



PERMIT TO CONDUCT RIGHTS-OF-WAY HERBICIDE TREATMENT

Applicant: TransCanada Hydro Northeast
2 Killeen St,
North Walpole, NH 03609

Permit number: ROW #2006-4

1. This permit authorizes the use of herbicides in the power line rights-of-way maintenance and Penstock vegetation management, during the calendar year 2006 in the following towns: Searsburg, Whitingham, and Readsboro. This permit in no way authorizes the applicant to use herbicides on land where it has no lawful right to do so.
2. The following herbicides may be applied at the rates specified:
 - a. Accord Concentrate, E.P.A. registration number 62719-324 at an application rate not to exceed sixteen (2) gallons per acre, and in accordance with label directions.
 - d. Escort XP, E.P.A. registration number 352-439, at an application rate not to exceed two (2) ounces per acre, and in accordance with label directions.
3. At least one certified applicator shall be a member of each crew using herbicides.
4. The applicant shall contact the Vermont Agency of Agriculture, Food and Markets at (802) 828-2431 twenty four (24) hours prior to the commencement of herbicide application, and shall provide the location of spray initiation and the names and certificate numbers of the certified applicators who will be applying herbicides.
5. This permit shall not be initiated prior to May 1, 2005.
6. Copies and dates of all public notification shall be submitted to this office prior to spraying.
7. Copies of newspaper tear sheets or invoices and radio station invoices for public notification shall be provided to the Agency as proof the notification occurred.
8. Herbicides shall not enter the waters of the State. Cut stump herbicide applications of Accord may be made up to ten (10) feet from waters of the state. All other herbicide applications shall not be applied within 30 feet of waters of the state.
9. Public and private water supplies are to be avoided. Herbicides shall not be applied within 200 feet of public water supplies or within 100 feet of private water supplies. For drinking water sources supplied by surface water the no spray buffer shall extend from the shoreline of lakes or ponds. At the point where the right of way intersects other surface waters within the source protection area the buffer shall be 100 feet.

10. Spray reports shall be submitted by the utility or herbicide applicator to the Agency on a weekly basis.
11. A copy of this permit, the permit application, and a set of maps noting both public and private water supplies shall be provided to the applicator for use during herbicide application.
12. No foliar application of herbicide will take place within 100 feet of domiciles.
13. All label requirements for protective clothing shall be adhered to.
14. All-terrain vehicles (ATVs) may be used to apply the herbicides within the right-of-way provided that easements or other covenants do not prohibit the use of such equipment. ATVs shall be equipped with a spill kit capable of containing 125% of the combined storage total of the pesticide stored on the ATV.
15. All herbicides shall be used in accordance with the representations made by the applicant in its permit application, permit review and in these permit conditions unless, and until, the permit is amended.
16. The secretary reserves the right to further limit or restrict the application of herbicides approved under this permit as conditions or circumstances require.
17. A current vegetation management plan shall be submitted to the Secretary of the Agency of Natural Resources as required by Wetland Rules if not so previously done.

This application was reviewed by the Vermont Pesticide Advisory Council on April 11, 2006 and was forwarded with recommendations to the Secretary.

DATED: April 17, 2006



S.R.Kerr, Secretary
Vermont Department of Agriculture, Food & Markets

116 STATE STREET
DRAWER 20
MONTPELIER VT 05620-2901

