DUST PALLIATIVE
TEMBIND LIGNOSULFONATE GRADE A-002
CONDITIONS FOR USE WITH DETERMINATION OF ENVIRONMENTAL
COMPATIBILITY BY THE NEW YORK STATE DEPARTMENT
OF ENVIRONMENTAL CONSERVATION (DEC)
IN CONSULTATION WITH THE NEW YORK STATE DEPARTMENT OF HEALTH
(DOH)
FOR THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION (DOT)
APPROVED MATERIALS LIST (UNTREATED OR TREATED USE)

Applicant: Ice-Ban, Inc.

GENERAL CONDITIONS

1. Ice-Ban, Inc. shall ensure that every applicator of Tembind Lignosulfonate Grade A-002 (TEMBIND) is provided a copy of these Conditions.

2. These Conditions do not override the need for any applicator to obtain other 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. TEMBIND 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 after the planned application.

5. Applications shall not be made 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 the movement of TEMBIND beyond the shoulder of the road.

6. Containers and vehicles holding TEMBIND shall be covered, closed, and sealed at all times to prevent spillage and leakage in areas not intended for application of the project.

7. TEMBIND shall not be used or handled in a manner that could result in spillage, especially within 100 feet of a wetland regulated by New York State or within 50 feet of all other water bodies and bridges. Examples are loading/unloading of the product or parking of vehicles within those areas. Any spill which could enter the waters of the state shall be reported to the DEC Spill Hotline within 2 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.
SPECIFIC CONDITIONS

8. TEMBIND shall be evenly applied at a rate not to exceed 0.4 ga./yd.²/day. In practice, a maximum of 0.35 gal./yd²/day should be sufficient.

9. The frequency of application of TEMBIND shall be not greater than twice per year, for a total maximum of 0.8 gal./yd.²/year. In practice, a maximum of 0.7 gal./yd.²/year should be sufficient.

10. Prior to application, the TEMBIND Material Safety Data Sheet shall be provided to applicators and others who could come in proximity or contact with the material.

11. Within one week after each application of TEMBIND, applicators shall notify DEC of any complaints received as a result of applying the product. Notification shall be made to:

   Mr. Orest Lewinter
   Environmental Analyst 2
   NYS Dept. of Environmental Conservation
   50 Wolf Road, Room 538
   Albany, NY 12233-1750
   Telephone No. (518) 457-7718

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