

APPENDIX F

Interim Storm Water Control Plan

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INTERIM STORM WATER CONTROL PLAN

A. INTRODUCTION

This Interim Storm Water Control Plan ("Interim Storm Water Plan") is attached as Appendix F to and incorporated by reference into the settlement ("Settlement Agreement") between the Commonwealth of Massachusetts and New Ventures Associates LLC ("New Ventures") executed on April 30, 2009 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 Interim Storm Water Plan specifies the measures that New Ventures shall implement for purposes of controlling storm water runoff from the Landfill pending completion of the cap and installation of the final storm water controls in compliance with the final approved Corrective Action Design (the "Final CAD," attached as Exhibit 2 to the Settlement Agreement) for the closure of the Landfill.

B. PERFORMANCE STANDARD

New Ventures shall implement the measures necessary to comply with 310 CMR 19.130(19) and (20), and 310 CMR 19.115(1) in order to control storm water runoff from the Landfill, erosion of the Landfill, and the infiltration of storm water into the placed C&D Material at the Landfill. These measures shall include, without limitation, those described herein.

C. PROGRAM COORDINATION

The activities required by this Appendix F shall be performed under the general supervision and direction of the Engineer of Record. All actions taken by New Ventures to mitigate and control the release of storm water from and erosion, including, without limitation, those performed in accordance with this Appendix F, shall be recorded in the Daily Log. The Engineer of Record shall review all such actions as part of his/her weekly inspection of the Landfill required by Appendix I, Landfill Inspection and Record Keeping Protocol, shall note the adequacy of such action(s), and shall recommend any additional action(s) he/she believes are necessary for purposes of compliance with this Appendix F, the Settlement Agreement, and the Final Judgment.

D. INTERIM STORM WATER CONTROL MEASURES

1. New Ventures shall maintain the temporary storm water controls required by the "Temporary Erosion Controls Phase I and II Areas" attached as Appendix F and incorporated by reference into the Preliminary Injunction entered on February 22, 2007 in *Commonwealth of Massachusetts v. New Ventures Associates, LLC* Suffolk Superior Court, Civil Action No. 06-0790 C ("Preliminary Injunction") and attached hereto as Exhibit 1. This shall include, without limitation, maintenance and repair of the perimeter berm and the down chutes (including erosion of the base of the berm and replacement of energy dissipaters such as hay bales and stone); of all storm water basins, including Basin 2, and any temporary basin(s), including, without limitation, their inlet and discharge structures, and removal of sediment; and of all other diversion structures, channels, or ditches used to control storm water discharge from the Landfill.

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2. New Ventures shall maintain the hay bales and silt fences along the wetlands, vernal pool, and Crow Lane. New Ventures shall install additional barriers as necessary to control storm water runoff from the Landfill.
3. New Ventures shall grade active and inactive areas of the Landfill in a manner that minimizes ponding of storm water on the Landfill surface and infiltration of storm water into the C&D Material and the Landfill.
4. New Ventures shall implement the storm water control measures necessary to prevent and minimize erosion of the Landfill and the perimeter berm and the deposition of eroded material from the Landfill in the wetlands and surface waters in the area of the Landfill and onto Crow Lane. These measures may include, without limitation, the construction of temporary diversion structures, channels, or ditches to control storm water runoff from the Landfill and prevent discharge of sediment to the wetlands and surface water in the area of the Landfill.
5. Nothing in this Appendix F shall be deemed to in any way limit the Commonwealth's authority to require additional measures necessary to manage storm water at the Landfill in compliance with 310 CMR 19.000 and 310 CMR 10.00, or enforcement rights and remedies under the Settlement Agreement and Final Judgment.

EXHIBIT 1

Temporary Erosion Controls, Phase I and II Areas

EXHIBIT 1

Preliminary Injunction Appendix F

Temporary Erosion Controls
Phase I and II Areas

This Temporary Erosion Controls Phase I and II Areas “Erosion Controls” is attached as Appendix F to and incorporated by reference into the Preliminary Injunction entered on February 22, 2007 in *Commonwealth of Massachusetts v. New Ventures Associates, LLC* Suffolk Superior Court, Civil Action No. 06-0790 C (“Preliminary Injunction”). This Appendix describes the temporary storm water control measures that New Ventures, LLC (New Ventures) will construct to control storm water runoff from the capped Phase I and II Areas of the landfill to the perimeter berm and from the perimeter berm to the abutting wetlands pending construction of the final berm.

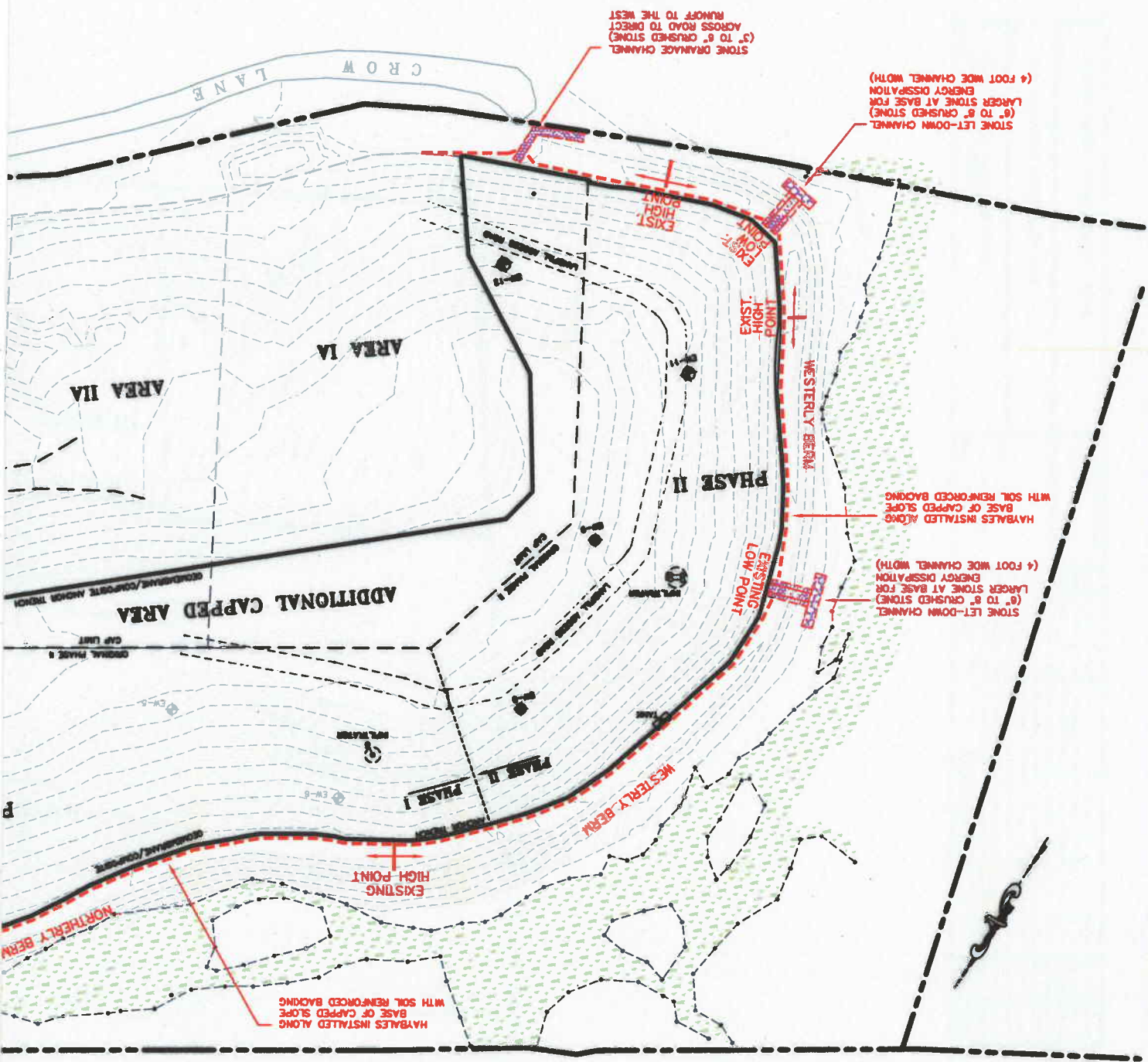
A temporary drainage swale shall be constructed on the north berm from the high point on the western end of the north berm and on the east berm from the high point on the southern end of the eastern berm as shown on Drawing No. 1 of this Appendix. This work will include the construction of the stone apron across the berm that will allow for storm water discharge to Basin 2. The drainage swale will utilize the existing surface grade of the perimeter berm to direct the runoff to the designated locations on the Drawing. Runoff from the capped landfill slopes will be contained along the inside edge of the perimeter berm with the use of secured haybales, set end to end, along the full length of the berm just beyond the geomembrane anchor trench or end of cap as shown on the detail. The bales will be reinforced with a soil backing along the outside to prevent dislodging under heavy rainfall conditions. The bales shall be maintained and replaced as necessary.

A temporary drainage swale, formed in the same manner as described above, with two temporary stone let-down channels shall be constructed on the western berm at the approximate locations depicted on Drawing 1 of this Appendix.

The let-down channel structures will include several components including an apron across the top of the berm, the actual let-down channel and an energy dissipater at the base of the slope. The apron and the let-down will be approximately four feet in width and one foot in depth and will be lined with 6” to 8” crushed stone. Larger stones shall be positioned at the base of the let-down to disperse the runoff and dissipate energy for erosion control purposes.

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The temporary swales and down chutes shall at a minimum have the capacity to manage the projected runoff from a 25 year storm event. By March 1, 2007, New Ventures shall provide the Department with documentation that the design meets the requirements of this Appendix.



STONE DRAINAGE CHANNEL,
 (3" TO 6" CRUSHED STONE)
 ACROSS ROAD TO DIRECT
 RUNOFF TO THE WEST

STONE LET-DOWN CHANNEL,
 (6" TO 8" CRUSHED STONE)
 LARGER STONE AT BASE FOR
 ENERGY DISSIPATION
 (4 FOOT WIDE CHANNEL WIDTH)

HAYBALES INSTALLED ALONG
 BASE OF CAPPED SLOPE
 WITH SOIL REINFORCED BACKING

STONE LET-DOWN CHANNEL,
 (6" TO 8" CRUSHED STONE)
 LARGER STONE AT BASE FOR
 ENERGY DISSIPATION
 (4 FOOT WIDE CHANNEL WIDTH)

HAYBALES INSTALLED ALONG
 BASE OF CAPPED SLOPE
 WITH SOIL REINFORCED BACKING