

## APPROVAL

**Province of Nova Scotia  
Environment Act, S.N.S. 1994-95, c.1 s.1**

**APPROVAL HOLDER:** J.D. IRVING, LIMITED

**SITE PID:** 20012365, 25037730, 25054552, 25251687, 25267949,  
25468117, 25469123, 25471863, 25476151

**APPROVAL NO:** 2018-2484213-00

**EXPIRY DATE:** December 31, 2018

**Pursuant to Part V of the *Environment Act*, S.N.S. 1994-95, c.1 s.1 as amended from time to time, approval is granted to the Approval Holder subject to the Terms and Conditions attached to and forming part of this Approval, for the following activity:**

Pesticide - Application of Pesticide - Aircraft

A handwritten signature in cursive script that reads "Paula Putnam".

**Administrator:** Paula Putnam

**Effective Date:** August 3, 2018

The Minister's powers and responsibilities under the Act with respect to this Approval have been delegated to the Administrator named above. Therefore, any information or notifications required to be provided to the Minister under this Approval can be provided to the Administrator unless otherwise advised in writing.

# TERMS AND CONDITIONS OF APPROVAL

## Nova Scotia Environment

**Approval Holder:** J.D. IRVING, LIMITED

**Project:** South Brook, Shulie, Shulie # 2, Shulie # 3, Fenwick, Sunnyside, Flat Iron ,  
Flat Iron # 2, Kemptown

**Site:**

<b>PID</b>	<b>Civic #</b>	<b>Street Name</b>	<b>Street Type</b>	<b>Community</b>	<b>County</b>
20012365				RIVERSDALE	COLCHESTER COUNTY
25037730				FENWICK	CUMBERLAN D COUNTY
25054552	4482	SHULIE	RD.	SHULIE	CUMBERLAN D COUNTY
25251687				SOUTH BROOK	CUMBERLAN D COUNTY
25267949	1025	THOMSON	RD.	MILLVALE	CUMBERLAN D COUNTY
25468117	6530	SHULIE	RD.	JOGGINS	CUMBERLAN D COUNTY
25469123				JOGGINS	CUMBERLAN D COUNTY
25471863				SALT SPRINGS	CUMBERLAN D COUNTY
25476151				SALT SPRINGS	CUMBERLAN D COUNTY

**Approval No:** 2018-2484213-00

**File No:** 35200-30-AMH-2018-2484213

**Grid Reference:** Easting - 411454, Northing - 5043361, Easting - 430787, Northing -  
5056188, Easting - 407236, Northing - 5066342, Easting - 422215,  
Northing - 5062539, Easting - 377843, Northing - 5049473, Easting -  
387817, Northing - 5056732, Easting - 495568, Northing - 5032945,  
Easting - 385755, Northing - 5056413

**Reference Documents**

- Application submitted July 3, 2018 and attachments.

## **1. Definitions**

- a. Act means Environment Act, Chapter 1 of the Acts of 1994-95, and includes, unless the context otherwise requires, all regulations made pursuant to the Act.
- b. Administrator means a person appointed by the Minister for the purpose of this Act, and includes an acting administrator.
- c. Approval means an Approval issued pursuant to this Act with respect to an activity.
- d. Department means the Department of Environment, and the contact for the Department for this approval is:  
Nova Scotia Environment  
Central Region, Amherst Office  
71 East Victoria St.  
Amherst, Nova Scotia B4H 1X7  
  
Phone: (902) 667-6205  
Fax: (902) 667-6214
- e. Facility means the Application of Pesticide and associated works.
- f. Minister means the Minister of Environment and includes any person appointed as a designate of the Minister.
- g. Site means the location of the authorized work.

## **2. General**

- a. Adhere to the Nova Scotia Environment Act and Pesticide Regulations administered by Nova Scotia Environment.
- b. Ensure that all applicators/business operators are certified according to the Regulations.
- c. Adhere to all pertinent information outlined on the product labels.
- d. Strictly adhere to the terms and conditions of this Approval. Make all requests for changes or additions in writing to the Department office found herein.
- e. Do not apply 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. When using the Radiarc sprayer, a single swath along all boundaries and buffer zones must be undertaken in wind speeds of 10 km/hr or less and the

remainder may be treated in winds of up to 15 km/hr.

- f. When the application of a pesticide is underway; wind speed must be checked at 15 minute intervals during aerial application and 30 minute intervals during ground application. Should a wind speed reading exceed the maximum; a second reading shall be taken 10 minutes later and if it still exceeds the maximum; the application must cease. It will require 2 consecutive acceptable readings 10 minutes apart to restart the application. Records must be maintained of the time and results of all wind speed readings taken and be provided to the Department upon request.
- g. Make available this Approval or a copy thereof at the treatment site or loading/mixing site whenever the program is being undertaken.
- h. Adhere to the 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.
- i. Store and maintain equipment and supplies at mixing/loading sites to localize/ minimize any environmental impact of a uncontrolled pesticide release.
- j. Return daily reports to the Department no later than one month after the program completion.
- k. Ensure all non-returnable plastic pesticide containers are properly cleaned, rinsed, and taken to a recycling depot.
- l. 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.
- m. Provide Department staff with full cooperation during the execution of their duties associated with this program.
- n. If this work is being undertaken on land owned by a person other than the Approval Holder(s); written authorization to treat the property from the landowner must be forwarded to the Department before the work is undertaken. If this written authorization was submitted at the time of application for approval; it is not necessary to resubmit.

### **3. Operation**

- a. Protect all surface watercourses which are not located in municipal potable water supply watersheds with 30 m buffer zones.
- b. Do not apply pesticide within 60 m (measured horizontally) of a well or other

source of domestic water.

- c. Use extreme caution when applying pesticide near wetlands to ensure that an adequate buffer zone is maintained.
- d. Maintain 100 m buffer zones around dwellings, businesses, schools, public buildings or other structures designated by an administrator during aerial spraying. Maintain 30 m buffer zones around dwellings, businesses, schools, public buildings or other structures designated by an administrator, during ground spraying. Dwellings or businesses owned by the Approval Holder(s) are exempt.
- e. Exercise extreme caution and maintain adequate buffer zones when applying pesticide near agricultural areas (e.g. hay fields, grain fields, blueberry fields, commercial and domestic vegetable gardens, etc.) or other sensitive areas.
- f. Maintain a 10 m buffer zone for any treatment site boundary that is also a property boundary. This buffer may be waived with written permission from the adjacent property owner.
- g. Ensure the boundaries and buffer zones are clearly defined.
- h. Should any sites be within or in close proximity to a Municipal Drinking Water Supply Watershed the Criteria for Pesticide Approvals in or near Municipal Drinking Water Supply Watersheds must be followed.

#### **Aerial Applications**

- i. The Approval Holder(s) shall review all treatment areas with the pilot to ensure the pilot is familiar with the spray site, buffer zones, other sensitive areas, and the treatment site boundaries. When a global positioning system is not being used to guide the application in the spray blocks the Approval Holder must accompany the pilot on an aerial pre-spray inspection of the treatment site(s).
- j. The aerial applicator must fly over the treatment area immediately before beginning the application to ensure that there are no unauthorized people in the vicinity of the target area.
- k. Notify the Department in writing at least 48 hours before work is undertaken, if ground means is used to apply the herbicide on aerial sites.
- l. GPS data shall be recorded during aerial spraying, unless otherwise approved by the Department. All data recorded shall be kept by the Approval Holder for a period of two years following completion of the spray program. All GPS data recorded by the Approval Holder shall be made available to the Department in a suitable manner and format, upon request.

#### **4. Notification**

- a. Notify the Department at least two working days prior to spray commencement so

that arrangements can be made to monitor the program. Continue to keep the Department up to date with the progress of the program as per a mutually acceptable arrangement.

- b. Post access to all sites with signs approved by this Department no less than 30 days prior to pesticide application. Provide space on the signs for coloured fluorescent decals which shall be applied when the program commences. All signs must display the following wording "There is to be no consumption of berries and fruit within this spray site(s) for the remainder of the growing season". Do not remove signs during the growing season. Remove all signs by November 1, 2018.
- c. Deliver a written notice to the owner or occupier of all structures (e.g. dwellings, businesses, schools, public buildings or other structures designated by an administrator) located within 500 m of the treatment site. Deliver written notices at least 30 days prior to applying pesticide.
- d. Publish newspaper advertisements acceptable to a Department Administrator outlining the spray program at least 20 days before spraying commences. Forward to the Department proof that the media notice has been published prior to program commencement.
- e. The Applicant(s) 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.