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, Oil, Water)
X 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)
X d. Soil Applications (Soil Sterilant)
___ e. Ground Broadcast Stem-Foliage
___ f. Stem Injection (Frill Treatment)
___ g. Other - Describe:

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: **600**

   Ground Application — Acres: **600**

3. Width of Right-of-Way — Feet: **25 to 160**

4. Width of Area In Right-of-Way to be Treated — Feet: **20**

5. Anticipated Starting Date: **May 2, 2016**

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 15 -feet from waters edge.**

2. Type of Vegetation to be Controlled:

   No treatment within 15-foot buffer strips

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

   No treatment within 15-foot buffer strips

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

   No treatment within 15-foot buffer strips

5. Application Technique to be Implemented:

   No treatment within 15-foot buffer strips

6. Application Equipment to be Used:

   No treatment within 15-foot buffer strips

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 glyphosate application and that ballast work be permitted after 5 days.

   No application is proposed within 15-feet of surface waters.

D. Contractor Information

1. Contractor's Name: **Don Weimann**

2. Company Name: **Asplundh the Tree Expert Co Railroad Div.**

3. Company Address: **720 County Road 400, Ironton, OH 45638**

4. Current Vermont Applicator Certificate Number: **1499-4801**

5. Company Telephone Number: **740-532-7035**

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.)

Trade Name	Common Name of Active Ingredient(s)	EPA Reg. Number	Applic. Rate Product/Acre	Vegetation to Be Controlled	Type of Application and Equipment to be Used
Razer Pro	41% Glyphosate	228-366	3 pt/acre	Weeds, Grass, Broadleaves	Highrail truck with fixed boom 18" above rails
Method 240SL	25% Aminocyclopyrachlor	352-786	6 oz/acre	Weeds, Grass, Broadleaves	Same as above
Esplanade 200 SC	19% Indaziflam	432-1516	4 oz/acre	Weeds, Grass, Broadleaves	Same as above Formulations will be mixed in 30 to 40 gallons of water per acre.

Please Note: A drift agent "41-A " manufactured by Sanag will be added at a rate of 2 oz/acre to all formulations to reduce the chance of drift to non-targeted areas. Formulations will also include "Hot Mes" manufactured by Drexel, at a rate of 2 oz/acre, which includes a surfactant/emulsifier blend and mentholated seed oil to improve performance

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.

   Seven Days or the 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: WEZF, WBTZ, WWFY, WXXK, WHDQ, WKVT (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.

2. Current Labeling for each Pesticide to be Used.

   Submitted separately

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

   Submitted separately

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.

3/24/2016
Date

Signature of Applicant

ATTENTION: LEGAL ADVERTISING DEPARTMENT

Please advertise the following ad in the legal section of your newspaper on two consecutive Thursdays between Thursday March 17 and Thursday April 7. 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:

Alburg, 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 2, 2016.
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: Razer Pro, Esplanade 200 SC, Method 240SL

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 16, 2016 and May 1, 2016:

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

Spraying will take place on or about May 1, 2016.

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: Razer Pro, Esplanade 200 SC, Method 240SL

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.

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