



PERMIT TO CONDUCT RIGHT-OF-WAY HERBICIDE TREATMENT

Permit number: ROW_2024_13

Effective April 9, 2024

Office of the Secretary, Anson B. Tebbetts

www.agriculture.vermont.gov

116 State Street • Montpelier, Vermont 05620-2901 • (802) 828-5667 • (802) 828-1410 fax

Permittee: Village of Old Bennington, Monument Ave, Old Bennington, Vermont 05201
[Contact Person: Susan Wright, 802-447-7072]

Permit conditions:

1. The permittee shall contact the Agency of Agriculture, Food and Markets (the Agency), Morgan.Griffith@vermont.gov, one business day prior to initiating this permit.
2. Each application crew, including sub-contractors, working under this permit shall coordinate one use inspection with the Agency, David.Huber@vermont.gov.
3. This permit authorizes the use of pesticides this calendar year for ground broadcast stem and foliar treatments within village right of ways for roadside vegetation control and maintenance activities in village-owned areas, and for other safety and public health concerns in these specific areas. This permit does not allow for treatment to control terrestrial invasive plant species, unless required for operator or worker safety, or public health and/or safety needs. This permit in no way authorizes the applicant to use pesticides on real estate where it has no lawful right to do so.
4. All applications, except when made by manual backpack sprayer, shall include a spray additive to control drift.
5. At least one certified applicator shall be a member of each application crew. All label recommendations and requirements for protective clothing shall be adhered to for all applicators.
6. Proof of public notification as detailed in the permit application shall be provided, upon request, to the Agency as proof that the notification occurred (e.g., copies of newspaper tear sheets, invoices).
7. Pesticides shall not enter the waters of the State. Buffers to water are as follows, unless the product label prescribes a greater buffer:
 - a. Applications made **parallel** to surface water shall have a visible limit of 15 feet from the edge of the water.
 - b. Aquatically labeled glyphosate products may be made up to 10 feet from surface water, as measured from shoreline.
 - c. Applications made at a surface water **crossing** shall have a visible limit of 30 feet from the water's edge.
8. Public and potable (non-public) water sources are to be avoided.
 - a. Applications shall not be made within 200 feet of a public or potable water source, as identified by the Vermont ANR Atlas, through well owner notification to permittee, or identified in the field.
 - i. Buffer can be reduced to within 100 feet of a public non-community groundwater drinking water source.

- ii. Buffer can be reduced to within 100 feet of potable water sources in bedrock or confined surficial aquifers.
9. A copy of this permit and accompanying digital or electronic maps identifying right-of-way boundaries, surface waters, public and potable water sources, and threatened and endangered species habitats shall be provided to the applicator for use during application.
 10. The permittee or the permittee's contracted pesticide applicator shall submit to the Agency routine operational records, as required by the Vermont Rule for Control of Pesticides, on a weekly basis. For the purposes of this permit, a "week" is a seven-day timeframe that begins on a Sunday and ends on a Saturday. The routine operational records are due by close of business on the Monday immediately following the previous week's application. Should the Monday immediately following the previous week's application be a State or Federal holiday, then the routine operational records are due by the close of business on Tuesday.

Records shall be submitted electronically to: Morgan.Griffith@vermont.gov

11. The use of the following pesticides is allowed under this permit:

Product name	Active ingredient	EPA registration number
Garlon 3A	Triclopyr	62719-37
Makaze	Isopropylamine salt of glyphosate	34704-890

12. In the event the permittee sub-contracts or assigns any of the applications authorized by this permit, the permittee shall continue to remain responsible for the conditions of this permit. This condition does not relieve any sub-contractor or assignee from compliance.
13. All operations shall be conducted in accordance with the representations made by the permittee in its permit application under these permit conditions unless, and until, the permit is amended.
14. The Secretary reserves the right to further limit or restrict the application of pesticides approved under this permit as conditions or circumstances warrant.

This application was published for public comment and forwarded with recommendation to the Secretary.

Effective Date April 9, 2024

Expiration Date December 31, 2024

DocuSigned by:

Anson Tebbetts

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Anson B. Tebbetts, Secretary

Agency of Agriculture, Food & Markets