

CONSOLIDATION OF REGULATION R.R.N.W.T. 1990, c. P-2 PESTICIDE REGULATIONS (Dated 15 July, 1992)

AS AMENDED BY:

USE OF CONSOLIDATION

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PESTICIDE REGULATIONS

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PESTICIDE ACT
PESTICIDE REGULATIONS

Interpretation

1. (1) In these regulations

"Act" means the *Pesticide Act*

"applicant" means a person or partnership who applies for a permit;

"permit holder" means the holder of a permit;

"pest control product number" or "PCP No." means the registration number given to a pesticide under the *Pest Control Products Regulations (Canada)*;

"*Pest Control Products Regulations (Canada)*" means the *Pest Control Products Regulations (Canada)* made under the *Pest Control Products Act (Canada)*;

"pesticide application permit" means a permit required by section 2 of the Act;

"pesticide business permit" means a permit required by section 6 of the Act.
- (2) For the purposes of the Act and these regulations, "pesticide" means a pesticide as defined in the Act, but does not include any substance or mixture of substances within the exempt class of pesticides designated under subsection (3).
- (3) For the purposes of the Act and these regulations, there is an exempt class of pesticides composed of
 - (a) any pesticide classified and labelled as "domestic" under the *Pest Control Products Regulations (Canada)*; and
 - (b) any pesticide, other than a pesticide classified and labelled as "restricted" under the *Pest Control Products Regulations (Canada)*, that is used
 - (i) as a bactericide in cutting oils and aviation and marine fuels,
 - (ii) in a cleanser, deodoriser, disinfectant or soap,
 - (iii) in a dust control agent,
 - (iv) in a fabric softener,

- (v) as a bactericide or algacide for use in a swimming pool, domestic water supply, industrial cooling system, home aquarium or ornamental pool, or
- (vi) as a surfactant, preservative or adjuvant.

Pesticide Application Permit

2. An applicant for a pesticide application permit shall submit an application in Form 1 to an inspector including
 - (a) a map of the geographical area over which the pesticide will be applied that, in the opinion of an inspector, clearly shows the specific places where the pesticide will be applied;
 - (b) a summary of the proposed pesticide application that explains
 - (i) the purpose for applying the pesticide,
 - (ii) the name and pest control product number of the pesticide,
 - (iii) the total quantity of pesticide to be applied,
 - (iv) the application rate of the pesticide,
 - (v) the proposed number and frequency of applications of the pesticide,
 - (vi) the type of equipment and proposed method for applying the pesticide, and
 - (vii) the proposed method for disposing of surplus pesticide and pesticide containers;
 - (c) proof of payment of any assessment payable by the applicant under the *Workers' Compensation Act*; and
 - (d) any other relevant information that the inspector may require.
3.
 - (1) Subject to this section, an inspector may issue a pesticide application permit, in Form 2, to an applicant who submits a completed application for it.
 - (2) Before issuing a pesticide application permit, an inspector may require the applicant or any person who will apply the pesticide
 - (a) to establish that the applicant and any person who will apply the pesticide are qualified to safely use, apply, handle and dispose of any pesticide that is to be applied;
 - (b) to undertake to exercise reasonable care while handling, applying, storing or disposing of the pesticide;
 - (c) to complete a course of training, acceptable to the inspector, respecting pesticides;
 - (d) to prove that the applicant and any person who will apply the pesticide are

insured for public liability arising from the application of a pesticide in an amount not less than \$1,000,000;

- (e) to undertake to notify the public of the time and place of the proposed application of the pesticide by a method satisfactory to the inspector; and
- (f) where the pesticide is to be applied by an aircraft, to prove that the person who will be applying the pesticide holds a valid commercial pilot's licence and that the air carrier is licensed as a Class 7 specialty commercial air service licence for aerial application and distribution within the meaning of the *Air Carrier Regulations* (Canada) made pursuant to the *Aeronautics Act* (Canada).

- (3) When issuing a pesticide application permit, an inspector may, by endorsement on the permit, limit the geographical area over which the pesticide may be applied.

Pesticide Business Permit

- 4. An applicant for a pesticide business permit shall submit an application in Form 3 to an inspector including
 - (a) a description of the premises where any pesticides will be stored;
 - (b) a description of the applicant's proposed method of storing any pesticides;
 - (c) the name, pest control product number and quantity of any pesticides that the applicant proposes to store;
 - (d) a certificate of good standing issued by the Registrar of Companies and dated within one month of the date of the application, where the applicant is a corporation;
 - (e) proof of payment of any assessment payable by the applicant under the *Worker's Compensation Act*; and
 - (f) any other relevant information that the inspector may require.
- 5. (1) Subject to this section, an inspector may issue a pesticide business permit, in Form 4, to an applicant who submits a completed application for it.
- (2) Before issuing a pesticide business permit, an inspector may require the applicant and any person employed by the applicant
 - (a) to establish that they are qualified to safely use, apply, handle and dispose of pesticides;
 - (b) to undertake to exercise reasonable care while handling, applying, storing or disposing of a pesticide;
 - (c) to complete a course of training, acceptable to the inspector, respecting pesticides; and

- (d) to prove that they are insured for public liability arising from the business in an amount not less than \$1,000,000.

General Terms and Conditions

- 6. Before issuing a permit, an inspector may require the applicant to undertake, with respect to any pesticide under his or her control, to store the pesticide in a place that
 - (a) is inaccessible to the public and is locked when the person who owns or is responsible for the pesticide is not present;
 - (b) does not drain directly or indirectly into a storm or sanitary sewer, water course or open body of water; and
 - (c) is used exclusively for the purpose of storing pesticides or pesticide related equipment.
- 7. A permit is automatically cancelled where
 - (a) the insurance that a permit holder may be required to carry under these regulations expires or is cancelled; or
 - (b) the permit holder fails to pay any assessment payable by him or her under the *Workers' Compensation Act*,
- 8. A permit is valid for a period of one year or such lesser period of time as an inspector may endorse on the permit.

Reporting

- 9. The holder of a pesticide application permit shall notify an inspector appointed under the *Safety Act* of the anticipated date of the application of the pesticide at least seven days in advance of that date.
- 10. The holder of a permit shall notify, in writing,
 - (a) the local fire department, and
 - (b) the local Health Officer or Medical Health Officer appointed under the *Public Health Act*,

of the location and description of any pesticides under his control.

11. (1) The holder of a pesticide application permit shall, after applying a pesticide, report to an inspector any observed lethal or toxic effects that the pesticide has on life other than that which was intended to be controlled.
- (2) The holder of a pesticide application permit shall submit a report on the application of the pesticide in Form 5 to an inspector within 10 days of the expiry or cancellation of the permit.
- (3) The holder of a pesticide business permit shall submit a monthly report on his or her operations in Form 6 to an inspector within 10 days of the end of every month during the period for which the permit is valid.
12. (1) The holder of a permit shall, as soon as is reasonably practicable, notify an inspector when a pesticide is
 - (a) lost through fire or theft; or
 - (b) discharged into the environment by a spill or any other occurrence except an application or disposal under a permit.
- (2) For the purposes of notifying an inspector under subsection (1), a person may telephone
 - (a) where a spill has occurred, the Northwest Territories 24-Hour Spill Report Line at (867) 920-8130; or
 - (b) in any other case, the Pollution Control Division of the Department of Resources, Wildlife and Economic Development at (867) 873-7654.

Dated at Yellowknife this 15th day of July, 1992

Original signed by
Helen Magsagak
Deputy Commissioner of the Northwest Territories

APPLICATION FOR A PESTICIDE APPLICATION PERMIT	
Part 1:	
NAME OF APPLICANT:	
ADDRESS:	
POSTAL CODE:	
TELEPHONE NO.:	
Part 2: All Persons Who Will Apply the Pesticide:	
NAME:	
ADDRESS:	
POSTAL CODE:	
TELEPHONE NO.	
NAME:	
ADDRESS:	
POSTAL CODE:	
TELEPHONE NO.	
Part 3: Training and Experience of Persons Listed under Part 2:	

**Part 4:
Details of Proposed Application:**

PESTICIDE TRADE NAME:	
PCP NO.:	
RATE OF APPLICATION:	
TOTAL QUANTITY:	
NUMBER OF APPLICATIONS:	
FREQUENCY OF APPLICATIONS:	

**Part 5:
Method of Application and Equipment to be used:**

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**Part 6:
Purpose of Application:**

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**Part 7:
Proposed Dates of Application:**

From _____ to _____
(Day Month Year) (Day Month Year)

**Part 8:
Proposed Method of Disposal of Surplus Pesticides and Pesticide Containers:**

PESTICIDE TRADE NAME:	
PCP NO.:	
DISPOSAL METHOD OF	

PESTICIDE:	
DISPOSAL METHOD OF PESTICIDE CONTAINER:	
Part 9: A Map of the Geographical Area Over Which the Pesticide will be Applied Showing the Specific Places Where the Pesticide will be Applied is Attached.	
Part 10: Proof of Public Liability Insurance is Attached.	
Part 11: Proof of Payment of any Assessment Under the <i>Workers' Compensation Act</i> is Attached.	

<hr style="width: 80%; margin: 0 auto;"/> <p>Date</p>	<hr style="width: 80%; margin: 0 auto;"/> <p>Signature of Applicant or Officer of Applicant Corporation</p>
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No. _____

PESTICIDE APPLICATION PERMIT	
Part 1: Subject to the <i>Pesticide Act</i> and the Regulations and subject to the limitations endorsed on this permit,	
NAME(S):	
may apply the following pesticide (or pesticides) in the amounts, manner and places described in this permit.	
PESTICIDE TRADE NAME:	
PCP NO.:	
MAXIMUM RATE OF APPLICATION:	
METHOD OF APPLICATION:	
PLACE OF APPLICATION:	
1. The permit holder (or holders) will conform to the conditions of the application pursuant to which this permit is issued.	
2. This permit is valid from _____ to _____ (Day Month Year) (Day Month Year)	

<p>ISSUED BY _____</p> <p style="text-align: center;">Date Signature of Inspector</p>

FORM 3

(Section 4)

APPLICATION FOR A PESTICIDE BUSINESS PERMIT	
Part 1:	
NAME OF APPLICANT:	
ADDRESS:	
POSTAL CODE:	
TELEPHONE NO.:	
Part 2: Location of place of business, if different from above:	
Part 3: Applicant's and employee's training experience:	
Part 4: Nature of applicant's proposed business:	
Part 5: Details of proposed storage pesticides:	
PESTICIDE TRADE NAME:	
PCP NO.:	
ESTIMATED QUANTITY:	
METHOD OF STORAGE:	
PLACE OF	

STORAGE:	
Part 6: Proof of liability insurance is Attached.	
Part 7: Proof of payment of any assessment under the <i>Workers' Compensation Act</i> is Attached.	
Part 8: Certificate of good standing issued by the Registrar of Companies and dated within one month of this application is attached (where the applicant is a Corporation).	

<p>_____</p> <p>Date</p>	<p>_____</p> <p>Signature of Applicant or Officer of Applicant Corporation</p>
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FORM 4

[Subsection 5(1)]

No. _____

PESTICIDE BUSINESS PERMIT	
Part 1: Subject to the <i>Pesticide Act</i> and the Regulations and subject to the limitations endorsed on this permit	
NAME:	
may carry on the following business in the place (or places) described:	
NATURE OF BUSINESS:	
PLACE (OR PLACES):	
1. The permit holder (or holders) will conform to the conditions of the application under which this permit is issued.	
2. This permit is valid from _____ to _____ (Day Month Year) (Day Month Year)	

ISSUED BY _____
Date Signature of Inspector

FORM 5

[Subsection 11(2)]

REPORT ON APPLICATION OF PESTICIDE	
Part 1: (To be completed and submitted to an inspector within 10 days of the expiry of the pesticide application permit).	
NAME OF PERMIT HOLDER:	
ADDRESS:	
PERMIT NO.:	
TELEPHONE NO.:	
Part 2: Details of application of pesticide:	
DATE:	
PESTICIDE TRADE NAME:	
PCP NO.:	
RATE OF APPLICATION:	
TOTAL QUANTITY APPLIED:	
SPECIFIC LOCATION OF APPLICATION:	
Part 3: Details of disposal or storage of surplus pesticides and pesticide containers:	
DATE:	
PESTICIDE TRADE NAME:	
PCP NO.:	
QUANTITY:	
DISPOSAL METHOD OR	

STORAGE OF PESTICIDE:	
DISPOSAL METHOD OR STORAGE OF PESTICIDE CONTAINERS:	

_____	_____
Date	Signature of Permit Holder or Officer of Corporation

FORM 6

[Subsection 11(3)]

MONTHLY REPORT	
Part 1: (To be completed and submitted to an inspector within 10 days of the end of each month)	
NAME OF PERMIT HOLDER:	
ADDRESS:	
PERMIT NO.:	
REPORT FOR THE MONTH OF:	19 ____
Part 2: Details of application of pesticide:	
DATE:	
PESTICIDE TRADE NAME:	
PCP NO.:	
RATE OF APPLICATION:	
TOTAL QUANTITY APPLIED:	
SPECIFIC LOCATION OF APPLICATION:	
Part 3: Details of disposal or storage of surplus pesticides and pesticide containers:	
DATE:	
PESTICIDE TRADE NAME:	
PCP NO.:	
QUANTITY:	
DISPOSAL	

METHOD OR STORAGE OF PESTICIDE:	
DISPOSAL METHOD OR STORAGE OF PESTICIDE CONTAINERS:	

_____ Date	_____ Signature of Permit Holder or Officer Corporation
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