

June 6, 2012

Asplundh Canada ULC
c/o Ms. Diane Le Houillier
505 des Cascades
Ste-Catherine
Quebec
J5C1Y4

Dear Ms. Le Houillier:

RE: Pesticide Approval - Approval No. 2012-081379

Your pesticide application, Approval Number 2012-081379 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: Asplundh Canada ULC
Railway Vegetation Management
Herbicide Program
Throughout Nova Scotia

Proponent: Asplundh Canada ULC
2131 Second Line East
RR#5 Campbellford
Ontario
K0L 1L0
phone: (800) 908-9333

Contact: Diane Le Houillier, phone (438) 888-9801

Reference: Pesticide Approval application from Diane Le Houillier dated May 9, 2012; Asplundh Canada ULC Integrated Pest Management Plan "Vegetation Management for Railway Transportation Corridors" dated April 2012; Email correspondence from Brad Skinner to Diane Le Houillier dated June 5, 2012 regarding Sections 6.2 and 6.9.6.2 of the April 2012 Vegetation Management for Railway Transportation Corridors document.

File: 35200-30

Approval No:2008-065111

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 Asplundh Canada ULC and their request to apply herbicides to control vegetation on railway rights of way for a 10 year period. This approval is restricted to pesticide application activities and associated work as described in the above References. **Asplundh Canada ULC must submit written authorization to conduct the work authorized herein from the railway / property owner to the NSE Amherst District Office before commencing treatment.**

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:

Trade Name	PCP#
2,4-D Amine 600	14726
Tordon 101	9007
Milestone	28517
Clearview	29752
Krovar	22964
Telar	21533
Banvel VM	29249
Overdrive	30065
Diurex 80WDG	28107
Karmex DF	28543
Krovar	22964
Payload	29232
Vantage XRT	29994
VisionMax	27736
Arsenal	23713
Escort	23005
Garlon XRT	28945
On-Site VM	No PCP yet *

* On-Site VM may not be used until registration is obtained from the PMRA

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. Shrouded boom applications cannot be undertaken when wind speeds exceed 15 km/hr. Wind speeds are typically measured at the height of release.
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 Asplundh Canada ULC contingency plan on file with the Department 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 to the Amherst District Office at least 2 weeks prior to undertaking the work. This information must be submitted in a format acceptable to the Administrator and the work cannot proceed until authorization is received from 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 Amherst District Office at least 48 hours before the spray commencement within Nova Scotia. This notification shall include the date of commencing in Nova Scotia and the names and phone / email contact information for the spray crew. Keep the Amherst District Office updated every 48 hours with the progress of the program until completion. Notification may be made by email or phoning the Amherst District Office at (902)667-6205 during normal working hours.
16. Publish newspaper advertisement(s) acceptable to an Administrator outlining the spray program at least 20 days before spraying commences. Forward to the Amherst District Office proof that the media notice has been published prior to program commencement.

17. The applicant shall make all reasonable attempts to notify persons living in the vicinity of the treatment area who have requested pre-notification of when the application will be taking place.

Buffer Zones

18. Protect all surface watercourses which are not located in Municipal potable water supply watersheds with 30 m buffer zones.
19. Do not apply pesticide within 60m (measured horizontally) of a well or other source of domestic water. If the well isn't visible a 60m buffer must be maintained from the dwelling.
20. Use extreme caution when applying pesticide near wetlands to ensure that adequate protection is maintained.
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 there is a person (flagman) on the spray truck or ahead of the spray truck that is familiar with the area / watercourses and can identify areas that require buffer zones and relay the information to whomever is operating the spray unit.
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.

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.

June 6, 2012
Effective Date

December 31, 2022
Expiry Date