

# ATTACHMENT C

## PESTICIDE OPERATOR LICENCE

### FORESTRY - INSECTICIDE PROGRAM

#### **C1. NOTIFICATION TO PESTICIDES CONTROL SECTION**

- (1) For all ground pesticide operations involving a total of 300 ha or more, information regarding:

- (a) Dyking;
- (b) Security;
- (c) Storage; and
- (d) Communication plans

shall be provided and approved by the Pesticides Control Section in advance of any spray program for all locations where any pesticide is to be mixed or loaded.

- (2) For all aerial pesticide operations, information regarding:

- (a) Dyking;
- (b) Security;
- (c) Storage; and
- (d) Communication plans

shall be provided and approved by the Pesticides Control Section in advance of any spray program for all locations where any pesticide is to be mixed or loaded.

- (3) The operator will also be responsible for the:

- (a) Development of contingency plans; and
- (b) Associated call out notifications

to the satisfaction of the Pesticides Control Section in advance of any spray program.

- (4) For **aerial control programs**, the Pesticides Control Section shall be:
- (a) Contacted prior to the commencement of onsite applications; and
  - (b) Advised, on a daily basis during the program of the following:
    - (i) spray plan;
    - (ii) block readiness; and
    - (iii) treatments carried out, etc.

To contact the Pesticides Control Section, please call:

**Eastern Office** – (709) 729-2565 – FAX: (709) 729-6969;  
**Central Office** – (709) 292-4220 – FAX: (709) 292-4365; or  
**Western Office** – (709) 637-2528 – FAX: (709) 637-2541.  
**Email:** [pesticidescontrol@gov.nl.ca](mailto:pesticidescontrol@gov.nl.ca)

- (5) (a) Aerial spraying of pesticides is generally not permitted within Protected Water Supply Areas. The storage, mixing, loading and application of any pesticide within Protected Water Supply Areas requires a separate approval from the Water Resources Management Division of the Department of Municipal Affairs and Environment. The approval request shall provide detailed information on the type and duration of activity, location of activity (to be delineated on a 1:50 000 NFS topographical map), name of the pesticide along with its composition and toxicity data, application rate, application method, as well as any other information required.
- (b) The operator assumes liability to provide an alternate source of water to any affected community or communities affected as a result of their source of water supply being contaminated due to a spray program.

## **C2. PUBLIC/MUNICIPALITY NOTIFICATION PROGRAMS**

- (1) For **pesticide operations involving treatment of pesticides applied aurally**, the public shall be advised of the purpose and scope of the project and of the issuance of this licence by means of a notice published in at least one (1) newspaper with circulation in municipalities that are located near or within the treatment areas.
- (a) The newspaper ad shall:
- (i) Appear in any issue at least one week prior to commencement of the program;
  - (ii) State all areas that are proposed for treatment; and

- (iii) Contain contact information (website address, toll free information number or other) for individuals who wish to obtain additional information; and the telephone numbers of the Operations Supervisor and the Pesticides Control Section, 1-709-729-2556, and indicated accordingly.
  - (b) A copy of the newspaper ad and/or receipt shall be mailed or faxed to the Pesticides Control Section.
- (2) A toll-free information line shall be set up one week prior to commencement of the spray program, for the duration of the spray program, and will remain operational until September 30 of each year. The toll-free number will be advertised prior to the beginning of the spray program.
- (3) Daily notification through press releases shall be made by the licensed pesticide operator, for the duration of the spray program. Regular updates will be made regarding the status of the program. All updates will identify the toll-free information number.
- (4) For aerial control programs, municipal governments whose boundaries encompass treatment and storage areas shall be notified prior to commencement of the programs. As per provisions of the *Urban and Rural Planning Act* and the *Municipalities Act*, any activity within a town boundary requires approval of the town council in question.
- (5) For all programs involving the aerial application of pesticides, the operator shall be required to submit the details of municipality information programs to the Department of Municipal Affairs and Environment. The details of said municipality information programs must be approved in advance by the Department of Municipal Affairs and Environment.
- (6) For aerial control programs, the public shall be advised of local treatments by the posting of signs in the area. The sign shall be as follows:

This area is to be treated with a  
federally registered pesticide

\_\_\_\_\_  
Name of Formulation

\_\_\_\_\_  
PCP Act Registration Number

On

\_\_\_\_\_  
Date of Application

For more information contact:

\_\_\_\_\_  
Company Name and Phone Number

Or

Department of Municipal Affairs and  
Environment

1-709-729-2556

The particulars (location, timing, size of sign, etc.) of said posting shall be set by the Pesticides Control Section prior to spray programs.

- (7) The operator and/or his agent shall make every reasonable attempt to verbally notify adjacent owners, prior to the spray program, who, given the nature of the control operation, might be expected to benefit from said notification. In the event that this cannot be done, the operator shall post signs (as specified in C2(6)) along access road(s) leading to all dwellings located within the proposed spray area(s).
- (8) In the event that formulations containing Btk are to be used, the brochure "Protecting the Forests with Btk" is to be distributed to all municipal councils with boundaries that may contain spray blocks. In addition, the brochure is to be made readily available to members of the general public. Additional distribution is encouraged but will be left to the discretion of the pesticide operator.

**C3. NOTIFICATION TO FIRST NATIONS ON ISLAND PORTION OF NEWFOUNDLAND AND LABRADOR**

- (1) For pesticide operations involving treatments of silviculture areas, First Nations shall be advised of the purpose and scope of the project and of the issuance of this licence by means of a notice containing the following information:
- (a) state the area that is proposed for treatment;
  - (b) state the proposed date(s) for treatment;
  - (c) list the name(s) of the pesticide(s) to be applied, and the Pest Control Products Act Registration Number for each pesticide;
  - (d) contact information (website address, toll-free information number or other) for individuals who wish to obtain additional information;
  - (e) telephone numbers of the pesticide operator's Operations Supervisor and the Pesticides Control Section, 1-709-729-2556, and be indicated accordingly; and
  - (f) contain an invitation for residents of treatment areas to contact the operator to advise of a well in the area.

- (2) First Nations can then distribute, as appropriate, to members in the treatment areas. The contact information for the First Nations are:

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| <p>(a) Qalipu Mi'kmaq<br/>First Nation Band<br/>3 Church Street<br/>Corner Brook, NL A2H 2Z4<br/>Phone: 709-634-0996<br/>Fax: 709-639-3997</p> | <p>(b) Miawpukek Mi'kamawey Mawi'omi<br/>50 Miawpukek Drive<br/>P.O. Box 10<br/>Conne River, NL A0H 1J0<br/>Phone: 1-709-882-2470<br/>Toll Free: 1-866-882-2470<br/>Fax: 1-709-882-2292</p> |
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**C4. BUFFER ZONES**

- (1) For any pesticide application involving, either directly or indirectly, an aircraft of any sort, the operator shall maintain an **800 meters buffer zone around all occupied osprey and bald eagle nests** and a minimum aircraft height of 250 meters during the period May 1 to August 15.
- (2) If *Bacillus thuringiensis kurstaki* (*Btk*) is approved for aerial application in Protected Water Supply Areas, the operator shall provide the following widths of buffer zones, or any other buffer widths as specified by the Water Resources Management Division, along and around water bodies from the high water mark in a designated area:

**WATER BODY**

**WIDTH OF BUFFER ZONE**

Intake pond or lake	a minimum of 150 meters
River intake	a minimum of 150 meters for a distance of one (1) kilometer upstream and 100 meters downstream
Main river channel	a minimum of 75 meters
Major tributaries, lakes or ponds	a minimum of 50 meters
Other water bodies	a minimum of 30 meters

- (3) All pesticide mixing and rinsing sites shall be located a minimum of 50 meters from the nearest water body. Loading of equipment with **water only** prior to the addition of pesticide can be done up to 5 meters from a water body. Addition of pesticide to the water in the equipment shall be performed at least 50 meters from the nearest water body.
  
- (4) Where water must be pumped directly into the formulation tank, an antibackflow device must be fitted onto the pump and the siting should be that the formulating unit be at least 30 meters from the watercourse and that the pesticides not be opened for addition to the formulation tank until the equipment has been filled with water and is out of the respective buffer zone.

**C5. AMENDMENTS**

The Department of Municipal Affairs and Environment reserves the right to amend the attachments of the terms and conditions of this licence at any time.

*May 4, 2020*