

APPENDIX D

Litter Control Plan

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LITTER CONTROL PLAN

A. INTRODUCTION

This Litter Control Plan ("Litter Plan") is attached as Appendix D and incorporated by reference into the settlement agreement between the Commonwealth of Massachusetts ("Commonwealth") and New Ventures Associates, LLC ("New Ventures") executed on April 30, 2008 ("Settlement Agreement") and filed in conjunction with the final judgment in *Commonwealth of Massachusetts v. New Ventures Associates, LLC*, Suffolk Superior Court, Civil Action No. 06-0790 C ("Final Judgment"). This Litter Plan specifies the requirements for the purposes of mitigating and controlling, and limiting litter from the Landfill.

B. PERFORMANCE STANDARD

New Ventures shall comply with the requirements of 310 C.M.R. 19.130(17) Litter Control including, without limitation, the following measures to control wind blown litter at the Landfill.

1. During the daily inspection of the Landfill required by Appendix I of the Settlement Agreement, Landfill Inspection and Record Keeping Protocol, New Ventures shall inspect the Landfill and off-site abutting areas for litter and shall maintain the general cleanliness of the Facility and surrounding areas, and otherwise comply with the requirements of 310 C.M.R. 19.130(17), including, without limitation, the removal of off-site and on-site litter identified during this inspection by the end of the Work Day.
2. New Ventures shall cover exposed areas with either tarps, poly sheeting at least 11 millimeters thick ("poly"), or not less than six inches of soil to exposed areas at the conclusion of each Work Day.
3. Trucks entering the Facility shall have tarps covering their loads upon arrival. New Ventures onsite personnel shall verify this. The tarps shall not be removed until the vehicle arrives at the Active Material placement area.
4. New Ventures shall incorporate litter fencing, natural barriers or other devices to prevent the scattering of solid waste beyond the working area. This shall include, without limitation, the placement and maintenance by New Ventures of a snow fence along the south side on the Landfill adjacent to Crow Lane.
5. New Ventures shall note in the Daily Inspection Summary Report required by Appendix I the results of each daily litter inspection including the actions taken to comply with 310 C.M.R. 19.130(17).