

## REQUEST FOR PERMIT TO CONDUCT RIGHTS-OF-WAY SPRAYING

Request is hereby made, pursuant to Title 6 V.S.A., Chapter 87, and the regulations issued pursuant thereto, for an approved permit to conduct spraying on rights-of-way within the State of Vermont.

### A. General Information

1. Title of Organization: **New England Central Railroad**
2. Address: **2 Federal Street, Suite 201  
St. Albans, VT 05478**
3. Telephone Number: **802-434-2989 (Grover Engineering)**
4. Contact Person: **Dean A. Grover, P.E., Grover Engineering PC  
2044 Main Road, Huntington, VT 05462**

### 5. Type of Right-of-Way:

- ☐ a. Electric Power Transmission Line
- ☐ b. Electric Power Distribution Line
- ☐ c. Telephone Line
- ☐ d. Highway
- ☐ e. Pipeline (Specify: Gas, Soil, Water)
- ☒ f. Railroad
- ☐ g. Airport Approaches and Safety Zones
- ☐ h. Other - Describe

### 6. Type of Treatment

- ☐ a. Selective Basal
- ☐ b. Stump Treatment
- ☐ c. Dormant Cane (Broadcast Basal)
- ☒ d. Soil Applications (Soil Sterilant)
- ☐ e. Ground Broadcast Stem-Foliage
- ☐ f. Stem Injection (Frill Treatment)
- ☐ g. Other - Describe:

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## 7. Railroad Right-of-Way Treatment

- X    a.    Ballast  
\_\_\_\_    b.    Shoulder

## B. Site Specific Information

1. List Towns where Treatment will be Made:

**Putney, Dummerston, Brattleboro, Vernon, Alburgh, Swanton, St. Albans, Georgia, Jericho, Williston, Milton, Colchester, Essex Junction, Winooski, Burlington, Richmond, Bolton, Duxbury, Waterbury, Middlesex, Montpelier, Berlin, Northfield, Roxbury, Granville, Braintree, Randolph, Bethel, Royalton, Sharon, Hartford, Hartland, Windsor, Rockingham, Bellows Falls, Westminster.**

- |    |  |                         |
|----|--|-------------------------|
| 2. | Total Acreage to be Treated                    | Total Acres: <b>600</b> |
|    | Ground Application                             | Acres: <b>600</b>       |
| 3. | Width of Right-of-Way                          | Feet: <b>25 to 160</b>  |
| 4. | Width of Area In Right-of-Way to be Treated    | Feet: <b>20</b>         |
| 5. | Anticipated Starting Date: <b>May 13, 2013</b> |                         |

### C. Special Needs - Treatment Within Buffer Strips

1. Specific Areas where Application is to be Made:

- **Spray a 20-foot pattern when applying first application formulations.**
- **Spray around signal cases, masts, mileposts, whistle posts and grade crossings.**
- **Spray wider than 20-feet between tracks in rail yards.**
- **Spray around stored materials.**
- **Spray up to 2-feet from waters edge.**

2. Type of Vegetation to be Controlled:

## Weeds and Grasses and Broadleaves

3. Pesticide(s) to be Applied (List Here and in Section E):

## Glyphosate

4. Rate of Application (**List Here and in Section E**):

**53.8% Glyphosate – 2 quarts per acre**

5. Application Technique to be Implemented:

**Spot application.**

6. Application Equipment to be Used:

**Hi-Rail truck with nozzles on fixed booms 18-inches above rails.**

7. Explain how this Request will Protect Sensitive Areas, Sensitive Crops, Site Conditions, Wells, etc.:

**Sensitive areas identified in the field will be flagged prior to spraying. We request that the requirement to wait 30 days or one inch of rain has fallen to be waived for Rodeo/Aquaneat application and that ballast work be permitted after 5 days.**

**D. Contractor Information**

1. Contractor's Name: **Brian S. Chateauvert**
2. Company Name: **RWC, Inc.**
3. Company Address: **P.O. Box 876, Westfield, MA 01086**
4. Current Vermont Applicator Certificate Number: **75-A**
5. Company Telephone Number: **413-562-5681**

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**E. Control Details**

Pesticides to be used and rates to be applied. If more than one chemical is listed, a summary of the uses intended for each chemical must be provided. The summary should state whether the chemical will be mixed or applied separately, specifying which chemicals will control what types of vegetation. (Please Note: A copy of a label, MSDS sheet and EPA Fact Sheet [if available] must be supplied for each chemical to be used.)

<b>Trade Name</b>	<b>Common Name of Active Ingredient(s)</b>	<b>EPA Reg. Number</b>	<b>Applic. Rate Product/Acre</b>	<b>Vegetation to Be Controlled</b>	<b>Type of Application and Equipment to be Used</b>
Aquaneat	53.8% Glyphosate	228-365	1qt/acre	Weeds, Grass, Broadleaves	Highrail truck with fixed boom 18" above rails
Esplanade 200 SC	Indaziflam	432-1516	3.5 ozs/acre	Weeds, Grass, Broadleaves	Same as above
Streamline	Aminocyclopyrachlon & Metsulfuron Methyl	352-848	4 ozs/acre	Weeds, Grass, Broadleaves	Same as above
Oust XP	Sulfometuron Methyl	352-601	3ozs/acre	Weeds, Grass, Broadleaves	Aquaneat, Esplanade 200 SC, Streamline, Oust XP to be mixed in 30/40 gallons of water per acre
<b>OR</b>					
Aquaneat	53.8% Glyphosate	228-365	1qt/acre	Weeds, Grass, Broadleaves	Highrail truck with fixed boom 18" above rails
Esplanade 200 SC	Indaziflam	432-1516	5ozs/acre	Weeds, Grass, Broadleaves	Same as above
Escort XP	Metsulfuron Methyl	352-439	1oz/acre	Weeds, Grass, Broadleaves	Same as above
Oust XP	Sulfometuron Methyl	352-601	3ozs/acre	Weeds, Grass, Broadleaves	Aquaneat, Esplanade 200 SC, Escort XP, Oust XP to be mixed in 30/40 gallons of water per acre
<b>*Rodeo</b>	53.8% Glyphosate	62719-324	2qts/acre	Weeds & Grass	Highrail truck with fixed boom 18" above rails
<b>OR</b>					
*Aquaneat	53.8% Glyphosate	228-3654581	2qts/acre	Weeds & Grass	Glyphosate to be mixed in 30/40 gallons of water per acre

\* Please Note: A drift agent "More" will be added to all formulations to reduce the chance of drift to non-targeted areas and the post-emergent treatments in addition to "More" will have an adjuvant "Incite 80" added to allow for better intake of the herbicide by the plant. Both products are manufactured by Exacto Chemical Company.

F. Methods of Notification

1. List the Newspapers in which you will Advertise this Application to Comply with Section IV, 4.b., of the Vermont Regulations for Control of Pesticides.

**Burlington Free Press, Barre Times Argus, Eagle Times, St. Albans Daily Messenger, Brattleboro Reformer, Bellows Falls Town Crier (or other newspapers providing approximately equal coverage).**

2. Please Indicate Other Notification Option Chosen to Comply with Section IV, 4.c, of the Vermont Regulations for Control of Pesticides.

**Radio Announcements: WCVR, WSSH, WEZF, WRSA, WSKI, WKVT, WDEV (or other stations providing approximately equal coverage).**

G. Other Information to Be Submitted With Application

1. Two (2) Sets of Geodetic (in 7.5 minute scale) or Orthophoto Maps indicating the Right-of-Way to be Treated. (Only one set of maps is needed if maps have been previously submitted and revisions have not been made.)

**Previously submitted (see file).**

2. Current Labeling for each Pesticide to be Used.

**Previously submitted by Brian Chateauvert**

3. Current Material Safety Data Sheet (MSDS) for each Pesticide to be used.

**Previously submitted by Brian Chateauvert**

4. Current Environmental Protection Agency Pesticide Fact Sheet (if available).

The undersigned accepts full responsibility for all statutes and regulations of the State of Vermont and understands that any authorization is limited to the described materials, locations and time periods stated herein.

The undersigned further understands that weekly spray and dusting operations must be reported to the Vermont Agency of Agriculture. Such written report shall be on forms furnished by the Secretary of Agriculture and placed in the mail not later than the close of business on the Monday following the week's operation.

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Date

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Signature of Applicant

(NOTE: Additional sheets may be attached to include further information.)

Attachment: Public Well Locations

LAT	LONG	WSID	System_Name	System_Type	System_Status	Population	Facility_NAME	Facility_J
43.823283		-72.564544	FOX STAND INN	NC	I	77	PRIVATE DRIVEN	WL001
44.424698		-73.013436	KITCHEN TABLE BISTRO	NC	A	2	PRIVATE DRILLED	WL001
42.962742		-72.521378	PUTNEY PAPER CONVERTING PLANT	NTNC	I	100	WELL	WL001
43.823250		-72.593849	CLIFFORD OF VERMONT	NTNC	A	37	WELL	WL001
44.424654		-73.013524	KITCHEN TABLE BISTRO	NP	I	0	PRIVATE DRILLED	WL001
44.295611		-72.682611	STRIDER DEVELOPMENT, LLC	NC	A	117	WELL #1	WL001
44.491861		-73.210166	MCNEIL GENERATING STATION	NP	A	0	WELL #2	WL002
43.085560		-72.438620	WESTMINSTER IRVING/CIRCLE K	NC	A	32	WELL #1	WL001

Derived from the Vermont Agency of Natural Resources Natural Resources Atlas, using the Railroad Well Finder, 3/26/2013

**ATTENTION: LEGAL ADVERTISING DEPARTMENT**

Please advertise the following ad in the legal section of your newspaper on Thursday April 11, 2012 and Thursday April 18, 2013. Ad to be at least two (2) columns wide by three (3) inches high and to read as follows:

(Ad must appear on Thursdays.)

**NOTICE OF INTENT TO APPLY HERBICIDES**

The New England Central Railroad will spray its right-of-way for weed control, using track mounted highrail truck sprayer with a spray pattern of sixteen (16) feet, measured eight (8) feet each side of centerline of track and an additional two (2) feet on each side of track as needed, totaling 20 feet. Selected public crossing quadrants will be sprayed to a width not exceeding the property line of the railroad. New England Central Railroad's right-of-way passes through the following townships in the State of Vermont:

Alburl, Swanton, St. Albans, Georgia, Jericho, Williston, Milton, Colchester, Essex Jct., Winooski, Burlington, Richmond, Bolton, Duxbury, Waterbury, Middlesex, Montpelier, Berlin, Northfield, Roxbury, Granville, Braintree, Randolph, Bethel, Royalton, Sharon, Hartford, Hartland, Windsor, Rockingham, Bellows Falls, Westminster, Putney, Dummerston, Brattleboro, and Vernon.

Spraying will take place on or about May 13, 2013.

A request for permission to use herbicides has been submitted to the State of Vermont Commissioner of Agriculture.

The following herbicides will be applied in liquid form: Aquaneat, Esplanade, Streamline, Oust XP, Escort XP, Rodeo.

Landowners along the right-of-way who have private water supplies or other sensitive areas should contact Grover Engineering, Huntington, Vermont, at (802) 434-2989.

For further information or complaints, contact the Vermont Department of Agriculture, 116 State Street, Montpelier, VT, phone (802) 828-2431.

## **ATTENTION: RADIO ADVERTISING DEPARTMENT**

Please advertise the NOTICE OF INTENT TO APPLY HERBICIDES on your radio station in three spot messages per day on two consecutive days between April 29, 2013 and May 13, 2013:

### **NOTICE OF INTENT TO APPLY HERBICIDES**

The New England Central Railroad will spray its right-of-way for weed control, using a track mounted truck sprayer with a spray pattern totaling 20 feet. NECR's railway passes through the following towns in the listening area:

Putney, Dummerston, Brattleboro, Vernon, Alburgh, Swanton, St. Albans, Georgia, Jericho, Williston, Milton, Colchester, Essex Junction, Winooski, Burlington, Richmond, Bolton, Duxbury, Waterbury, Middlesex, Montpelier, Berlin, Northfield, Roxbury, Granville, Braintree, Randolph, Bethel, Royalton, Sharon, Hartford, Hartland, Windsor, Rockingham, Bellows Falls, Westminster

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