (GWA) and copies of the holding tank pumping receipts for the previous twelve (12) months must be provided as required under § 12115 (c)(2), and must demonstrate that the existing holding tank does not leak. If these records indicate potential leakage, repairs or replacement of the tank must be completed as required under § 12115.

(C) A valid holding tank pumping contract meeting the requirements of subpart (3) of this subsection must be provided to GEPA.

(3) A holding tank pumping contract must have a term of no less than one (1) year, and be signed by both the applicant and a wastewater hauling service registered under § 12121 of this Chapter. The pumping contract must indicate that the holding tank will be pumped as needed. The operation and maintenance contract must include the following:

(A) A statement that any observed problems, such as (but not limited to) leaks, alarm failures or overflow will be promptly reported to both GEPA and the owner or operator of the holding tank.

(B) At the end of the contract period, the registered wastewater hauling service must provide the owner a listing of all pumping trips to include date and gallons pumped, along with a copy of all pumping receipts.

(C) At the discretion of the owner and registered wastewater hauling service, the contract may also include services associated with renewal of the holding tank operating permit on behalf of the owner or operator.

(d) Pursuant to 10 GCA Chapter 45, Sec 45106, operating permits for other types of onsite wastewater treatment and disposal systems will be developed by Guam EPA on a case-by-case basis in accordance with applicable Federal and Territorial requirements.

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(e) Required Conditions for operating permits will be defined in each permit.

(f) Applications for new operating permits.

(1) Applications for new Type 4 or mound system operating permits shall be submitted prior to issuance of a Certificate of Occupancy, using the relevant form provided by GEPA. Supporting documents shall include:

(A) A Certificate of Commissioning as required under subpart (a)(1) of this section;

(B) An Operation and Maintenance Contract as required under subpart (a)(3) of this section; and

(C) A completed GEPA inspection form indicating approval of the Type 4 or mound-type toilet facility.

(2) Applications for new holding tank operating permits (for both new holding tanks and holding tanks in use at the time this Regulation became effective) shall be submitted prior to issuance of a Certificate of Occupancy using the relevant form provided by GEPA. Supporting documents shall include:

(A) For single-family dwellings, a statement signed by the owner, and (as applicable) the renter or lessee occupying the building acknowledging and committing to pay the estimated annual costs and perform the requirements of operating and maintaining the holding tank (using a form provided by GEPA);

(B) For government buildings, an engineer's economic analysis showing the present value, using a reasonable estimate for inflation, of the total cost to construct, pump and maintain the holding tank for a twenty (20) year period compared the estimated cost to connect the building to sewer, and a statement signed by the official with expenditure authority or the owner (as applicable) acknowledging the engineer's estimate and confirming that the government will pay to properly operate and maintain the holding tank in accordance with this Chapter.

(C) A holding tank pumping contract meeting the requirements of subpart (c)(3) of this section; and

(D) A completed GEPA inspection form indicating approval of the holding tank.

(3) Applications for operating permits for other

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onsite wastewater treatment and disposal systems will be developed on a case-by-case basis in accordance with applicable Federal and Territorial requirements.

(g) Renewal of operating permits.

(1) Renewal applications for Type 4 or mound system operating permits shall be submitted at least one (1) month prior to expiration of the previous operating permit, using the relevant form provided by GEPA. Supporting documents shall include:

(A) A new two (2) – year Operation and Maintenance Contract meeting the requirements of subpart (a)(3) of this section; and

(B) An “end of contract” summary report, which documents all service and repairs conducted over the term of the contract, any outstanding repair or replacements needs, and a statement certifying that the Type 4 toilet facility or mound system is operating in accordance with manufacturer specifications, as required under subpart (a)(3)(E) of this section;

(2) Renewal applications for holding tank operating permits shall be submitted at least one (1) month prior to expiration of the previous operating permit, using the relevant form provided by GEPA. Supporting documents shall include:

(A) A statement signed by the owner, and (as applicable) the renter or lessee occupying the building acknowledging and committing to pay the estimated annual costs and perform the requirements of operating and maintaining the holding tank (using a form provided by GEPA);

(B) The listing provided by the registered wastewater hauling service of all pumping trips to include date and gallons pumped, along with a copy of all pumping receipts;

(C) A copy of all water service billing statements for the term of the previous contract, for the purpose of determining potential leakage of the holding tank through comparison with the pumping log; and

(D) A new one (1) – year holding tank pumping contract meeting the requirements of subpart (c)(3) of this section.

(h) Non-transferability of operating permits.

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Operating permits are not transferrable to new owners, renters, or lessees. Upon change in ownership or occupancy, the new owner, renter, or lessee must apply for a new operating permit.

(i) Failure to renew an operating permits.

Failure to renew an operating permit shall be considered a violation under this Chapter.

§ ~~12115~~ 12119. Certificate of Occupancy.

After final inspection of the ~~septic tank and leaching soil absorption~~ private sewage disposal system indicates that the work performed was done in accordance with approved plans and specifications, and after review of all documentation required under this Chapter has been completed and has met all GEPA requirements, the Administrator or his authorized representative shall issue a Certificate of Occupancy.

§ ~~12116~~ 12120. Temporary Toilet Facilities (TTF).

(a) Temporary Toilet Facilities (TTF) shall be provided for:

(1) any construction job-site where working toilets connected to an approved type sanitary disposal system are insufficient or unavailable or such facilities are determined to be not readily available for the needs of the employees.

(A) The number of facilities required, whether permanent, temporary or combination thereof shall be in accordance with the requirements detailed in Table VI.

(B) The term readily available as used in item (i) above, shall be defined as being within 300 feet of the work area. Facilities which are within this distance but are not under the direct control of the developer/contractor shall require a written authorization/certification from the owner of such facilities that unrestricted access to these toilet facilities will be available to the contractors/ workers for the entire period of the construction project.

(C) All arrangements for sanitary facilities must be made and in place before any clearing or construction may proceed.

(2) any carnival, fair, sporting event, outdoor concert or large public gathering requiring a permit, hereafter, collectively referred to as a "special event", where adequate working toilet facilities connected to a sanitary sewer does not exist. Adequacy shall be determined from

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the Table VII

- Toilet Receptacles Required for Special Events.

(b) Temporary Toilet Facilities may be chemical, recirculating or combustion, providing they comply with existing Guam Codes.

(c) The minimum number of TTF required for construction site shall be based in accordance with Table VI below:

(i) Table VI - Number of TTF required for construction sites

<u>Number of Employees</u>	<u>Minimum Number of Units</u>
1 to 15	1
16 to 30	2
31 to 51	3
52 to 72	4
73 to 93	5
Over 93	1 Add'l unit/20 employees

(ii) The minimum number of temporary toilet receptacles at any special event shall be in accordance with Table VII below:

TABLE VII
 TOILET RECEPTACLES REQUIRED FOR SPECIAL EVENTS (MINIMUM)

<u>Number of Attendees</u>	<u>Number of Event Hours</u>									
	1	2	3	4	5	6	7	8	9	10
1,000 or below	1	1	1	2	2	2	3	3	3	4
2,000	1	2	2	3	4	4	5	6	6	7
3,000	1	2	3	4	5	6	7	8	9	10
4,000	2	3	4	6	7	8	9	12	12	14
5,000	2	4	5	7	9	10	12	15	17	19
6,000	2	4	6	8	10	12	14	16	18	20
7,000	3	5	7	10	12	14	17	19	21	24
8,000	3	6	8	11	14	16	19	22	24	27
9,000	3	6	9	12	15	18	21	24	27	30
10,000	4	7	10	14	17	20	24	27	30	34

Numbers highlighted in gray are the # of TTF required

Ref.: Satellite Industries of Minneapolis, Minn.
 Portable Sanitation Unit Calculator for Special Events.

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(d) Any construction site or special event requiring GEPA approval for permitting will provide proof that the minimum required number of toilet facilities are available or will be available for the period of time that the permits are valid.

(e) Failure to comply

(i) Any construction site not complying with the minimum number of TTF will be given a written warning and given 48 hours to comply. Failure to comply within the given period will result in the revocation of the GEPA approval required for the building permit which will temporarily suspended all construction at this site.

(ii) Any special event not meeting the minimum number of TTF will have its permit to operate immediately suspended.

§ ~~12117~~ 12121. Cleaning Wastewater Systems, Disposal of Wastewater, Requirements and Procedures.

(a) No person shall engage in the business of cleaning ~~individual~~ private sewage disposal systems, grease traps, or disposing of the waste therefrom unless; a business license has been secured from the Department of Revenue and Taxation, and Registration has been issued to him by the administrator. Such business shall be conducted in conformity with the following requirements and in accordance with the regulations.

(1) The name and address of the person, shall be legibly lettered on both sides of each vehicle used for cleaning purposes.

(2) Every vehicle used for cleaning purposes shall be equipped with a watertight tank or body and be maintained in a clean and sanitary condition. Sewage waste shall not be transported in an open body vehicle.

(3) All portable receptacles used for transporting liquid or solid waste shall be watertight, equipped with tight- fitting lids, and shall be cleaned daily.

(4) All pumps and hose lines shall be properly maintained so as to prevent leakage.

(5) Approval in writing shall be obtained from the Administrator for every site at which the person plans to discharge the waste material collected. The approval may be given after consultation with the Guam Waterworks Authority.

(6) The hose or any similar devise used for

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discharging waste must be inserted into the earmarked manhole to a depth of approximately two (2) feet, to prevent any spray or spillage into the surrounding area.

(7) Every precaution must be taken to prevent any public nuisance or health hazard which may be caused by their service.

(b) Registration shall be issued to any person properly making application therefor, who is not less than twenty-one (21) years of age, has successfully demonstrated the ability to handle the equipment, and only after the place or places and manner of disposal of the cleaning proposed by said applicant are approved by the Administrator.

(c) Registration issued pursuant to these Regulations is not transferable and shall expire December 30th of each year. A Registration may be renewed for an ensuing year by making application for renewal of the registration, upon determination of the applicant's observance of sanitary laws, ordinance, and directions. Such application shall have the effect of extending the validity of the current registration until a new registration is received or the applicant is notified by the Administrator that the renewal of the registration has been refused.

(d) All persons, who are registered to clean ~~individual private~~ sewage disposal systems, i.e., holding tank, etc., or to dispose of the wastewater there from, shall file with the Administrator a statement giving the name and the address of the owner or tenant of each and every one of the premises where an individual sewage disposal system has been cleaned by said registrant, or his employer, or by others on his behalf. The report must be submitted on a monthly basis, covering a 4 weeks period.

(e) Non-compliance ~~with~~ ~~of~~ the requirements of these regulations may result in the revocation or suspension of the applicant's registration. Any applicant whose registration is suspended must correct all discrepancies noted in the suspension within 30 days, otherwise his registration may be revoked.

(f) Registration under these regulations shall not be construed as impairing in any manner, the existing powers and duties of the Department of Public Health and Social Services, Guam Waterworks Authority, Guam Police Department, Department of Revenue and Taxation, and Department of Commerce under other laws.

§ ~~12118~~ 12122. Operation and Maintenance.

(a) Maintenance of ~~septic tanks and leaching fields~~ private sewage disposal systems shall be the responsibility of the owner,

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lessee, occupant, or person in possession of property, unless mutually agreeable arrangements are made with a private company.

(b) Owners of septic tanks shall empty and clean the tank or pit when necessary, or when ordered by the Administrator in the interest of public health, and the contents disposed of in such place and manner as shall be authorized by the Administrator.

(c) Septic Tanks should be inspected by the owner at intervals of no more than 3 years to determine the rates of scum and sludge accumulation. The inlet and outlet structures and key joints should be inspected for damage after each pump-out.

(d) The tank should be cleaned whenever:

(1) the bottom of the scum layer is within 3 inches of the bottom of the outlet device;

(2) the sludge level is within 8 in. of the bottom of the outlet device.

(e) Septic tank sludge, holding tank contents, and Temporary Toilet Sludge shall be disposed of by hauling to a sewage treatment facility. If for some unique reason disposal cannot be done at an approved facility land spreading of waste may be considered on a specific case by case basis. The specifics of each request will be evaluated separately and a permit obtained from GEPA for each separate request. Any such disposal can only take place after review and approval by the Administrator and only done under the direct supervision of GEPA staff.

(f) Grease Traps. This subsection applies to grease traps which discharge to both private sewage disposal systems and to public sewer. In order to be effective, grease traps must be operated properly and cleaned regularly to prevent the escape of appreciable quantities of grease. The frequency of cleaning at any given installation can best be determined by experience based on observation. Generally, cleaning should be done when 75% of the grease- retention capacity has been reached. At restaurants, pumping frequencies range from once a week to once every 2 or 3 months.

§ 12119 12123. Sample Design Illustration Calculation (Conventional Soil Absorption System).

(a) Flow Estimate

Given: 3 BR House with washing machine
 and garbage grinder
 2 person per bedroom

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75 gallons per person per day

Additional: 40% of flow for washing machine

Flow: 20% of flow for garbage grinder
3 BR x 2 person/Br x 75 gal/Person/Day
= 450 gallons/day

Total Flow: 450 + 40% (450) + 20% (450)
450 + 60% (450)
450 + 270
= 720 gallons/day

(b) Septic Tank Design - (Three Bedroom House)

V = Total flow + 50% (total flow)
(provision for detention period for treatment inside septic tank)

V = 720 + 50% (720)
= 720 + 360
= 1080 gallons
= 1080 gallons
7.48 gal/cu. ft.
= 144.3 cubic feet

Depth = 5'-0" + 1'-0" Air Space

Try Width = 4'-0"

Therefore length = $\frac{144}{5 \times 4} = 7.22'$ say 7'-6"

Septic Tank

Dimension = 7'-6" x 4'W x 5'D

Volume = 7'-6" x 4' x 5' = 150 cu. ft.
150 144

Check: 1.5 $\frac{L}{W}$ 2.5 $\frac{L}{W}$ ratio = 1.88

Adopt Septic Tank Dimension = 7'-6" x 4'W x 6'D

(c) Absorption Area: (Three Bedroom)

Total Flow = 720 gallons
Say percolation rate of 1" - 15 minutes
 $\frac{720}{1.3} = 545$ sq. ft.
Actual percolation rate determined by testing.

(1) Bed-type Soil Absorption System (Leaching Field):

NOTE: (Separation of Leaching Pipe shall be 6 ft on center)

Say Width = 18'-0"

Length = $\frac{545}{3} = 30.2$ ft. say 31 feet

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Therefore length of field size = 18'W x 31'L

2023 NOTE: As published by GEPA and the 1997 GAR, this provision was entitled “Appendix A – Sample Design Illustration.” To avoid confusion, the reference to “Appendix A” has been omitted.

§ ~~12120-12124~~. Penalties.

~~(a) Any person who violates any provisions of this regulations or who refuses or neglects to comply with any lawful order issued by the Administrator shall be guilty of misdemeanor and subject to a fine not to exceed \$1,000.00. Each day of violation shall constitute a separate offense (10 GCA § 48126).~~

~~(b) Any penalty imposed pursuant to sub-section (a) of this Section shall not be bar to enforcement of this Chapter or the rules and regulations in force pursuant thereto or orders made pursuant to this Chapter by injunction or other remedy, to institute and maintain in the name of territory all such enforcement proceedings (10 GCA § 48126(b)).~~

Violations and penalties shall be as prescribed in the Toilet Facilities and Sewage Disposal Act, 10 GCA Chapter 48.

2023 NOTE: Past print publications of the GAR omitted “Any” from the start of subsection (a).

§ 12125. Fees.

(a) Application review and inspection fees are listed in Table VIII, and include: initial application review; a second review of responses to first GEPA comments, if applicable; review of occupancy certification request; review of the application for a new operating permit, if applicable; and the minimum number of inspections required to support the application, occupancy, and initial operating permit issuance process. The application review and inspection fee does not include additional application reviews after the review of responses to first GEPA comments, and does not include re-inspection due to deficiencies noted on first inspections, or re-inspection due to the work not being ready for inspection at the time of inspector arrival.

(b) Additional review fees are listed in Table VIII and apply upon the applicant’s second response to a written GEPA deficiency notice, where the first response has failed to address the identified deficiencies, and to all subsequent reviews.

(c) Additional inspection fees are listed in Table VIII and apply when additional inspections are required due to deficiencies noted in writing on the first inspection, or where the work is not ready for inspection at the time of arrival of the

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GEPA inspector.

(d) Operating permit renewal fees are listed in Table VII and include: initial application review; a second review of responses to first GEPA comments, and occasional (spot) inspections to verify application accuracy (an inspection will not be performed for every renewal application). If additional reviews are required, additional review fees will apply as listed in subsection (b) of this Section. If an inspection is required due to potential violation of these regulations, based on GEPA review of the renewal application documents, an additional inspection fee as listed in subsection (c) of this Section will apply.

(e) Wastewater hauler registration fees are listed in table VII and include: application review and up to one (1) inspection of hauler's pump trucks and facilities, as needed.

TABLE VIII
FEES FOR SERVICES

<u>Service</u>	<u>Fee</u>			
	<u>Conventional soil absorption system</u>	<u>Holding tank</u>	<u>Type 4 or mound toilet facility</u>	<u>Other system types</u>
<u>1. Application review and inspection fee</u>				
<u>residential up to duplex</u>	<u>\$200</u>	<u>\$300</u>	<u>\$300</u>	<u>\$1,000</u>
<u>other building types</u>	<u>\$500</u>	<u>\$1,000</u>	<u>\$1,225</u>	<u>\$2,000</u>
<u>2. Additional review fee (per hour)</u>				
<u>residential up to duplex</u>	<u>\$115</u>	<u>\$160</u>	<u>\$140</u>	<u>\$220</u>
<u>other building types</u>	<u>\$160</u>	<u>\$180</u>	<u>\$190</u>	<u>\$230</u>
<u>3. Additional inspection fee</u>	<u>\$65</u>	<u>\$135</u>	<u>\$100</u>	<u>\$150</u>
<u>4. Operating permit, Initial</u>				
<u>residential up to duplex</u>		<u>\$150</u>	<u>\$150</u>	<u>\$150</u>
<u>other building types</u>		<u>\$300</u>	<u>\$250</u>	<u>\$500</u>
<u>4. Operating permit renewal</u>				
<u>residential up to duplex</u>		<u>\$100</u>	<u>\$100</u>	<u>\$100</u>
<u>other building types</u>		<u>\$150</u>	<u>\$200</u>	<u>\$250</u>
<u>5. Hauler Registration fee (per truck)</u>		<u>\$250/\$200^</u>		

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^Hauler Registration fee for first truck is \$250, and \$200 for each subsequent truck owned and operated by the same company.



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LOURDES A. LEON GUERRERO • GOVERNOR OF GUAM | JOSHUA F. TENORIO • LIEUTENANT GOVERNOR OF GUAM
MICHELLE C. R. LASTIMOZA • ADMINISTRATOR

THE GUAM ENVIRONMENTAL PROTECTION AGENCY BOARD OF DIRECTORS

Guam EPA Resolution #GEPA-25-005

Relative to the approval of the Proposed Draft Onsite Wastewater Treatment and Disposal System Regulations for Residential Septic Tank and Leaching System and Temporary Toilet Facilities (22 GAR 12)

WHEREAS, 10 Guam Code Annotated (GCA) Chapter 47, §47104(b), as enacted by Public Law 17-87 on January 18, 1985, authorizes and directs the Agency to develop and adopt a comprehensive program for the prevention, control, and abatement of pollution from the water of the territory and from time to time review and modify such program for the guidance of the Administrator; and

WHEREAS, 10 GCA Chapter 48, §48125(a), as enacted by Public Law 37-105 on July 18, 2024 grants Guam EPA the authority to issue regulations for Type 4 facilities and holding tanks; and

WHEREAS, 10 GCA Chapter 48 §48125(d), as enacted by Public Law 37-105 on July 18, 2024 states that "GEPA shall establish fees for permits, inspections, and related services by regulation;" and

WHEREAS, the promulgation of these proposed rules and regulations seeks to protect the environment, modernize existing regulations with available technologies, and comply with the United States Environmental Protection Agency's (USEPA) Clean Water Act and the Guam Environmental Protection Agency Act; and

WHEREAS, the proposed rules and regulations seek to protect the island's drinking water and aquifer and allow landowners to build responsibly on their properties; and

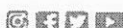
WHEREAS, GEPA published the proposed regulations on its website for the public to provide comments on from July 15, 2025 to July 30, 2025; and

WHEREAS, GEPA conducted a public hearing on July 30, 2025; and

WHEREAS, the Guam EPA Board of Directors discussed, amended, and voted unanimously to approve the adoption of the proposed regulations as amended on August 21, 2025.



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NOW THEREFORE, the Guam Environmental Protection Agency Board of Directors hereby adopts the proposed Draft Onsite Wastewater Treatment and Disposal System Regulations as amended for Residential Septic Tank and Leaching System and Temporary Toilet Facilities (22 GAR 12) effective August 21, 2025, a true and accurate copy of which is attached hereto and incorporated herein by reference.

Approved On: August 21, 2025

Steve Carbullido
Steven Philip Carbullido
Board Chairman, Guam EPA

October 9, 2025
Date

Steven Carrara
Steven Carrara
Board Vice Chairman, Guam EPA

10/14/25
Date

Steven Hollister
Steven Hollister
Director, Guam EPA

10-9-25
Date

Fran Castro
Fran Castro
Director, Guam EPA

October 9, 2025
Date

Cathleen Moore-Linn
Cathleen Moore-Linn
Director, Guam EPA

10/09/2025
Date

Heather J. Quitugua
Heather Quitugua
Director, Guam EPA

October 9, 2025
Date

Arlene Acfalle
Arlene Acfalle
Board Secretary, Guam EPA

10-9-25
Date





GUAM ENVIRONMENTAL PROTECTION AGENCY - AHENSIAN PRUTEKSIÓN LINA'LA' GUÅHAN
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THE GUAM ENVIRONMENTAL PROTECTION AGENCY BOARD OF DIRECTORS

Guam EPA Resolution #GEPA-25-005

Relative to the approval of the Proposed Draft Onsite Wastewater Treatment and Disposal System Regulations for Residential Septic Tank and Leaching System and Temporary Toilet Facilities (22 GAR 12)

WHEREAS, 10 Guam Code Annotated (GCA) Chapter 47, §47104(b), as enacted by Public Law 17-87 on January 18, 1985, authorizes and directs the Agency to develop and adopt a comprehensive program for the prevention, control, and abatement of pollution from the water of the territory and from time to time review and modify such program for the guidance of the Administrator; and

WHEREAS, 10 GCA Chapter 48, §48125(a), as enacted by Public Law 37-105 on July 18, 2024 grants Guam EPA the authority to issue regulations for Type 4 facilities and holding tanks; and

WHEREAS, 10 GCA Chapter 48 §48125(d), as enacted by Public Law 37-105 on July 18, 2024 states that “GEPA shall establish fees for permits, inspections, and related services by regulation;” and

WHEREAS, the promulgation of these proposed rules and regulations seeks to protect the environment, modernize existing regulations with available technologies, and comply with the United States Environmental Protection Agency’s (USEPA) Clean Water Act and the Guam Environmental Protection Agency Act; and

WHEREAS, the proposed rules and regulations seek to protect the island’s drinking water and aquifer and allow landowners to build responsibly on their properties; and


WHEREAS, GEPA published the proposed regulations on its website for the public to provide comments on from July 15, 2025 to July 30, 2025; and

WHEREAS, GEPA conducted a public hearing on July 30, 2025; and

WHEREAS, the Guam EPA Board of Directors discussed, amended, and voted unanimously to approve the adoption of the proposed regulations as amended on August 21, 2025.




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NOW THEREFORE, the Guam Environmental Protection Agency Board of Directors hereby adopts the proposed Draft Onsite Wastewater Treatment and Disposal System Regulations as amended for Residential Septic Tank and Leaching System and Temporary Toilet Facilities (22 GAR 12) effective August 21, 2025, a true and accurate copy of which is attached hereto and incorporated herein by reference.

Approved On: August 21, 2025



Steven Philip Carbullido
Board Chairman, Guam EPA

October 9, 2025
Date



Steven Carrara
Board Vice Chairman, Guam EPA

10/14/25
Date

Steven Hollister
Director, Guam EPA

Date

Fran Castro
Director, Guam EPA

Date

Cathleen Moore-Linn
Director, Guam EPA

Date

Heather Quitugua
Director, Guam EPA

Date

Arlene Acfalle
Board Secretary, Guam EPA

Date

/



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GUAM ENVIRONMENTAL PROTECTION AGENCY • AHENSIAN PRUTEKSIÓN LINA'LA' GUÅHAN
LOURDES A. LEON GUERRERO • GOVERNOR OF GUAM | JOSHUA F. TENORIO • LIEUTENANT GOVERNOR OF GUAM
MICHELLE C. R. LASTIMOZA • ADMINISTRATOR

ECONOMIC IMPACT STATEMENT FOR THE WATER DIVISION'S ONSITE WASTEWATER TREATMENT AND DISPOSAL SYSTEM REGULATIONS AS PROPOSED BY THE GUAM ENVIRONMENTAL PROTECTION AGENCY

The Guam Environmental Protection Agency (Guam EPA) seeks to propose rules and regulations for onsite wastewater treatment and disposal facilities. In accordance with the duties outlined in 10 GCA Ch. 45 §45106, the Guam Environmental Protection Agency is “authorized and directed to adopt, amend and repeal rules and regulations implementing and consistent with the powers and duties vested in the Agency pursuant to §45105.” In accordance with and 10 GCA Ch 48 §48125, “GEPA shall establish fees for permits, inspections, and related services by regulation.”

The promulgation of these proposed rules and regulations seeks to administratively satisfy the following:

- Compliance with the United States Environmental Protection Agency's (USEPA) Clean Water Act and the Guam Environmental Protection Agency Act
- Support growth and development to address Guam while simultaneously protecting the sole source of drinking water in the Northern Lens Aquifer; and
- Complete the issuance of regulations and permit requirements for Type 4 [toilet] facilities and holding tanks in accordance with 10 GCA 48 Sec 48125, enacted on July 18, 2024.

At this present time, Guam does not have local rules or regulations for the application, review, or permitting of Type 4, or nitrogen-reducing, toilet facilities or holding tanks. While Guam EPA has federal funding through FY 2025, these funds are limited with regards to their mandates to conduct septic system permitting and construction inspections. Further, it is anticipated that Guam EPA will lose 95% of this funding in FY2026.

As such, and in the spirit of the Agency's compliance with transparency and open governance, Guam EPA hereby provides the following statements for consideration under requirements of 5 GCA §9301(f) (1-6).

- (1) The purpose and the need for the rule or regulation; an assessment of the risk and the cost of the imposed rules or regulation. In addition, government agencies proposing a new rule or regulation must include with the assessment, the justification for the new rule or regulation.**

Studies by the University of Guam's Water and Environmental Research Institute of the Western Pacific (WERI) between 2002 and 2020 demonstrate a trending increase in nitrate concentrations at least partially attributable to the management of sewage, establishing septic systems as one of the main threats to the Northern Guam Lens Aquifer (NGLA), which supplies approximately eighty percent (80%) of Guam's drinking water.

The purpose of these regulations is to, broaden the types of allowable wastewater treatment systems allowable by Guam EPA, help to address Guam's current housing shortage, support housing security, and to leverage advances in technology to prevent additional risk and contamination to



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the NGLA. Further justification for the proposal of these regulations stem from duties and authorities directed to the Guam EPA by the Government of Guam as noted above.

Guam EPA has conducted a thorough review and comparison to related regulations, and has determined that these proposed new and amended rules and regulations for onsite wastewater treatment and disposal systems is unlikely to create a serious inconsistency or interference with any other actions planned or undertaken by other instrumentalities of the Government of Guam.

The risks related to the adoption and implementation of these regulations include probably increased construction and operating costs to individual homeowners; delays in construction completion related to shipping of nitrogen-reducing systems or holding tanks; increased mandates to the staff of Guam EPA as they relate to review, inspection, and other permitting.

Potential risks of not adopting and implementing these regulations as proposed include continued deterioration to the water quality of the NGLA and recreational waters in and surrounding Guam, which could result in increased public utility costs in order to provide potable water to the island, additional risk to the public health of every individual in Guam, and risk to the ecosystems in and around Guam.

(2) The financial impact of the proposed rule or regulation upon those persons or corporation entities directly affected by the proposed rule or regulation, and upon the people and the economy of Guam.

The proposed regulations potentially increase the cost of some residential and commercial construction or lot improvement inside the GPZ, as well as the cost of permitting to waste haulers; however, they also make possible the construction of ADUs and other dwellings in places that were not previously possible. Guam EPA's estimates are that 50-60 lots previously unable to be permitted would now be possibly permitted. Further, in addressing the current housing shortage for Guam, these proposed regulations both potentially decrease overall costs to home and business owners and offer the opportunity for economic expansion across Guam. While some of the added types of allowable systems are more financially expensive than some of the currently allowable systems, some of the additional options are more affordable to buy or construct, less expensive to operate and maintain, and offer options to homeowners whose systems have previously failed due to high groundwater.

While the additions and amendments proposed do not change the scope of the existing regulations, they add relevant standards to better guide designers and construction staff, which may well decrease the time spent in design, review, construction, inspection, and remediation. The amendments also make possible the potential for electronic submission of building plans, generating a substantial savings in printing fees for applicants.

Lastly, while some of the proposed regulations may increase construction and operating costs for some owners, they will decrease threats to the aquifer, to public health, and ultimately avoid the need for utility-scale treatment, which could have far greater cost to the entire population of Guam. The overall cost-benefit analysis shows a benefit for the utility rate-payers and tax payers, who would otherwise absorb the costs of utility-scale treatment while suffering greater risk to their health.

Overall, though some wastewater systems may have higher financial costs to buy and install or construct, the regulations proposed result in construction and maintenance that will ultimately



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create septic systems that are less likely to fail or breakdown, leading to a longer life and less likely need for untimely replacement, which can be incredibly expensive and destructive to a homeowner and property. This may well result in reduced costs to owners over the life of their system. Additionally, the proposed regulations will allow construction that was previously not possible, increasing overall opportunity for economic growth as well as housing support and stability.

Any potential increase or decrease in the price or availability of any good or service on Guam directly or indirectly attributable to the proposed rule or regulation.

The Agency does not anticipate any increase or decrease in the overall cost of living, nor does it anticipate any specific increase or decrease in the price or availability of any goods or services on Guam, as a result of these proposed rules and regulations.

There could be a decrease in availability of specific types of available systems, however, this would likely look more like an increase in the demand for systems, and a potential delay in immediately available stock. The majority of the proposed systems can be constructed in place with many materials readily available and regularly used in Guam.

There is a potential for an increase in demand for certified waste haulers and their services, and which may limit immediate availability of said service to the community. Alternatively, this could offer economic opportunity to currently registered haulers, or to new businesses wishing to provide the service; thereby creating competition for the service, decreasing cost to the community, while bolstering the business.

(3) Any direct or indirect impact upon employment on Guam or any increase or decrease in the availability of a particular job or jobs in general, attributable to the proposed rule or regulation.

There is a potential for an increase in demand for certified waste haulers and their services, and which could offer economic opportunity to currently registered haulers, or to new businesses wishing to provide the service, and potentially create jobs.

There is a necessary increase in permitting review and inspection requirements, which will increase demand on the already overburdened staff of Guam EPA, as well as for fellow government agencies that also review and approve building permits. This could result in additional employment opportunities with Guam EPA, though salary deficits are still a cause of disparate hiring for the Agency.

For example, in FY 2024, Guam EPA Water Pollution Control (WPC) Program Engineers and Inspectors conducted 136 construction plan reviews and approvals, 45 inspections prior to backfilling sites, and 158 site inspections just for wastewater systems. They conducted 10 inspections for wastewater pumping facilities, and also responded to 18 complaints regarding wastewater systems. Estimating that initial reviews and inspections require a total of approximately 6-7 man-hours of work per residential property, and estimating approximately 160-170 applications for residential permitting based on previous years' average applications, we expect 960-1190 man-hours of work for residential toilet facility application review, inspection, and permitting over the next year. That's equivalent to 24-29 weeks of work for one person on only one type of inspection that Guam EPA WPC conducts.



(4) Any increase or decrease in the cost of doing business as an enterprise or industry on Guam, or any increase or decrease in doing business in general, attributable to the proposed rule or regulation.

In addition to what we have noted above, Guam EPA does not anticipate any significant increase or decrease in the cost of doing business as an enterprise or industry of Guam or in general.

As proposed, initial permit reviews, inspections, and operating permits (when required) for residential conventional soil absorption systems, holding tanks, and/or Type-4 toilet facilities would be less than \$500 per lot for an individual system. Operating permit renewals would take place at annual or 2 year increments, pending the type of system being operated.

(5) Any adverse or beneficial economic impact which is attributable to the proposed rule or regulation.

Other than as noted above, Guam EPA does not estimate other adverse or beneficial economic impacts as a result of these proposed regulations. Though there could be an increase in demand on construction companies could result in increased construction costs, it is possible that the ability to provide additional housing units as a result of previously sites unable to be permitted could decrease the cost of living by adding inventory to the housing or rental markets.

Overall, Guam EPA estimates total annual fees for application review, inspection, and operating permits to be less than \$100,000 per year through FY 2033, based on our evaluation of average annual permit requests and denials over FY 2022 and 2023. Our estimates also account for lots previously denied or ineligible that would be available for construction because of the proposed regulations. Additional detail about our estimates is attached to this economic impact statement.



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				Year:	1	2	3	4	5	6	7	8	9	10
Application Review:		x fee	= total annual fee impact in dollars		FY 2025	FY 2026	FY 2027	FY 2028	FY 2029	FY 2030	FY 2031	FY 2032	FY 2033	FY 2034
Average annual number of conventional systems installed (FY2022-23)	108	\$ 275	\$ 29,700		\$ 29,700	\$ 29,700	\$ 29,700	\$ 29,700	\$ 29,700	\$ 29,700	\$ 29,700	\$ 29,700	\$ 29,700	\$ 29,700
Average annual number of parental lots (future Type 4 - FY2022-23)	41	\$ 300	\$ 12,300		\$ 12,300	\$ 12,300	\$ 12,300	\$ 12,300	\$ 12,300	\$ 12,300	\$ 12,300	\$ 12,300	\$ 12,300	\$ 12,300
Estimated annual number of decedent lots (based on permits denied FY2022-23 plus 50%)	12	\$ 300	\$ 3,600		\$ 3,600	\$ 3,600	\$ 3,600	\$ 3,600	\$ 3,600	\$ 3,600	\$ 3,600	\$ 3,600	\$ 3,600	\$ 3,600
Estimated annual number of new holding tanks - residential	2	\$ 300	\$ 600		\$ 600	\$ 600	\$ 600	\$ 600	\$ 600	\$ 600	\$ 600	\$ 600	\$ 600	\$ 600
Estimated annual number of new holding tanks - other building types	1	\$ 300	\$ 300		\$ 300	\$ 300	\$ 300	\$ 300	\$ 300	\$ 300	\$ 300	\$ 300	\$ 300	\$ 300
Estimated annual number of extra Type 4 permits (due to setback reductions)	4	\$ 300	\$ 1,200		\$ 1,200	\$ 1,200	\$ 1,200	\$ 1,200	\$ 1,200	\$ 1,200	\$ 1,200	\$ 1,200	\$ 1,200	\$ 1,200
Estimated annual number of "other" (mound) permits (for homes with failed septic systems)	1	\$ 1,000	\$ 1,000		\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000
Estimated first year registrations of existing holding tanks - single family residential/duplex	10	\$ 1,000	\$ 10,000		\$ 10,000					\$ -				
Estimated first year registrations of existing holding tanks - commercial, government, multi-residential	10	\$ 2,000	\$ 20,000		\$ 20,000					\$ -				
Estimated annual hauler registrations*	3	\$ 250	\$ 750		\$ 750	\$ 750	\$ 750	\$ 750	\$ 750	\$ 750	\$ 750	\$ 750	\$ 750	\$ 750
Renewals:														
Estimated annual increase in renewals for Type 4 operating permits (starts at +2 years)	59	\$ 100	\$ 5,900				\$ 5,900	\$ 11,800	\$ 17,700	\$ 23,600	\$ 29,500	\$ 35,400	\$ 41,300	\$ 47,200
Estimated annual increase in mound operating permit renewals (starts at +2 years)	1	\$ 100					\$ 100	\$ 200	\$ 300	\$ 400	\$ 500	\$ 600	\$ 700	\$ 800
Estimated annual renewal cost for holding tanks residential (baseline, +1 years)	12	\$ 100	\$ 1,200			\$ 1,200	\$ 1,600	\$ 1,800	\$ 2,000	\$ 2,200	\$ 2,400	\$ 2,600	\$ 2,800	\$ 3,000
Estimated annual renewal cost for holding tanks other buidling types (baseline, +1 years)	11	\$ 250	\$ 2,750			\$ 2,750	\$ 3,250	\$ 3,500	\$ 3,750	\$ 4,000	\$ 4,250	\$ 4,500	\$ 4,750	\$ 5,000
					FY 2025	FY 2026	FY 2027	FY 2028	FY 2029	FY 2030	FY 2031	FY 2032	FY 2033	FY 2034
TOTAL ANNUAL FEES:					\$ 79,450	\$ 53,400	\$ 60,300	\$ 66,750	\$ 73,200	\$ 79,650	\$ 86,100	\$ 92,550	\$ 99,000	\$ 105,450

* assumes one truck per hauler

Application review & Inspection - residential -	Hourly cost	Conventional soil absorption systems		Holding Tanks		Type 4 and Mound Facilities		Other system types		Job tasks (ex for Type 4)
		hours	cost	hours	cost	hours	cost	hours	cost	
Chief Engineer	\$100	0.10	\$ 10.00	0.35	\$ 35.00	0.10	\$ 10.00	2.50	\$ 250.00	QA, brief review, log, verify NSF-245 certificaion, review installer certification, make final edits to permit
Engineer Supervisor	\$60	1.00	\$ 60.00	2.20	\$ 132.00	1.25	\$ 75.00	3.00	\$ 180.00	QA, technical supervision of Engineer I or II, review proposals for leaching field reduction, draft permit approval letter, review installer certification, log
Engineer III	\$55		\$ -	0.88	\$ 48.13		\$ -	4.00	\$ 220.00	
Engineer II or I	\$46	2.00	\$ 92.00	3.50	\$ 161.00	3.00	\$ 138.00	8.00	\$ 368.00	Review application, verify NSF Certification, verify installer qualifications and final installer certificaion, communicate with applicant as necessary, determine correct component sizing (including leaching field reduction proposals) & communicate to supervisor, draft operating permit, attend inspections (est. 1 out of every 2)
Environmental Inspector Supervisor	\$45	0.63	\$ 28.13	3.50	\$ 157.50	1.25	\$ 56.25	3.50	\$ 157.50	Attend one out of every 2 inspections
Environmental Inspector I or II	\$33	2.50	\$ 82.50	3.50	\$ 115.50	2.50	\$ 82.50	3.50	\$ 115.50	Perform initial ocular inspection (1 hour), perform final type 4 system inspection (1.5 hours)
TOTALS			\$ 272.63		\$ 649.13		\$ 361.75		\$ 1,291.00	

Application review & Inspection - other building types	Hourly cost	Conventional soil absorption systems		Holding Tanks		Type 4 and Mound Facilities		Other system types		Job tasks (ex for Type 4)
		hours	cost	hours	cost	hours	cost	hours	cost	
Chief Engineer	\$100	1.50	\$ 150.00	2.50	\$ 250.00	1.50	\$ 150.00	6.00	\$ 600.00	QA, thorough review, log, verify NSF-245 certificaion, review installer certification, make final edits to permit
Engineer Supervisor	\$60	3.00	\$ 180.00	4.00	\$ 240.00	4.00	\$ 240.00	8.00	\$ 480.00	QA, technical supervision of Engineer I or II, review proposals for leaching field reduction, draft permit approval letter, review installer certification, log
Engineer III	\$55	3.00	\$ 165.00	6.00	\$ 330.00	6.00	\$ 330.00	8.00	\$ 440.00	Review application, review other applicable regualtions (e.g. WQS), research treatment methods and sizing calculations, mentor and assist Engineer I or II, assist with drafting comment letters and operating permit, attend one out of every 2 inspections
Engineer II or I	\$46	8.00	\$ 368.00	8.00	\$ 368.00	8.00	\$ 368.00	8.00	\$ 368.00	Review application, verify NSF Certification, verify installer qualifications and final installer certificaion, communicate with applicant as necessary, determine correct component sizing (including leaching field reduction proposals) & communicate to supervisor, draft operating permit, attend every inspection
Environmental Inspector Supervisor	\$45	0.63	\$ 28.13	3.50	\$ 157.50	1.25	\$ 56.25	3.50	\$ 157.50	Attend every inspection
Environmental Inspector I or II	\$33	2.50	\$ 82.50	3.50	\$ 115.50	2.50	\$ 82.50	3.50	\$ 115.50	Perform initial ocular inspection (1 hour), perform final type 4 system inspection (1.5 hours)
TOTALS			\$ 973.63		\$ 1,461.00		\$ 1,226.75		\$ 2,161.00	

Application review fees, residential - per hour, Additional	Conventional soil absorption systems			Holding Tanks		Type 4 and Mound Facilities		Other system types		Job tasks (ex for Type 4)
	Hourly cost	hours	cost	hours	cost	hours	cost	hours	cost	
Chief Engineer	\$100	0.08	\$ 8.00	0.50	\$ 50.00	0.25	\$ 25.00	0.70	\$ 70.00	QA, thorough review, log, verify NSF-245 certificaion, review installer certification, make final edits to permit
Engineer Supervisor	\$60	1.00	\$ 60.00	1.00	\$ 60.00	1.00	\$ 60.00	1.00	\$ 60.00	QA, technical supervision of Engineer I or II, review proposals for leaching field reduction, draft permit approval letter, review installer certification, log
Engineer III	\$55		\$ -		\$ -	0.10	\$ 5.50	0.80	\$ 44.00	Review application, review other applicable regualtions (e.g. WQS), research treatment methods and sizing calculations, mentor and assist Engineer I or II, assist with drafting comment letters and operating permit, attend one out of every 2 inspections
Engineer II or I	\$46	1.00	\$ 46.00	1.00	\$ 46.00	1.00	\$ 46.00	1.00	\$ 46.00	Review application, verify NSF Certification, verify installer qualifications and final installer certificaion, communicate with applicant as necessary, determine correct component sizing (including leaching field reduction proposals) & communicate to supervisor, draft operating permit, attend every inspection
Environmental Inspector Supervisor	\$45		\$ -		\$ -		\$ -		\$ -	
Environmental Inspector I or II	\$33		\$ -		\$ -		\$ -		\$ -	
TOTALS			\$ 114.00		\$ 156.00		\$ 136.50		\$ 220.00	

Application review fees, other building types - per hour, Additional	Conventional soil absorption systems			Holding Tanks		Type 4 and Mound Facilities		Other system types		Job tasks (ex for Type 4)
	Hourly cost	hours	cost	hours	cost	hours	cost	hours	cost	
Chief Engineer	\$100	0.40	\$ 40.00	0.75	\$ 75.00	0.50	\$ 50.00	0.80	\$ 80.00	QA, thorough review, log, verify NSF-245 certificaion, review installer certification, make final edits to permit
Engineer Supervisor	\$60	1.00	\$ 60.00	1.00	\$ 60.00	1.00	\$ 60.00	1.00	\$ 60.00	QA, technical supervision of Engineer I or II, review proposals for leaching field reduction, draft permit approval letter, review installer certification, log
Engineer III	\$55	0.25	\$ 13.75		\$ -	0.60	\$ 33.00	0.80	\$ 44.00	Review application, review other applicable regualtions (e.g. WQS), research treatment methods and sizing calculations, mentor and assist Engineer I or II, assist with drafting comment letters and operating permit, attend one out of every 2 inspections
Engineer II or I	\$46	1.00	\$ 46.00	1.00	\$ 46.00	1.00	\$ 46.00	1.00	\$ 46.00	Review application, verify NSF Certification, verify installer qualifications and final installer certificaion, communicate with applicant as necessary, determine correct component sizing (including leaching field reduction proposals) & communicate to supervisor, draft operating permit, attend every inspection
Environmental Inspector Supervisor	\$45		\$ -		\$ -		\$ -		\$ -	
Environmental Inspector I or II	\$33		\$ -		\$ -		\$ -		\$ -	
TOTALS			\$ 159.75		\$ 181.00		\$ 189.00		\$ 230.00	

Additional Inspection Fees	Conventional soil		Holding Tanks		Type 4 and Mound		Other system types		Job tasks (ex. Holding Tanks)	
	Hourly cost	hours	cost	hours	cost	hours	cost	hours		cost
Chief Engineer	\$100	0.03	\$ 3.00	0.10	\$ 10.00	0.07	\$ 7.00	0.10	\$ 10.00	QA, more thorough review, log, verify eligibility, review holding tank O&M estimate, O&M Contract, make final edits to permit
Engineer Supervisor	\$60	0.10	\$ 6.00	0.30	\$ 18.00	0.15	\$ 9.00	0.30	\$ 18.00	QA, technical supervision of Engineer I or II, draft permit approval letter, review holding tank O&M contract, log, attend one out of every 5 inspections
Engineer III	\$55		\$ -	0.10	\$ 5.50	0.05	\$ 2.75	0.50	\$ 27.50	Attend one out of every 4 inspections
Engineer II or I	\$46	0.25	\$ 11.50	0.50	\$ 23.00	0.50	\$ 23.00	0.50	\$ 23.00	Review application, verify eligibility, communicate with applicant as necessary, determine correct component sizing & communicate to supervisor, draft operating permit, attend inspections (est. 1 out of every 2)
Environmental Inspector Supervisor	\$45	0.25	\$ 11.25	1.00	\$ 45.00	0.50	\$ 22.50	1.00	\$ 45.00	Attend every inspection
Environmental Inspector I or II	\$33	1.00	\$ 33.00	1.00	\$ 33.00	1.00	\$ 33.00	1.00	\$ 33.00	Perform initial ocular inspection (1 hour), perform final holding tank inspection and leak test (2.5 hours)
TOTALS			\$ 64.75		\$ 134.50		\$ 97.25		\$ 156.50	

Operating Permit Initial - residential	Hourly cost	Conventional soil absorption systems		Holding Tanks		Type 4 and Mound Facilities		Other system types		Job tasks (ex. Other System Types)
		hours	cost	hours	cost	hours	cost	hours	cost	
Chief Engineer	\$100		\$ -	0.10	\$ 10.00	0.08	\$ 8.00	0.10	\$ 10.00	QA, brief review, log, review O&M vendor report & certification, O&M Contract, make final edits to renewal letter
Engineer Supervisor	\$60		\$ -	1.00	\$ 60.00	0.75	\$ 45.00	0.75	\$ 45.00	QA, technical supervision of Engineer I or II, review permit renewal letter, review O&M vendor report & certification, O&M contract, log in tracking database
Engineer III	\$55		\$ -		\$ -		\$ -	0.50	\$ 27.50	Mentor and provide technical assistance to Engineer I or II, attend inspections as needed (estimated 1 out of every 4)
Engineer II or I	\$46		\$ -	2.00	\$ 92.00	2.00	\$ 92.00	2.00	\$ 92.00	Monitor tracking database and communicate with permit holders on an annual basis, Review O&M vendor report & certification, review O&M contract, draft renewal letter, communicate with Supervisor, inspect if indicated by records (est. 1 out of every 10)
Environmental Inspector Supervisor	\$45		\$ -	0.17	\$ 7.65	0.03	\$ 1.35	0.03	\$ 1.35	Attend one out of every 4 inspections
Environmental Inspector I or II	\$33		\$ -	0.63	\$ 20.63	0.10	\$ 3.30	0.10	\$ 3.30	Inspect as directed by Engineer I or II, estimated 1 out of every 15 renewals (1.5 hours each)
TOTALS			\$ -		\$ 190.28		\$ 149.65		\$ 179.15	
Operating Permit Initial - other building types	Hourly cost	Conventional soil		Holding Tanks		Type 4 and Mound		Other system types		Job tasks (ex. Other System Types)
		hours	cost	hours	cost	hours	cost	hours	cost	
Chief Engineer	\$100		\$ -	0.20	\$ 20.00	0.15	\$ 15.00	0.75	\$ 75.00	QA, brief review, log, review O&M vendor report & certification, O&M Contract, make final edits to renewal letter
Engineer Supervisor	\$60		\$ -	1.50	\$ 90.00	0.90	\$ 54.00	0.90	\$ 54.00	QA, technical supervision of Engineer I or II, review permit renewal letter, review O&M vendor report & certification, O&M contract, log in tracking database
Engineer III	\$55		\$ -		\$ -		\$ -	0.90	\$ 49.50	QA, technical supervision of Engineer I or II, review permit renewal letter, review O&M vendor report & certification, O&M contract, log in tracking database
Engineer II or I	\$46		\$ -	3.50	\$ 161.00	4.00	\$ 184.00	5.00	\$ 230.00	Monitor tracking database and communicate with permit holders on an annual basis, Review O&M vendor report & certification, review O&M contract, draft renewal letter, communicate with Supervisor, inspect every facility
Environmental Inspector Supervisor	\$45		\$ -	0.21	\$ 9.45	0.08	\$ 3.60	0.63	\$ 28.35	Attend one out of every 4 inspections
Environmental Inspector I or II	\$33		\$ -	0.83	\$ 27.39	0.30	\$ 9.90	2.50	\$ 82.50	Inspect as directed by Engineer I or II, estimated every renewal (2.5 hours each)
TOTALS			\$ -		\$ 307.84		\$ 266.50		\$ 519.35	

Operating Permit Renewal - residential	Hourly cost	Conventional soil absorption systems		Holding Tanks		Type 4 and Mound Facilities		Other system types		Job tasks (ex. Other System Types)
		hours	cost	hours	cost	hours	cost	hours	cost	
Chief Engineer	\$100		\$ -	0.10	\$ 10.00	0.08	\$ 8.00	0.10	\$ 10.00	QA, brief review, log, review O&M vendor report & certification, O&M Contract, make final edits to renewal letter
Engineer Supervisor	\$60		\$ -	0.50	\$ 30.00	0.75	\$ 45.00	0.50	\$ 30.00	QA, technical supervision of Engineer I or II, review permit renewal letter, review O&M vendor report & certification, O&M contract, log in tracking database
Engineer III	\$55		\$ -		\$ -		\$ -	0.50	\$ 27.50	Mentor and provide technical assistance to Engineer I or II, attend inspections as needed (estimated 1 out of every 4)
Engineer II or I	\$46		\$ -	1.00	\$ 46.00	1.25	\$ 57.50	1.25	\$ 57.50	Monitor tracking database and communicate with permit holders on an annual basis, Review O&M vendor report & certification, review O&M contract, draft renewal letter, communicate with Supervisor, inspect if indicated by records (est. 1 out of every 10)
Environmental Inspector Supervisor	\$45		\$ -	0.17	\$ 7.65	0.03	\$ 1.35	0.03	\$ 1.35	Attend one out of every 4 inspections
Environmental Inspector I or II	\$33		\$ -	0.63	\$ 20.63	0.10	\$ 3.30	0.10	\$ 3.30	Inspect as directed by Engineer I or II, estimated 1 out of every 15 renewals (1.5 hours each)
TOTALS			\$ -		\$ 114.28		\$ 115.15		\$ 129.65	

Operating Permit Renewal - other building types	Hourly cost	Conventional soil absorption systems		Holding Tanks		Type 4 and Mound Facilities		Other system types		Job tasks (ex. Other System Types)
		hours	cost	hours	cost	hours	cost	hours	cost	
Chief Engineer	\$100		\$ -	0.20	\$ 20.00	0.15	\$ 15.00	0.75	\$ 75.00	QA, brief review, log, review O&M vendor report & certification, O&M Contract, make final edits to renewal letter
Engineer Supervisor	\$60		\$ -	1.00	\$ 60.00	0.75	\$ 45.00	0.50	\$ 30.00	QA, technical supervision of Engineer I or II, review permit renewal letter, review O&M vendor report & certification, O&M contract, log in tracking database
Engineer III	\$55		\$ -		\$ -		\$ -	0.50	\$ 27.50	QA, technical supervision of Engineer I or II, review permit renewal letter, review O&M vendor report & certification, O&M contract, log in tracking database
Engineer II or I	\$46		\$ -	2.00	\$ 92.00	3.00	\$ 138.00	3.00	\$ 138.00	Monitor tracking database and communicate with permit holders on an annual basis, Review O&M vendor report & certification, review O&M contract, draft renewal letter, communicate with Supervisor, inspect every facility
Environmental Inspector Supervisor	\$45		\$ -	0.25	\$ 11.25	0.08	\$ 3.60	0.50	\$ 22.50	Attend one out of every 4 inspections
Environmental Inspector I or II	\$33		\$ -	0.75	\$ 24.75	0.30	\$ 9.90	1.50	\$ 49.50	Inspect as directed by Engineer I or II, estimated every renewal
TOTALS			\$ -		\$ 208.00		\$ 211.50		\$ 342.50	

Hauler Registration				
	Hourly cost	hours	cost	Job tasks
Chief Engineer	\$100	0.08	\$ -	QA, brief review, log,
Engineer Supervisor	\$60	0.10	\$ 6.00	QA, technical supervision of Engineer III, log
Engineer III	\$55	3.00	\$ 126.00	Review application, review previous records, communicate with applicant, review registration letter and documentation, lead inspection of hauler's trucks and facility, mentor Engineer I or II, communicate with Supervisor
Engineer II or I	\$46	4.00	\$ 156.00	Review application, review previous records, communicate with applicant, draft registration letter and documentation, inspect hauler's trucks and facility, communicate with Engineer III and Supervisor
Environmental Inspector Supervisor	\$45		\$ -	
Environmental Inspector I or II	\$33		\$ -	
TOTALS			\$ 288.00	



GUAM ENVIRONMENTAL PROTECTION AGENCY
AHENSIAN PRUTEKSION LINA'LA GUAHAN

PUBLIC NOTICE:

Seeking Public Comment on
Proposed Onsite Wastewater Treatment and Disposal System Regulations

Pursuant to 5 GCA Ch 9, Sec 9301, Guam EPA issues this public notice to seek public comment on the Guam EPA's proposed new and amended regulations of onsite wastewater treatment and disposal systems, in 22 GAR Div 2, Ch 12. This notice also serves to notify the general public that a public hearing will be held to seek public comment on the same proposed rules.

PUBLIC COMMENT PERIOD:

TUESDAY, JULY 15, 2025 - WEDNESDAY, JULY 30, 2025

Draft proposed regulations may be viewed at the Agency's administration building located at 17-3304 Mariner Avenue Tiyan Barrigada, GU 96913 from 8:00 a.m. to 4:30 p.m. on business days on or after Tuesday, July 15, 2025 through 4:30 p.m., Wednesday, July 30, 2025.

Proposed regulations will also be available for viewing at www.epa.guam.gov

Written comments must be addressed to: Administrator, c/o Guam EPA: 17-3304 Mariner Avenue Tiyan Barrigada, GU 96913. E-mail submissions may be sent to: elizabeth.degrange@epa.guam.gov with the subject line: "22 GAR Ch12 Public Comment." Facsimile submissions will not be accepted. Written, E-mail, and Oral comments will be received through 11:59 pm ChST on Wednesday, July 30, 2025.

PUBLIC HEARING:

WEDNESDAY, JULY 30, 2025 • 4:00 P.M.

at the Guam EPA Administration Building Conference Room located at 17-3304 Mariner Avenue Tiyan Barrigada, GU 96913. For more information, contact Guam EPA at (671) 588-4751/2.

The hearing will be livestreamed on youtube.com/guamepa, where a recording of the hearing will also be available after the hearing.

In compliance with the American with Disabilities Act (ADA), individuals requiring assistance or accommodations, should contact Guam EPA at 671-588-4751 or email: arlene.acfalle@epa.guam.gov

/s/ MICHELLE C.R. LASTIMOZA, Administrator

GUAM EPA | 17-3304 Mariner Avenue Tiyan Barrigada, Guam 96913-1617 | Tel: (671) 588.4751/2 | Fax: (671) 588.4531 | epa.guam.gov
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PUBLICATION NOTICE

In accordance with the provisions of Guam Code Annotated, Title XI, Chapter III, Section 3315, notice is hereby given that:

TOUR GUAM.COM LLC DBA: STAR SAND BEACH CLUB (NEW)

has applied for a Class: Four (4) GENERAL ON SALE/ Alcoholic Beverage License said premises being marked as Lot: Lot 8-8 Tract 34000 Chalan Ururao DEDEDO



CIVIL SERVICE COMMISSION

KOMISION / SETBISION SIBIT

Bell Tower Suite 201, 710 W. Marine Corps Drive, Hagåtña, Guam 96910
Tel: (671) 647-1855 • Fax: (671) 647-1867

NOTICE OF MEETING

IN-PERSON MEETING AT 9:00 A.M. ON THURSDAY, JULY 17, 2025.

A live broadcast of this meeting is available to the public on the CSC website at csc.guam.gov or on gov.guam by the public can also access a live stream of this meeting via zoom by using the link or Meeting ID and Passcode provided below:
<https://us06web.zoom.us/j/85802339012?pwd=IiV0aaxaZzZDd0pRSGZmSjphM44jIjpuZWZ.1>
(Meeting ID: 858 0233 9012 / Passcode: 669706)

AGENDA

- I. CALL TO ORDER.
- II. APPROVAL OF MINUTES: 6/03/2025; 6/05/2025; and 6/17/2025.
- III. NEW BUSINESS:
 - (1) POST AUDIT HEARING. Vivian C. Leon / Glenn B. Nelson vs. Port Authority of Guam; 25-PA03.
 - (2) SIGNING: JUDGMENT OF DISMISSAL Joseph B. Cruz, Jr. vs. Chamoru Land Trust Commission; 25-GRE04.
- IV. OLD BUSINESS:
 - (1) SIGNING: DECISION AND JUDGMENT. Christopher Florio vs. Guam Fire Department; 18-AA07T.
 - (2) SIGNING: ORDER AFTER HEARING. Briana Roberto & Cynthia Kuper vs. Customs and Quarantine Agency; 24-GRE06.
- V. GENERAL BUSINESS:
 - (1) Bills and Laws affecting CSC: None.
 - (2) Administrative Counsel Litigation Update.
 - (3) Board Training: Civil Service Commission Board Members.
- VI. ADJOURNMENT.

For special accommodations, please contact Mazia P. Masayon, CSC ADA Coordinator at (671) 647-1872 / (671) 647-1855.

/s/ Daniel D. Leon Guerrero, Executive Director
Paid by the Civil Service Commission



Sesteman Laibirihan Pupblekon Guåhan GUAM PUBLIC LIBRARY SYSTEM Government of Guam



LOURDES A. LEON GUERRERO
Governor (Magañal)
JOSHUA F. TENORIO
Lt. Governor (Siguanto Magañal)

Guam Public Library System (GPLS) Special Board Meeting Wednesday, July 23, 2025, 4:00 pm at the Hagåtña Library.

AGENDA:

Call to Order, Roll Call, New Business (Executive session: Recruitment of Library Director), Adjournment

LIVE Streaming link: <https://www.facebook.com/guampubliclibrarysystem>

Please call June Allague for those requiring special accommodations, auxiliary aid or services at 671-475-4755/54

This ad is paid for by government funds



GUAM ENVIRONMENTAL PROTECTION AGENCY AHENSIAN PROTEKSION TINIA LA GUAHAN

PUBLIC NOTICE:

Seeking Public Comment on
Proposed Onsite Wastewater Treatment and Disposal System Regulations

Pursuant to 5 GCA Ch 9, Sec 9301, Guam EPA issues this public notice to seek public comment on the Guam EPA's proposed new and amended regulations of onsite wastewater treatment and disposal systems, in 22 GAR Div 2, Ch 12. This notice also serves to notify the general public that a public hearing will be held to seek public comment on the same proposed rules.

PUBLIC COMMENT PERIOD:

TUESDAY, JULY 15, 2025 - WEDNESDAY, JULY 30, 2025

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Written comments must be addressed to: Administrator, c/o Guam EPA: 17-3304 Mariner Avenue Tiyan Barrigada, GU 96913. E-mail submissions may be sent to: elizabeth.degrange@epa.guam.gov with the subject line: "22 GAR Ch12 Public Comment." Facsimile submissions will not be accepted. Written, E-mail, and Oral comments will be received through 11:59 pm ChST on Wednesday, July 30, 2025.

PUBLIC HEARING:

WEDNESDAY, JULY 30, 2025 • 4:00 P.M.

at the Guam EPA Administration Building Conference Room located at 17-3304 Mariner Avenue Tiyan Barrigada, GU 96913. For more information, contact Guam EPA at (671) 588-4751/2.

The hearing will be livestreamed on youtube.com/guamepa, where a recording of the hearing will also be available after the hearing.

In compliance with the American with Disabilities Act (ADA), individuals requiring assistance or accommodations, should contact Guam EPA at 671-588-4751 or email: arlene.acfeille@epa.guam.gov

/s/ MICHELLE C.R. LASTIMOZA, Administrator

GUAM EPA | 17 3304 Mariner Avenue Tiyan Barrigada, Guam 96913-1817 | Tel: (671) 588-4751/2 | Fax: (671) 588-4531 | epa.guam.gov
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Sagpañ Planu Sañ Sagpañ Estadistika

LOLA E. LEON GUERRERO
Director
MATTHEW C. SANTOS
Deputy Director



LOURDES A. LEON GUERRERO
Governor of Guam
JOSHUA F. TENORIO
Lieutenant Governor

Request for Proposal RFP-BSP-2025-002

Professional Services for an Environmental and Natural Resource Law Attorney

The Guam Bureau of Statistics and Plans (BSP) is soliciting proposals from a qualified and experienced Offeror to provide professional services for an Environmental and Natural Resource Law Attorney. The issuance of this Request for Proposal (RFP) in no way constitutes a commitment by the BSP to award a contract. Hard copies of this solicitation will be available for pickup starting July 15, 2025, through July 28, 2025, from 9:00 AM to 4:00 PM, Monday through Friday (excluding government holidays). Copies may be picked up at the BSP's main office:

Office of the Governor
513 West Marine Corps Drive
Ricardo J. Bordallo Complex
Hagåtña, Guam 96910

For information on requesting an electronic copy of the RFP, please visit bsp.guam.gov and navigate to the "RFPs" tab. BSP strongly recommends that all prospective proposers register their contact information with the BSP to ensure they receive timely notices regarding any changes or updates to the RFP. BSP shall not be liable for failure to provide notice to any party who does not register their contact information. Proposals must be submitted to the BSP's Main Office at the address above in the format specified in the solicitation. Proposals must be received by BSP no later than 4:00 p.m., August 15, 2025. Failure to submit Proposals at the specified location, date, and time will result in rejection of the Proposal. This activity is supported by funding through the U.S. Department of Commerce (DOC), National Oceanic and Atmospheric Administration, for Guam, and is administered by the BSP.

/s/ LOLA E. LEON GUERRERO
Director, Bureau of Statistics and Plans
This Advertisement is paid with Government funds.

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PUBLIC HEARING ON PROPOSED ONSITE WASTEWATER TREATMENT AND DISPOSAL SYSTEM REGULATIONS

 PRINT

PUBLIC HEARING ON PROPOSED ONSITE WASTEWATER TREATMENT AND DISPOSAL SYSTEM REGULATIONS

PUBLIC HEARING



 **Posted on:** 07/15/2025 10:51 AM

 **Posted by:** Arlene Acfalle

 **Public Hearing Date:** 07/30/2025 04:00 PM


 **Department(s):**
GUAM ENVIRONMENTAL PROTECTION AGENCY (/notices?department_id=46)

 **Division(s):** WATER DIVISION (/notices?division_id=38)

 **Notice Topic(s):** PUBLIC HEARING (/notices?topic_id=74)

 **Types of Notice:** PUBLIC HEARING (/notices?type_id=7)

 **For Audience(s):** PUBLIC (/notices?public=1)

 **Share this notice**

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PUBLIC HEARING: WEDNESDAY, JULY 30, 2025 4:00 PM

At the Guam EPA Administration Building Conference Room located at 17-3304 Mariner Avenue Tiyan Barrigada, GU 96913. For more information, contact Guam EPA at (671) 588-4751/2.

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In compliance with the American with Disabilities Act (ADA), individuals requiring assistance or accommodations, should contact Guam EPA at 671-588-4751 or email: arlene.acfalle@epa.guam.gov



The University Of Guam Solicits Applications To Establish A List Of Eligibles For The Following Position (Subject to the Availability of Funds):

**#084-25 VICE PRESIDENT, ADMINISTRATION AND FINANCE/
CHIEF BUSINESS OFFICER**

Contact the Human Resources Office at (671)735-2350 for additional information regarding requirements, qualifications and application deadline, 8:00 a.m. to 5:00 p.m., Monday through Friday, except holidays. View the Human Resources Office website at <http://www.uog.edu/hro> for detailed information on the job announcement. For further information please email Dr. Sharleen Q. Santos-Bamba, Search Committee Chair at sbamba@triton.uog.edu.

The University of Guam is a U.S. accredited institution and an Equal Opportunity Employer and Provider and complies with the Americans with Disabilities Act. For assistance, please contact the Director, EEO and Title IX/ADA Coordinator at (671)735-2244; (671)735-2243 (TTY).

/s/ **JOSEPH B. GUMATAOTAO**
Chief Human Resources Officer

THIS AD IS PAID FOR BY UNIVERSITY OF GUAM FUNDS



**GUAM ENVIRONMENTAL PROTECTION AGENCY
AÑENSIAN PRUTEKSION LINA'LA GUAHAN**

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/s/ **MICHELLE C.R. LASTIMOZA, Administrator**

GUAM EPA | 17-3304 Mariner Avenue Tiyan Barrigada, Guam 96913-1617 | Tel: (671) 588-4751/2 | Fax: (671) 588-4531 | epa.guam.gov
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**GUAM MEMORIAL HOSPITAL AUTHORITY
ATURIDÁT ESPETÁT MUMIRIÁT GUAHÁN**



Board of Trustees Meeting

Date: **Wednesday, July 30, 2025**
Time: **5:00 p.m.**
Meeting will take place via Zoom Video Conferencing
Meeting ID: **888 2761 9303**
Passcode: **907879**

AGENDA:

- I. Call Meeting to Order and Determination of Quorum,
- II. Open Government Compliance: A. Publication, July 23, 2025, B. Publication, July 28, 2025, C. Gov-Genrat Notices Portal & Website Posting,
- III. Approval of the Minutes: A. June 25, 2025
- IV. Guam Memorial Hospital Volunteers Association Report
- V. Management's Report
- VI. Old Business: None
- VII. New Business - Board Subcommittee Reports: A. Joint Conference and Professional Affairs, 1 Res. No. 2025-49, Relative to the Reappointment of Active Medical Staff Privileges, 2 Res. No. 2025-50, Relative to the Appointment of Provisional Medical Staff Privileges, B. Human Resources: 1. Resolution Relative to Affirming the Duties of GMHA and Organizational Chart Review, 2 Res. No. 2025-32, Relative to Amending the Job Specifications for the Chief Hospital Pharmacist and Chief of Clinical Pharmacy, 3. HA CEO - Search Committee Update, 4. Operational Report and Financial Review of Guam Memorial Hospital, C. Facilities, Capital Improvement Projects, and Information Technology: 1. ISSQUARED Risk Management Plan, 2. Capital Improvement Project (CIP) - Update, 3. Annual Evaluation of the Effectiveness of the Medical Equipment Management Program (MEMP) CY2024, 4. Annual Evaluation of the Effectiveness of the Utility Systems Management Plan/Program CY2024, 5. Emergency Management Program Annual Evaluation Report, D. Quality and Safety, E. Finance and Audit: 1. Resolution Relative to Approving Thirty-Six (36) New Fees, F. Governance, Bylaws, and Strategic Planning
- VIII. Public Comment,
- IX. Adjournment

For special accommodations, please contact Theo Pangolinan, EEO Officer, at (671) 647-2104, Monday through Friday from 8:00 a.m. to 5:00 p.m.

/s/ **Lillian Poroz-Posadas, MN, RN**
Hospital Administrator/CEO

This advertisement is paid with governmental funds by the GMHA



GUAM PAROLE BOARD

Government of Guam
P.O. Box 4506 Hagåtña, Guam 96932
Tel: 671-735-4132/33 • Fax: 671-734-4023
Email: guamparoleboard@doc.guam.gov

Stephen J. Garrison
Chairman
Liam K.R. McDaniel
Secretary
Jon C. Bora
Member
John Q. Linares
Member

The regular meetings of the Guam Parole Board and the Guam Pardon Review Board originally scheduled for June have been rescheduled to July 31, 2025 to include the July agenda. The Guam Parole Board hearing will begin at 4:00 p.m. The Guam Pardon Review Board meeting will follow at 5:00 p.m. Both meetings will be held at the Parole Services Division Office #203 Aspinall Ave., Hagåtña, Guam.

Guam Parole Board AGENDA for June I. Call to Order, II. Roll Call, III. Old Business (Parole Desirability Cases for Jose Baza, Robert James, Kenyan Coker, KR Rousan, Joseph Perez, (Parole Desirability Cases for John Nego, Tommy Peter, Joseph Perez, Erson Reselap, Dustin Tedtaotao, Benjamin Ferrer, Jr., Benny Nauta, Keyan Coker, Heather Castro), (Preliminary Revocation Cases for John Haas, Edward Mero, Keone Diaz, Ralph Chiguina, Feleti Tamalua).

Guam Pardon Review Board AGENDA I. Call to Order, II. Roll Call, III. Old Business June 26, 2025 (Pardon Request Case for Richard Quinata, Zarackai Patrick, Christopher Fejeran), IV. New Business (Pardon/Commutation Case for Alvin Quinata, Donny Nededog, Victor Bilon), V. Deliberation, VI. Adjourn.

Guam Parole Board July AGENDA I. Call to Order, II. Roll Call, III. Old Business (Parole Desirability Cases for Jose Baza, Robert James, Kenyan Coker, KR Rousan Cases for John Nego, Tommy Peter, Joseph Perez, Erson Reselap, Dustin Tedtaotao, Heather Castro), (Parole Desirability for Sam Kosam, Davidson Oichy, Bryan Matheus, Vincent Topasna, John Quichocho, Jr., Rolando Jackson, Chaz Fernandez, Darall Adalle, Jeremiah Peredo, Matthew Schniepl, (Preliminary Revocation Cases for Jacky Chutaro, Franklin Hartin, Jered Reselap, Eric Fortes, Richard Martinez, Ricky Shimizu, Heric Andrew.)

Meeting ID: 856 8877 1596 Passcode: 556746. To attend the hearing, we ask that you register via guamparoleboard@doc.guam.gov. For individuals requiring special accommodations, please contact the Parole Services Division at (671)735-4132/33 for assistance. This ad was paid for by the Corrections Revolving Fund.

**Guam Cancer Trust Fund
Council Meeting**

The Guam Cancer Trust Fund Council will hold its monthly meeting online on **Thursday, JULY 31, 2025, at 4:00 p.m.**

If interested in attending the meeting, please register at gctf@triton.uog.edu.

AGENDA

- I. CALL TO ORDER
- II. REPORT FROM THE CHAIR
- III. REPORT FROM GCTF PROGRAM MANAGER
- IV. OLD BUSINESS
- V. NEW BUSINESS
- VI. OPEN DISCUSSION/INFORMATION
- VII. ADJOURNMENT

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THE GUAM DAILY POST




PUBLIC HEARING ON PROPOSED ONSITE WASTEWATER TREATMENT AND DISPOSAL SYSTEM REGULATIONS

 PRINT

PUBLIC HEARING ON PROPOSED ONSITE WASTEWATER TREATMENT AND DISPOSAL SYSTEM REGULATIONS

PUBLIC HEARING



 **Posted on:** 07/28/2025 08:31 AM

 **Posted by:** Arlene Acfalle

 **Public Hearing Date:** 07/30/2025 04:00 PM


 **Department(s):**
GUAM ENVIRONMENTAL PROTECTION AGENCY (/notices?department_id=46)

 **Division(s):** WATER DIVISION (/notices?division_id=38)

 **Notice Topic(s):** PUBLIC HEARING (/notices?topic_id=74)

 **Types of Notice:** PUBLIC HEARING (/notices?type_id=7)

 **For Audience(s):** PUBLIC (/notices?public=1)

 **Share this notice**

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At the Guam EPA Administration Building Conference Room located at 17-3304 Mariner Avenue Tiyan Barrigada, GU 96913. For more information, contact Guam EPA at (671) 588-4751/2.

The hearing will be livestreamed on youtube.com/guamepa, where a recording of the hearing will also be available after the hearing.

In compliance with the American with Disabilities Act (ADA), individuals requiring assistance or accommodations, should contact Guam EPA at 671-588-4751 or email: arlene.acfalle@epa.guam.gov



PUBLIC NOTICE: Seeking Public Comment on Proposed Onsite Wastewater Treatment and Disposal System Regulations

PUBLIC NOTICE: Seeking Public Comment on Proposed Onsite Wastewater Treatment and Disposal System Regulations



Pursuant to 5 GCA Ch 9, Sec 9301, Guam EPA issues this public notice to seek public comment on the Guam EPA's proposed new and amended regulations of onsite wastewater treatment and disposal systems, in 22 GAR Div 2, Ch 12. This notice also serves to notify the general public that a public hearing will be held to seek public comment on the same proposed rules.

PUBLIC COMMENT PERIOD:

TUESDAY, JULY 15, 2025 - WEDNESDAY, JULY 30, 2025

Draft proposed regulations may be viewed at the Agency's administration building located at 17-3304 Mariner Avenue Tiyan Barrigada, GU 96913 from 8:00 a.m. to 4:30 p.m. on business days on or after Tuesday, July 15, 2025 through 4:30 p.m., Wednesday, July 30, 2025.

Proposed regulations will also be available for viewing at www.epa.guam.gov

Written comments must be addressed to: Administrator, c/o Guam EPA: 17-3304 Mariner Avenue Tiyan Barrigada, GU 96913. E-mail submissions may be sent to: elizabeth.degrange@epa.guam.gov with the subject line: "22 GAR Ch12 Public Comment." Facsimile submissions will not be accepted. Written, E-mail, and Oral comments will be received through 11:59 pm ChST on Wednesday, July 30, 2025.

PUBLIC HEARING:

WEDNESDAY, JULY 30, 2025 - 4:00 P.M.

at the Guam EPA Administration Building Conference Room located at 17-3304 Mariner Avenue Tiyan Barrigada, GU 96913. For more information, contact Guam EPA at (671) 588-4751/2.

The hearing will be livestreamed on youtube.com/guamepa, where a recording of the hearing will also be available after the hearing.

In compliance with the American with Disabilities Act (ADA), individuals requiring assistance or accommodations, should contact Guam EPA at 671-588-4751 or email: arlene.acfalle@epa.guam.gov

/s/ MICHELLE C.R. LASTIMOZA, Administrator

GUAM EPA | 17-3304 Mariner Avenue Tiyan Barrigada, Guam 96913-1617 | Tel: (671) 588-4751/2 | Fax: (671) 588-4531 | epa.guam.gov
YOKU Y NIALA Y TANO MAN UNO - ALL LIVING THINGS ARE ONE



Pursuant to 5 GCA Ch 9, Sec 9301, Guam EPA issues this public notice to seek public comment on the Guam EPA's proposed new and amended regulations of onsite wastewater treatment and disposal systems, in 22 GAR Div 2, Ch 12. This notice also serves to notify the general public that a public hearing will be held to seek public comment on the same proposed rules.

Public Comment Period: Tuesday, July 15, 2025 - Wednesday, July 30, 2025

Draft proposed regulations may be viewed at the Agency's administration building located at 17-3304 Mariner Avenue Tiyan Barrigada, GU 96913 from 8:00 a.m. to 4:30 p.m. on business days on or after Tuesday, July 15, 2025 through 4:30 p.m., Wednesday, July 30, 2025. Proposed regulations are also available below.

Written Comments must be addressed to: Administrator, c/o Guam EPA: 17-3304 Mariner Avenue Tiyan Barrigada, GU 96913. E-mail submissions may be sent to: elizabeth.degrange@epa.guam.gov with the subject line: "22 GAR Ch12 Public Comment". Facsimile submissions will not be accepted. Written, e-mail, and oral comments will be received through 11:59 p.m. ChST on Wednesday, July 30, 2025.

Public Hearing: Wednesday, July 30, 2025 at 4:00 p.m. at the Guam EPA Administration Building Conference Room located at 17-3304 Mariner Avenue Tiyan Barrigada, GU 96913. For more information, contact Guam EPA at 671.588.4751/2.

The hearing will be livestreamed on youtube.com/guamepa, where a recording of the hearing will also be available after the hearing.

In compliance with American with Disabilities Act (ADA), individuals requiring assistance or accommodations, should contact Guam EPA at 671.588.4751/2 or email arlene.acfalle@epa.guam.gov



FOR THE WATER DIVISION'S ONSITE WASTEWATER TREATMENT AND DISPOSAL SYSTEM REGULATIONS AS PROPOSED BY THE GUAM ENVIRONMENTAL PROTECTION AGENCY

The Guam Environmental Protection Agency (Guam EPA) seeks to propose rules and regulations for onsite wastewater treatment and disposal facilities. In accordance with the duties outlined in 10 GCA Ch. 45 §45106, the Guam Environmental Protection Agency is "authorized and directed to adopt, amend and repeal rules and regulations implementing and consistent with the powers and duties vested in the Agency pursuant to §45105." In accordance with and 10 GCA Ch 48 §48125, "GEPA shall establish fees for permits, inspections, and related services by regulation."

The promulgation of these proposed rules and regulations seeks to administratively satisfy the following:

- Compliance with the United States Environmental Protection Agency's (USEPA) Clean Water Act and the Guam Environmental Protection Agency Act
- Support growth and development to address Guam while simultaneously protecting the sole source of drinking water in the Northern Lens Aquifer; and
- Complete the issuance of regulations and permit requirements for Type 4 [toilet] facilities and holding tanks in accordance with 10 GCA 48 Sec 48125, enacted on July 18, 2024.

At this present time, Guam does not have local rules or regulations for the application, review, or permitting of Type 4, or nitrogen-reducing, toilet facilities or holding tanks. While Guam EPA has federal funding through FY 2025, these funds are limited with regards to their mandates to conduct septic system permitting and construction inspections. Further, it is anticipated that Guam EPA will lose 95% of this funding in FY2026.

As such, and in the spirit of the Agency's compliance with transparency and open governance, Guam EPA hereby provides the following statements for consideration under requirements of 5 GCA §910(f) (1-6).

(1) The purpose and the need for the rule or regulation; an assessment of the risk and the cost of the imposed rules or regulation. In addition, government agencies proposing a new rule or regulation must include with the assessment, the justification for the new rule or regulation.

22 GAR - GEPA
DIV. 2 - WATER CONTROL
CH. 11 - ONSITE WASTEWATER TREATMENT AND DISPOSAL SYSTEM REGULATIONS

CHAPTER 12
ONSITE WASTEWATER TREATMENT AND DISPOSAL SYSTEM
REGULATIONS FOR RESIDENTIAL SEPTIC TANK AND
LEACHING SYSTEM AND TEMPORARY TOILET FACILITIES

2023 NOTE: These regulations are published in a Guam Environmental Protection Agency document on file at the Comptroller's Office. According to the GEPA publications, the regulations revised and renamed the Individual Wastewater Regulations, were adopted by the GEPA Board on July 2, 1987, and approved by the Attorney General on Sept. 1, 1987. In the 1997 printed GAR, these regulations are entitled "Individual Wastewater Disposal System Regulations" and include the following annotation:

NOTE: Rule-making authority cited by Guam Environmental Protection Agency, 10 GCA § 45106.

These regulations were filed with Legislative Secretary on September 11, 1997.

There are differences between the 1997 GAR codification and the GEPA publication; as published in the 1997 GAR, the regulations were renumbered, certain provisions had different language, and drawings and/or figures were omitted.

This 2023 GAR online publication reflects the language from the GEPA publication, renumbered pursuant to 1 GCA § 1606. Differences in language between the GEPA document and the 1997 GAR are noted in a Comptroller's annotation. Annotations in the original GEPA publications are identified as "GEPA NOTE." References to the Public Utilities Agency of Guam replaced with Guam Waterworks Authority pursuant to P.L. 23-110.3 (July 31, 1996).

- § 12101. Authority;
- § 12102. Purpose;
- § 12103. Definitions.

◀ Previous: Guam 2024 Annual State Public Water System Compliance Report Now Available

Next: Guam EPA Board of Director Regularly Scheduled Meeting - July 24, 2025 ▶

SEARCH GUAM EPA

SEARCH

Enter here

SEARCH

UPDATED AS OF JULY 18, 2024:
REQUIREMENTS FOR SEPTIC
SYSTEMS



UNAPPROVED
 Approved by the Legislature
 This Act was received by the Governor on this _____ day of _____, 2024.
 2024, at _____, P.M.
 APPROVED:
 Governor
 Lieutenant Governor
 Date: July 18, 2024
 Public Law No. 37-105

Please be advised that the Toilet Facilities and Sewage Disposal Chapter codified in 10 GCA Chapter 48 has been amended through the enactment of Guam Public Law 37-105.

On July 18, 2024, Bill 175-37(COR) as substituted and amended on the floor was signed into law as **Guam Public Law 37-105** and is effective upon enactment. As a result of this enactment, certain conditional environmental clearances issued by the Guam Environmental Protection Agency for building permits issued by the Department of Public Works have changed and will now be performed in accordance to this new law and its amended provisions.

[CLICK HERE TO LEARN MORE.](#)

REPORT VIOLATIONS LIKE ILLEGAL DUMPING



Keep our island CLEAN - Report illegal dumping!

[CLICK HERE TO SUBMIT A BASIC REPORT](#)

[CLICK HERE TO SUBMIT PHOTOS & VIDEOS WITH YOUR REPORT - Google Sign-In Required](#)

PERMITTING TIPS PRESENTATIONS: CONTRACTORS, HOME BUILDERS AND PROPERTY BUYERS



Guam EPA Construction & Industry Forum "Educate While We Regulate"
 Wednesday, March 29, 2023

In case you missed our Construction & Industry Forum on March 29, 2023, you can click on the links below to access presentations about Guam EPA's construction permitting process:

[CLICK HERE FOR CONTRACTOR TIPS](#)

[CLICK HERE FOR HOME BUILDER AND PROPERTY BUYER TIPS](#)

OLD LOT REQUIREMENTS FOR SEPTIC TANKS & LEACHING FIELDS FAQS

[CLICK HERE FOR VIEW THE FAQS.](#)

In Guam, the use of onsite wastewater disposal systems commonly referred to as "septic systems," is regulated through a number of laws and regulations.

These laws and regulations cover specific requirements for the permitting, design and construction of septic systems in Guam. Guam EPA has developed this FAQ to help you understand the



Guam Business License and Permit Center Agency
Window Hours:

Monday - Friday

8AM - 12PM • 1PM - 5PM

Permit Process Presentation - 2018 PDF

NEWS & ANNOUNCEMENTS

PUBLIC NOTICE - Order of Adjournment

Guam EPA Board of Directors Regularly Scheduled Meeting - September 18, 2025

Risk Assessment Document: Interim Action Level for Dieldrin

Guam EPA Board of Directors Regularly Scheduled Meeting - August 21, 2025

Guam EPA Board of Director Regularly Scheduled Meeting - July 24, 2025



17-3304 Mariner Avenue Tiyah Barrigada,
Guam 96913



One Stop Permit Window Hours: Mon-Fri:
8AM - 12PM • 1PM - 5PM



671.588.4751 671.588.4752



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Guam EPA Regular Board of Directors Meeting-1st Notice

 PRINT

Guam EPA Regular Board of Directors Meeting-1st Notice

ANNOUNCEMENT



 **Posted on:** 08/14/2025 02:44 PM

 **Posted by:** Arlene Acfalle

 **Department(s):**
GUAM ENVIRONMENTAL PROTECTION AGENCY (/notices?department_id=46)

 **Division(s):** ADMINISTRATION DIVISION (/notices?division_id=35)

 **Notice Topic(s):** BOARD MEETING (/notices?topic_id=76)

 **Types of Notice:** ANNOUNCEMENT (/notices?type_id=1)

 **For Audience(s):** PUBLIC (/notices?public=1)

 **Share this notice**

BOARD OF DIRECTORS REGULAR BOARD MEETING: Thursday,
August 21, 2025 • 4:00PM
Guam EPA Administration Conference Room: 17-3304 Mariner
Avenue Tiyan Barrigada, Guam
MEETING LINK: <https://meet.google.com/ddu-cyks-sge>

AGENDA:

- I. Call to order
 - a. Determination of quorum
 - b. Proof of due notice of meeting
- II. Approval of Agenda
- III. Approval of meeting minutes: 07/24/2025 regular meeting
- IV. Board Discussion / Action
 - a. Septic Tanks - Rules and Regulations
- V. Administrator's Report
- VI. Status Reports
 - a. DPW MOA update
 - b. Notices of Violations
 - c. Enforcement
 - d. OD Permit
 - e. RRF Programs
 - f. Guam EPA Fee Schedule
- VII. Public comments
- VIII. Next meeting date and adjournment

LIVESTREAMED ON [YOUTUBE.COM/GUAMEPA](https://www.youtube.com/guamepa)
individuals requiring special accommodations, auxiliary aids or
services may call Guam EPA at 671.588-4751 or email:
arlene.acfalle@epa.guam.gov


2nd Notice: Guam EPA Regular Scheduled Board of Directors Meeting

 PRINT

2nd Notice: Guam EPA Regular Scheduled Board of Directors Meeting

ANNOUNCEMENT



 **Posted on:** 08/19/2025 09:00 AM

 **Posted by:** Arlene Acfalle

 **Department(s):**
GUAM ENVIRONMENTAL PROTECTION AGENCY (/notices?department_id=46)

 **Division(s):** ADMINISTRATION DIVISION (/notices?division_id=35)

 **Notice Topic(s):** BOARD MEETING (/notices?topic_id=76)

 **Types of Notice:** ANNOUNCEMENT (/notices?type_id=1)

 **For Audience(s):** PUBLIC (/notices?public=1)

 **Share this notice**

BOARD OF DIRECTORS REGULAR BOARD MEETING: Thursday,
August 21, 2025 • 4:00PM
Guam EPA Administration Conference Room: 17-3304 Mariner
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MEETING LINK: <https://meet.google.com/ddu-cyks-sge>

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- IV. Board Discussion / Action
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 - f. Guam EPA Fee Schedule
- VII. Public comments
- VIII. Next meeting date and adjournment

Livestreamed on youtube.com/guamepa

Individuals requiring special accommodations, auxiliary aids or services may call Guam EPA at 671-588-4751 or email: arlene.acfalle@epa.guam.gov



Guam Environmental Protection Agency Ahensian Pruteksión Lina'la' Guåhan

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PUBLIC NOTICE – Order of Adjournment

Guam EPA Board of Directors Regularly Scheduled Meeting – September 18, 2025

September 17, 2025 – (TIYAN, Guam) – The Guam Environmental Protection Agency's Board of Directors regularly scheduled meeting will take place on Thursday, September 18, 2025 at 4 p.m. at the Guam EPA Administration Building Conference Room at 17-3304 Mariner Avenue Tiyan Barrigada, Guam 96913-1617. This meeting will be live streamed on the Guam EPA...

[Read more >](#)





WHERE IS DIELDRIN FOUND?



Soil



Homes where it was used



Water

What's the Concern?

Dieldrin does not break down quickly in soil or water. Guam Environmental Protection Agency's Interim Action Levels (IAL) for dieldrin are:

- 0.2 ug/L (parts per billion -ppb) - 1 in 10,000 chance of increased probability developing cancer
- 0.5 ug/L (ppb) - 1 in 4,000 chance of increased probability developing cancer in addition to a non-cancer short term health risk

How Can I be Exposed?

Drinking water contaminated with dieldrin.

How Can Dieldrin Affect my Health?

Dieldrin is classified by the U.S. EPA as a **probable human carcinogen**

Other non-cancer organ-specific toxicity include:

- Liver damage
- Neurotoxicity
 - Confusion, headaches, dizziness, etc.

For more information on dieldrin, please scan the QR for the full Risk Assessment Document

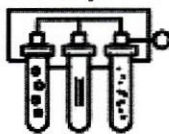


Liver damage Confusion Headaches

How Can I Reduce Exposure?



At home dieldrin water treatment
Granular Activated Carbon



Reverse Osmosis



Boiling water will NOT remove dieldrin

What can I do if my water has levels over the IAL?



Washing dishes



Showering



Laundry



Water activities



Irrigation



Drinking water



Brushing teeth



Preparing formula



Cooking



Washing produce



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Risk Assessment Document: Interim Action Level for Dieldrin

This Interim Action Level (IAL) was established by the Guam Environmental Protection Agency Board of Directors on November 21, 2024 pursuant to Guam Safe Drinking Water Act 10 GCA 953113. The Risk Assessment Document is available on our Safe Drinking Water page. Please click here to view.

Guam EPA Board of Directors Regularly Scheduled Meeting – August 21, 2025

August 15, 2025 – (TIYAN, Guam) – The Guam Environmental Protection Agency's Board of Directors regularly scheduled meeting will take place on Thursday, August 21, 2025 at 4 p.m. at the Guam EPA Administration Building Conference Room at 17-3304 Mariner Avenue Tiyán Barrigada, Guam 96913-1617. This meeting will be live streamed on the Guam EPA...

[Read more >](#)

Guam EPA Board of Director Regularly Scheduled Meeting – July 24, 2025

July 16, 2025 – (TIYAN, Guam) – The Guam Environmental Protection Agency's Board of Directors regularly scheduled meeting will take place on Thursday, July 24, 2025 at 4 p.m. at the Guam EPA Administration Building Conference Room at 17-3304 Mariner Avenue Tiyán Barrigada, Guam 96913-1617. This meeting will be live streamed on the Guam EPA...

[Read more >](#)



Proposed Onsite Wastewater Treatment and Disposal System Regulations

Pursuant to 5 GCA Ch 9, Sec 9301, Guam EPA issues this public notice to seek public comment on the Guam EPA's proposed new and amended regulations of onsite wastewater treatment and disposal systems, in 22 GAR Div 2, Ch 12. This notice also serves to notify the general public that a public hearing will be held to seek public comment on the same proposed rules.

PUBLIC COMMENT PERIOD: TUESDAY, JULY 15, 2025 - WEDNESDAY, JULY 30, 2025

Draft proposed regulations may be viewed at the Agency's administration building located at 17-3304 Mariner Avenue Tiyan Barrigada, GU 96913 from 8:00 a.m. to 4:30 p.m. on business days on or after Tuesday, July 15, 2025 through 4:30 p.m., Wednesday, July 30, 2025.

Proposed regulations will also be available for viewing at www.epa.guam.gov

Written comments must be addressed to: Administrator, c/o Guam EPA: 17-3304 Mariner Avenue Tiyan Barrigada, GU 96913. E-mail submissions may be sent to: elizabeth.degrange@epa.guam.gov with the subject line: "22 GAR Ch12 Public Comment." Facsimile submissions will not be accepted. Written, E-mail, and Oral comments will be received through 11:59 pm ChST on Wednesday, July 30, 2025.

PUBLIC HEARING: WEDNESDAY, JULY 30, 2025 • 4:00 P.M.


at the Guam EPA Administration Building Conference Room located at 17-3304 Mariner Avenue Tiyan Barrigada, GU 96913. For more information, contact Guam EPA at (671) 588-4751/2.

The hearing will be livestreamed on youtube.com/guamepa, where a recording of the hearing will also be available after the hearing.

In compliance with the American with Disabilities Act (ADA), individuals requiring assistance or accommodations, should contact Guam EPA at 671-588-4751 or email: arlene.acfalle@epa.guam.gov

/s/ MICHELLE C.R. LASTIMOZA, Administrator

GUAM EPA | 17-3304 Mariner Avenue Tiyan Barrigada, Guam 96913-1617 | Tel: (671) 588.4751/2 | Fax: (671) 588.4531 | epa.guam.gov
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PUBLIC NOTICE: Seeking Public Comment on Proposed Onsite Wastewater Treatment and Disposal System Regulations

Pursuant to 5 GCA Ch 9, Sec 9301, Guam EPA issues this public notice to seek public comment on the Guam EPA's proposed new and amended regulations of onsite wastewater treatment and disposal systems, in 22 GAR Div 2, Ch 12. This notice also serves to notify the general public that a public hearing will...

[Read more >](#)



Guam 2024 Annual State Public Water System Compliance Report Now Available

On June 25, 2025, the Guam Environmental Protection Agency (Guam EPA) submitted its 2024 Annual State Public Water System Compliance Report to the U.S. EPA. The report is due every year on July 1, and entails compliance reporting of eight (8) public water systems under Guam EPA's regulatory authority. This report is required under the...

[Read more >](#)

Notice of Intent

The Guam Environmental Protection Agency (Guam EPA) is announcing their intent to employ Mr. Peter P. Bautista, as Chief Engineer at pay grade SX step 06 at the salary of \$104,136.00. This announcement is in compliance with Public Law 28-112, Recruitment Above Step, Section 5, Transparency and Disclosure, Section 10 (6303.1). Should you require additional...

[Read more >](#)

Guam EPA Board of Directors Regularly Scheduled Meeting – June 19, 2025

June 9, 2025 – (TIYAN, Guam) The Guam Environmental Protection Agency's Board of Directors regularly scheduled meeting will take place on Thursday, June 19, 2025 at 4 P.M. at the Guam EPA Administration building conference room at 17-3304 Mariner Avenue Tiyan, Barrigada, Guam 96913-1617. This meeting will be live streamed on the Guam EPA YouTube...

[Read more >](#)

JUNE 5, 2025 GUAM EPA BOARD MEETING CANCELLED



Program (SIP). Pursuant to 40 CFR §...

[Read more >](#)

ADJOURNMENT

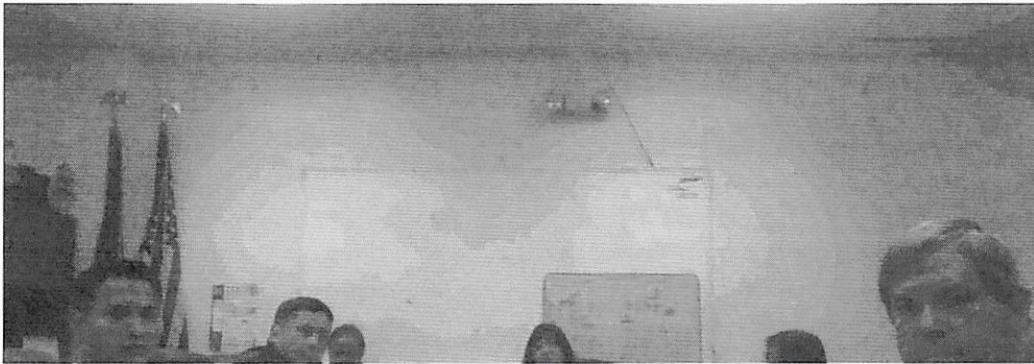
The Guam Environmental Protection Agency's Board of Directors Regular meeting scheduled for May 29, 2025 has been adjourned to Thursday, June 5, 2025. The meeting on June 5, 2025 will be held at 4:00 p.m. in the Guam EPA Administrative Building conference room or can be accessed via the following link: <https://meet.google.com/ikj-qcnk-ozp>. This is in accordance...

[Read more >](#)

Guam EPA Board of Directors Regularly Scheduled Meeting – May 29, 2025

May 27, 2025 - (TIYAN, Guam) The Guam Environmental Protection Agency's Board of Directors regularly scheduled meeting will take place on Thursday, May 29, 2025 at 4 P.M. at the Guam EPA Administration building conference room at 17-3304 Mariner Avenue Tiyan, Barrigada, Guam 96913-1617. This meeting will be live streamed on the Guam EPA YouTube...

[Read more >](#)



Guam EPA Board of Directors Regularly Scheduled Meeting Canceled

The Guam Environmental Protection Agency Board of Directors' regularly scheduled meeting for April is canceled due to no quorum.

PUBLIC NOTICE – Guam 2022-2024 IR and 303(d) List of Impaired Waters

The Clean Water Act (CWA) requires states to provide every two years an assessment of the quality of all their waters [section 305(b)] and a list of those that are impaired or threatened [section 303(d)]. The Guam Environmental Protection Agency (Guam EPA) hereby commences a thirty-day review and comment period, beginning April 14, 2025, through...

[Read more >](#)

PUBLIC NOTICE – PUBLIC COMMENTING PERIOD SEA WALKER TOURS PROJECT

Public Review and Commenting Period: March 13, 2025 – April 13, 2025 The Guam Environmental Protection Agency (Guam EPA) issues this announcement to satisfy established procedures for public notice in §5106(i) of Guam's Water Quality Standards and in accordance with Clean Water Act section 401(a)(1). The Agency intends to issue a 401 Water Quality Certification...

[Read more >](#)

Guam EPA Board of Directors Regularly Scheduled Meeting – March 20, 2025

March 14, 2025 - (TIYAN, Guam) – The Guam Environmental Protection Agency's Board of Directors regularly scheduled meeting will take place on Thursday, March 20, 2025 at 4 p.m. at the Guam EPA administration building conference room at 17-3304 Mariner Avenue Tiyan Barrigada, Guam 96913-1617. This meeting will be live streamed on the Guam EPA...

[Read more >](#)

Guam EPA Board of Directors Regularly Scheduled Meeting – February 20, 2025



**Guam EPA Construction & Industry Forum
"Educate While We Regulate"**
Wednesday, March 29, 2023

In case you missed our Construction & Industry Forum on March 29, 2023, you can click on the links below to access presentations about Guam EPA's construction permitting process:

[CLICK HERE FOR CONTRACTOR TIPS](#)

[CLICK HERE FOR HOME BUILDER AND PROPERTY BUYER TIPS](#)

OLD LOT REQUIREMENTS FOR SEPTIC TANKS & LEACHING FIELDS FAQS

[CLICK HERE FOR VIEW THE FAQS.](#)

In Guam, the use of onsite wastewater disposal systems commonly referred to as "septic systems," is regulated through a number of laws and regulations.

These laws and regulations cover specific requirements for the permitting, design and construction of septic systems in Guam. Guam EPA has developed this FAQ to help you understand the application of various requirements to the design, permitting, and construction of a septic system for a single family dwelling.

GUAM BUSINESS LICENSE & PERMIT CENTER WINDOW HOURS

Guam Business License and Permit Center Agency Window Hours:

Monday – Friday

8AM – 12PM • 1PM – 5PM

[Permit Process Presentation – 2018 PDF](#)

NEWS & ANNOUNCEMENTS

[PUBLIC NOTICE – Order of Adjournment](#)

[Guam EPA Board of Directors Regularly Scheduled Meeting - September 18, 2025](#)

[Risk Assessment Document: Interim Action Level for Dieldrin](#)

[Guam EPA Board of Directors Regularly Scheduled Meeting – August 21, 2025](#)

[Guam EPA Board of Director Regularly Scheduled Meeting – July 24, 2025](#)



17-3504 Mariner Avenue Tiyan Barrigada, Guam 96913



One Stop Permit Window Hours: Mon-Fri: 8AM – 12PM • 1PM – 5PM



671.588.4751 671.588.4752



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GUAM ENVIRONMENTAL PROTECTION AGENCY • AHENSIAN PRUTEKSIÓN LINA'LA' GUÁHAN
LOURDES A. LEON GUERRERO • GOVERNOR OF GUAM | JOSHUA F. TENORIO • LIEUTENANT GOVERNOR OF GUAM
MICHELLE C. R. LASTIMOZA • ADMINISTRATOR

Transcript of Guam EPA Public Hearing - Proposed Onsite Wastewater Treatment and Disposal System Regulations, held on 30 July 2025, 1600hrs ChST

Participants:

Michelle Lastimoza (“ML”), Administrator, Guam Environmental Protection Agency (GEPA)
Glenn San Nicolas (“GSN”), Acting Deputy Administrator, GEPA
Peter Bautista (PB), Chief Engineer, GEPA

Transcript:

ML: “Good afternoon. Today is July 30th, 2025, and the time is: 4:03pm.

The purpose of today’s public hearing is to seek public input on Guam EPA’s proposed rules and regulations for onsite wastewater treatment and disposal facilities in 22 GAR Division 2, Chapter 12. In accordance with the duties outlined in 10 GCA Chapter 45, section 45106, the GEPA is authorized and directed to adopt, amend, and repeal rules and regulations implanting and consistent with the powers and duties vested in the Agency, pursuant to section 45105.

In accordance with 10 GCA Chapter 48, section 48125, GEPA shall establish fees for permits, inspections, and related services by regulation. Pursuant to 5 GCA Chapter 9, Section 9301, Guam EPA issued a public notice to seek public comment on these proposed rules, and also served to notify the general public of today’s public hearing along with commencement of a 15-day public comment period, and the location of all documentation relevant to the proposed rules and regulations published on the Guam EPA website, and in the Guam Daily Post on Tuesday, July 15th, 2025 and Monday, July 28, 2025. 15 day and 48-hr notices ahead of today’s public hearing were published concurrently where the newspaper publishes notices.


For the purposes of maintaining our administrative record, this hearing is being recorded. All questions or comments received Tuesday, July 15th, 2025 through today, July 30, 2025, will be officially entered into the administrative record.

Written comments must be addressed to the Administrator, c/o Guam EPA and either mailed or hand-delivered to 17-3304 Mariner Avenue, Tiyan Barrigada, Guam 96913-1617. For email submissions, sent to elizabeth.degrange@epa.guam.gov with the subject: 22GAR Chapter 12 Public Comment. Facsimile submissions will not be accepted. Written, email, and oral comments will be received through 11:59 p.m. ChST on Wednesday, July 30, 2025.

The promulgation of these rules and regulations seek to administratively satisfy the following: compliance with the United States Environmental Protection Agency’s Clean Water Act, and the Guam Environmental Protection Agency’s Act; support growth and development of Guam, while



GUAM EPA | 17-3304 Mariner Avenue Tiyan Barrigada, Guam 96913-1617 | Tel: (671) 588.4751 | Fax: (671) 588.4531 | epa.guam.gov
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simultaneously protecting the sole source of drinking water in the Northern Lens Aquifer; and complete the issuance of regulations and permit requirements for type 4 toilet facilities and holding tanks in accordance with 10 GCA Chapter 48, Section 48125, enacted on July 18th, 2024.

At present time, Guam does not have local rules or regulations for the application, review, or permitting of type 4 systems, or nitrogen-reducing toilet facilities or holding tanks.

The code of conduct for today's hearing is as follows:

- Please keep disruptions to a minimum
- Silence all mobile devices
- If you want to pose a question, please raise your hand and be acknowledged before speaking. Also, please state your name for the record before asking your question
- Media inquiries will be entertained after the hearing concludes.
- Be respectful of each other and this public process – personal attacks or inferences on one's character will not be tolerated and you will be asked to leave the premises immediately, especially if remarks are made may be construed as derogatory or perceived to be threatening to the personal safety of those present today.

<Inaudible chatter, computer muted>

ML: Currently, there are no members of the public present; however, we will wait 30 minutes for anyone to arrive before completing today's public hearing.

The time is now 4:43, and having no public comments received during this time, we are going to conclude today's public hearing of the proposed rules and regs for onsite wastewater treatment and disposal facilities in 22 GAR Division 2, Chapter 12.

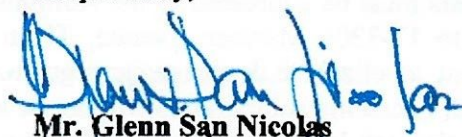
Thanks you have a nice day and goodnight.

<End of hearing>

Recorded hearing can be found here: <https://www.youtube.com/watch?v=emCeutxhjAE>

I, Glenn San Nicolas, attest that this information is true, accurate, and complete to the best of my knowledge.

Respectfully,



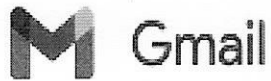
Mr. Glenn San Nicolas
Acting Deputy Administrator
Guam Environmental Protection Agency
17-3304 Mariner Avenue
Barrigada, GU 96913-1617



GUAM EPA | 17-3304 Mariner Avenue Tiyan Barrigada, Guam 96913-1617 | Tel: (671) 588.4751 | Fax: (671) 588.4531 | epa.guam.gov
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Comment received	Commenter	Comment	Response
22July2025/0831 hrs ChST	R. Michael Moore, CPA (ananda@guam.net)	Hello Guam EPA...Please consider allowing for WATERLESS TOILETS. These systems have developed substantially over recent years. The main problem with WasteWater results from the addition of Water, creating a toxic slurry. Modern Waterless Toilets evaporate all the liquid resulting in a safe, dry end product. / Waterless toilet systems offer a promising approach to sustainable sanitation, addressing challenges related to water scarcity, infrastructure costs, and environmental pollution. Ongoing research and development efforts are focused on optimizing the performance and safety of these systems, while also exploring their potential for nutrient and energy recovery.	Thank you for your comment. Guam EPA is happy to consider waterless toilets, however, please note that any building connected to water or using water for other activities, such as washing dishes or showering, needs to be connected to sewer or some other treatment facility like a septic tank.
29July2025, 1818hrs ChST	Isabel and Michael Gawel and Family (mgawel@guam.net)	Please accept and record our comment on 22 GAR Ch 12 which we are emailing before your deadline. Will approvals of Type 4 Toilet Facilities create a potential increase in nitrates getting into Guam groundwater? This type of treatment may decrease release of polluting nitrates compared to Type 2 systems but would be allowed in many denser areas of smaller properties compared to areas required for Type 2 systems. This would lead to increased water pollution and increased costs of treatment and operations by GWA of public water supply and burden the GWA customers with higher costs, while making our public drinking water less safe. Our family has been drinking GWA water from home taps for over fifty years. We oppose the approval of Type 4 toilet systems in any area that may add threats to our drinking water sources or force increased costs of water treatment by GWA. Thank you.	Thank you for your comment. Public Law 37-105, signed by Governor Leon Guerrero on 18July2024, defines and approves Type 4 Toilet Facilities, and defines them as being NSF/ANSI 245 approved. Further, Type 4 Toilet Facilities reduce nitrogen by 50%, far more than Type 2 systems, which do not reduce nitrogen, but rather move ammonia through the tank, which turns into nitrates when exposed to oxygen in the leaching field. The Type 4 systems, in short, reduce the amount of nitrogen reaching Guam groundwater by at least 50%. Additionally, Public Law 38-7, signed into law 12April2025, already defines the increased density allowed, along with requirements to sewer or use Type 4 systems over the Groundwater Protection Zone (GPZ). These rules and regulations work to further define requirements as outlined or authorized in those two existing public laws. Basically, a regular (Type 2) septic system removes very little nitrogen, usually less than 25%, so most of this nitrogen ends up on the groundwater. The advanced systems (Type 4) required in sensitive areas reduce far more (50% or, often times more) nitrogen before it enters the groundwater. The reduction of nitrogen by the Type 4 systems should not result in any increased treatment needs or costs to GWA or the citizens of Guam who drink GWA-provided tap water.
30July2025, 1452hrs ChST	John Reigel (azjp07@gmail.com)	I support stricter on-site disposal regulations 100%. I give my full support to this bill.	Thank you for your support.



Elizabeth DeGrange <elizabeth.degrange@epa.guam.gov>

22 GAR Ch12 Public Comment

M <ananda@guam.net>
To: elizabeth.degrange@epa.guam.gov

Tue, Jul 22, 2025 at 8:31 AM

Hello Guam EPA...

Please consider allowing for **WATERLESS TOILETS**. These systems have developed substantially over recent years.

The main problem with WasteWater results from the addition of Water, creating a toxic slurry.

Modern Waterless Toilets evaporate all the liquid resulting in a safe, dry end product.

R. Michael Moore, CPA

Waterless toilet systems offer a promising approach to sustainable sanitation, addressing challenges related to water scarcity, infrastructure costs, and environmental pollution.

Ongoing research and development efforts are focused on optimizing the performance and safety of these systems, while also exploring their potential for nutrient and energy recovery.



Elizabeth DeGrange <elizabeth.degrange@epa.guam.gov>

Re: 22 GAR Ch12 Public Comment

Elizabeth DeGrange <elizabeth.degrange@epa.guam.gov>
To: M <ananda@guam.net>

Tue, Jul 22, 2025 at 8:53 AM

Comment received.

Once the comment period ends, I will compile all comments, review and respond accordingly.

Many thanks for your time,
V/r,
~CAPT DeGrange

On Tue, Jul 22, 2025 at 8:31 AM M <ananda@guam.net> wrote:

Hello Guam EPA...

Please consider allowing for **WATERLESS TOILETS**. These systems have developed substantially over recent years.

The main problem with WasteWater results from the addition of Water, creating a toxic slurry.

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Waterless toilet systems offer a promising approach to sustainable sanitation, addressing challenges related to water scarcity, infrastructure costs, and environmental pollution.

Ongoing research and development efforts are focused on optimizing the performance and safety of these systems, while also exploring their potential for nutrient and energy recovery.

--
CAPT Elizabeth DeGrange, USPHS
Guam Environmental Protection Agency
elizabeth.degrange@epa.guam.gov
+1.671.588.4779

A fo ben, bid bont



Elizabeth DeGrange <elizabeth.degrange@epa.guam.gov>

22 GAR Ch 12 Public comment

Michael J. Gawel <mgawel@guam.net>
To: elizabeth.degrange@epa.guam.gov

Tue, Jul 29, 2025 at 6:17 PM

Ms. DeGrange:

Please accept and record our comment on 22 GAR Ch 12 which we are emailing before your deadline.

Will approvals of Type 4 Toilet Facilities create a potential increase in nitrates getting into Guam groundwater? This type of treatment may decrease release of polluting nitrates compared to Type 2 systems but would be allowed in many denser areas of smaller properties compared to areas required for Type 2 systems. This would lead to increased water pollution and increased costs of treatment and operations by GWA of public water supply and burden the GWA customers with higher costs, while making our public drinking water less safe. Our family has been drinking GWA water from home taps for over fifty years. We oppose the approval of Type 4 toilet systems in any area that may add threats to our drinking water sources or force increased costs of water treatment by GWA.

Thank you,

Isabel and Michael Gawel and Family



Elizabeth DeGrange <elizabeth.degrange@epa.guam.gov>

22 GAR Ch12 Public Comment

John Riegel <azjp07@gmail.com>
To: elizabeth.degrange@epa.guam.gov

Wed, Jul 30, 2025 at 2:51 PM

I support stricter on-site disposal regulations 100%. I give my full support to this bill.



Elizabeth DeGrange <elizabeth.degrange@epa.guam.gov>

Re: 22 GAR Ch 12 Public comment

Elizabeth DeGrange <elizabeth.degrange@epa.guam.gov>
To: "Michael J. Gawel" <mgawel@guam.net>

Thu, Aug 14, 2025 at 8:43 AM

Sir,

Thank you for your comment, and please forgive my delay in acknowledging receipt, as i was off-island Your comment will be reviewed and responded to prior to our submission of these draft proposed rules and regulations to our Board for review and approval.

Many thanks,
~CAPT DeGrange

On Tue, Jul 29, 2025 at 6:18 PM Michael J. Gawel <mgawel@guam.net> wrote:

Ms. DeGrange:

Please accept and record our comment on 22 GAR Ch 12 which we are emailing before your deadline.

Will approvals of Type 4 Toilet Facilities create a potential increase in nitrates getting into Guam groundwater? This type of treatment may decrease release of polluting nitrates compared to Type 2 systems but would be allowed in many denser areas of smaller properties compared to areas required for Type 2 systems. This would lead to increased water pollution and increased costs of treatment and operations by GWA of public water supply and burden the GWA customers with higher costs, while making our public drinking water less safe. Our family has been drinking GWA water from home taps for over fifty years. We oppose the approval of Type 4 toilet systems in any area that may add threats to our drinking water sources or force increased costs of water treatment by GWA.

Thank you,
Isabel and Michael Gawel and Family

--

CAPT Elizabeth DeGrange, USPHS
Guam Environmental Protection Agency
elizabeth.degrange@epa.guam.gov
+1.671.588.4779

A fo ben, bid bont