

JULY 18, 2023



MUNICIPALITY OF TOA ALTA JUNE 2023 MONTHLY REPORT
Civ. No. 3:21-01087-DRD



NIVIA I. AYALA, PE
TERRATEK ENGINEERING GROUP, PSC
P.O. Box 367445 San Juan, PR 00936

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I. DISTRIBUTION LIST

DOJ: david.l.gordon@usdoj.gov

EPA: spielmann.lee@epa.gov

plossl.carl@epa.gov

gonzalez.eduardo@epa.gov

DNER: nildasanchez@drna.pr.gov

mariavrodriguez@drna.pr.gov

MTA: carmelovazquez@drna.pr.gov

carlos@cwlllegal.com

dbattle@cstlawpr.com

jramirez@amrclaw.com

cagosto674@gmail.com

II. REPORT ORGANIZATION

As part of the USA-MTA Civ. No. 3:21-01087-DRD Stipulation and Preliminary Injunction Order, MTA shall prepare and submit monthly reports regarding the performance of its obligations under this Order until completion of the requirements of Paragraphs 3 through 10 of this Order. Each report shall cover the period ending on the last day of each month. Each report must be sent to DOJ, EPA, and DNER on or before the 15th day of the month following the reporting period. Each monthly report shall include:

- i. description of compliance with each requirement of this Order;
- ii. the volume, acreage, and location of the Intermediate Cover that was applied;
- iii. the volume and disposition of leachate and leachate-contaminated stormwater collected;
- iv. results of any sampling analysis performed; and
- v. Notification of any noncompliance with this Order, including a statement describing the noncompliance and its underlying causes, proposed measures, and an implementation schedule to correct the noncompliance.

The monthly report is divided into four sections.

Section 1 presents a summary of the order requirements and the compliance status for each requirement. *Please note that Task IDs are not related to the order assigned paragraphs.*

Section 2 will include detailed information or supporting documentation regarding the compliance status of each requirement in need of a comprehensive description or status details.

Section 3 is a projection of next month's activities.

Section 4 includes all the attachments included with the report.

III. Section 1: SUMMARY

Municipality of Toa Alta Civ. No. 3:21-01087-DRD		
Reporting Period:	June 01 to June 30, 2023	
Reporting Number:	11	
Reporting Official:	Nivia Ayala, PE/TerraTek	
Reporting Date:	7/18/2023	
Description of Compliance with each requirement of the Order		
ID	Requirement	Compliance Status
1	Daily Cover	In Compliance
2	Cessation of Waste Disposal	In-Compliance
3	Posting of Signs	In Compliance
4	Intermediate Cover	Intermediate cover was scheduled to start by October 1, 2022. In a meeting with DNER, MTA agreed to start the intermediate cover task by August 2023, to the top deck and include stormwater runoff chutes. After DNER approves or approves with modifications or conditions an MTA permanent closure plan, and if the approved plan includes a schedule for completion of Intermediate Cover, that schedule shall control. Please see Additional comment for ID 3 item.
5	Maintenance of Cover	In-Compliance
6	Slope Stability	In-Compliance with agreed Short Term Controls.
7	Leachate Management	The LTA Leachate tanks are full of "leachate". Please see additional comments for ID 2 item
8	Stormwater Management	
8a	Short Term Controls	Catch basins, ditches, swales, and channels were inspected weekly, when necessary, cleaned of accumulated debris, and eliminate any observed standing/stagnant water. When applicable, catch basins, ditches, swales, and channels were periodically mowed and cleaned.

		The diesel tank secondary containment is inspected weekly, when necessary, cleaned of accumulated debris, and eliminate any observed standing/stagnant water.
8b	Survey of Leachate Seeps	In-Compliance
8c	Stormwater Management Plan	A stormwater management plan update was submitted to EPA (Mr. Carl Plossl) on March 31, 2023. A conceptual design was included. However a more detailed plan will be submitted by July 31, 2023.
8d	Discharges of Stormwater Not from Pond	N/A
8e	Discharge/Disposal of Pond Liquid	N/A
Additional Requirements		
	The volume, acreage, and location of the Intermediate Cover that was applied.	N/A
	The volume and disposition of leachate contaminated stormwater collected.	None
	Results Of Any Sampling Analysis Performed	None
	Notification Of Noncompliance	MTA shall by January 1, 2023, submit for approval under Paragraph 11 a proposed Stormwater Management Plan. The required H-H study was completed and submitted within February 2023 monthly report. A report will be completed by July 31, 2023, as we will incorporate EPA's Project Coordinator recommendations regarding maintaining natural flow at the northwest side of the site that flows to Quebrada Arena.

IV. SECTION 2: DETAIL INFORMATION OR SUPPORTING DOCUMENTATION OF EACH REQUIREMENT IN NEED OF COMPREHENSIVE DESCRIPTION OR STATUS DETAILS

A. COMPLETED REQUIREMENTS

Access:

Access is granted to the United States and the Commonwealth of Puerto Rico, and their employees, representatives, and contractors, to conduct the necessary inspections and studies, including the review of the applicable record to evaluate existing conditions, following the agreed terms in the Stipulation.

Daily Cover:

Daily Cover at the facility was completed on April 30, 2022. All areas of exposed waste were covered by Daily Cover.



Figure 1 Daily Cover June 2023

Cessation of Waste Disposal:

The cessation of waste disposal at the facility was completed by March 30, 2022. However, as agreed in the Stipulation, the temporary storage of construction and demolition (C&D) waste, bulk household waste (durable goods such as mattresses, furniture, and appliances), or yard waste (vegetation waste generated by land maintenance) for final disposal at a different landfill is active and been performed daily.



Figure 2 Transfer Area for C&D, Metals, and Bulk Materials.

Posting of Signs:

A sign with a size of four feet by five feet was installed at the landfill entrance. See the attached pictures.



Figure 4 Outside Gate



Figure 3 Inside of Gate

Safety Barrier Fencing

Completed on April 28, 2023.



B. Supporting documentation of each requirement in need of comprehensive description or status details

1. ID 1: Intermediate Cover

As has been explained numerous times throughout the process, the Municipality needs the funding to perform several of the required tasks, commencing with the Intermediate Cover Task, as it is one of the more costly initial tasks to be performed. The following is a chronological order of the Municipality performed steps to negotiate and acquire the funds to perform this task:

Rural Development:

1. On May 18, 2020, the Municipality submitted a Notice of Intent to Rural Development requesting the award of funds under the Disaster Mitigation Assistance Grant for the landfill.
2. On September 4, 2020, the Municipality amended its request to include the landfill closure, post-closure activities, and expansion.

3. On July 16, 2021, the Municipality received a Rural Development email confirming that all the required documents for the appropriate Disaster Mitigation Assistance Grant for the landfill were completed.
4. On August 22, 2022, the Municipality held a Public Hearing related to the grant funds requested.
5. USDA Rural Grant Program, MTA submitted a final Environmental Assessment to: Quiles, Danna - RD, San Juan, PR <danna.quiles@usda.gov>; Cabrera, Jose - RD, San Juan, PR <Jose.Cabrera@usda.gov>; Davila, Sandimary - RD, San Juan, PR <Sandimary.Davila@usda.gov>; Gonzalez, Melvin - RD, SAN JUAN, PR <Melvin.Gonzalez@usda.gov>. The document was submitted on September 30, 2022.
6. As of today, the Rural Development process is still ongoing but has not yet been completed.

Department of Natural and Environmental Resources (DNER)

1. The DNER, during the EPA Public Hearing held on February 23, 2022, stated publicly and during the hearing that they would make available to the Municipality the required funds for the appropriate landfill closure.
2. As a result of DNER's public comments, a meeting on March 24, 2022, between the Municipality, DNER, and La Fortaleza was held to discuss the details related to the funds' availability.
3. On March 31, 2022, the Municipality provided the required information by the DNER, including the schedule and cost estimate for said agency to prepare a Memorandum of Understanding (MOU) that would provide the necessary funds to the Municipality for the landfill's closure activities.
4. After continuous inquiries by the Municipality, the DNER on June 10, 2022, finally provided a draft MOU for the funds' access. The Municipality issued its comments to the MOU on July 12, 2022.
5. A meeting was held on November 2, 2022, with Puerto Rico Office of Management and Budget, the DNER, and MTA to discuss the extent of the DOJ requirements and DNER Closure Plan request. The purpose of the meeting also includes the addition of a transfer station located at the Landfill's existing site.

6. A conference call was held on November 29, 2022, where PROMB required an additional cost spreadsheet including the cost of a transfer station design and construction.
7. As of today, and after significant follow-up efforts with the DNER, they have not responded with the definitive version of the MOU and the availability of funds.
8. An email was sent on December 5 and 20, 2022; January 24, 2023, to Ms. Maria V. Rodriguez, Anais Rodriguez Vega, Elid Ortega Orozco, and Claribel Rivera following up regarding the MOU with the agency.
9. An email was received on January 27, 2023, from Ms. Maria V. Rodriguez (DNER) clarifying that any economic assistance to the Municipality was been handled by the Department of Budget and Management at the State level.
10. A letter dated, January 26, 2023, was directed to the MTA Mayor approving \$1.3M for planning and design of the closure activities. No disbursement has been received at this moment.
11. The Municipality designated \$3 Million of their own ARPA funds to commence the execution of the required Intermediate Cover tasks.
12. Disbursement of the \$1.3M for planning and design was made in February 2023.
13. The MTA commenced in January 2023 an RFQ process for a Landfill Contractor to implement the Intermediate. Unfortunately, no contractor submitted a proposal for the RFQ.
14. Thus, a new formal drawing was developed to identify the specific project specifications to issue an RFP purpose that would allow more flexibility to contractors to participate. The MTA prepared a new RFP that was published on May 2023.
15. The MTA had two contractors participate in the RFP process, and it is in the process of evaluating the proposals in order to issue the final determination that would allow commencement of the work during August 2023.

2. ID 2: Leachate Management

The LTA Leachate tanks are full of "leachate". On June 28, 2023 a sample was taken from the sampling point at the tank facility for the following parameters:

PARAMETRO	LIMITE DE DESCARGA (mg/l)
Aceites y Grasas	50.0
BOD ₅ ²	250
Cadmio	0.1
Cianuro	0.1
Cinc	0.5
Cobre	1.0
Cromo total	1.0
Fenoles ¹	1.0
Manganeso	4.0
Mercurio	0.05
Niquel	0.5
Plata	0.05
Plomo	0.2
SST ²	250.0
Selenio	0.20

LIMITES DE PRETRATAMIENTO ADICIONALES

pH (UE) ³	6.5-9.0
Temperatura (°C)	60
Temperatura inflamabilidad (°F)	>140
Arsénico	MS
Bario	MS
Boro	MS
Cromo Hexavalente	MS
Detergentes (MBAS)	MS
Fluoruro	MS
Molibdeno	MS
Nitrógeno (NO ₃ , NO ₂ , NH ₃)	MS
Sulfato	MS
Sulfuro	MS

A copy of the chain of custody is included as Attachment 1.

Results are expected by July 20, 2023. Presently, we are in a very challenging situation regarding the leachate disposal that will require extensive additional time to renew the MTA Leachate discharge permit with PRASA. A new permit renewal application will be submitted by the end on July 2023.

DNER Meeting

As planned, we had a meeting on March 17, 2023, with DNER (Mr. Carmelo Vazquez). We discussed the following:

- Leachate stored at LTA Tanks with possible course of action.
- Closure Preliminary Design to be submitted by November 30, 2023
- H-H Report with structural control measures to be submitted by July 31, 2023.
- Geotechnical Study Report to be submitted by September 31, 2023.
- Intermediate Cover placement on the top deck with stormwater down chutes by August 2023.

We appreciate all the technical assistance received by DNER personnel during our meeting and their interest in keeping up-to-date with the insights of this project.

V. SECTION 3: PROJECTION OF NEXT MONTH'S ACTIVITIES

July 7, 2023

Weekly Inspection

July 14, 2023

Weekly Inspection

July 21, 2023

Weekly Inspection

July 28, 2023

Weekly Inspection

July 28, 2023

Deadline for Municipality evaluation and determination of RFQ.

July 31, 2023

Submit Stormwater Management Plan

Submit Discharge Permit to PRASA

These dates are subject to change.

VI. Section 4: Attachments

Attachment 1: Weekly Inspections

Attachment 2: Sample of Chain of Custody

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ATTACHMENT 1



Friday, June 2, 2023

Approval Status

Approved

Nombre de la persona que hace la inspeccion

Christian Villalta Calderón

Email

crsthianvillalta@gmail.com

Fecha

Friday, June 2, 2023

Hora

03:40 PM

Condicion del Clima

Soleado

Esta la entrada limpia y libre de basura?

Si

Foto Entrada



Hay Personal en la caseta de seguridad?

SI

Cuantos camiones han llegado en el dia?

8

Fecha de la ultima verificacion del sistema de manejo de lixiviados Celda Sur?

Friday, June 2, 2023

Horas de operacion de la planta electrica

8

Datos de eventos de lluvia

No hay registro disponible de precipitaciones. El dia de la visita ha sido extremadamente caluroso con cero lluvia.

Estan las areas verdes limpias y se ha realizado mantenimiento?

SI

Incluir Foto



**Estan los diques limpios y sus
valvulas cerradas con candado?**

SI

Condicion de Cubierta Talud Norte

Excelentes condiciones

Incluir foto



Condicion Operacion Recibo de Escombros

Necesita Limpieza

Tomar foto



Equipos Operando

Al momento de la inspección no hay equipos operando.

Condicion de medidas de control de erosion y sedimentacion

Buena

Se pueden notar brotes de lixiviado?

SI

Añadir fotos deal area de brotes visibles



Condicion de los caminos internos


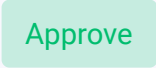

Excelentes condiciones

Condicion de areas de desvio de materiales

Area completamente limpia.

Signature

Approval Activity History

Actor	Actions	Date
 Nivia Ayala nayala@terratekpr.com		Thursday, June 8, 2023
 Notification	Email sent. (Your request has been approved.) cristhianvillalta@gmail.com	Thursday, June 8, 2023



Friday, June 9, 2023

Approval Status

Approved

Nombre de la persona que hace la inspeccion

Christian Villalta Calderón

Email

crsthianvillalta@gmail.com

Fecha

Friday, June 9, 2023

Hora

03:40 PM

Condicion del Clima

Soleado

Esta la entrada limpia y libre de basura?

Si

Foto Entrada



Hay Personal en la caseta de seguridad?

SI

Cuantos camiones han llegado en el dia?

4

Fecha de la ultima verificacion del sistema de manejo de lixiviados Celda Sur?

Friday, June 9, 2023

Horas de operacion de la planta electrica

8

Datos de eventos de lluvia

No hay pluviometro instalado. No hay registros de precipitacion. El dia esta sobre 120 F.

Estan las areas verdes limpias y se ha realizado mantenimiento?

SI

Incluir Foto



**Estan los diques limpios y sus
valvulas cerradas con candado?**

SI

Condicion de Cubierta Talud Norte

Excelentes condiciones

Incluir foto



Condicion Operacion Recibo de Escombros

Necesita Limpieza

Tomar foto



Equipos Operando

No hay equipos operando.

Condicion de medidas de control de erosion y sedimentacion

Buena

Se pueden notar brotes de lixiviado?

NO

Condicion de los caminos internos


Excelentes condiciones


Condicion de areas de desvio de materiales

Area completamente limpia.

Signature

Approval Activity History

Actor	Actions	Date
 Nivia Ayala nayala@terratekpr.com	Approve	Wednesday, June 21, 2023

Actor	Actions	Date
 Notification	Email sent. (Your request has been approved.) cristhianvillalta@gmail.com	Wednesday, June 21, 2023



Friday, June 16, 2023

Approval Status

Approved

Nombre de la persona que hace la inspeccion

Christian Villalta Calderón

Email

cristhianvillalta@gmail.com

Fecha

Friday, June 16, 2023

Hora

03:23 PM

Condicion del Clima

Soleado

Esta la entrada limpia y libre de basura?

Si

Foto Entrada



Hay Personal en la caseta de seguridad?

SI

Cuantos camiones han llegado en el dia?

4

Fecha de la ultima verificacion del sistema de manejo de lixiviados Celda Sur?

Friday, June 16, 2023

Horas de operacion de la planta electrica

8

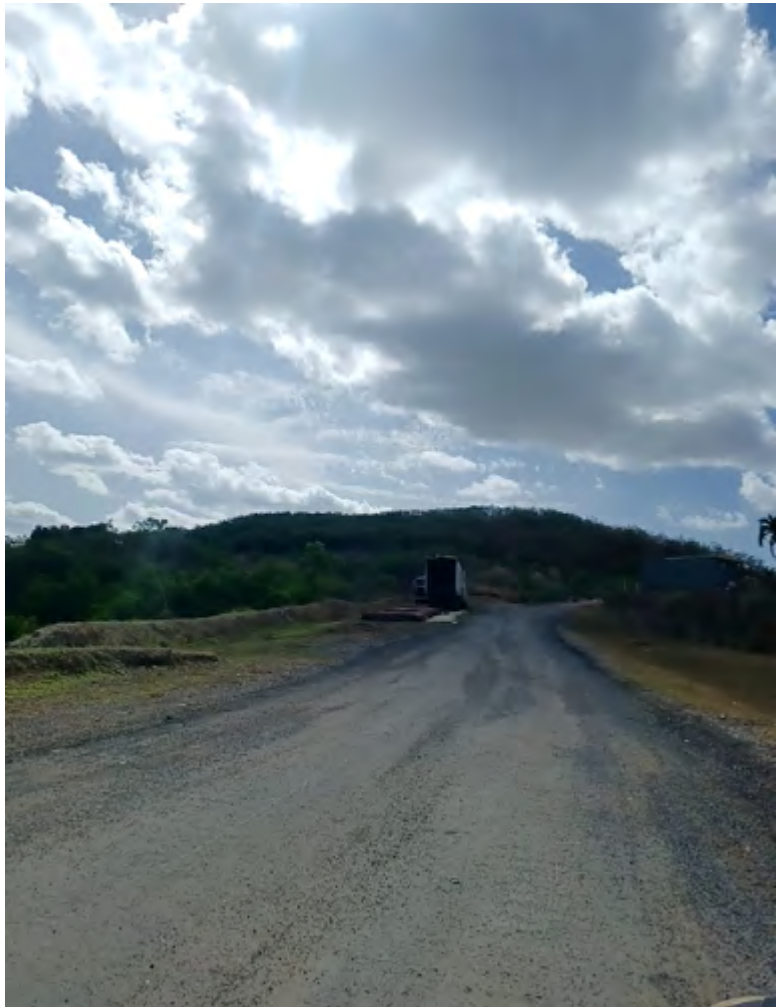
Datos de eventos de lluvia

No hay datos disponibles de precipitación. No se cuenta con pluviómetros en el area.

Estan las areas verdes limpias y se ha realizado mantenimiento?

SI

Incluir Foto



**Estan los diques limpios y sus
valvulas cerradas con candado?**

SI

Condicion de Cubierta Talud Norte

Excelentes condiciones

Incluir foto



Condicion Operacion Recibo de Escombros

Necesita Limpieza

Tomar foto



Equipos Operando

Al momento de la inspección no hay equipos en operación.

Condicion de medidas de control de erosion y sedimentacion

Buena

Se pueden notar brotes de lixiviado?

NO

Condicion de los caminos internos

Excelentes condiciones


Condicion de areas de desvio de materiales


Area completamente limpia.

Signature

A handwritten signature in blue ink, appearing to read 'N. Ayala'.

Approval Activity History

Actor	Actions	Date
 Nivia Ayala nayala@terratekpr.com	Approve	Wednesday, June 21, 2023

Actor	Actions	Date
 Notification	Email sent. (Your request has been approved.) cristhianvillalta@gmail.com	Wednesday, June 21, 2023



Friday, June 23, 2023

Approval Status

Approved

Nombre de la persona que hace la inspeccion

Christian Villalta Calderón

Email

cristhianvillalta@gmail.com

Fecha

Friday, June 23, 2023

Hora

12:38 PM

Condicion del Clima

Soleado

Esta la entrada limpia y libre de basura?

Si

Foto Entrada



Hay Personal en la caseta de seguridad?

SI

Cuantos camiones han llegado en el dia?

4

Fecha de la ultima verificacion del sistema de manejo de lixiviados Celda Sur?

Friday, June 23, 2023

Horas de operacion de la planta electrica

8

Datos de eventos de lluvia

No hay registros de precipitación. No hay instrumentos instalados en el sitio.

Estan las areas verdes limpias y se ha realizado mantenimiento?

SI

Incluir Foto



**Estan los diques limpios y sus
valvulas cerradas con candado?**

SI

Condicion de Cubierta Talud Norte

Excelentes condiciones

Incluir foto



Condicion Operacion Recibo de Escombros

Necesita Limpieza

Tomar foto



Equipos Operando

No hay equipos opeando al momento de la inspección.

Condicion de medidas de control de erosion y sedimentacion

Buena

Se pueden notar brotes de lixiviado?

NO

Condicion de los caminos internos


Excelentes condiciones


Condicion de areas de desvio de materiales

Area completamente limpia.

Signature

Approval Activity History

Actor	Actions	Date
 Nivia Ayala nayala@terratekpr.com	Approve	Friday, June 23, 2023

Actor	Actions	Date
 Notification	Email sent. (Your request has been approved.) cristhianvillalta@gmail.com	Friday, June 23, 2023



Thursday, June 29, 2023

Approval Status

Approved

Nombre de la persona que hace la inspeccion

Christian Villalta Calderón

Email

cristhianvillalta@gmail.com

Fecha

Thursday, June 29, 2023

Hora

03:20 PM

Condicion del Clima

Nublado

Esta la entrada limpia y libre de basura?

Si

Foto Entrada



Hay Personal en la caseta de seguridad?

SI

Cuantos camiones han llegado en el dia?

4

Fecha de la ultima verificacion del sistema de manejo de lixiviados Celda Sur?

Thursday, June 29, 2023

Horas de operacion de la planta electrica

8

Datos de eventos de lluvia

No hay registros de precipitación debido a falta de instrumento en el sitio (pluviometro).

Estan las areas verdes limpias y se ha realizado mantenimiento?

SI

Incluir Foto



**Estan los diques limpios y sus
valvulas cerradas con candado?**

SI

Condicion de Cubierta Talud Norte

Excelentes condiciones

Incluir foto



Condicion Operacion Recibo de Escombros

Necesita Limpieza

Tomar foto



Equipos Operando

Al momento de la inspección un D4 y una retroexcavadora.

Condicion de medidas de control de erosion y sedimentacion

Buena

Se pueden notar brotes de lixiviado?

NO

Condicion de los caminos internos


Excelentes condiciones


Condicion de areas de desvio de materiales

Esta area estaba llena de White Goods! y se limpió.

Signature

Approval Activity History

Actor	Actions	Date
 Nivia Ayala nayala@terratekpr.com	Approve	Tuesday, July 11, 2023

Actor	Actions	Date
 Notification	Email sent. (Your request has been approved.) cristhianvillalta@gmail.com	Tuesday, July 11, 2023

ATTACHMENT 2

Pace Analytical

Chain-of-Custody is a LEGAL DOCUMENT - Complete all relevant fields

LAB USE ONLY - Affix Workorder/Login Label Here or List Pace Workorder Number or
 MTRJL Log-in Number Here

ALL SHADED AREAS are for LAB USE ONLY

Company: *Pace Analytical*

Address: *101 State St*

Report To: *Maria Hybler*

Copy To:

Customer Project Name/Number: *Waterford Loc A Hw*

Phone: *761-505-6139*

Email: *maria@paceanalytical.com*

Collected By (print): *Maria Hybler*

Collected By (signature): *[Signature]*

Sample Disposal: Return Dispose as appropriate Archive Hold:

Billing Information: *[Blank]*

Email To: *[Blank]*

Site Collection Info/Address: *[Blank]*

State: *RI* County/City: *Providence* Time Zone Collected: *[Blank]*

Site/Facility ID #: *[Blank]*

Purchase Order #: *[Blank]*

Quote #: *[Blank]*

Turnaround Date Required: *[Blank]*

Compliance Monitoring? Yes No

DW PWS ID #: *[Blank]*

DW Location Code: *[Blank]*

Field Filtered (if applicable): Yes No

Analysis: *[Blank]*

Rush: Same Day Next Day 2 Day 3 Day 4 Day 5 Day (Expedite Charges Apply)

Matrix Codes (Insert in Matrix box below): Drinking Water (DW), Ground Water (GW), Wastewater (WW), Product (P), Soil/Solid (SL), Oil (OL), Wipe (WP), Air (AR), Tissue (TS), Bioassay (B), Vapor (V), Other (OT)

Customer Sample ID	Matrix *	Comp / Grab	Collected (or Composite Start)		Composite End		Res Cl	# of Ctns
			Date	Time	Date	Time		

Container Preservative Type: *[Blank]*

Analyses: *Hex Chromium, ROD, if flash point, phenols, Total Nitrogen, Fluoride, pH, temperature, TSS, sulfate, Surfactants, Cyanide, Metals*

LAB USE ONLY: Yes No

Lab Sample # / Comments: *[Blank]*

Lab Profile/Line: *[Blank]*

Lab Sample Receipt Checklist:

Custody Seals Present/Intact	Y	N	NA
Custody Signatures Present	Y	N	NA
Collector Signatures Present	Y	N	NA
Bottles Intact	Y	N	NA
Correct Bottles	Y	N	NA
Sufficient Volume	Y	N	NA
Samples Received on Ice	Y	N	NA
VOA - Headspace Acceptable	Y	N	NA
USDA Regulated Solids	Y	N	NA
Samples in Holding Time	Y	N	NA
Residual Chlorine Present	Y	N	NA
CI Strips:	Y	N	NA
Sample pH Acceptable	Y	N	NA
pH Strips:	Y	N	NA
Sulfide Present	Y	N	NA
Lead Acetate Strips:	Y	N	NA

LAB USE ONLY: *[Blank]*

Lab Sample # / Comments: *[Blank]*

Lab Sample Temperature Info:

Temp Blank Received: Y N NA

Therm ID#: *[Blank]*

Cooler 1 Temp Upon Receipt: *[Blank]* °C

Cooler 1 Therm Corr. Factor: *[Blank]* °C

Cooler 1 Corrected Temp: *[Blank]* °C

Comments: *[Blank]*

Trip Blank Received: Y N NA

HCL MeOH TSP Other

Non Conformance(s): *[Blank]* Page: *[Blank]* of: *[Blank]*