

Pesticide Operator Licence

Pursuant to *The Environmental Protection Act SNL 2002 cE-14.2*
and *The Pesticides Control Regulations, 2012*
and subject to the attached stipulations , this licence
is issued to :

Trident Ecological Services Inc.

Valid From
April 08, 2015
to

April 08, 2020

Valid Categories

Mosquito & Biting Fly

Licence No. 15-169


For, *Minister of Environment
and Conservation*

Pesticide Operator Licence - Terms and Conditions

Trident Ecological Services Inc.

PESTICIDE OPERATOR LICENCE NO: 15-169

EFFECTIVE DATE: April 08, 2015

EXPIRY DATE: April 08, 2020

1. DEFINITIONS

- Buffer:** means a defined space within which treatment is excluded and which extends a set distance outward in all directions from the boundary of an area designated for protection.
- Human habitation:** means every structure in which a person or persons resides on either a part-time or full time basis.
- Lawn:** means a plot of grass that is maintained at a regular and approximately uniform height through periodic and regular mowing.
- Penstock:** means a pipeline leading from the intake to the turbines.
- Private property:** means land owned or leased by an individual, group of individuals or other legal entity such as a company or corporation, for which clear title has been granted, and for which a record exists either through the Registry of Deeds or Crown Lands.
- Right-of-Way (ROW):** means an easement, granted by the land owner that permits the construction and operation of a utility corridor for the purpose of transmitting electricity. The utility corridor may be of varying lengths and widths.
- Water body:** means any surface (high water mark) or subterranean source of fresh or salt water within the province, whether such course usually contains water or not, and includes coastal water within the jurisdiction of the province and includes water above the bed of the

sea that is within the jurisdiction of the province, any river, stream, brook, creek, wetland, water course, lake, pond, spring, lagoon, ravine, gully, canal and any other flowing or standing water and the land usually or at the time covered by any such body of water.

"water" means all water located in or derived from a body of water;
Water Resources Act

Well: means an artificial opening in the ground from which water is obtained or that is made for the purpose of exploring for or obtaining water.

2. LEGISLATION

- (1) For the purpose of this licence, all definitions and regulations as indicated in the *Environmental Protection Act SNL 2002 cE-14.2* and the *Pesticides Control Regulations, 2012* shall apply.
- (2) All applications shall be conducted in strict compliance with the label registered under the authority of the *Pest Control Products Act* (Canada).

3. PESTICIDE OPERATOR RESPONSIBILITY

- (1) The operator shall be limited to using only those pesticides (See Appendix A), applicators (See Appendix B) and vehicles (See Appendix C) as indicated on its pesticide operator licence application dated **March 18, 2015**. Any changes in the program outlined in the application must receive the written approval of the manager, Pesticides Control Section, prior to their implementation.
- (2) The operator shall review these terms and conditions with each applicator prior to the start of each season, and a copy of the terms and conditions shall be provided to each applicator.
- (3) A copy of the operator's licence and these terms and conditions shall be available at each site during the application of a pesticide.
- (4) The operator shall ensure that all applicators have their pesticide applicator licences in their possession while applying pesticides unless otherwise indicated by the Pesticides Control Section.
- (5) Upon completion of the pesticide program for the year the operator shall submit to the Pesticides Control Section:
 - (a) details regarding the type and quantity of each pesticide used, and
 - (b) the name of the vendor/s from whom the pesticide was purchased.

This information shall be submitted no later than **December 31** of each year. Licences for the following season will not be processed until this information is received.

- (6) The operator shall ensure that all application equipment is maintained in good working order to prevent damage to the environment and/ or injury to individuals working with or near the equipment.

4. VEHICLES

- (1) All vehicles used during the application of pesticides for landscape, structural or industrial vegetation management programs shall have the registered/ incorporated company name, or any other name under which this company trades, **as per this pesticide operator licence**, prominently displayed on the vehicle. The name shall be displayed on both the driver and passenger sides of vehicle.
- (2) Concentrated pesticides transported in a vehicle during spray operations shall be contained in a lock box, a secure area or compartment which must be locked while unattended.
 - (a) Pesticides shall not be transported in the passenger compartment of any vehicle.
- (3) A quantity of approved absorbent materials shall be on hand at all times in case of a spill. The vehicle shall also carry clean-up equipment including but not limited to, shovels, brooms, and bags/buckets.

5. SPILL REPORTING

- (1) All spills involving greater than 70 litres of mixed pesticide or the equivalent of unmixed formulation shall be reported immediately.
- (2) All spills involving mixed or unmixed pesticide into a water body or within 100 meters of a water body, well or area frequented by people shall be reported immediately.
- (3) Spills involving less than 70 litres of mixed pesticide or equivalent amount of unmixed formulation in areas not frequented by people, and remote from water bodies or wells shall be duly recorded by the operations supervisor. Records of all such incidents (spills) shall be kept on file by the operator. These records should include details such as date of spill, location, product and quantity, employee on site, and clean up procedure. These records should be submitted to the Pesticide Control Section with the annual summary.
- (4) Reporting of spill incidents shall be made to the Pesticides Control Section, St. John's (ph.1-800-563-6181) and to Environment Canada, St. John's (ph.709-772-2083).

6. CONTINGENCY PLAN

A copy of the operator's contingency plan shall be carried in all vehicles transporting liquid pesticide formulations and at the entrance of the operator's approved pesticide storage area.

The contingency plan shall include:

- Section 1 - Emergency Telephone Numbers
- Section 2 - Spill Reporting Instructions
- Section 3 - Emergency First Aid Procedures from Pesticide Labels
(as listed in Appendix A of this document)
- Section 4 - Pesticide Spill Procedure
- Section 5 - Spill Response Kit
- Section 6 - Protocol to Respond to Fires
- Section 7 - Protocol to Respond to Theft
- Section 8 - First Aid Procedures for Pesticide Poisoning
- Section 9 - Pesticide Labels or Material Safety Data Sheets (MSDS)
(as listed in Appendix A of this document)

7. STORAGE

- (1) All pesticide storage sites shall meet the requirements of Section 21 of the *Pesticides Control Regulations, 2012* which are as follows:
 - (a) A source of water in an area in or adjacent to the storage area;
 - (b) Approved safety equipment as required which is properly maintained, functional and available at all times for personnel handling and working with pesticides;
 - (c) Flooring which shall not contain a floor drain or catch basin which is directly or indirectly connected to a private or municipal sewage system or public water course;
 - (d) Flooring which shall be capable of being readily cleaned and decontaminated of pesticides stored within;
 - (e) Adequate ventilation by either natural or mechanical means so as to prevent the accumulation of toxic or flammable vapours;
 - (f) A "Danger Stored Pesticide" sign posted on all entrances which is printed in block letters 5 centimetres or more in height;
 - (g) Clean-up procedures consistent with the instructions of the minister or a person designated by the minister; and
 - (h) Other provisions which may be stipulated on the licence by the minister or person designated by the minister.
- (2) In addition to the above storage requirements, each pesticide storage site shall have prominently displayed on all entrances contact telephone numbers for:
 - (a) the operator and
 - (b) the Department of Environment and Conservation, Pesticides Control Section, and indicated accordingly.

- (3) All entrances to storage sites shall be locked when the owner or an employee of the owner is not present.
- (4) Pesticides shall be stored in their original container or a substitute container approved by the manufacturer. Substitute containers shall be labelled appropriately.

8. PROTECTIVE EQUIPMENT

The operator shall provide and ensure that all personnel involved in the mixing, loading, and application of pesticides wear appropriate protective equipment in accordance with the pesticide manufacturer's product label and/or material safety data sheet.

9. DISPOSAL

- (1) Empty pesticide containers which have been triple rinsed, cleaned and rendered unusable may be disposed of at an approved waste disposal site.
- (2) Contaminated material shall be disposed of in accordance with the manufacturer's directions and in consultation with the Pesticides Control Section.

10. WEATHER CONDITIONS

- (1) All exterior spraying activities, except foliar applications of insecticides to trees taller than three (3) meters, are permitted only when:
 - (a) wind speeds are between 2 and 15 km/h,
 - (b) air temperatures are below 25° C,
 - (c) the relative humidity is above 50%, and
 - (d) it is not raining nor is rain anticipated over the next 2 hour period.
- (2) Foliar applications of insecticides to trees taller than three (3) meters, are permitted only when:
 - (a) wind speeds are between 2 and 10 km/h,
 - (b) air temperatures are below 25° C,
 - (c) the relative humidity is above 50%, and
 - (d) it is not raining nor is rain anticipated over the next 2 hour period.
- (3) All exterior granular pesticide applications are permitted only when:
 - (a) air temperatures are below 25° C,
 - (b) the relative humidity is above 50%, and
 - (c) it is not raining nor is rain anticipated over the next 2 hour period.

- (4) Exceptions to weather conditions may be granted on a case by case basis. Contact the Pesticides Control Section for details.

11. PUBLIC NOTIFICATION

The operator shall ensure that public notification programs are carried out as per the applicable attachment to these terms and conditions.

12. BUFFER ZONES

The operator shall adhere to all buffer zones indicated in the applicable attachment.

13. ADDITIONAL STIPULATIONS

The operator shall adhere to all additional conditions stipulated in the applicable attachment.

14. REVOCATION

If an operator, its agent, employee or a licensed pesticide applicator under its control, fails to comply with the *Environmental Protection Act SNL 2002 cE-14.2*, the *Pesticides Control Regulations, 2012* or the stipulations attached to its operator licence, the Minister of Environment and Conservation may suspend, revoke, or cancel the subject licence and/or prosecute under the *Environmental Protection Act SNL 2002 cE-14.2*.

15. OFFENCE

An operator, his or her agent, employee or a licenced pesticide applicator under his or her control who does not comply with a term or condition of his or her licence or who contravenes the *Environmental Protection Act SNL 2002 cE-14.2* or the *Pesticides Control Regulations, 2012* is guilty of an offence.

16. The Department of Environment and Conservation reserves the right to amend the terms and conditions of this licence at any time.

**APPENDIX A
PESTICIDE LIST**

Trident Ecological Services Inc.

PESTICIDE OPERATOR LICENCE NO: 15-169

These are the only pesticides that have been approved for storage and use except as noted below for this pesticide operator licence. The operator is not permitted to purchase, apply, store or otherwise handle pesticides not on this list.

If you require additional pesticides, please submit the form, "Request for Additional Pesticide(s)", to Fax # (709) 729-6969 or in writing to:

Pesticides Control Section
P.O. Box 8700
St. John's, NL
A1B 4J6

<u>Pesticide Name</u>	<u>PCP Act Reg. #</u>	<u>Formulation</u>	<u>Restriction</u>
Vectobac-200 G	18158	G	
Vectobac 1200 L	21062	AS	
Prelude 240	26509	S	

**APPENDIX B
EMPLOYEE LIST**

Trident Ecological Services Inc.

PESTICIDE OPERATOR LICENCE NO: 15-169

These are the only employees that have been approved as pesticide applicators for this pesticide operator licence. The operator is not permitted to allow any other employee to apply or handle pesticides for the company.

If you intend to make changes to the pesticide applicators in your employment, please submit the form, "Notice of Pesticide Applicator Addition / Removal", to Fax # (709) 729-6969 or in writing to:

Pesticides Control Section
P.O. Box 8700
St. John's, NL
A1B 4J6

Applicator Name

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

PAL #

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

APPENDIX C VEHICLE LIST

Trident Ecological Services Inc.

PESTICIDE OPERATOR LICENCE NO: **15-169**

These are the only vehicles that have been approved for use under this pesticide operator licence. The operator is not permitted to operate, for the purpose of applying pesticides, any other vehicle that is not on this list.

If you intend to make changes to the vehicle list, please submit the form, "Notice of Vehicle Addition / Removal", to Fax # (709) 729-6969 or in writing to:

Pesticides Control Section
P.O. Box 8700
St. John's, NL
A1B 4J6

<u>Vehicle Make</u>	<u>Model</u>	<u>Year</u>	<u>Licence</u>
Ford	F - 150	1999	896 JWE
Dodge	Ram	2002	3128NZ
Ford	F - 150 Crew Ca	2010	123456
Honda	Foreman ATV 4	2015	3
Honda	Foreman ATV 4	2015	1
Honda	Foreman ATV 4	2015	2

ATTACHMENT E

PESTICIDE OPERATOR LICENCE

MOSQUITO AND BITING FLY

E1. NOTIFICATION TO PESTICIDES CONTROL SECTION

(i) The Pesticides Control Section shall be advised of the beginning of the mosquito and biting fly control program no less than fourteen (14) days prior to its commencement. Notification will indicate the site to be treated as identified on the map provided as per E2. This notification may be made either by fax: 709-729-6969, or email: pesticidescontrol@gov.nl.ca ;

(ii) At the end of each seven day pesticide treatment period, the Pesticides Control Section shall be provided with the name(s), Pest Control Products Act Registration Number(s) (PCP Act Reg. #), and amount(s) of pesticide(s) used on site indicated, via fax or email and in addition shall be notified of any future anticipated work in the manner described above.

(iii) **Exceptions to the fourteen day advance notification may be granted on a case by case basis. Contact the Pesticides Control Section for details.**

E2. PROVISION OF MAPS

The operator shall provide topographic maps of all mosquito and biting fly treatment areas, of a scale 1:50,000, preferably in an electronic format. Each treatment site must be identified on these maps. These maps must be provided to the Pesticides Control Section for review not less than 30 days prior to the commencement of the proposed pesticide application.

At the completion of the program the operator shall provide to the Pesticides Control Section, maps of all completed treatment area in an ArcGIS compatible format.

E3. DYKING, SECURITY, STORAGE AND COMMUNICATION PLANS

Dyking, security, storage and communication plans shall be provided to and approved by the Pesticides Control Section in advance of any mosquito and biting fly control program for all locations where any pesticide is to be stored, mixed or loaded.

E4. APPLICATION OF PESTICIDES WITHIN PROTECTED WATER SUPPLY AREAS

- (i) Aerial application of pesticides is not permitted within Protected Water Supply Areas unless prior approval has been granted by Water Resources Management Division of the Department of Environment and Conservation;
- (ii) The storage, mixing, loading and application of any pesticide within Protected Water Supply Areas requires a separate approval from the Water Resources Management Division;
- (iii) 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;
- (iv) The operator must show proof that this approval has been granted by Water Resources Management Division prior to the start of the treatment within the Protected Water Supply Area; and
- (v) To request an approval, contact the Water Resources Management Division, at 709-729-2563.
- (vi) The operator assumes liability to provide an alternate source of water to any community or communities affected as a result of the source of their water supply being contaminated due to the mosquito and biting fly control program.

E5. NOTIFICATION TO THE PUBLIC

- (i) For pesticide operations involving treatments of **pesticides applied aerially**, 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 whose boundaries encompass treatment areas.

The newspaper notice shall:

- (a) appear in any issue at least one week prior to commencing the mosquito and biting fly program;
- (b) state the proposed date(s) for treatment of the areas that are proposed for treatment during the program;
- (c) state all areas that are proposed for treatment during the program;
- (d) list the name(s) of the pesticide(s) to be applied, and the *Pest Control Products Act* Registration Number for this/these pesticide(s);
- (e) contain contact information (website address, toll free information number or other) for individuals who wish to obtain additional information; and

(f) contain the telephone numbers of the pesticide operator's Operations Supervisor and the Pesticides Control Section, 1-800-563-6181, and be indicated accordingly.

(ii) A copy of the newspaper notice and/or receipt shall be mailed or faxed to the Pesticides Control Section, prior to the commencement of the mosquito and biting fly program.

E6. NOTIFICATION TO MUNICIPAL GOVERNMENTS

(i) For aerial control programs, municipal governments whose boundaries encompass treatment and storage areas shall be notified prior to commencement of the programs.

(ii) For all programs involving the aerial application of pesticides, the operator shall be required to submit the details of any municipality information programs to the Pesticides Control Section, in advance of the mosquito and biting fly program.

E7. In the event that formulations containing **Bti** are to be used, information on **Bti** is to be distributed to all municipal councils whose boundaries may encompass spray areas. In addition, this information is to be made readily available to members of the general public. Additional distribution is encouraged but is done so at the pesticide operator's discretion.

E8. BUFFERS AROUND OCCUPIED OSPREY AND BALD EAGLE NESTS

For any pesticide application involving, either directly or indirectly, an aircraft of any sort, the pilot and/or operator shall maintain an **800 meter 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.

E9. EXCEPTIONS TO WEATHER RESTRICTIONS

(i) For direct injection into a water body using submersed outlet application techniques only, pesticide applications shall be permitted without the restrictions on the following weather conditions that are set out in Section 10 of the pesticide operator licence terms and conditions: wind speeds, temperature, humidity and rainfall event predictions or occurrences.

(ii) For pesticide applications involving the use of backpack application equipment only, pesticide applications will be permitted without restrictions on rainfall event predictions or occurrences. All other weather conditions, as per Section 10 of the pesticide operator licence terms and conditions shall apply.

E10. HANDLING OF PESTICIDES

Only those persons who have a valid Newfoundland and Labrador Pesticide Applicator Licence may handle (ie: loading, carrying, shifting, crating, working with, moving, transferring, touching with the hands and transporting) pesticides.

E11. PERMISSION FROM PRIVATE LANDOWNERS

(i) Written permission must be granted to the operator to enter an area identified as private land/property, prior to the commencement of a pesticide application.

(ii) Evidence of written permission must be on site for review by the inspector.

(iii) A copy of the written permission must be provided to the Pesticides Control Section prior to the commencement of the mosquito and / or biting fly monitoring program.

E12. The Department of Environment and Conservation reserves the right to amend the attachments of the terms and conditions of this licence at any time.

March 4, 2014

ATTACHMENT F

PESTICIDE OPERATOR LICENCE

STRUCTURAL

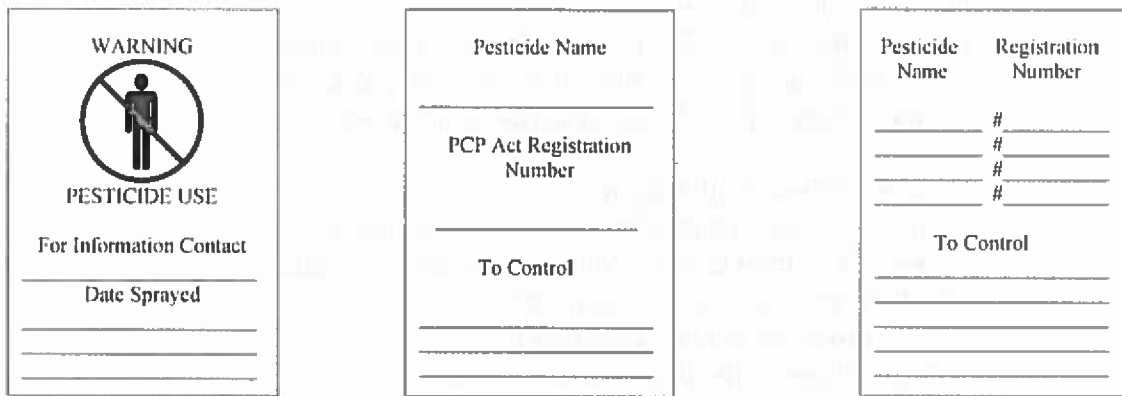
F1. Public notification (Exterior applications)

- (1) The Operator and/or his agent shall provide notice to all properties that are located within 15 meters of the proposed exterior application, excluding covered baits.
 - (a) The notification shall be:
 - (i) in writing, at least 24 hours prior to the pesticide application; or
 - (ii) verbally, at least 24 hours prior to the pesticide application and in writing immediately prior to the pesticide application.
 - (b) The notification shall include:
 - (i) the trade name or product name of the pesticide,
 - (ii) the active ingredient(s) found within the pesticide,
 - (iii) the type of pest to be controlled,
 - (iv) the proposed date of application,
 - (v) the address of the property being treated,
 - (vi) the name and telephone number of the operator doing the application.
- (2) If the pesticide spray activity cannot take place within 48 hours of the scheduled treatment, then the Operator and/or his agent shall “re-notify” all properties in the same manner indicated above.
- (3) Notification is not required for exterior applications of structural pesticides on or within 1 meter of a structure, unless that structure is located within 1 meter of the property boundary.

F2. Signage

- (1). For application of commercial or restricted class pesticides including but not limited to private, commercial and municipal properties, the following shall apply:
 - (i) The operator shall place a sign or signs on all properties that have had an exterior pesticide application, excluding covered baits.

- (ii) At the discretion of the operator, the sign or signs should be placed in a manner to ensure high visibility.
 - (iii) The operator shall inform each client that the pesticide spray sign must remain in place for a period of not less than forty-eight (48) hours but not more than ten (10) days after which time the client shall remove the sign.
 - (iv) The sign shall meet the minimum requirements as illustrated in subsection (3).
- (2) Signage is not required for exterior applications of structural pesticides on or within 1 meter of a structure, unless that structure is located within 1 meter of the property boundary.
- (3) The sign must meet the minimum requirements as follows:



Front

Back

Or

Back

For illustrative purposes only. Sign, pictogram and letters are not drawn to scale.

The sign and information contained on it must be weather resistant for at least forty-eight (48) hours.

The sign shall be at least twenty-eight (28) centimeters high and twenty-two (22) centimeters wide.

The front of each sign shall bear:

The words “WARNING” at the top in capital letters;

Below those words a pictogram showing a single, black silhouette of an adult person on a white background within a red circle crossed by an oblique red bar;

Below the pictogram the words "PESTICIDE USE" in capital letters;

Below those words the words "FOR INFORMATION CONTACT" in capital letters and the company name and telephone number. The Department of Environment and Conservation name and contact number (1-800-563-6181 - St. John's) must also be placed below the company contact information and identified accordingly;

Below the phone numbers the words "DATE SPRAYED" and the date the treatment begins;

The front of the sign may bear only words and markings that do not detract from the required information, occupying not more than the bottom 2.5 centimeters of the sign, that identify the employer of the person performing the treatment;

The words "WARNING" and "PESTICIDE USE" on the front of each sign shall be printed in red letters and shall be at least 2.5 centimeters high.

All other letters and numbers shall be printed in black and shall be at least 1.0 centimeter high.

The back of each sign shall bear:

The word "PESTICIDE" at the top left in capital letters followed by the name of the pesticide used or intended for use;

And Either:

Below those words the words "REGISTRATION NUMBER" in capital letters followed by the registration number assigned to the pesticide under the *Pest Control Products Act (Canada)*;

Or:

The words "REGISTRATION NUMBER" at the top right in capital letters followed by the registration number assigned to the pesticide under the *Pest Control Products Act (Canada)*;

And:

Below those words the words "TO CONTROL" in capital letters followed by the name of the pest to be controlled;

The outer edge of the red circle on the pictogram shall be at least 12.5 cm in diameter on each sign and the width of the circle shall be approximately one-tenth the size of the diameter.

- F3.** The Department of Environment and Conservation reserves the right to amend the attachments of the terms and conditions of this licence at any time.

Feb. 18, 2013