

December 16, 2008

Mr. David Jollymore  
System Forester  
Nova Scotia Power Inc.  
PO Box 910  
Halifax, Nova Scotia  
B3J 2W5

Dear Mr. Jollymore:

**RE: Pesticide Approval - Approval No. 2008-065111**

Your pesticide application, Approval Number 2008-065111 has received Ministerial Approval.

The terms and conditions pertaining to this Approval are listed on the attached Approval. This document must be read carefully to ensure everyone associated with the program is fully aware of all the terms and conditions of the Approval and regulations.

Despite the issuance of this Approval, the Approval Holder is still responsible for obtaining any other authorization which may be required to carry out the activity, including those which may be necessary under provincial, federal or municipal law.

Should you have any questions, please contact Brad Skinner, Northern Region, Amherst Office at (902) 667-6205.

Yours truly,

Brad Skinner  
District Manager

SCHEDULE "A"

**TERMS AND CONDITIONS OF APPROVAL**

**Nova Scotia Environment**

**Project:** Nova Scotia Power Inc. (NSPI)  
Powerline Right of Way Vegetation Maintenance  
Herbicide Program  
Throughout Nova Scotia

**Proponent:** Nova Scotia Power Inc.  
PO Box 910, Scotia Square  
Halifax, Nova Scotia  
B3J 2W5  
phone: 428-7505

**Contact:** David Jollymore, System Forester

**Reference:** Pesticide Approval application from David Jollymore dated October 29, 2008; Application letter from David Jollymore to Brad Skinner dated October 12, 2008; VM 4.02 -NSPI Integrated Vegetation Management Plan; VM 7.02 - NSPI Contractor General Specifications; VM 7.04 -Contract Standard - Technical Specifications for Herbicide Application Practices as amended on Dec 15, 2008; VM 7.03 -NSPI Standards for Herbicide Application Projects on Power Line Rights of Way; MP 300.20 - NSPI Standard for Total Vegetation Control in Electrical Facilities; ENV 3.06 -NSPI Chemical Management and Release Response Plan; ENV 4.01 -NSPI Environmental Protection Procedures for Transmission and Distribution

**File:** 35200-30

**Approval No:**2008-065111

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**Conditions :** This approval is issued pursuant to the *Environment Act* and Pesticide Regulations and is subject to the following terms and conditions:

**1. Scope of Approval**

This approval relates to Nova Scotia Power Inc. (NSPI) and their request to apply herbicides to control vegetation on their powerline rights of way and substations as necessary for a 10 year period. This approval is restricted to pesticide application activities and associated work as described in the above References.

### **General Terms and Conditions**

2. Adhere to the Nova Scotia *Environment Act* and Pesticide Regulations administered by Nova Scotia Environment.
3. Ensure that all applicators and business operators are certified according to the Regulations.
4. The approved pesticide products for this program are as follows and application uses, methods and rates will adhere to the product labels:

<b>Product</b>	<b>PCP Registration #</b>
Garlon 4	21053
Roundup	13644
Ezject Capsules	21262
Tordon 101	9007
Arsenal	23713
Escort	23005
Garlon Ultra	28434
Vantage	26172
Milestone	28517
Nufarm Calmix Pellets	9342
Vanquish	26980
Karmex XP	21252
Karmex DF	28543
Diurex 80 WDG	28107
Diuron 80 DF	26949
Hyvar X	8637
Hyvar XL	11018
Oracle	26722

5. Strictly adhere to the terms and conditions of this approval. Make all requests for changes or additions in writing to the Amherst District office.
6. Do not undertake a foliar or soil broadcast application of pesticides when wind speeds exceed 10 km/hr. Follow label directions for allowable wind speeds if speeds less than 10 km/hr are quoted on the label.

7. Make available this approval or a copy thereof at the treatment site or loading/mixing site whenever the program is being undertaken.
8. Adhere to the NSPI Chemical Management and Release Response Plan referenced herein during an uncontrolled release or other emergency involving pesticides. A copy of the plan must be at the treatment site or mixing/loading area at all times when the work is being undertaken
9. Store and maintain equipment and supplies at mixing/loading sites to localize minimize any environmental impact of a uncontrolled pesticide release.
10. Forward maps and a list of proposed annual treatment areas for each Region of this department to the appropriate Department Regional contact person at least 2 weeks prior to undertaking the work. This information must be submitted in a format acceptable to the Administrator.
11. Return Annual Reports of the work undertaken under this approval to the appropriate Regional contact person no later than one month after the program completion each year. The fee per hectare is determined annually; the Amherst District Office must be contacted after April 1 of each year to obtain the correct fee amount. After program completion submit the correct fee to the Amherst District Office based upon the total number of hectares treated across the province.
12. Ensure all refillable and recyclable pesticide containers are properly cleaned, rinsed, and taken to a container return location.
13. Adhere to all other federal, provincial, and municipal laws, acts, and regulations applicable to the proposed activities. This would include the *Nova Scotia Occupational Health and Safety Act*.
14. Provide Department staff with full cooperation during the execution of their duties associated with this program.

### **Notification**

15. Notify the appropriate Department Regional contact person within a reasonable time prior to commencement so that any monitoring arrangements can be made. Continue to keep the Regional contact person up to date with the work progress as per a mutually acceptable arrangement.
16. Publish newspaper advertisement(s) acceptable to an Administrator outlining the spray program at least 20 days before spraying commences. Forward to the appropriate Department Regional contact person proof that the media notice has been published prior to program commencement.

## **Buffer Zones**

17. Protect all surface watercourses which are not located in Municipal potable water supply watersheds with 30 m buffer zones during foliar applications and 5m buffer zones during direct individual stem treatments.
18. Do not apply pesticide within 60m (measured horizontally) of a well or other source of domestic water unless otherwise agreed by NSE. EZJect capsules may be applied within 60m but not within 20m of a well or other source of domestic water.
19. Use extreme caution when applying pesticide near wetlands to ensure that adequate protection is maintained.
20. Maintain 30 m buffer zones during foliar applications around dwellings, businesses, schools, public buildings or other structures designated by an administrator, during ground spraying. Dwellings or businesses owned by the proponent are exempt.
21. Exercise extreme caution and maintain adequate buffer zones when applying pesticide near agricultural areas (eg. hay fields, grain fields, blueberry fields, commercial and domestic vegetable gardens, etc.) or other sensitive areas.
22. Ensure the treatment boundaries and buffer zones are clearly defined.

## **WATER SUPPLY WATERSHEDS**

23. Treatment areas may be within or in close proximity to municipal potable water supply watersheds. While working near these areas ensure that the “ Criteria for Pesticide Approvals in or near Municipal Drinking Water Supply Watersheds” restrictions are strictly adhered to.

## **PROTECTED WATER AREAS**

24. Pursuant to Section 106 of the *Environment Act* there may be regulations protecting designated Municipal water supply watersheds that restrict or prohibit pesticide application activities in these areas. It is the responsibility of NSPI to be aware of these areas and any specific restrictions on pesticide use therein.

**Failure to adhere to approval terms and conditions and guidelines constitutes an offense under the *Environment Act* and/or the Pesticide Regulations. Such offenses may be liable for prosecution.**

**Regional Contact Persons are as follows:**

**Western Region: Lori Skaine  
Nova Scotia Environment  
136 Exhibition Street  
Kentville, NS  
B4N 4E5      Phone: 679-6086**

**Central Region: Carrie Talbot  
Nova Scotia Environment  
1595 Bedford Highway  
Bedford, NS  
B4A 3Y4      Phone: 424-7773**

**Northern Region: Brad Skinner / Tim Upham  
Nova Scotia Environment  
71 East Victoria St  
Amherst, NS  
B4H 1X7      Phone: 667-6205**

**Eastern Region: Karen Madden  
Nova Scotia Environment  
PO Box 714  
Sydney, NS  
B1P 6H7      Phone: 563-2100**

January 1, 2009  
Effective Date

December 31, 2018  
Expiry Date