

Our File Number: 35200-30-097651

August 31, 2016

Sean Power
J. D. Irving Limited
529 Valleydale Rd
Valley, NS
B6L 2Y2

Dear Mr. Power:

RE: Pesticide Approval - Approval No. 2016-097651

Your pesticide application, Approval Number 2016-097651, has received Ministerial Approval for 2016.

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 Carrie Miller, Central Region, Truro Office at (902) 893-5880.

Yours truly,



Paula Putnam
District Manager

Eimas #: 2016-097651

APPROVAL
NOVA SCOTIA ENVIRONMENT ACT
PESTICIDE REGULATIONS

Pesticide

J. D. Irving Limited
529 Valleydale Rd

Valley, NS
B6L 2Y2

is/are hereby granted permission to undertake work in accordance with the terms and conditions stated on this Approval and subject to the conditions and restrictions contained in the *Nova Scotia Environment Act* and the *Pesticide Regulations* under that Act.

CONTACT: Sean Power
Phone (902) 902-890-4820

PURPOSE: hardwood control

APPLICATOR: Vision Air

APPLICATION METHOD: Aerial

PESTICIDE:

PRODUCTS	PCP NO.	APPLICATION RATE
Weedmaster	29009	As per label directions

SUMMARY:

TOTAL AREA	NO. SITES	COUNTY
359.62	12	Cumberland

SITE NUMBER	NO. OF HECTARES	SITE LOCATION	COUNTY	APPROVED
1	21.4	Westchester	Cumberland	Yes
2	10.2	Rose Bay	Cumberland	Yes
3	34.6	Atkinson	Cumberland	Yes
4	35.4	Millvale	Cumberland	Yes
5	28.2	Springhill Junction	Cumberland	Yes
6	78.2	Springhill Junction	Cumberland	Yes
7	24.2	Springhill Junction	Cumberland	Yes
8	27.8	Athol	Cumberland	Yes
9	47.6	Etter Road	Cumberland	Yes
10	12.9	South Brook	Cumberland	Yes
11	33.2	Gilbert Mountain	Cumberland	Yes
12	5.92	Pigeon Hill	Cumberland	Yes

TERMS & CONDITIONS

General

1. Adhere to the ***Nova Scotia Environment Act and Pesticide Regulations*** administered by Nova Scotia Environment.
2. Ensure that all applicators/business operators are certified according to the Regulations.
3. Adhere to all pertinent information outlined on the product labels.
4. Strictly adhere to the terms and conditions of this Approval. Make all requests for changes or additions in writing to the Central Region, Truro Office.
5. 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.

6. 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.
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 **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. Return Daily Reports to the Central Region, Truro Office no later than one month after the Program completion.
11. Ensure all non-returnable plastic pesticide containers are properly cleaned, rinsed, and taken to a recycling depot.
12. 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**.
13. Provide Department staff with full cooperation during the execution of their duties associated with this program.
14. If this work is being undertaken on land owned by a person other than the Approval Holder; written authorization to treat the property from the landowner must be forwarded to the Central Region, Truro before the work is undertaken. If this written authorization was submitted at the time of application for approval; it is not necessary to resubmit.

Notification

15. Notify the Department's Central Region, Truro Office at least two working days prior to spray commencement so that arrangements can be made to monitor the program. Continue to keep the Central Region, Truro Office up to date with the progress of the Program as per a mutually acceptable arrangement.
16. 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, 2016.**
17. Deliver a **written notice** to the owner or occupier of all structures (eg. 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.**
18. Publish newspaper advertisements acceptable to an NSE Administrator outlining the spray program **at least 20 days before spraying commences**. Forward to Nova Scotia Environment, Central Region, Truro Office, proof that the media notice has been published prior to program commencement.
19. 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

20. Protect all surface watercourses which are not located in Municipal potable water supply watersheds with **30 m buffer zones**.
21. Do not apply pesticide within **60 m** (measured horizontally) of a well or other source of domestic water.
22. Use extreme caution when applying pesticide near wetlands to ensure that an adequate buffer zone is maintained.
23. 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 are exempt.

24. 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.
25. 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.
26. Ensure the boundaries and buffer zones are clearly defined.
27. The Criteria for Pesticide Approvals in or near Municipal Drinking Water Supply Watersheds must be followed should a site be within a Municipal Drinking Water Supply Watershed.
28. Should any sites be within watersheds designated under Section 106 of the *Environment Act*, the Designation Regulations must be adhered to.

Terms and Conditions for Aerial Applications

29. The Approval Holder 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.
30. When a global positioning system (GPS) 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).
31. 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 the 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.
32. 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.
33. Notify the Central Region, Truro Office of this Department in writing at least 48 hours before work is undertaken, if ground means is used to apply the herbicide on aerial sites.

Failure to adhere to approval terms and conditions and guidelines constitutes an offense under the *Nova Scotia Environment Act*. Such offenses are liable for prosecution under the *Nova Scotia Environment Act*.

APPROVED:

December 31, 2016
Expiry Date

Paula Putnam
Paula Putnam, Administrator

August 31, 2016
Date Approved