

Document title

Herbicide Usage on Rights-of-Way

Document number

EVC-EDGC-00001

Applies to: CP&L Co. (CPLC) – Energy Delivery

Keywords: environmental; energy delivery

1.0 Purpose/Use

The purpose of this procedure is to describe the actions to be followed when applying herbicides to power line rights-of-way in accordance with Memorandum of Agreement dated June 8, 1998 ("MOA"). Additionally herbicides will be applied in accordance with all applicable environmental and safety regulations.

2.0 Overview

Carolina Power & Light Company's goal is to provide safe, reliable and economical electrical service to all its customers. Power line rights-of-way are managed to control the growth of vegetation, therefore ensuring proper clearance and access. Herbicide use is an essential element of the overall management program.

Forestry Specialists in DE&O and Senior Analysts (Transmission Foresters) in Transmission will be the program administrator for the herbicide program in their Regions/Areas. The program administrator will operate in accordance with all regulatory and contractual requirements and/or agreements.

3.0 Program Administrator Responsibility

The program administrator will employ a combination of control methods for right-of-way vegetation management in a process known as "Integrated Vegetation Management." "IVM" will utilize the best possible combination of mechanical and herbicide control of undesired vegetation on power line rights-of-way. When herbicide control is used for the method of "IVM" the administrator will:

- 3.1 Use established "Best Management Practices" (Attachment 1) in planning herbicide application.
- 3.2 Identify all customers/property owners who have Agreement to Avoid Herbicide Application on CP&L Right-of-Way (FRM-EDGC-00029) (Agreement). Appropriate maps using DIS/structure numbers and directions locating Agreements will be prepared and transmitted to contractors and Substation Maintenance Supervisor in the appropriate Area.

- 3.3 Identify all known rare plant sites that are marked with "Sensitive Area - Do Not Mow" signs or other restricted areas. Appropriate maps using DIS/structure numbers and directions locating such sites will be prepared and transmitted to contractors.
- 3.4 Select qualified contractor on the basis of experience, crew training, quality of work and competitive pricing for herbicide application.
- 3.5 Oversee the herbicide application to ensure compliance with contract provisions and MOA.
- 3.6 Assure that the appropriate internal organizations (operations centers) and community relations personnel have been informed of the herbicide application plans.
- 3.7 Provide a copy of MOA and review with Contractor.

4.0 Contractor Responsibility

The selected contractor will:

- 4.1 Ensure that all crew members are properly trained and working under the supervision of a licensed pesticide operator.
- 4.2 Abide by all terms of the contract.
- 4.3 Honor all customer's Agreements and ensure that crews know the location of properties where agreements exist.
- 4.4 Contact program administrator when contractor receives customer request for Agreement in the field.
- 4.5 Ensure that crews know the location of applicable rare plant sites and any other restricted areas so that no herbicides are applied to these sites.

5.0 Agreement to Avoid Herbicide Application

All customers/property owners have the option to choose non-herbicide methods for controlling vegetation on rights-of-way across their property as provided in the MOA.

For customers/property owners who request non herbicide methods for right-of-way maintenance, the program administrator will:

- 5.1 Contact customer and provide an Agreement for completion and compliance. If a form is not completed, the program administrator should contact the Legal Department to negotiate a mutually satisfactory compromise where possible.

- 5.2 Provide customer with "Cover Letter" (Attachment 2) and "Property Owner Posting Required to Comply with Non-herbicide Use Agreement: (Attachment 3) and non-herbicide use signs (Attachment 4).
- 5.3 Promptly notify contractor of any new "Agreements."
- 5.4 Original Agreements will be filed in the appropriate Region/Area by the program administrator. Copies of Agreements will be sent to contact person in Environmental Services Section (ESS). Agreements will be retained for seven (7) years after expiration date.

6.0 Herbicide Communications Plan

The functional area content of any communications to news media or other outside parties regarding herbicide issues should be coordinated through:

6.1 Primary Contact:

Don Ennis, Energy Delivery Group Environmental Coordinator
Work - 919-546-7323
Home - 910-897-7689
Cellular - 919-612-8477
Pager - 1-800-331-7242 ID# 516097

6.2 Alternate Point of Contact:

Mike McDowell, Northern Region Environmental Coordinator
Work - 919-546-6764
Home - 919-639-1066
Cellular - 919-417-1167
Pager - 1-800-331-7242 ID# 510115

- 6.3 Customer notice, including bill insert and Internet site, will be coordinated by ESS .
Point of Contact: Roberta Blue 919-362-3404

Best Management Practices

Best Management Practices (BMPS) have been prepared to assist in the planning and implementation of ground application programs. They are intended to supplement and not replace the pesticide labels. The practices should be used when the Integrated Vegetation Management control option indicates that herbicide applications are appropriate. The BMPS will ensure that practical measures are being taken to reduce pesticide use and risk in order to meet the objectives of the pesticide stewardship strategy.

1. The following factors should be considered in the planning of any herbicide application:

- Brush species
- Height and density of brush
- Current and adjacent land use
- Label restrictions
- Natural and man-made restrictions

2. The following chart can be used to aid in planning an application program:

<u>Technique</u>	<u>Average Height</u>		<u>Density</u>		
	<u>< 8 ft.</u>	<u>> 8 ft.</u>	<u>Lt.</u>	<u>Med.</u>	<u>Heavy</u>
Low volume foliar	Yes	No	Yes	Yes	No
High volume foliar	No	Yes	No	Yes	Yes
Low volume basal	Yes	Yes	Yes	Yes	No
Cut surface	No	Yes	Yes	Yes	No
Cut stubble	No	Yes	No	Yes	Yes
Mechanical	Yes	Yes	No	Yes	Yes
Granular	Yes	Yes	Yes	Yes	Yes

3. Follow herbicide label directions and any other supplemental label information provided by the manufacturer.

4. Only herbicides registered by the U.S. Environmental Protection Agency and the designated responsible state agency shall be used.

AUTHORIZED COPY

Attachment 1 (continued)

5. Material Safety Data Sheets should be consulted prior to selecting the herbicide(s) for use. Factors such as toxicity, potential health effects, efficacy and cost should be considered for the proposed herbicide(s) to be applied.
6. All herbicide applications shall be performed by certified applicators or under the direct supervision of certified applicators.
7. Selective spray techniques should be used wherever practical so that compatible vegetation is not impacted.
8. Where possible, herbicides should be measured and mixed with diluent prior to transfer to application personnel.
9. Herbicide containers should be returned to manufacturers for recycling or other permitted uses.
10. Transfer of herbicide mixtures should be made directly from shipping containers to holding tank and/or to spray equipment through closed transfer systems, where possible.
11. Minimum operating pressures should be used. Coarse nozzle tips should be used to minimize drift.
12. These special precautions should be observed during periods of inclement weather:
 - No applications should be made in, immediately prior to or immediately following rain.
 - No applications should be made when wind and/or fog conditions are likely to cause drift.
 - No applications should be made when dew is heavy on vegetation.
13. When making applications near water, crops, and/or other restrictions, spray patterns should be directed away from the sensitive area.

<<Date>>

<<First Name>> <<Last Name>>
<<Address>>
<<City>>, <<State>> <<Postal Code>>

Dear <<Mr./Ms.>> <<Last Name>>:

Thank you for your interest in Carolina Power & Light Company's right of way management program. The enclosed document, "Agreement to Avoid Herbicide Application on CP&L Right of Way", should be completed, as instructed, and returned to CP&L at the designated address.

The Agreement requires that the easement on your property be posted, with the appropriate signs, within 35 days after the Agreement has been dated and signed. As soon as the executed document is received by CP&L and the property has been properly posted, CP&L will abide by the terms of the Agreement, for the duration, to provide right of way reclearing, on your property, without the use of herbicides. Please recognize there are continuing obligations you will have to comply with in keeping the Agreement. If you desire to continue the Agreement beyond the current expiration date, you should contact CP&L 30 days prior to the expiration date. A new Agreement will be sent to you at this time.

Carolina Power & Light Company is committed to providing safe, reliable and economical electrical service.. If you have further questions about our management procedures, please call <<Name & Phone number of the forester for the property owner's area>>.

Sincerely yours,

<< Area/Region Forester>>

**Property Owner Posting Required to
Comply with Non-herbicide Use Agreement**

- The property owner is responsible for purchasing the steel posts. The steel posts may be purchased at hardware or home improvement stores.
- Signs restricting the use of herbicides shall be mounted, by the property owner, approximately 2 inches from the top of steel posts that extend at least 6 feet out of the ground.
- Property owner is responsible for installing steel posts at the edge of the CP&L right of way on your property. The total right of way on your property is _____ft. wide, or _____ft. each side of the centerline (middle) of the line.
- Two signs are required; one sign on the outer limits of property owner's property. Additional signs may be required if the easement area is not contiguous.
- The printed side of the signs must be maintained to ensure they face away from your property so that crews will see the sign as they approach your property.
- A three (3) foot radius, around the post, shall continually be cleared and maintained in such a manner that no brush obscures the visibility of the sign or post.



