

APPROVAL

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

APPROVAL HOLDER: ASPLUNDH CANADA ULC

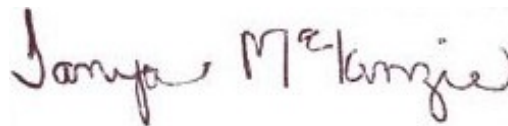
SITE PID: 10110245, 10110252, 10110278, 10110286, 20152351,
35129311, 35129345, 35206648, 50177344, 50308162,
50321728, 50328517, 65191256, 65191363, 65191389,
65191553, 65191579, 65191744, 65192130, 75201129,
75201434

APPROVAL NO: 2023-3361233-00

EXPIRY DATE: August 10, 2033

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 - Utility Corridor



Administrator: Tanya MacKenzie

Effective Date: August 10, 2023

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 Department of Environment and Climate Change

Approval Holder: ASPLUNDH CANADA ULC

Project: Site no 1: Hopewell sub from mile 2.0 to 15.7, Site no 2: Hopewell sub: mile 15.7 to 36.75, Site no 3: Hopewell sub mile 36.75 to 52.50, Site no 4: Hopewell sub from mile 52.50 to 84.00, Site no 5: Hopewell sub from mile 84 to 116 Havre Boucher yard, Site no 6: Sydney sub mile 0 to 2, Site no 7: Sydney sub from mile 2 to 17.4

Site:

PID	Civic #	Street Name	Street Type	Community	County
10110245					
10110252	155	SUMMERSIDE	RD.	HEATHERTON	ANTIGONISH COUNTY
10110278					
10110286					
20152351	42	GREENFIELD	RD.	MURRAY SIDING	COLCHESTER COUNTY
35129311					
35129345	13455	HIGHWAY 104	HWY.	AULDS COVE	GUYSBOROUGH COUNTY
35206648				AULDS COVE	GUYSBOROUGH COUNTY
50177344					
50308162	4	MACSWEEN	ST.	PORT HAWKESBURY	INVERNESS COUNTY
50321728					
50328517	3	HIGHWAY 104	HWY.	PORT HASTINGS	INVERNESS COUNTY
65191256	116	BIG COVE	RD.	SUTHERLANDS RIVER	PICTOU COUNTY
65191363	19	MILL	RD.	BARNEYS RIVER STATION	PICTOU COUNTY
65191389	1362	GAIRLOCH	RD.	LANSDOWNE STATION	PICTOU COUNTY
65191553	3655	GRANTON ABERCROMBIE	RD.	MOUNT WILLIAM	PICTOU COUNTY
65191579	2300	GRANTON ABERCROMBIE	RD.	ABERCROMBIE	PICTOU COUNTY
65191744				WEST RIVER STATION	PICTOU COUNTY

65192130	TRENTON	PICTOU COUNTY
75201129	PORT HAWKESBURY	INVERNESS COUNTY
75201434	ST. PETERS JUNCTION	RICHMOND COUNTY

Approval No: 2023-3361233-00
File No: 35200-30-AMH-2023-3361233

Reference Documents

- Application submitted June 5, 2023 and attachments.

1. Definitions

- a. Act means Environment Act. 1994-95, c.1, s.1, and includes, unless the context otherwise requires, the regulations made pursuant to the Act, as amended from time to time.
- b. Department means the Nova Scotia Department of Environment and Climate Change, and the contact for the Department for this approval is:
 Nova Scotia Department of Environment and Climate Change
 Central Region, Amherst Office
 71 East Victoria St.
 Amherst, Nova Scotia B4H 1X7

 Phone: (902) 667-6205
 Fax: (902) 667-6214
- c. Minister means the Minister of Environment and Climate Change and includes any person delegated the authority of the Minister.
- d. Site means a place where a designated activity and/or undertaking is occurring or may occur.
- e. Surface Watercourse means a watercourse as defined in the Environment Act, excluding groundwater.

2. Scope

- a. This Approval (the "Approval") relates to the Approval Holder(s) and their application and all documentation submitted to the Department prior to the issuance of this approval for the Application of Pesticide situated at or near Site no 3: Hopewell sub mile 36.75 to 52.50, Site no 1: Hopewell sub from mile 2.0 to 15.7, Site no 2: Hopewell sub: mile 15.7 to 36.75, Site no 4: Hopewell sub fro

mile 52.50 to 84.00, Site no 5: Hopewell sub from mile 84 to 116 Havre Boucher yard, Site no 6: Sydney sub mile 0 to 2, Site no 7: Sydney sub from mile 2 to 17.4.

- b. The Approval Holder(s) shall ensure the designated activity is carried out in accordance with this Approval and reference documents, including the application and supporting documentation.

3. General

- a. The Approval Holder(s) shall conduct the Designated Activity in accordance with the following provisions:
 - i. The Act, as amended from time to time;
 - ii. Any standard adopted by the Department, as amended from time to time.
- b. Nothing in this Approval relieves the Approval Holder(s) of the responsibility for obtaining and paying for all licenses, permits, approvals or authorizations necessary for carrying out the work authorized to be performed by this Approval which may be required by municipal by-laws, provincial or federal legislation, or other organizations. The Minister does not warrant that such licenses, permits, approvals or other authorizations will be issued.
- c. If there is a discrepancy between the reference documents and the terms and conditions of this Approval, the terms and conditions of this Approval shall apply.
- d. Upon any changes to the Registry of Joint Stock Companies information, the Approval Holder(s) shall provide a copy to the Department within five (5) business days.
- e. The Approval Holder(s) shall ensure that this Approval, or a copy, is present at the treatment site or loading/mixing site when the spray program is occurring and that personnel directly involved in the designated activity are made fully aware of the terms and conditions which pertain to this Approval.
- f. 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 shall 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.

4. Operation

- a. Pesticides shall be applied between June 15, and December 31 of each year.
- b. When using the Radiarc sprayer, a single swath along all boundaries and buffer zones shall 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.
- c. When the application of a pesticide is underway, wind speed shall be checked at 30 minute intervals during ground application.

- d. 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 shall cease. It will require 2 consecutive acceptable readings 10 minutes apart to restart the application.
- e. Records shall be maintained of the time and results of all wind speed readings taken.
- f. Equipment and supplies at mixing/loading sites shall be stored and maintained to prevent an adverse effect from a uncontrolled pesticide release.
- g. Pesticide shall not be applied within 30m of any surface watercourse which is not located in a Municipal Drinking Water Supply Watershed or Watershed Designated under Section 106 of the Act.
- h. For any sites within watersheds designated under Section 106 of the Act, the Designation Regulations for that protected area must be followed.
- i. Pesticide shall not be applied within 60 m (measured horizontally) of a well or other source of domestic water.
- j. Pesticide shall not be applied within 15 m (measured horizontally) of a Wetland.
- k. For any sites within a Municipal Drinking Water Supply Watershed the "Criteria for Pesticide Approvals in or near Municipal Drinking Water Supply Watersheds" must be followed.
- l. Pesticide shall not be applied within 30 m of dwellings, businesses, schools, public buildings or other structures designated by the Department, during ground spraying. Dwellings or businesses owned by the Approval Holder(s) are exempt.
- m. Pesticide shall not be applied within 15m of agricultural areas, including, but not limited to hay fields, grain fields, blueberry fields, commercial and domestic vegetable gardens, or other sensitive terrestrial areas.
- n. Pesticide shall not be applied within 10 m of any treatment site boundary that is also a property boundary. This buffer may be waived with written permission from the adjacent property owner.
- o. If the buffer zone indicated on the manufacturer's product label is greater than the buffer zones indicated in this Approval, the distance on the manufacturer's product label shall apply.

5. Notification

- a. The Approval Holder(s) shall notify the Department at least 48 hours, but not more than 7 days, prior to commencement of the spray program.
- b. Once the spray program commences, the Approval Holder(s) shall keep the Department up to date with the progress of the spray program each day the

spray program occurs as per an arrangement deemed acceptable by the Department.

- c. The Approval Holder(s) shall publish newspaper advertisements outlining the spray program in accordance with Schedule B of this approval. The Approval Holder(s) shall forward to the Department proof that the media notice has been published in accordance with Schedule B of this approval prior to program commencement.
- d. 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.
- e. The Approval Holder(s) shall have a toll free number set up to keep members of the public up to date with the progress of the spray program each day the spray program occurs. The toll-free number shall be published in the newspaper advertisements required in this approval and shall be provided to the Department.

6. Contingency Plan

- a. The Approval Holder(s) shall adhere to the contingency plan on file with the Department during an uncontrolled release or other emergency involving pesticides. A copy of the plan shall be at the treatment site or mixing/loading area at all times when the work is being undertaken.
- b. The Approval Holder(s) shall ensure that the Contingency Plan is reviewed and updated whenever equipment or products change. The Contingency Plan is to be dated to reflect the most recent update.
- c. A copy of the Contingency Plan is to be maintained on Site at all times and is to be available for review immediately upon request by the Department.
- d. The Approval Holder(s) shall ensure that all employees are trained in accordance with the contingency plan and shall keep a record of training at the facility for a minimum period of five (5) years.
- e. The Approval Holder(s) shall ensure that all necessary materials and equipment are available at all times to respond to emergencies in accordance with the Facility's Contingency Plan.

7. Reporting

- a. The Approval Holder(s) shall prepare and submit an annual report to the Department no later than one month after the completion of the spray program. The report shall contain the following information:
 - i. all wind speeds taken;
 - ii. contingency plan training records; and

iii. a summary of any complaints received and the actions taken to address the complaint.

SCHEDULE B - NOTIFICATION REQUIREMENTS FOR PESTICIDE SPRAYING

I. NOTIFICATION

a. Newspaper Advertisement

- The Approval Holder must publish a Newspaper Advertisement in English and French in the local newspapers digitally and delivered with flyers outlining the spray program at least 20 days before spray commences.
- The Approval Holder must forward proof that the media notice has been published. Table 3 -Media Notice must be provided to the Department at least 20 days prior to spray commencement.

Table 3 - Media Notice

Date Advertisement Published	Name of Newspaper

- Newspaper advertisement must include, at minimum, the following information in Table 4 - Newspaper Advertisement at least 20 days before spraying commences.

Table 4 - Newspaper Advertisement

Vegetation Management Notification

« *Company Name* » has applied for a pesticide approval from Nova Scotia Environment and Climate Change. Approval # « *2023-XXXXXX (if known)* »

A total of approximately « *# of* » hectares have been submitted for treatment in the following Counties: « *List of the Counties* ». For detailed site information go to [Pesticide Applications Approvals | Pests and Pesticides \(novascotia.ca\)](#)

« *Reason for program* » *ex* : Vegetation management is used to promote the survival and growth of young or naturally occurring conifer seedlings. The project is undertaken at the request of and full consent of private woodlot owners.

The program will involve the « *aerial/ground* » application of « *product name* » which is registered by the Pest Management Regulatory Agency of Health Canada under the Pest Control Act and regulated by the Nova Scotia Environment Act 1995.

This program is scheduled to be conducted between « *Start date* » and « *End date* ». Further Information is available from:

« *Company Name, Address, and toll-free number* »

Avis sur la gestion de la végétation

« Nom de l'entreprise » a soumis une demande pour approbation de la gestion du pesticide au ministère de l'Environnement et du Changement climatique.

N° d'approbation « 2023-XXXXXX (s'il est connu) »

Un nombre total d'environ « nombre » hectares a subi un traitement dans les comtés suivants : « liste des comtés ». Pour de l'information détaillée sur le site, consultez [Pesticide Applications Approvals | Pests and Pesticides \(novascotia.ca\)](#)

« Raison du programme » ex : On a recours à la gestion de la végétation pour favoriser la survie et la croissance des semis de conifères jeunes ou naturellement présents. Le projet est entrepris à la demande des propriétaires de boisés privés et avec leur plein accord.

Le programme comprendra l'application « aérienne/au sol » de « nom du produit », qui est inscrit par l'Agence de réglementation de la lutte antiparasitaire de Santé Canada en vertu de la Loi sur les produits antiparasitaires et régi par la loi sur l'environnement (*Environment Act 1995*) de la Nouvelle-Écosse.

On planifie mettre en œuvre ce programme entre le « date de début » et le « date de fin ».

Pour plus d'information, communiquez avec :

« nom de l'entreprise, adresse et numéro de téléphone sans frais »