



AGENCY OF AGRICULTURE, FOOD & MARKETS
Charles R Ross Jr., Secretary

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PERMIT TO CONDUCT RIGHT-OF-WAY HERBICIDE TREATMENT (Amended)

Applicant: Vermont Agency of Transportation
One National Life Drive
Montpelier, VT 05633

Permit Number: ROW #2016-7

1. This permit authorizes the use of herbicides for brush and stump treatment along the State Highway system and airport transmission lines for airport beacon lights, poison ivy control along the highway system and in state-owned rest areas when required for maintenance activities or when addressing public health or safety issues. This permit is issued for the calendar year 2016. This permit in no way authorizes the applicant to use pesticides on real estate where it has no lawful right to do so.

2. All pesticide applications shall include a spray additive to control drift. The following pesticides may be applied at the rates specified:

- **Krenite S, E.P.A. registration number 42750-247**, at an application rate not to exceed two (2) gallons per acre for brush control and in accordance with label recommendations.
- **Rodeo, E.P.A. registration number 62719-324**, at an application rate not to exceed one (1) gallon per acre for brush control, poison ivy, and guardrail treatments and in accordance with label recommendations.
- **Garlon 4 Ultra, E.P.A. registration number 62719-527** at an application rate not to exceed one and one quarter (1 $\frac{1}{4}$) gallons per acre for brush control and in accordance with label directions.
- **Escort XP, EPA registration number 352-439** or **Escort XP, EPA registration number 432-1549** at an application rate not to exceed one third ounce (1/3) per acre for growth suppression around mile markers and delineators or one and one quarter (1 $\frac{1}{4}$) ounces per acre for poison ivy and brush control.¹
- **Garlon 3A, EPA registration number 62719-37** at an application rate not to exceed two thirds (2/3) gallons per acre for brush control and in accordance with label directions.
- **Oust Extra, EPA registration number 352-622** at an application rate not to exceed four ounces (4) per acre for guardrail treatments and in accordance with label directions.

3. At least one certified applicator shall be a member of each crew applying the pesticide.

4. The applicant shall contact the Vermont Agency of Agriculture, Food and Markets at (802) 828-6531 twenty-four (24) hours prior to commencement of spraying, at which time the certified applicator(s) applying the pesticide(s) and the district where the pesticide(s) is (are) being applied shall be identified.

¹ In June 2015, Bayer bought Escort XP from DuPont. The product formulation has not changed, but EPA registration number has changed to reflect ownership of product. Existing stock of 352-439 or new 432-1549 may be used at permitted rate.

5. This permit shall not be initiated prior to May 16, 2016.
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. Applications applied parallel to water shall have a visible limit of 10 feet from the edge of the water when spraying glyphosate only products and a distance of 15 feet when spraying any mixture containing products other than glyphosate only and a visible limit of 30 feet from the water's edge at water crossings. Backpack sprayer glyphosate applications may be made to within two (2) feet of water around bridge abutments, for the public health reasons when maintenance is expected.
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 pesticide applicator to the Agency of Agriculture 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 pesticide application.
12. All label recommendations and requirements for protective clothing shall be adhered to.
13. All herbicide operations shall be conducted in accordance with the representations made by the applicant in its permit application and in these permit conditions unless, and until, the permit is amended.
14. The Secretary reserves the right to further limit or restrict the application of herbicides approved under this permit as conditions or circumstances require.
15. Applicators shall coordinate one (1) use inspection with an Agency of Agriculture field agent.
16. Treatment for control of invasive plant species, if not necessary to meet the safety and public health needs, are not allowed under this permit.
17. In the event the Permit Applicant sub-contracts or assigns any of the herbicide applications authorized by this permit, the applicant shall continue to remain responsible for assuring compliance with the conditions of this permit. This condition does not relieve any sub-contractor or assignee from compliance with applicable licensing requirements

This application was reviewed by the Vermont Pesticide Advisory Council and was forwarded with recommendations to the Secretary.

DATED: May 13, 2016



Charles R Ross Jr, Secretary
Vermont Agency of Agriculture, Food & Markets

Permit amended 6/3/2016 to reflect EPA registration number change.