CONDITIONS FOR USE OF EARTHBIND 100
(REGISTERED TRADEMARK OF ENVIROAD, L.L.C.)
WITH DETERMINATION OF ENVIRONMENTAL COMPATIBILITY BY NEW YORK DEPARTMENT OF ENVIRONMENTAL CONSERVATION IN CONSULTATION WITH THE NEW YORK STATE DEPARTMENT OF HEALTH FOR THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION APPROVED MATERIALS LIST

Applicant: EnviRoad, L.L.C.

GENERAL CONDITIONS

1. EnviRoad, L.L.C. shall ensure that every applicator of Earthbind 100™ is provided a copy of these conditions.

2. These Conditions do not override the need for any applicator to obtain permits (including DEC permits) or approvals that may be required (e.g., use associated with activities in or near regulated wetlands, surface waters, or other regulated natural resources.)

3. Earthbind 100™ shall only be used as stated in these conditions and shall not be mixed with any other chemicals, including petroleum products.

4. No application shall be conducted when the National Weather Service forecasts greater than 25% probability of precipitation in the application area to occur within 24 hours.

5. Applications shall not be conducted when the ground is saturated (due to precipitation or wetting) as defined by visible pools of water at or in the vicinity of the application, in order to prevent movement of Earthbind 100™ beyond the shoulder of the road.

6. Earthbind 100™ must not be applied or handled in a manner that could result in spillage or application within 100 feet of a wetland regulated by New York State, or 50 feet of all other water bodies and bridges.

7. Any spill which could enter the waters of the state shall be reported to the DEC Spills Hotline within two hours (1-800-457-7362.) Any required response (including any needed cleanup) in addition to that being conducted shall then be determined by the DEC regional office.

8. The time of application shall be chosen to take meteorological conditions into account, to avoid significant potential airborne or odor impacts.

9. Prior to application, the Earthbind 100™ Material Safety Data Sheet shall be provided to applicators and others who would come in proximity or contact with the material.
10. Within one week after each application of Earthbind 100™, applicators shall notify DEC of any complaints received as a result of applying the product. Notification shall be made to:

   Mr. Carlos Montes  
   Research Scientist  
   NYS Department of Environmental Conservation  
   625 Broadway, 4th Floor  
   Albany, NY 12233-1750  
   Tel: 518-402-9469

The notification shall include the name, address and phone number of applicator and complaint(s); date, time, and nature of each complaint; and any mitigation measures undertaken by the applicator.