

Department of Environment and Climate Change Pollution Prevention Division

Guidance Document

Title: Landfill Bans, Special Wastes and Diversion Programs

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GD-PPD-022.5

1.0 PURPOSE

The purpose of this document is to provide a quick reference summary table of landfill bans, diversion programs, and special considerations in effect, as directed by the Department of Environment and Climate Change. The table contains information on the legislative authority and refers to sources of additional information or guidance. Additional information may be obtained by contacting the Waste Management Section of the Pollution Prevention Division.

This guidance document replaces all previous revisions.

2.0 TABLE 1

Table 1 contains, in alphabetical order, a list of items for which a ban, special provisions, or a diversion program are currently in place or being considered. This list may be amended from time to time.

3.0 ENQUIRIES

For additional information, questions/enquiries please feel free to contact the Pollution Prevention Division directly at (709) 729-2556.

TABLE 1

Item/waste	MANAGEMENT OPTION		
material	Landfill disposal ban/exceptions or recycling initiative	Legislation/ Regulatory Authority	
Animal Mortalities	Individual animals may be limed and buried on the day of disposal at landfills with the permission of the landfill owner/operator.	<i>Environmental Protection Act</i> , RSN, 2002	
	 Disposal of large numbers of mortalities e.g. bird kill, fish kill or herd cull would be handled in a separate location by recommended technology and overseen by the regulatory authority having jurisdiction. These authorities may include the Provincial Departments of Environment and Climate Change (ECC) or Fisheries, Forestry and Agriculture; and/or Federal Departments of Fisheries and Oceans Canada, Environment and Climate Change Canada; Agriculture and Agrifood Canada; and Canadian Food Inspection Agency. Recommended disposal technology may include composting or incineration. Incineration in an approved incinerator may also be recommended for manageable numbers of mortalities. Large marine mammals e.g. beached whales may be buried in situ, or towed to a remote location for disposal. 	Federal legislation/authority: Health of Animals Act and Regulations– Canadian Food Inspection Agency; Canadian Environmental Protection Act- Environment Canada; and provisions of Fisheries Act – as administered by Environment and Climate Change Canada	
Aquaculture Waste	 The majority of aquaculture fish by-products are utilized through a combination of secondary processing, animal feed and agricultural soil amendments. In the event that a by-product cannot be processed, burial is acceptable at an approved organic disposal site. Composting and ensiling of fish waste are also supported by ECC. Contingency plans developed within the province meet international and federally recognized standards and are in place in the event of a depopulation, mass mortality or accidental spill. Measures are in place for the appropriate transfer, treatment and disposal of fish, fish by-product, and the management of wastewater. 	Environmental Protection Act, RSN, 2002 Federal legislation: Fisheries Act Aquaculture Activities Regulations	

	The Aquaculture Activities Regulations (AAR) permit the on-site release of biological oxygen demand (BOD) material and treatments necessary to operations at licenced aquaculture sites. The AAR ensure regulatory oversight and annual reporting of these activities. For biosecurity purposes, nets removed from an aquaculture lease must be cleaned, disinfected, inspected, mended and conditioned at a land-based service facility before being returned to service. ECC requires that waste derived from on-shore cleaning of nets be tested for hazardous constituents before a determination on appropriate disposal can be made. Bulk plastics produced by the aquaculture industry is not permitted to be disposed of at select municipal waste disposal sites. This includes feed bags, HDPE cage material, netting, mooring lines, and compensator buoys. Contact Digital Government and Service NL (DGSNL) for information about where this has been implemented.	
Asbestos	Asbestos containing material (ACM) containing friable asbestos may be landfill disposed as special waste and shall be managed in accordance with the guidance document entitled: Asbestos Waste Disposal GD-PPD- 033.1.	 Environmental Protection Act, RSN, 2002 Landfill disposal as special waste in accordance with ECC directive is permitted with permission of the landfill owner/operator and DGSNL. Collection, handling and transportation must be in accordance with the Asbestos Abatement Regulations under the NL Occupational Health and Safety Act.

Asphalt	Waste asphalt may be reused/recycled in resurfacing or incorporation into new roadbed/roadbed shoulder where environmentally acceptable.	<i>Environmental Protection Act</i> , RSN, 2002
		GD-PPD-008.2 "Guidelines for Waste Asphalt Reuse in New Pavement or in Roadbed Construction of Paved Roads; and/ or Storage and Final Disposal" refers.
Batteries (lead acid, non- recyclable) including automotive batteries and	Lead acid, non-recyclable batteries, including automotive batteries and marine batteries shall not be disposed to landfill. They are regulated as Dangerous Goods/Waste Dangerous Goods under the Provincial EPA. Transportation and packaging is regulated under Federal legislation to prevent leakage/spillage and to track final recycling/disposal at licensed facilities outside NL.	Environmental Protection Act, RSN, 2002 Federal legislation: Transportation of Dangerous Goods Act
marine batteries	and Regulations;	
	 Example of battery packaging requirements for road transport: Singles - Secure batteries upright in a leak proof plastic container or a polyethylene bag and tie securely. By the Drum - Stack batteries upright inside the drum and separate by a layer of adsorbent material, cardboard or plywood. The drums can be metal or plastic but must be maintained in an upright position and sealed during transport. By the Pallet - Waste batteries should be fastened to the pallet by nylon straps or other secure means. Place batteries on a leak proof polyethylene containment liner which is folded over the 	Canadian Environmental Protection Act and Regulations (Inter-Provincial Movement / and Export and Import of Hazardous Waste and Hazardous Recyclable Materials Regulations)
	batteries to form a sealed system. Do not stack batteries more than two high and separate the two layers with cardboard or plywood.	

Batteries (rechargeable /recyclable)	A diversion initiative is in place under the Rechargeable Battery Recycling Corporation. The program is a voluntary return program for batteries weighing less than 1 kg including: Nickel –cadmium (Ni-cd); nickel metal hydride (NiMH); lithium-ion (Li-ion) and small sealed lead (Pb) acid batteries.	Independent initiative
Beverage Containers	A beverage container recycling program has been in place since 1997. A deposit is paid at the point of purchase of designated beverage containers, and a refund is issued when empty containers are returned to recycling Green Depots. Funds are directed into a Waste Management Trust Fund administered by the Multi Material Stewardship Board to finance waste management initiatives and programs throughout the Province.	<i>Waste Management Regulations</i> , 2003 Part II
Biomedical Waste	Landfill disposal is banned. Biomedical and veterinary waste, as defined in the CCME Guidelines for the management of Biomedical Waste in Canada (CCME-EPC-WM-42E) must be appropriately managed, contained and transported by a licensed transporter to a licensed final disposal facility. The CSA standard for Handling of health care waste materials (Z317.10-15) or most recent version also applies.	Environmental Protection Act, RSN, 2002 Refer to GD-PPD-078
Biosolids	Treated and stabilized biosolids may be permitted to be disposed of by landfilling at an approved waste management facility and will be assessed on a case by case basis.Composted biosolids that meet Class B criteria of the CCME Guidelines for Compost Quality may be used as landfill cover material with the permission of the owner/operator. Other proposed beneficial uses of composted biosolids may be approved by the Department and will be evaluated on a case by case basis.	
Bulk Liquids	Landfill disposal is banned. See also ban on septic waste/sewage sludge disposal.	<i>Environmental Protection Act</i> , RSN, 2002

Cement/ Cement Foundations from Demolition	Uncontaminated cement, with no exposed rebar may be buried in situ or used as clean fill and may also be crushed for landfill cover. Concrete shown or expected to contain asbestos shall be contained and landfilled as ACM. Concrete suspected to be painted with lead based paint shall be sampled and the analytical results provided to ECC to determine appropriate disposal. This may include surface removal and disposal of the lead based paint as hazardous waste.	<i>Environmental Protection Act</i> , RSN, 2002
Construction and Demolition Waste	Construction and demolition (C&D) debris that is clean and reusable should be made available for recycling where possible. Material that cannot be recycled is largely considered inert waste that does not require the same level of containment as municipal solid waste, and may therefore be permitted to be disposed of in an approved landfill designed to contain C&D debris only.	
Corrugated Cardboard	Landfill disposal is banned where municipal by-laws have been put in place.	Municipal by-law
Dangerous and Waste Dangerous Goods	Landfill disposal is banned. Transportation by a licensed hazardous waste transporter to an approved recycling or treatment disposal facility is required. Transportation manifests and tracking provisions apply.	<i>Environmental Protection Act</i> , RSN, 2001 Part VIII
Dry Cleaning Waste	Landfill disposal is banned. Discharge or release of tetrachloroethylene or perchloroethylene containing fluids into the environment, including waterbodies, sewers and landfills is prohibited.	<i>Environmental Protection Act</i> , RSN, 2002
	See also Dangerous and Waste Dangerous Goods.	Refer to GD-PPD-014

Electronic Goods	Electronic goods covered by a stewardship program shall not be disposed to landfill. This material may be collected on behalf of the organization responsible, or redirected to an approved collection point. Contact information and a list of accepted products and service providers in NL is provided on the MMSB website. Electronic waste that is damaged (e.g. broken monitors and cathode ray tubes), or dismantled to potentially expose hazardous constituents, is considered to be hazardous waste/waste dangerous goods.	<i>Waste Management Regulations</i> , 2003 Part V
Fish, Shellfish and Fish Offal	Disposal shall be to preauthorized sites; options include: fish waste/meal processing plant; compost feedstock or fertilizer and; ocean disposal with a permit from Environment and Climate Change Canada.	<i>Environmental Protection Act</i> , RSN, 2002
	All storage and transportation (within 24 hours of loading) shall be in leak- proof containers.	Water Resources Act, SNL, 2002 and Regulations
		Refer to GD-PPD-004.1
		Canadian Environmental Protection Act- Environment Canada
Fuel Storage Tanks	Fuel storage tanks (commercial or residential) must be drained of product prior to entering a waste disposal facility and shall only be accepted at the metal storage area. Fuel tanks and drums shall have confirmation	<i>Environmental Protection Act</i> , RSN, 2002
	that they have been purged of product, tank bottom sludge, and vapour. The tank must also be cut in half or sufficient openings cut in the tank to prevent the accumulation of vapour and to accommodate visual inspection.	Heating Oil Storage Tank System Regulations 927/02)
		Storage and Handling of Gasoline and Associated Products Regulations, 2003
		Used Oil and Used Glycol Control Regulations
Hazardous Waste	See Waste Dangerous Goods and Leachable Toxic Waste	<i>Environmental Protection Act</i> , RSN, 2002

Heavy Metal Contaminated Soil	Soil must meet CCME-Canadian Environmental Soil Quality Guidelines (CESQG) for industrial sites or USEPA Toxicity Characteristic Leachate Procedure 1311 criteria for landfill disposal. Analytical results shall be provided to ECC for a determination of final disposal options.	<i>Environmental Protection Act</i> , RSN, 2002
Household Hazardous Waste (HHW)	Landfill disposal is banned. Permanent HHW depots have been established for the Eastern Region at Robin Hood Bay, at Central Regional Service Board Waste Management Facility at Norris Arm North; and at St. George's landfill and Wild Cove landfill to serve the Western Region. HHW collection trailers have also been located at Local Waste Management and Transfer Station Facilities throughout the Regions.	Environmental Protection Act, RSN, 2002 Refer to GD-PPD-059.1
Hydrocarbon Contaminated Soil	A partial provincial ban is in place where soil treatment facilities exist for soils with total petroleum hydrocarbons contamination in excess of 1000 mg/kg. See map at the end of this document.	Environmental Protection Act, RSN, 2002 Ministerial Order Jan. 20/2001 Refer to GD-PPD-013 Refer to GD-PPD-45.2
Importation of Waste for Final Disposal	Banned province-wide. Possible exceptions include importation for reuse/ recycling, and for transfer to appropriate licensed recycling/disposal facilities outside of the Province.	Minute in Council, Dec. 8, 1994
International Waste	May only be disposed by licensed waste collectors/transporters via routes and to facilities preapproved by Canadian Food Inspection Agency (CFIA) and in accordance with CFIA directives.	<i>Environmental Protection Act</i> , RSN, 2002 Refer to GD-PPD-056
Leachable Toxic Waste	Where waste material (e.g. coatings and substrate, soil or dredge spoils) exceed CCME- Canadian Environmental Soil Quality Guidelines (CESQG) for industrial sites, a USEPA Toxicity Characteristic Leachate Procedure must be conducted to determine acceptability for landfill disposal. If criteria limits for leachability are exceeded, the material may be considered hazardous waste and require shipment by licensed	<i>Environmental Protection Act</i> , RSN, 2002 Refer to GD-PPD-026

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	transporters to licensed treatment/final disposal/recycling facilities. Transporters of hazardous waste shall have an approval issued by the Department, and shipping documentation for Transport Canada and Environment and Climate Change Canada will be required. Completed waste manifests shall be submitted to the Department prior to the shipment of hazardous wastes.	
Lead-based Paint	ECC follows the lead of the USEPA to reduce exposure by facilitating removal of lead based paint/ and or debris for landfill disposal. The landfill disposal limit for total lead in lead based paint itself is 5000 ppm. ECC recommends that any flaking or easily removed paint with high lead content be removed first. As with the total lead analysis, a minimum of three (3) representative samples shall be taken of the waste material. For the TCLP, each sample should ideally weigh 50 grams, and must at a minimum weigh 2.5 grams. If the mean concentration of the flaked paint samples does not exceed 5000 mg/kg, the waste material is not considered hazardous and may be disposed of in an approved waste disposal site, provided that the owner/operator is willing to accept such waste and the local Government Service Centre has agreed with the disposal of the waste at the site. If total lead exceeds 5000 ppm, a Toxicity Characteristic Leaching Procedure (TCLP) is conducted, the leachate limit for lead is 5 ppm for landfill disposal. As with the total lead analysis, a minimum of three (3) representative samples shall be taken of the waste material.	For further information contact NL Department of Environment and Climate Change, Pollution Prevention Division at 709-729-2556.
Leaves and Christmas Trees	Programs are in place at various municipalities for the collection of bagged leaves and Christmas trees. The leaves can be composted and the trees can be mulched for use in landscaping applications.	Voluntary initiative.

Manure	Province–wide requirement for manure management implying no dumping. Farms with 5 or more Animal Units must obtain a Waste Management Certificate of Approval from the Government Service Centre.	Minute in Council, Jan. 26, 1978. <i>Environmental Protection Act</i> , RSN, 2002
Mercury Containing Bulbs, Ballasts and Thermostats	These materials are considered Waste Dangerous Goods and are banned from landfill disposal in all parts of the Province. Residential sources may be disposed at HHW facilities/days. Commercial sources shall be transported by a licensed HW transporter to a licensed final disposal/recycling facility outside the Province.	<i>Environmental Protection Act</i> , RSN, 2002
Naturally Occurring Radioactive Materials (NORM)	NORM exceeding the Health Canada guidelines for unconditional exposure are banned from landfill disposal.	Environmental Protection Act, RSN,2002 Refer to GD-PPD-079
Oil Filters, Used Oil and Glycol	Landfill disposal is banned province-wide where collection facilities exist. Residents and businesses in the province can return used oil/glycol products to collection facilities registered with the Used Oil Management Association (UOMA) Newfoundland and Labrador. Collection facilities include mechanical workshops, car dealerships, and regional waste management authorities. Contact information and a complete listing of collection facilities is provided on the UOMA website.	Environmental Protection Act, RSN, 2002 Used Oil and Used Glycol Control Regulations Waste Management Regulations, 2003 Part VI

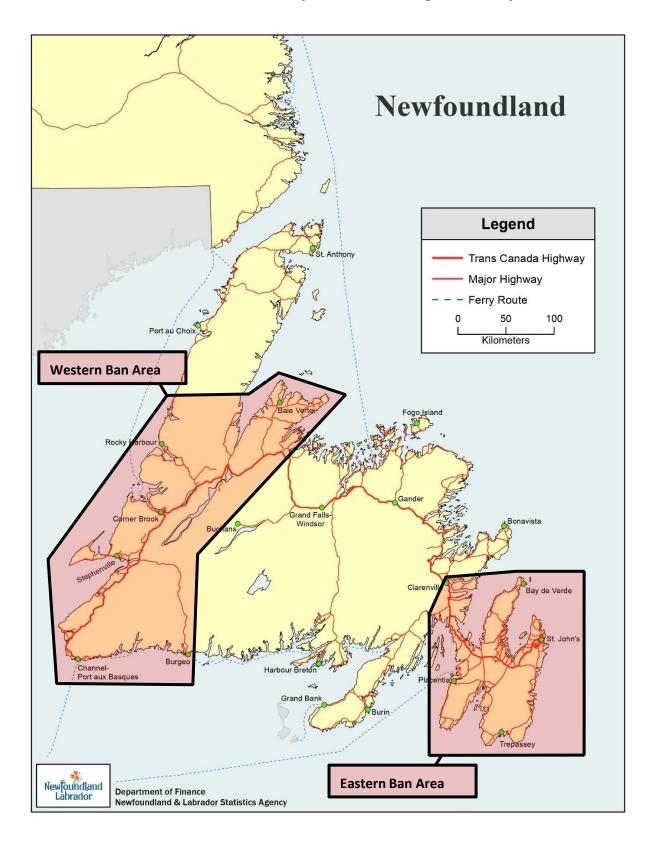
Paint (Waste Paint)	A program for the return of waste paint for reuse and recycling has been established and administered by brand owners through Product Care Association. Empty paint cans/containers are also accepted under the paint program. Additional information can be found at <u>Newfoundland and</u> <u>Labrador Paint Recycling - Product Care Recycling</u>	<i>Waste Management Regulations</i> , 2003 Part IV
PCBs (polychlorinated bi-phenyls)	PCB contaminated soil may be disposed to landfill if it meets the CESQG criteria for industrial sites (33 ppm or less).	<i>Environmental Protection Act</i> , RSN, 2002 <i>PCB Storage and Control Regulations</i>
	Liquids containing more than 2 ppm may not be imported into Canada.	
	Solids containing more than 50 ppm may not be used in Canada.	Canadian Environmental Protection Act PCB Regulations (SOR/2008-273)
	Under Federal PCB regulations, end of use by December 2025 is required for:	PCB Waste Export Regulations, 1996
	 Specified equipment in use and containing at least 50 mg/kg but less than 500 mg/kg of PCBs that are located at non-prescribed locations 	
	 Light ballasts in use containing 50 mg/kg or greater of PCBs 	
	 Pole-top transformers and their pole-top auxiliary electrical equipment in use containing 50 mg/kg or greater of PCBs 	
	No person shall release PCBs into the environment in a concentration of:	
	 2 mg/kg or more for a liquid containing PCBs; 	
	 50 mg/kg or more for a solid containing PCBs; OR 	
	 more than one gram of PCBs from equipment in use. 	
	No person shall:	
	 manufacture, export or import PCBs or a product containing PCBs in a concentration of 2 mg/kg or more; 	
	 offer for sale or sell PCBs or a product containing PCBs in a concentration of 50 mg/kg or more; or 	
	 process or use PCBs or a product containing PCBs. 	

Pesticides and Pesticide Containers	Pesticides are considered Waste Dangerous Goods and are banned from landfill disposal. Empty containers may be landfilled once they have been triple rinsed to remove any remaining product and residue.	Environmental Protection Act, RSN, 2002 Pesticides Control Regulations
Pharmaceutical Waste	Unused pharmaceuticals can be returned for appropriate disposal to most pharmacies. Residential sources are also accepted at HHW depots. In some cases unused and expired medications may be returned to the respective pharmaceutical companies for recycling/appropriate disposal. Otherwise commercial sources are considered waste dangerous goods and must be transported by licensed hazardous waste transporters to approved final disposal/recycling facilities. Additional information on existing initiatives may be obtained by contacting the Pharmacist's Association of Newfoundland, or the NL Pharmacy Board.	Environmental Protection Act, RSN, 2002 Refer to GD-PPD-078
Radioactive Material	Radioactive material is banned from disposal as dangerous/ waste dangerous good. Radioactive material is separately regulated by the Canadian Nuclear Safety Commission. An exception may be made for the collection and storage of small quantities of smoke detectors that contain radioactive material. This material can be accepted at household hazardous waste depots only with prior approval from the Department.	<i>Environmental Protection Act</i> , RSN, 2002
Refrigeration, Air Conditioning and Fire Extinguishing Equipment Containing Regulated Substances	There is a province–wide ban on landfill disposal of undrained and untagged ozone-depleting substances (ODS) containing equipment. Equipment containing regulated substances such as halocarbons, can be stored for recycling at a waste disposal site if the regulated substance (s) is (are) recovered by a person approved under the Halocarbon Regulations, and shall be labelled "Halocarbon Free".	<i>Environmental Protection Act</i> , RSN, 2002 Halocarbon Regulations (May 27/05)

Sewage and Septic Wastes	A ban on the disposal of sewage and septic wastes by burial or at lagoons and landfills is in place for Eastern and Western portions of the Island of Newfoundland as specified below. In these areas, disposal will only be permitted at treatment facilities holding a valid Waste Management Certificate of Approval. Landfill disposal of sewage and septic wastes at approved waste management facilities remains acceptable for Labrador, Central, Northern, and some Southern areas where appropriate disposal alternatives do not exist. <u>Eastern Area</u> All that area in the eastern part of the island of Newfoundland to the east of (and including) Shoal Harbour and including the entire Avalon Peninsula. The area <u>excludes</u> the Burin Peninsula south of Swift Current. The area also <u>excludes</u> the Bonavista Peninsula but includes the area from Milton south to Shoal Harbour. <u>Western Area</u> All that area in the western part of the island of Newfoundland bounded to the north by the northern boundary of Gros Morne National Park and to the east by Halls Bay and Bay de Loup, <u>excluding</u> Buchans.	Environmental Protection Act, RSN, 2002 An approval is required for waste treatment and collection of liquid waste. Refer to GD-PPD-011. A map of the Island of Newfoundland indicating areas where burial / landfill disposal of sewage and septic wastes is banned is provided at the end of this document.
Sharps	Residential sources that are appropriately contained so as not to pose a hazard to waste handlers, may be disposed to landfill. Commercial sources are considered biomedical waste. See also pharmaceutical waste, household hazardous waste and biomedical waste.	<i>Environmental Protection Act</i> , RSN, 2002
Special Waste	Special waste is any waste material that requires special treatment or disposal precautions, due to its nature, quantity, volume, potential to react and/or potential to produce an adverse effect. Examples include, animal carcasses/mortalities or road kill, asbestos containing material, fish plant waste, commercial or industrial waste streams, etc. Special waste may be disposed of at an approved waste management facility with the prior approval from DGSNL.	Environmental Protection Act, RSN, 2002 Federal legislation/authority: Health of Animals Act – Canadian Food Inspection Agency

Specified Risk Material (SRM)	SRM must be disposed of in accordance with CFIA directives. Disposal via on-site burial, composting, rendering, incineration, or landfilling at an approved waste management facility may be acceptable with prior approval from DGSNL, ECC, and CFIA.	<i>Environmental Protection Act</i> , RSN, 2002
	SRM includes the skull, brain, trigeminal ganglia (nerves attached to the brain), eyes, tonsils, spinal cord, and dorsal root ganglia (nerves attached to the spinal cord) of cattle aged 30 months or older, and the distal ileum (portion of the small intestine) of cattle of all ages. These cattle tissues, if infected are capable of transmitting bovine spongiform encephalopathy (BSE), or mad cow disease if added to animal feed, pet food or fertilizer.	Federal legislation/authority: <i>Health of Animals Act and Regulations</i> – Canadian Food Inspection Agency;
Treated Wood Waste	Treated wood contains chemicals that are toxic to human health and the environment. Landfill disposal may be permitted where options for treatment and disposal are limited. The Department shall be consulted regarding disposal of treated wood.	<i>Environmental Protection Act</i> , RSN, 2002 Refer to GD-PPD-075.1
Used Tires	Acceptance of tires under the Used Tire Recycling Program for temporary storage is limited to 100 tires per site with the prior approval of the Department. The MMSB provides a collection service and can be contacted at 1-800-901-6672. Additional information on tire storage can be found on the Departmental website.	<i>Environmental Protection Act</i> , RSN, 2002 <i>Waste Management Regulations</i> , 2003 Part III
	Storage by MMSB of surplus used tires is regulated under a separate certificate of approval.	
	All non-program tires may be disposed of at an approved Construction and Demolition Landfill. Non program tires include all-terrain (ATV), or off the road (OTR) vehicle tires, tires used on rolling stock equipment used in the agricultural, forestry, industrial/construction and mining industries. These tires are not collected under the Used Tire Recycling Program by the MMSB.	
Vehicle Wrecks, Scrap Metal	Vehicle wrecks and scrap metal shall be directed to recognized metal salvage and recycling operations.	<i>Environmental Protection Act</i> , RSN, 2002
	Pollution Provention Division D.O. Dov 9700, A1D 416, Tel: 700, 720, 2006, 1	

Waste Dangerous Goods	Banned from landfill disposal Province-wide.	<i>Environmental Protection Act</i> , RSN, 2002 Refer to GD-PPD-077 for best management practice.
White Goods (Metal Appliances)	White metal wastes, such as freezers, refrigerators and stoves may be appropriately stockpiled in a separate area of an approved waste management facility.	<i>Environmental Protection Act</i> , RSN, 2002



Ban Areas for the Landfill Disposal of Sewage and Septic Wastes

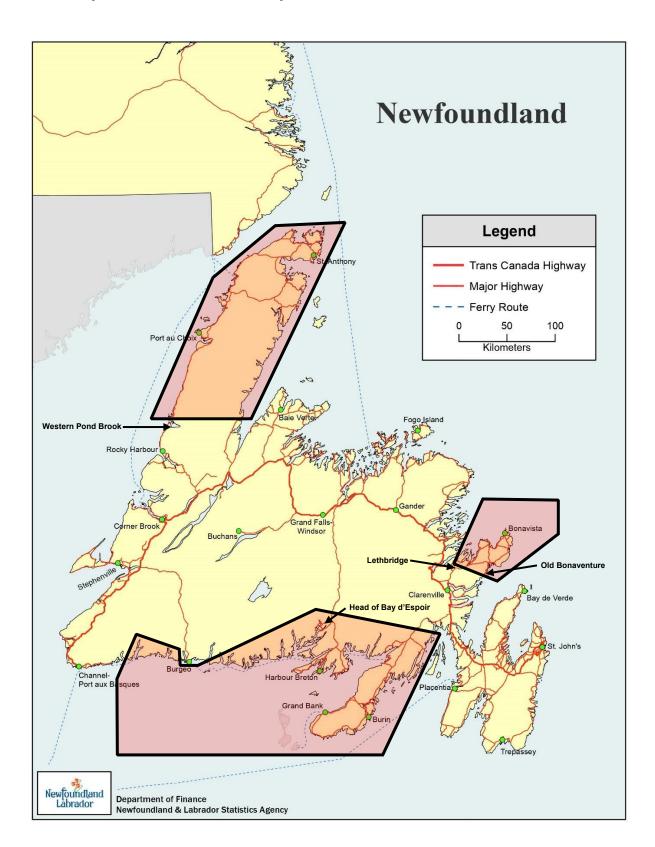
Description of Sewage Waste Landfill Ban Area Boundaries

Eastern Ban Area

All that area in the eastern part of the island of Newfoundland to the east of (and including) Shoal Harbour and including the entire Avalon Peninsula. The area <u>excludes</u> the Burin Peninsula south of Swift Current. The area also <u>excludes</u> the Bonavista Peninsula but includes the area from Milton south to Shoal Harbour.

Western Ban Area

All that area in the western part of the island of Newfoundland bounded to the north by the northern boundary of Gros Morne National Park and to the east by Halls Bay and Bay de Loup, <u>excluding</u> Buchans.



Exemptions for Landfill Disposal of Petroleum Contaminated Soil

Description of Exempt Areas

Exempt Areas

- All communities on the Burin Peninsula south of, but not including, Swift Current.
- All communities on the South Coast which rely on ferry transportation, and all communities in Bay d'Espoir, Fortune Bay, Hermitage Bay, and Connaigre Bay.
- All communities north of Western Pond Brook on the Great Northern Peninsula.
- All communities on the Bonavista Peninsula north of a line located immediately north of Lethbridge and which runs easterly to a point immediately south of the communities of Old and New Bonaventure.