

ATTACHMENT D

PESTICIDE OPERATOR LICENCE

FORESTRY - HERBICIDE PROGRAM

D1. 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

- (c) For **forestry vegetation control programs**, proposed areas to be treated during the next seven calendar days shall be identified and submitted to the Pesticides Control Section, at least **one week** prior to the said seven day period. This notification may be made either by fax: 709-729-6969, or email: pesticidescontrol@gov.nl.ca .

Exceptions to the seven day advance notification may be granted on a case by case basis. Contact the Pesticides Control Section for details.

- (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.

D2. AERIAL HERBICIDE PROGRAM

All commitments regarding safety precautions, buffer zones, public notifications, spill responses, monitoring (pre- and post-spray activities as deemed necessary by the Pesticides Control Section), and meteorological conditions at the time of a particular spray event will be adhered to as outlined in the approved "Operators Manual for Aerial Herbicide Spraying".

D3. PUBLIC/MUNICIPALITY NOTIFICATION PROGRAMS

(1) **For pesticide operations involving pesticides applied aerially or by ground,** 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 over the next 21 days;
 - (iii) State the proposed date(s) for treatment of the areas that are proposed for treatment over the next 21 days;
 - (iv) List the name(s) of the pesticide(s) to be applied, and the *Pest Control Products Act* Registration Number for this/these pesticide(s); and
 - (v) 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) (a) Signs, with accompanying map, stating the intention to treat and the proposed treatment dates are to be posted at critical points along the treatment areas at least (1) week prior to the start of the program. The sign shall be as follows:

NOTICE

This area will be treated with a
federally registered pesticide

Name of Formulation

PCP Act Registration Number

Between

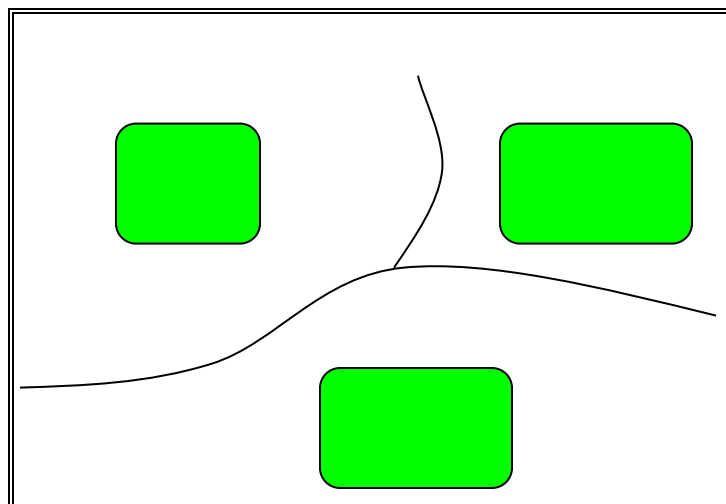
Proposed Date of Application

For more information contact:

Company Name and Phone Number

Or

Department of Municipal Affairs and Environment
1-709-729-2556



- (b) **For forestry vegetation management programs**, the particulars of said posting are thus:
- (i) Size of sign: minimum 24" x 24";
 - (ii) Colour: White sign with colored lettering, so that the sign is visible when located in or on foliage;
 - (iii) Type of material: Weather and water resistant;
 - (iv) Height above ground: Minimum of 1 meter and attached to a tree or placed on a post; and
 - (v) Location of signage: At the beginning and end of the proposed treatment area along any main access point (ie: any road or trail).
- (5) (a) For **aerial control programs**, municipal governments whose boundaries are located near or within the treatment and storage areas shall be notified prior to commencement of the programs.
- (b) 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 and ground-based control programs, the public shall be advised of local treatments by the posting of signs in the area with maps attached indicating the specific spray block. The sign shall be as follows:

NOTICE

This area will be treated with a
federally registered pesticide

Name of Formulation

PCP Act Registration Number

Between

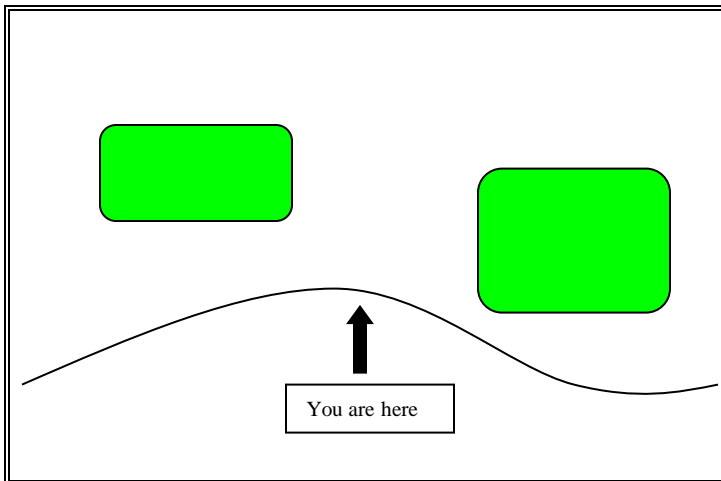
Proposed Date of Application

For more information contact:

Company Name and Phone Number

Or

Department of Municipal Affairs and Environment
1-709-729-2556



The particulars of said posting are:

- (a) Size of sign: minimum 24" x 24";
 - (b) Colour: White sign with colored lettering, so that the sign is visible when located in or on foliage;
 - (c) Type of material: Weather and water resistant;
 - (d) Height above ground: Minimum of 1 meter and attached to a tree or placed on a post;
 - (e) Location of signage: at each treated area;
 - (f) Frequency of posting:
 - (i) at the beginning and end of each treatment area; and
 - (ii) where any road or trail passes through the treatment area.
- (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 D3 (6)) along access road(s) leading to all dwellings located within the proposed spray area(s).

D4. 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
First Nation Band
3 Church Street
Corner Brook, NL A2H 2Z4
Phone: 709-634-0996
Fax: 709-639-3997</p> | <p>(b) Miawpukek Mi'kamaway Mawi'omi
50 Miawpukek Drive
P.O. Box 10
Conne River, NL A0H 1J0
Phone: 1-709-882-2470
Toll Free: 1-866-882-2470
Fax: 1-709-882-2292</p> |
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D5. 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) **Glyphosate herbicides**
When aurally applying herbicides containing the active ingredient glyphosate, all commitments regarding buffer zones shall be adhered to as outlined in the approved "Operator's Manual for Aerial Herbicide Spraying".

D6. MIXING, LOADING AND RINSING

For all operations involving the filling of spray tanks with water, and the addition of pesticides to said tanks, the operation may be undertaken subject to the following conditions:

- (a) All pesticide mixing and loading activities must be supervised at all times.
- (b) Mixing and loading in the vicinity of water bodies shall be undertaken with equipment set up on flat, stable ground to mitigate the possibility of spills or leaks during fill events.
- (c) Where water must be pumped directly into the spray tank, an antibackflow device must be fitted onto the pump to prevent any material from the tank being diverted from the tank into or near the water body that is being used to fill the tank.
- (d) Spill response materials sufficient to respond to an incident during mixing and loading operations must be on site.
- (e) All mixing and loading sites shall be identified with GPS coordinates, and this information shall be provided to the Pesticides Control Section; and
- (f) Buffers shall be maintained according to label.

D7. TEMPORARY STORAGE OF PESTICIDES

When it is necessary to store pesticides on a temporary site and/or in remote locations the following shall apply:

- (a) A pesticide storage shall not be located within 100 meters of a water body;
- (b) A supply of water shall be available in or adjacent to the storage area;
- (c) Approved safety equipment shall be provided as specified on the labels/MSDS of pesticides being stored and shall be properly maintained, functional and available at all times for personnel handling and working with pesticides;
- (d) Pesticides shall be stored in such a manner that containment is provided;
- (e) A “Danger-Stored Pesticide” sign shall be posted at all entrances which is printed in block letters 5 centimetres or more in height;
- (f) Clean up procedures, material and equipment shall be available at all times to clean up spills or leakage;
- (g) Spill response materials sufficient to respond to an incident during mixing and loading operations shall be on site;
- (h) Pesticide products shall be locked in a secure leak-proof container at all times; and
- (i) Security shall be maintained on site for the duration of the program.

D8. AMENDMENT

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.

April 23, 2020