



PMB UPDATE

Pesticide Management Branch
Chemicals Assessment and
Management Division

9820 - 106 Street Edmonton Alberta T5K 2J6

PESTICIDE SERVICES and APPLICATORS

Spring 1997

REGULATORY REFORM IMPLEMENTATION

Revisions to the Pesticide Sales, Handling, Use and Application Regulation and the Pesticide (Ministerial) Regulation came into force February 7, 1997.

Summary of the revisions:

- consolidated four referenced "Procedure" documents into one **Environmental Code of Practice For Pesticides**;
- replaced approval requirements for pesticide services with more streamlined "registration" requirements;
- incorporated requirements for service approvals into regulations and the **Environmental Code of Practice for Pesticides** to allow for the transition of approvals to registrations.
- allowed for use of particular pesticides under specified conditions within 30 horizontal metres of an "open body of water" without having to obtain a Special Use Approval;
- clarified a number of definitions and sections in response to suggestions from pesticide applicators and inspectors.

THE ENVIRONMENTAL CODE OF PRACTICE FOR PESTICIDES

Copies of the Pesticide Sales, Handling, Use and Application Regulation and the Pesticide (Ministerial) Regulation are available from the Queen's Printer.

The new **Environmental Code of Practice for Pesticides** has been enclosed with each newsletter mailed to a **Pesticide Service**. Applicators that are not required to operate under a Pesticide Service Registration may contact the Pesticide Management Branch to obtain a free copy of the Environmental Code of Practice For Pesticides (while quantities last). Copies are also available from the Queen's Printer for a fee.

The following regulatory information publications are available free of charge through the Pesticide Management Branch:

- Pesticide Services
- Special Use Approval
- Pesticide Storage: Regulatory Requirements and Guidelines (Schedules 1 & 2 Pesticides)
- Procedures for Grain Bin Fumigation
- Procedures for Greenhouse Fumigation
- Vertebrate Toxicants For Richardson Ground Squirrel control
- Killing Honey Bees with Calcium Cyanide
- Schedule 1 Pesticides: Notice To Purchasers

To obtain copies please contact:
(to be connected toll free call 310-0000)

Grande Prairie (780) 538-5460 Fax: (780) 538-5336
Room 1701, Provincial Building
10320 - 99 Street
Grande Prairie, Alberta T8V 6J4

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3rd Floor, Provincial Building
4920 - 51 Street
Red Deer, Alberta T4N 6K8

Calgary (403) 297-7602 Fax: *(403) 297-8232

(Until July 1, 1997)	(after July 1, 1997)
2nd Floor, Deerfoot Square	3rd Floor
2938 - 11 Street NE	3115 - 12 Street NE
Calgary, Alberta T2E 7L7	Calgary, Alberta T2E 7J2

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200 - 5 Avenue South
Lethbridge, Alberta T1J 4C7

1997 INSURANCE REQUIREMENTS FOR ALBERTA PESTICIDE SERVICES

Provincial pesticide regulations require that pesticide services maintain insurance coverage. For the 1997 spray season, comprehensive liability of at least \$1,000,000 per occurrence will be a mandatory requirement for all pesticide services. In addition, pesticide drift coverage (\$25,000 per occurrence) will be required for AERIAL and AGRICULTURAL pesticide services.

Insurance is intended to ensure that persons adversely impacted by pesticide damage are able to receive monetary compensation regardless of the financial position of a pesticide service. The implementation of mandatory insurance requirements will support a level playing field for all pesticide applicators serving the agricultural community.

On or before May 1, 1997 **Aerial** and **Agricultural** pesticide services must verify insurance coverage with the Pesticide Management Branch. This may be accomplished by having your insurer, insurance agent or broker submit the attached form.

The Alberta Aerial Applicators Association have agreed to provide a list of members covered under their association's insurance plan, therefore their members are not required to

submit a verification form. In addition, government services (municipal and provincial) are not required to submit insurance verification.

<p>Note: Pesticide Service Registrations are automatically suspended unless insurance coverage is maintained. AERIAL or AGRICULTURAL services failing to provide insurance verification prior to May 1, 1997 will be removed from active Service Registration lists.</p>

TANK MIXING PESTICIDES

Tank mixing is the use of two or more registered pest control products in a single spray tank. Manufacturers are now required to provide data on physical compatibility and efficacy (including phytotoxicity) for new tank-mix registrations. For many older pesticides, label statements regarding whether or not tank-mixes are registered are either vague, or in some cases the label is silent. Few older products have stated prohibitions against tank mixing. Physical compatibility information on a product label is not a specific recommendation for tank mixing treatment. Many users have erroneously assumed that a compatibility statement on the label is the same as a tank-mix recommendation.

Manufacturers are being requested to upgrade all pesticide labels with respect to tank-mixing to make clear whether their product can or cannot be tank-mixed. Until all product labels are upgraded, and **provided none of the mixing choices include a tank mixing prohibition**, products may be tank-mixed by the end user. However, the user of such tank mixes assumes all risks, responsibility and liability associated with its use.

REGISTRATION STATUS OF PESTICIDE PRODUCTS

The federal Pest Management Regulatory Agency (PMRA) may change the registration status of a pesticide at any time as follows:

Registered - this status is given to a product when the registrant (manufacturer) of the pesticide satisfies all of the *Pest Control Products Act* (Canada) registration

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requirements. A certificate of registration, valid for five years, is then issued and the product is assigned a unique Pest Control Products Registration Number (P.C.P. #).

Suspension of Registration - this action, initiated by the registrant, immediately stops further distribution of the suspended product to the vendor. Remaining stock may legally be sold and used until the current registration period expires.

Cancelled - this action, initiated by the Federal Minister of Health, takes effect immediately, stopping the manufacture, distribution, sale and use of a pesticide. Cancellation may be due to recently identified concerns affecting the environment or public health and safety. The PMRA advises the registrant of the cancellation and usually requires the registrant to undertake a recall of the product from the distribution system (including retailers). This action is usually accompanied by an information package detailing the purpose of the cancellation and what to do with product remaining in the hands of the user. Sale and use of a cancelled pesticide must stop immediately; it is an offence under both federal and provincial laws to sell or use a cancelled pesticide.

Five Year Registration Period

At the end of the five year registration period (which ends December 31 of the fifth year), products may be:

Renewed - initiated by the registrant, just prior to a product's registration expiry date, if he wishes to continue producing it for another five year period. Products that have been renewed keep their Pest Control Product Registration Number. Even when a product is discontinued, the registration number remains historically associated with that product.

Not Renewed - products may be denied renewal if the product's registration data package does not meet current standards, the product label submitted at renewal does not comply with the copy of the label on the product register, or the registrant did not respond to renewal application notices. It is illegal to sell and use products that have not been renewed.

On expiry of a registration, the sale of that pesticide product must be discontinued immediately. A grace period of two years after expiration is generally allowed for continued product use. Following the grace period, the

product can no longer be used and must be disposed of in accordance with its waste classification.

PESTICIDE SPILLS

Provincial chemical release (spill) reporting requirements are based on the potential of a chemical to cause an adverse effect. Chemical pesticides have the potential to affect living organisms, as a result it is best to report any spill that exceeds the label application rate. The province has established a toll-free reporting number and there is no fee for reporting a spill. The toll-free number is **1-800-222-6514**. Please be advised that failure to report a spill is an offence. Anyone reporting a chemical release will be provided with a reference number to confirm that a report of the release was made. For pesticides regulated under TDG, Alberta Environmental Protection will advise the local authority responsible for TDG reporting.

In the event that a chemical spill is related to a motor vehicle accident, the police must be notified. Although the police are required to then notify the Department of Environmental Protection, it is advisable for the certified pesticide applicator or pesticide service to notify the Department directly of the pesticide spill location, clean-up action and remediation.

Spill Cleanup

The purpose of pesticide spill reporting is to ensure that the Department of Environmental Protection is aware of all spills that may have an adverse effect on the environment or public health and/or safety, and to confirm that proper remedial action is taken and in a timely manner. It is a legislated requirement that pesticide applicators and pesticide services be equipped to respond to a pesticide spill. It is expected that, in most cases, spill containment and clean-up will have been initiated prior to reporting a pesticide spill. If the Department or the applicator has any concerns regarding cleanup, an on-site inspection will be conducted by Department staff.

For most spills on land, prompt containment and absorption will alleviate most concerns regarding adverse effect and on-site breakdown of remaining residues over time may be acceptable. In cases where spills are more extensive or surrounding land uses are threatened by a potential adverse effect, more extensive remediation may

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be required. In these instances, the Department will require a remediation plan indicating how and when cleanup will be completed. Sample analysis for pesticide residues in soil and possibly vegetation may be required to determine the level of contamination. These costs are usually borne by the person or company responsible for the spill.

Failure to Report a spill is considered a serious offence. If signs of dead vegetation or water contamination become evident after an unreported spill, it is likely that someone will bring this to the attention of the Department. Administrative penalties for not reporting spills have been in the order of \$2,000 to \$3,000 and can be issued for higher amounts. Aside from monetary penalties, more extensive remediation and chemical sampling may be associated with a cleanup that is initiated several weeks or months after a spill where contamination has been allowed to spread.

~~REPLACEMENT OF CONDITIONAL PESTICIDE APPLICATOR CERTIFICATES WITH RESTRICTED PESTICIDE APPLICATOR CERTIFICATES~~

The revisions to the pesticide regulations have eliminated experience requirements for pesticide applicator certification and no more Conditional Pesticide Applicator Certificates of Qualification will be issued. This means that applicants need only pass the certification examination to qualify for a certificate of qualification. In the case of an aerial class certificate, applicants must also provide an appropriate flight crew licence issued by Transport Canada.

Current Conditional Certificates that were issued based only on experience (and no examination) will remain valid until they expire. Those issued based on successful exam completion and no experience will be re-issued in the near future as a full Certificate of Qualification. In some instances, where individuals working for a registered Pesticide Service require certification, they may qualify for a RESTRICTED Pesticide Applicator Certificate if they meet the requirements identified in the following chart.

	CONDITIONAL CERTIFICATE (issued prior to Feb. 1997)	RESTRICTED CERTIFICATE (issued starting Feb. 1997)
CRITERIA FOR ISSUANCE	anyone with experience who had a certified supervisor	only issued to applicants where the following applies: - sudden, unexpected loss of the Pesticide Services certified applicator - an emergency pest management situation - routine, repetitive, low risk application where supervision is available
QUALIFICATION	Submission of completed: - Application Form - Experience Checklist - Conditional Supervisor Agreement	submission of completed: - Application Form - Supervision/Experience Verification Form detailing previous experience, - need to certify in absence of exam, - type of application to be performed - type of supervision to be provided to applicant WHERE ANY OF THE INFORMATION DOES NOT MEET THE CRITERIA NOT APPROPRIATE, THE CERTIFICATE WILL NOT BE ISSUED
CONDITIONS OF ISSUANCE	Supervisor responsible. Issued for a two year period. Non-renewable.	Supervisor responsible. Issued for a two year period. Non-renewable. LIMITED TO INFORMATION SUBMITTED INCLUDING: - SPECIFIC EMPLOYMENT, - APPLICATION TYPES, - PESTICIDE INDICATED, - SUPERVISION INDICATED.

ALBERTA PESTICIDE USER'S DISCUSSION LIST

Alberta Environmental Protection has established a discussion list on the internet for pesticide users in Alberta. The discussion list is open to anyone, but subscription is approved by the Pesticide Management Branch. The internet is a quick way to distribute and obtain information. It can also be a useful forum to pose pertinent pesticide-related questions. Make full use of

the discussion list - its free! Just send an e-mail message as described below and you're "connected".

To subscribe to the list, send your request to **majordomo@list.env.gov.ab.ca** and leave the subject empty. In the message type: **subscribe ABPEST-L John Doe <email@address>** and

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no signature line. Obviously you replace "John Doe" with your name and include your e-mail address between the < > symbols. You will receive notification if you have submitted correctly and within a couple of days your subscription will be approved.

Any questions regarding this service, please contact the Calgary office of the Pesticide Management Branch at 1-403-297-8262 or 310-0000 from anywhere in Alberta or send by e-mail to: owner-abpest-1@list.env.gov.ab.ca

PESTICIDE APPLICATOR TRAINING COURSE REVISED

The Pesticide Applicator Training Course available through Lakeland College has been revised to reflect the ~~new legislation and the Minimum National Standards. The~~ revised course will be available in March, 1997.

Persons who purchased the course prior to March, 1997 may still write the exam based on the old course until September, 1997. After September, all candidates will be required to write the new exam based on the revised materials.

For further information, please call Vivianne Servant at 1-800-661-3495.

REQUIREMENT TO REPORT ADDRESS & NAME CHANGES

Pesticide applicators are legally required to report address ~~and name changes to the Pesticide Management Branch~~ within three months of the change. The reason for this requirement is to ensure that applicators receive correspondence, newsletters, alerts, renewal packages, and other important information.

PESTICIDE APPLICATIONS WITHIN 30 HORIZONTAL METRES OF AN "OPEN BODY OF WATER"

Revised Alberta pesticide regulations have changed the requirements for persons who wish to use pesticides in, on

or within 30 horizontal metres of an "open body of water". The changes exempt small intermittent streams (when dry) from the definition of an "open body of water" and clarify what constitutes the "bed and shore". The new Environmental Code of Practice for Pesticides will eliminate approval requirements for certain low-risk pesticide applications near water. Approvals will also be eliminated for pesticide use when other department authorizations or policies exist. Homeowners and farmers will not require approvals for the use of pesticides on their cultivated land, however they will remain responsible for ensuring that their pesticides do not enter the water or create an impact on riparian vegetation.

New requirements as to who does or does not need a Special Use Approval are found in the Pesticide (Ministerial) Regulation. The following persons **do not** require an approval to apply pesticides **within 30** horizontal metres of an "open body of water":

- 1) a certified applicator who applies pesticides in accordance with the Environmental Code of Practice for Pesticides
- 2) any person who applies pesticides on cultivated land. Cultivated land now includes cropland, improved pastures and private residential lands used for growing turf and ornamental plants
- 3) any person who applies a vertebrate toxicant bait within 30 horizontal metres of a frozen "open body of water" in accordance with an Alberta Government pest control program

The following persons **do not** require an approval to apply pesticides **on or in** an "open body of water":

- 1) a person applying a vertebrate toxicant bait on ice cover in accordance with an Alberta Government pest control program
- 2) a person applying a fish toxicant in accordance with an authorization from the Director of Fisheries Management of Alberta Environmental Protection

Please note that, with exception to the above, an approval is required by anyone who applies or stores pesticides, or

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washes spray equipment in on or within 30 horizontal metres of an "open body of water".

The Implications of the Environmental Code of Practice for Pesticides

As described above, a certified applicator who is working in accordance with the Environmental Code of Practice for Pesticides does not require an approval for the application of pesticides within 30 horizontal metres of an "open body of water". The Code provides several limitations and conditions under which pesticides must be applied in these areas.

The Code limits the types of pesticides and application methods that can be used near water. It also indicates the types of vegetation or pests that can be controlled and for herbicides, it sets a 5 metre no-observable impact zone from an "open body of water". Conditions are also present to prevent any adverse effects resulting from the pesticide application.

The Code also allows for a conservative approach to pesticide application near water. An approval is not deemed necessary when the code is followed as long as a certified applicator adhering to the Code conducts the applications. If a person wishes to undertake pesticide applications that are not provided for in the Code, i.e. applications closer than 5 horizontal metres from an "open body of water", an approval must be obtained.

The process for obtaining an approval has not changed. Approval applicants must still undergo a public notice procedure to allow potentially affected persons the opportunity to state concerns on the proposal before an approval is developed.

PESTICIDE SPECIAL USE APPROVALS, 1996

In 1996, 104 Special Use Approvals were issued for pesticide use in or within 30 horizontal metres of open bodies of water. This included 59 renewals of expired approvals, 17 amendments to existing approvals, and 28 new approvals. When combined with approvals still in effect from previous years, a total of 158 were active during the 1996 season.

Of the approvals issued in 1996, 41 were issued to rural municipalities (Counties and M.D.s), 16 to urban

municipalities (cities, towns, villages), 12 to private industry, 11 to provincial government agencies, and 10 to irrigation districts. The remainder were for individuals, conservation groups, or golf courses. Of the 19 approvals issued for pesticide application directly to water, 17 were for aquatic plant control while 2 were for mosquito control. Those issued for pesticide application on land within 30 horizontal metres of water were primarily for weed and brush control, however approvals for insect control, rodent control and turf disease prevention were also issued.

Most of the approvals in 1996 were issued following a "notice of application" published or posted by the applicant. As a result of these notices, 6 statements of concern were submitted by concerned individuals or organizations. All of the concerns were addressed by the proponents, and approvals were subsequently issued in all cases.

Fourteen approvals were issued with the approval holder posting or publishing a "notice of decision" following receipt of the approval. In these cases the requirement for a "notice of application" was waved, either because the applicant had previously provided public notice or the proposal was small scale with a minimal potential for environmental impact and only a few people who might be directly affected (e.g. weed control on a private lawn).

The phasing in of longer term approvals continued in 1996, with the majority being issued for three or four seasons. Beginning in 1997, approvals will be issued for four or five years. After 1997 most approvals will be issued for a five year term.

GUIDELINES FOR DESIGNING VEGETATION MANAGEMENT PLANS

In today's increasingly complex technical and regulatory environment, it is important to be well prepared and thorough when conducting vegetation management programs. The key to achieving successful, problem-free vegetation management is good planning. The question

then, is how does one best go about planning for a vegetation management program?

The Industrial Vegetation Management Association of Alberta (IVMAA) is currently developing Guidelines for

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Designing Vegetation Management Plans. The Guidelines will assist Government Agencies, Municipalities, Energy and Utility Companies, contractors or anyone else who is involved with vegetation management to thoroughly plan vegetation management programs.

The guidelines will take someone step by step through points that need to be considered when conducting a vegetation management program. Aspects such as site characteristics, control methods (chemical, mechanical, biological), equipment and application techniques, sensitive areas, public notification, regulatory requirements and so on, are described with hints on what to plan for. Background information and references will be provided to assist in the decision making processes involved.

The guidelines will also provide a template that can be used to prepare a plan and will have selected examples of plans that have been prepared for various vegetation management programs. The Guidelines for Designing Vegetation Management Plans will soon be available from the IVMAA. Contact the IVMAA office (403) 541-9600 for additional information.

PESTICIDE CONTAINERS - TAKE THEM BACK CLEAN

"Take Them Back Clean" is the theme of the 1997 Crop Protection Institute of Canada (CPI) campaign to remind farmers and custom applicators to thoroughly rinse and safely dispose of their used pesticide containers.

The CPI's container management program is an industry program funded by crop protection product manufacturers. But it is the combined support of farmers, custom applicators, dealers, contractors, provincial committees, governments and manufacturers that has made it a success. The program which operates in all provinces led the world in 1995 with a recovery rate of 64% of the pesticide containers supplied to the market place. Germany, at 41%, ranked second and the USA, at 28%, ranked third.

In Alberta, over 989,000 pesticide containers were collected from 99 municipally operated container sites in 1996 (an increase of 86,000 over 1995).

Cleanliness of containers is a key issue in recycling

containers. With a view to improving program performance, CPI commissioned a survey of 457 farmers and 151 custom applicators, including 31 aerial applicators, in the prairie provinces during July/August 1996 to determine their pesticide container return and rinsing practices.

The results showed that of those interviewed in the CPI study, 99% of the custom applicators and 97% of the farmers said they were able to rinse the containers where they filled their sprayer. The survey also estimated that 85% of the containers taken to a container site had been triple/pressure rinsed. However, an Alberta Environmental Protection survey of containers at container sites in 1996 suggested that only 72% of containers were being rinsed. In addition over 17,000 litres of liquid pesticide, adjuvant and rinsate collected at container sites required disposal.

The 1997 awareness campaign focuses on thoroughly rinsing pesticide containers before taking them to the collection site with it's theme "**Take Them Back Clean**".

The Alberta Container Management Committee is asking pesticide dealers to "**take the time to do the right thing**" by encouraging customers to rinse empty containers before depositing at container sites, by posting the location and operating hours of the local container site and by informing customers of any return policy for excess adjuvant.

Triple rinsing (or pressure rinsing) will ensure all the product your customer paid for goes to where it belongs - protecting the crop. Also, clean and drained containers will:

- be safer to handle,
- cost less to process and to dispose of liquid pesticide and rinsate from containers,
- reduce container site liability concerns, and
- increase opportunities for recycling containers.

We all have a role in protecting our environment, please promote triple/pressure rinsing of pesticide containers and depositing clean, drained containers at one of the municipally operated containers sites around the province. Site locations are listed in the 1997 edition of the "**Blue Book**", the 1997 edition of the "**Pesticide Quick Reference**" (available from Lakeland College) or contact the local agricultural fieldman, any office of the Pesticide Management Branch, or the Action on Waste Recycle

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Information Line (1-800-463-6326) for site locations and operating hours.