



State of Utah

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Lieutenant Governor

Department of
Environmental Quality

L. Scott Baird
Executive Director

DIVISION OF WASTE MANAGEMENT
AND RADIATION CONTROL
Ty L. Howard
Director

July 29, 2020

Tsuyoshi Okano, President
Contract Environmental Services, Inc.
925 South Broadway, Suite 251
Cortez, CO 81321

RE: Contract Environmental Services, Inc. Landfill Permit Approval
SW229

Dear Mr. Okano:

Enclosed is the approved permit for the Contract Environmental Services, Inc. Landfill Permit. The 30-day public comment period began June 4, 2020 and ended on July 6, 2020. No comments were received.

The effective date of the permit is July 29, 2020. Periodic inspections of the landfill will be conducted by representatives of the Division of Waste Management and Radiation Control and the San Juan County Public Health Department to assess compliance with permit conditions and applicable Solid Waste Rules.

If you have any questions, please call Bryan Woolf at (801) 536-0227.

Sincerely,

Ty L. Howard, Director
Division of Waste Management and Radiation Control

(Over)

DSHW-2020-010172

195 North 1950 West • Salt Lake City, UT
Mailing Address: P.O. Box 144880 • Salt Lake City, UT 84114-4880
Telephone (801) 536-0200 • Fax (801) 536-0222 • T.D.D. (801) 536-4284
www.deq.utah.gov
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Enclosure(s): Contract Environmental Services, Inc. Class V Permit (DSHW-2020-005542)
Contract Environmental Services, Inc. Statement of Basis (DSHW-2020-010293)
Design and Construction (Attachment 1) (DSHW-2020-005702)
Operations Plan (Attachment 2) (DSHW-2020-005704)
Inspection Form (Attachment 3) (DSHW-2020-005706)
Closure and Post-Closure (Attachment 4) (DSHW-2020-005708)

c: Kirk Bengé, Health Officer, San Juan Public Health Department
Rick Meyer, Environmental Health Director, San Juan Public Health Department
Russell Seeley, P.E., UDEQ District Engineer

DIVISION OF WASTE MANAGEMENT
AND RADIATION CONTROL
SOLID WASTE LANDFILL PERMIT

Contract Environmental Services, Inc.
CLASS V LANDFILL

Pursuant to the provision of the Utah Solid and Hazardous Waste Act, Title 19, Chapter 6, Part 1, Utah Code Annotated (Utah Code Ann.) (the Act) and the Utah Solid Waste Permitting and Management Rules, R315-301 through 320 of the Utah Administrative Code adopted thereunder, a Permit is issued to:

Contract Environmental Services, Inc. as owner and operator,

to own and operate the Contract Environmental Service, Inc. Class V landfill located in San Juan, Utah as shown in the Permit Renewal Application that was determined complete.

The Permittee is subject to the requirements of R315-301 through 320 of the Utah Administrative Code and the requirements set forth herein.

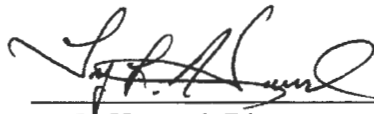
All references to R315-301 through 320 of the Utah Administrative Code are to regulations that are in effect on the date that this permit becomes effective.

This Permit shall become effective July 29, 2020.

This Permit shall expire at midnight July 28, 2030.

Closure Cost Revision Date July 29, 2025.

Signed this 29th day of July 2020.



Ty L. Howard, Director
Division of Waste Management and Radiation Control

FACILITY OWNER/OPERATOR INFORMATION

LANDFILL NAME: Contract Environmental Services, Inc. Class V
Landfill

OWNER NAME: Contract Environmental Services, Inc.

OWNER ADDRESS: 925 S. Broadway, Suite 251
Cortez, Colorado 81321

OWNER PHONE NO.: 970-565-1198

OPERATOR NAME: Same as Owner

OPERATOR ADDRESS: Same as Owner

OPERATOR PHONE
NO.: Same as Owner

operator phone number

TYPE OF PERMIT: Class V Landfill

PERMIT NUMBER: 0405R3

FACILITY LOCATION: Section 18, Township 39 South, Range 26 east, Salt
Lake Base and Meridian, San Juan
County, Utah

PERMIT HISTORY: Permit renewal effective date July 29, 2020.

The term, "Permit," as used in this document is defined in R315-301-2(55) of the Utah Administrative Code. Director as used throughout this permit refers to the Director of the Division of Waste Management and Radiation Control.

The Permit renewal application for Contract Environmental, Inc. was deemed complete on the date shown on the signature page of this Permit. All representations made in the attachments of this Permit are enforceable under R315-301-5(2) of the Utah Administrative Code. Where differences in wording exist between this Permit and the attachments, the wording of this Permit supersedes that of the attachments.

This Permit consists of the signature page, Facility Owner/Operator Information section, sections I through IV, and all attachments to this Permit.

The facility as described in this Permit currently operates a 160 acre Asbestos and Construction/Demolition landfill and oil field exploration & production waste soil land farm facility. The facility consists of a gate house and separate disposal cells for asbestos and construction and demolition waste.

Compliance with this Permit does not constitute a defense to actions brought under any other local, state, or federal laws. This Permit does not exempt the Permittee from obtaining any other local, state or federal permits or approvals required for the facility operation.

The issuance of this Permit does not convey any property rights, other than the rights inherent in this Permit, in either real or personal property, or any exclusive privileges other than those inherent in this Permit. Nor does this Permit authorize any injury to private property or any invasion of personal rights, nor any infringement of federal, state or local laws or regulations, including zoning ordinances.

The provisions of this Permit are severable. If any provision of this Permit is held invalid for any reason, the remaining provisions shall remain in full force and effect. If the application of any provision of this Permit to any circumstance is held invalid, its application to other circumstances shall not be affected.

By this Permit, the Permittee is subject to the following conditions.

PERMIT REQUIREMENTS

I. GENERAL COMPLIANCE RESPONSIBILITIES

I.A. General Operation

I.A.1. The Permittee shall operate the landfill in accordance with all applicable requirements of R315-301 through 320 of the Utah Administrative Code, for a Class V landfill, that are in effect as of the date of this Permit unless otherwise noted in this Permit. Any permit noncompliance or noncompliance with any applicable portions of Utah Code Ann. § 19-6-101 through 125 and applicable portions of R315-301 through 320 of the Utah Administrative Code constitutes a violation of the Permit or applicable statute or rule and is grounds for appropriate enforcement action, permit revocation, modification, or denial of a permit renewal application.

I.B. Acceptable Waste

I.B.1. This Permit is for the disposal of non-hazardous solid waste that may include:

I.B.1.a Commercial waste as defined by R315-301-2(14) of the Utah Administrative Code;

I.B.1.b Construction/demolition waste as defined by R315-301-2(17) of the Utah Administrative Code;

I.B.1.c Special waste allowed as defined by R315-301-2(71)(xi) of the Utah Administrative Code and authorized in section II-I-2 of this Permit and limited by this section;

I.B.1.d The Permittee is authorized to receive for disposal regulated asbestos-containing material in compliance with R315-315-2 of the Utah Administrative Code.

I.C. Prohibited Waste

I.C.1. Hazardous waste as defined by R315-261-3 of the Utah Administrative Code;

I.C.2. Municipal solid waste as defined by R315-301-2(47) of the Utah Administrative Code;

I.C.3. Industrial waste as defined by R315-301-2(35) of the Utah Administrative Code;

I.C.4. Containers larger than household size (five gallons) holding any liquid; non-containerized material containing free liquids; or any waste containing free liquids in containers larger than five gallons;

I.C.5. PCB's as defined by R315-301-2(53) of the Utah Administrative Code, except as allowed in Section I-B (Acceptable Waste) of this Permit; and

I.C.6. Any prohibited waste received and accepted for treatment, storage, or disposal at the facility shall constitute a violation of this Permit, of Utah Code Ann. § 19-6-101 through 125 and of R315-301 through 320 of the Utah Administrative Code.

I.D. Inspections and Inspection Access

I.D.1. The Permittee shall allow the Director or an authorized representative, or representatives from the local Health Department, to enter at reasonable times and:

I.D.1.a Inspect the landfill or other premises, practices or operations regulated or required under the terms and conditions of this Permit or R315-301 through 320 of the Utah Administrative Code;

I.D.1.b Have access to and copy any records required to be kept under the terms and conditions of this Permit or R315-301 through 320 of the Utah Administrative Code;

I.D.1.c Inspect any loads of waste, treatment facilities or processes, pollution management facilities or processes, or control facilities or processes required under this Permit or regulated under R315-301 through 320 of the Utah Administrative Code; and

I.D.1.d Create a record of any inspection by photographic, video, electronic, or any other reasonable means.

I.E. Noncompliance

I.E.1. If monitoring, inspection, or testing indicates that any permit condition or any applicable rule under R315-301 through 320 of the Utah Administrative Code may be or is being violated, the Permittee shall promptly make corrections to the operation or other activities to bring the facility into compliance with all permit conditions or rules.

I.E.2. In the event of noncompliance with any permit condition or violation of an applicable rule, the Permittee shall promptly take any action reasonably necessary to correct the noncompliance or violation and mitigate any risk to the human health or the environment. Actions may include eliminating the activity causing the noncompliance or violation and containment of any waste or contamination using barriers or access restrictions, placing of warning signs, or permanently closing areas of the facility.

I.E.3. The Permittee shall:

I.E.3.a Document the noncompliance or violation in the daily operating record, on the day the event occurred or the day it was discovered;

I.E.3.b Notify the Director by telephone within 24 hours, or the next business day following documentation of the event; and

I.E.3.c Give written notice of the noncompliance or violation and measures taken to protect human health and the environment within seven days after Director notification.

I.E.4. Within thirty days after the documentation of the event, the Permittee shall submit to the Director a written report describing the nature and extent of the noncompliance or violation and the remedial measures taken or to be taken to protect human health and the environment and to eliminate the noncompliance or violation. Upon receipt and review of the assessment report, the Director may order the Permittee to perform appropriate remedial measures including development of a site remediation plan for

approval by the Director.

I.E.5. In an enforcement action, the Permittee may not claim as a defense that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with R315-301 through 320 of the Utah Administrative Code and this Permit.

I.F. Revocation

I.F.1. This Permit is subject to revocation if the Permittee fails to comply with any condition of the Permit. The Director will notify the Permittee in writing prior to any proposed revocation action and such action shall be subject to all applicable hearing procedures established under R305-7 of the Utah Administrative Code and the Utah Administrative Procedures Act.

I.G. Attachment Incorporation

I.G.1. Attachments to the Permit Application are incorporated by reference into this Permit and are enforceable conditions of this Permit, as are documents incorporated by reference into the attachments. Language in this Permit supersedes any conflicting language in the attachments or documents incorporated into the attachments.

I.H. DESIGN AND CONSTRUCTION

I.H.1. Design and Construction

I.H.1.a The Permittee shall construct any landfill cell, sub-cell, run-on diversion system, runoff containment system, or final cover in accordance with the R315-301 thru 320 of the Utah Administrative Code and as shown in Attachment #1.

I.H.1.b This Permit does not authorize construction of new waste disposal cells or sub-cells at the landfill site. Waste disposal is limited to the area within the waste boundaries that existed as of the date of issuance of this permit. Prior to construction of any new disposal cell or area, the Permittee shall submit a request for modification of this Permit. Buildings do not require approval. The Permittee shall include in the request design plans, drawings and a construction quality assurance/quality control plan. Modification of this Permit is subject to the requirements of R315-311-2 of the Utah Administrative Code.

I.H.1.c Subsequent to construction, the Permittee shall notify the Director of completion of construction of any landfill cell, sub-cell, engineered control system, waste treatment facility, or final cover. Landfill cells may not be used for treatment or disposal of waste until all CQC/CQA documents and construction-related documents, including as-built drawings, are approved by the Director and this permit has been modified to reflect these changes. The Permittee shall submit as-built drawings for each construction event that are stamped and approved by an engineer registered in the State of Utah.

I.H.1.d The Permittee shall notify the Director of any proposed incremental closure,

placement of any part of the final cover, or placement of the full final cover. Design approval must be received from the Director and this permit modified prior to construction. The design shall be accompanied by a CQC/CQA Plan, for each construction season where incremental or final closure is performed.

- I.H.1.e All engineering drawings submitted to the Director shall be stamped and approved by a professional engineer with a current registration in Utah.
- I.H.1.f If ground water is encountered during excavation of the landfill, the Director shall be notified immediately, and a contingency plan implemented or alternative construction design developed and submitted for approval.
- I.H.2. Run-On Control
 - I.H.2.a The Permittee shall construct drainage channels and diversions as specified in the Permit Application and shall maintain them at all times to effectively prevent runoff from the surrounding area from entering the landfill.
- I.H.3. Alternative Design
 - I.H.3.a This facility has demonstrated through geologic, hydrogeologic, climatic, waste stream, and other factors that the landfill will not contaminate ground water and is approved for the alternative design as outlined in the Permit Application. Any contamination of ground water resulting from operation of the landfill may result in the revocation of this alternative design approval.

II. LANDFILL OPERATION

II.A. Operations Plan

- II.A.1.a The Permittee shall keep the Operations Plan included in Attachment #2 on site at the landfill or at the location designated in section III-H of this Permit. The Permittee shall operate the landfill in accordance with the operations plan. If necessary, the Permittee may modify the Operations Plan following the procedures of R315-311-2(1) of the Utah Administrative Code and approved of by the Director. The Permittee shall note any modification to the Operations Plan in the daily operating record.

II.B. Security

- II.B.1. The Permittee shall operate the Landfill so that unauthorized entry to the facility is restricted. The Permittee shall:
 - II.B.2. Lock all facility gates and other access routes during the time the landfill is closed.
 - II.B.3. Have at least one person employed by the Permittee at the landfill during all hours that the landfill is open.
 - II.B.4. Construct all fencing and any other access controls as shown in the Permit Application to prevent access by persons or livestock by other routes.

II.C. Training

II.C.1. The Permittee shall provide training for on-site personnel in landfill operation, including waste load inspection, hazardous waste identification, and personal safety and protection.

II.D. Burning of Waste

II.D.1. Intentional burning of solid waste is prohibited and is a violation of R315-303-4(2)(b) of the Utah Administrative Code.

II.D.2. The Permittee shall extinguish all accidental fires as soon as reasonably possible.

II.E. Daily Cover

II.E.1. The solid waste received at the asbestos cell shall be completely covered at the end of each working day with a minimum of six inches of earthen material. Any waste disposed in the asbestos cell is considered to be asbestos containing waste and must be covered by the end of the day the waste was disposed.

II.E.2. For disposal cell containing the construction and demolition waste only, the Permittee shall cover the waste periodically to prevent fires and to control vectors, blowing litter, odor, scavenging, and fugitive dust. Cover shall be provided no less than monthly.

II.E.3. At the end of the operating day when cover is applied, the amount of cover placed and the area receiving cover shall be recorded in the operating record and certified by the operator for both the construction and demolition and the asbestos disposal cells.

II.F. Ground Water Monitoring

II.F.1. The ground water monitoring requirement for the Contract Environmental, Inc. landfill has been waived in accordance with R315-308-1(3) of the Utah Administrative Code. Any contamination of ground water resulting from operation of the landfill shall result in the revocation of this waiver.

II.G. Gas Monitoring

II.G.1. The facility has met the requirements with R315-303-3(5)(d) of the Utah Administrative Code and is exempt from gas monitoring.

II.H. Waste Inspections

II.H.1. The Permittee shall visually inspect incoming waste loads to verify that no wastes other than those allowed by this permit are disposed in the landfill. The Permittee shall conduct a complete waste inspection at a minimum frequency of 1% of incoming loads but no less than one complete inspection per day. The Permittee shall select the loads to be inspected on a random basis.

II.H.2. The Permittee shall inspect all loads suspected or known to have one or more containers capable of holding more than five gallons of liquid to ensure that each

container is empty.

- II.H.3. The Permittee shall inspect all loads that the Permittee suspect may contain a waste not allowed for disposal at the landfill.
- II.H.4. The Permittee shall conduct complete random inspections as follows:
 - II.H.4.a The Permittee shall conduct the random waste inspection at the working face or an area designated by the Permittee.
 - II.H.4.b The Permittee shall direct that loads subjected to complete inspection be unloaded at the designated area;
 - II.H.4.c Loads shall be spread by equipment or by hand tools;
 - II.H.4.d Personnel trained in hazardous waste recognition and recognition of other unacceptable waste shall conduct a visual inspection of the waste; and
 - II.H.4.e The personnel conducting the inspection shall record the results of the inspection on a waste inspection form as found in Attachment #3 of this Permit. The Permittee shall place the form in the daily operating record at the end of the operating day.
 - II.H.4.f The Permittee or the waste transporter shall properly dispose of any waste found that is not acceptable at the facility at an approved disposal site for the waste type and handle the waste according to the rules covering the waste type.

II.I. Disposal of Special Wastes

- II.I.1. The Permittee shall handle and dispose of asbestos waste in accordance with R315-315-2 of the Utah Administrative Code.
- II.I.2. Petroleum contaminated soils may be accepted in accordance with R315-315-8 of the Utah Administrative Code.

II.J. Self Inspections

- II.J.1. The Permittee shall inspect the facility to prevent malfunctions and deterioration, operator errors, and discharges that may cause or lead to the release of wastes or contaminated materials to the environment or create a threat to human health or the environment. The Permittee shall complete these general inspections no less than quarterly and shall cover the following areas: Waste placement, cover; fences and access controls; roads; run-on/run-off controls; final and intermediate cover; litter controls; and records. The Permittee shall place a record of the inspections in the daily operating record on the day of the inspection. The Permittee shall correct the problems identified in the inspections in a timely manner and document the corrective actions in the daily operating record.

II.K. Recordkeeping

- II.K.1. The Permittee shall maintain and keep on file at Contract Environmental Services, Inc. offices in Cortez, Colorado a daily operating record and other general records of

landfill operation as required by R315-302-2(3) of the Utah Administrative Code. The landfill operator, or other designated personnel, shall date and sign the daily operating record at the end of each operating day. Each record to be kept shall contain the signature of the appropriate operator or personnel and the date signed. The Daily operating record shall consist of the following two types of documents:

- II.K.1.a Records related to the daily landfill operation or periodic events including:
 - II.K.1.a.(i) The number of loads of waste and the weights or estimates of weights or volume of waste received each day of operation and recorded at the end of each operating day;
 - II.K.1.a.(ii) Major deviations from the approved plan of operation, recorded at the end of the operating day the deviation occurred;
 - II.K.1.a.(iii) Results of monitoring required by this Permit, recorded in the daily operating record on the day of the event or the day the information is received;
 - II.K.1.a.(iv) Records of all inspections conducted by the Permittee, results of the inspections, and corrective actions taken, recorded in the record on the day of the event.
- II.K.1.b Records of a general nature including:
 - II.K.1.b.(i) A copy of this Permit, including the Permit Application;
 - II.K.1.b.(ii) Results of inspections conducted by representatives of the Director, and of representatives of the local Health Department, when forwarded to the Permittee;
 - II.K.1.b.(iii) Closure and Post-closure care plans; and
 - II.K.1.b.(iv) Records of employee training.

II.L. Reporting

- II.L.1. The Permittee shall prepare and submit to the Director an Annual Report as required by R315-302-2(4) of the Utah Administrative Code. The Annual Report shall include: the period covered by the report, the annual quantity of waste received, an annual update of the financial assurance mechanism, and all training programs completed.

II.M. Roads

- II.M.1. The Permittee shall improve and maintain all access roads within the landfill boundary that are used for transporting waste to the landfill for disposal shall be improved and maintained as necessary to assure safe and reliable all-weather access to the disposal area.

II.N. Litter Control

- II.N.1. Litter resulting from operations of the landfill shall be minimized. The Permittee shall implement the following procedures when high wind conditions are present:

- II.N.1.a Reduce the size of the tipping face;
- II.N.1.b Reduce the number of vehicles allowed to discharge at the tipping face at one time;
- II.N.1.c Orient vehicles to reduce wind effects on unloading and waste compaction;
- II.N.1.d Reconfigure tipping face to reduce wind effect;
- II.N.1.e Use portable and permanent wind fencing as needed; and
- II.N.1.f Should high winds present a situation that the windblown litter cannot be controlled, the Permittee shall cease operations of the landfill until the winds diminish.

III. CLOSURE REQUIREMENTS

III.A. Closure

III.A.1. The Permittee shall install final cover of the landfill as shown in Attachment #4. The final cover shall meet, at a minimum, the standard design for closure as specified in the R315-303-3(4) of the Utah Administrative Code plus sufficient cover soil or equivalent material to protect the low permeability layer from the effects of frost, desiccation, and root penetration. The Permittee shall submit to the Director a quality assurance plan for construction of the final landfill cover, and approval of the plan shall be received from the Director prior to construction of any part of the final cover at the landfill. A qualified person not affiliated with the Permittee or the construction contractor shall perform permeability testing on the recompacted clay placed as part of the final cover.

III.A.2. Title Recording

III.A.2.a The Permittee shall meet the requirements of R315-302-2(6) of the Utah Administrative Code by recording a notice with the San Juan County Recorder as part of the record of title that the property has been used as a landfill. The notice shall include waste disposal locations and types of waste disposed. The Permittee shall provide the Director the notice as recorded.

III.B. Post-Closure Care

III.B.1. The Permittee shall perform post-closure care at the closed landfill in accordance with the Post-Closure Care Plan as shown in Attachment #4. Post-closure care shall continue until all waste disposal sites at the landfill have stabilized and the finding of R315-302-3(7)(c) of the Utah Administrative Code is made.

III.C. Financial Assurance

III.C.1. The Permittee shall keep in effect and active the currently approved financial assurance mechanism or another approved mechanism that meets the requirements of R315-309 of the Utah Administrative Code and is approved by the Director to cover the costs of closure and post-closure care at the landfill. The Permittee shall adequately fund and maintain the financial assurance mechanism(s) to provide for the

cost of closure at any stage or phase or anytime during the life of the landfill or the permit life, whichever is shorter, and the Permittee shall fully fund the trust fund within ten years of the date waste is first received at the landfill.

III.D. Financial Assurance Annual Update

III.D.1. The Permittee shall submit an annual revision of closure and post-closure costs for inflation and financial assurance funding as required by R315-309-2(2) of the Utah Administrative Code, to the Director as part of the annual report.

III.E. Closure Cost and Post-Closure Cost Revision

III.E.1. The Permittee shall submit a complete revision of the closure and post-closure cost estimates by the Closure Cost Revision Date listed on the signature page of this Permit and any time the facility is expanded, any time a new cell is constructed, or any time a cell is expanded.

IV. **ADMINISTRATIVE REQUIREMENTS**

IV.A. Permit Modification

IV.A.1. Modifications to this Permit may be made upon application by the Permittee or by the Director following the procedures specified in R315-311-2 of the Utah Administrative Code. The Permittee shall be given written notice of any permit modification initiated by the Director.

IV.B. Permit Transfer

IV.B.1. This Permit may be transferred to a new permittee or new permittee by complying with the permit transfer provisions specified in R315-310-11 of the Utah Administrative Code.

IV.C. Expansion

IV.C.1. This Permit is for a Class V Landfill. The permitted landfill shall operate according to the design and Operation Plan described and explained in this Permit. Any expansion of the current footprint designated in the description contained in the Permit Application, but within the property boundaries designated in the Permit Application, shall require submittal of plans and specifications to the Director. The plans and specifications shall be approved by the Director prior to construction.

IV.C.2. Any expansion of the landfill facility beyond the property boundaries designated in the description contained in the Permit Application shall require submittal of a new permit application in accordance with the requirements of R315-310 of the Utah Administrative Code and Utah Code Annotated § 19-6-108(1)(d) and shall receive all approvals required in Utah Code Ann. § 19-6-108.

IV.C.3. Any addition to the acceptable wastes described in Section I-B shall require a permit modification in accordance with R315-311 of the Utah Administrative Code.

IV.C.4. Acceptance for PCB bulk product waste under R315-315-7(3)(b) of the Utah Administrative Code can only be done after submittal of the required information to the Director and modification of Sections I-B and I-C of this Permit. Acceptance of a broader waste stream may also require a new permit and compliance with the requirements for a new permit under R315-301 through 320 of the Utah Administrative Code and Utah Code Ann. § 19-6-108.

IV.D. Expiration

IV.D.1. If the Permittee desires to continue operating this landfill after the expiration date of this Permit, the Permittee shall submit an application for permit renewal at least six months prior to the expiration date, as shown on the signature (cover) page of this Permit. If the Permittee timely submits a permit renewal application and the permit renewal is not complete by the expiration date, this Permit shall continue in force until renewal is completed or denied.

Attachments o this Permit:

- 1- Design and Construction
- 2- Operations Plan
- 3- Inspection Form
- 4- Closure and Post-Closure