



Ministry of
Environment and
Climate Change Strategy

2016

COMPLIANCE INSPECTION REPORT INTEGRATED PEST MANAGEMENT ACT



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GUIDE TO UNDERSTANDING THE INSPECTION RESULTS

WHAT IS INCLUDED IN THIS REPORT?

This report covers the results of inspections under the *Integrated Pest Management Act* from January to December 2016. This report is a point in time assessment of the compliance of a regulated party, often for a large number of parameters chosen by an inspector. All data used to compile this report is available online via the [Government of B.C.'s website](#).

WHAT IS IMPORTANT TO NOTE?

Not all non-compliances present a threat to the environment or human health: the majority of non-compliances are administrative in nature or have minor, temporary impacts to the environment and human health. Just because a regulated party is out of compliance, it does not necessarily mean they are a “bad operator” or that there has been environmental damage or human health impacts.

In 2016, 69% of inspections were in compliance. Only 31% required the issuance of an advisory or warning as a first level enforcement response.

HOW DO WE DETERMINE NON-COMPLIANCE?

When determining which sites and facilities to inspect, the ministry intentionally targets areas where there may be non-compliance. A problem focused approach is used to best protect the province against environmental and human health harms. This approach, however, often yields higher than expected rates of non-compliance because the ministry is looking for problems.

When a single problem is found during an inspection, the whole inspection is marked out of compliance – regardless of how many items were checked or how minor the non-compliance. During an inspection many parameters may be checked, especially in cases where the ministry is working with large scale operators.

WHAT DID WE FIND?

169 INSPECTIONS WERE CONDUCTED under the *Integrated Pest Management Act*.

Of these 169 Inspections:

- 69% resulted in a notice of compliance (to confirm all parameters were in compliance).
- 29% resulted in an advisory (to address minor administrative issues or little to no impact).
- 2% resulted in a warning (to warn of a possible escalated enforcement response if non-compliance continues).

HOW DOES THE MINISTRY RESPOND TO NON-COMPLIANCE?

The ministry is committed to ensuring compliance with all aspects of the *Integrated Pest Management Act*. To best protect the environment, human health and public safety, the ministry directs resources to the areas of highest risk and of most serious concern. Different responses are chosen to address non-compliances based on the severity of actual or potential impact to the environment, human health or public safety and the compliance history of the operator. Definitions of the various types of responses are described in this report.

INTRODUCTION

Over the past several years, the ministry has been actively working to expand public reporting to include compliance inspections. In 2016, the first report for [compliance inspections under the *Environmental Management Act \(2015\)*](#) was issued. The ministry is pleased to be in a position to share publicly, for the first time, the results of inspection efforts under the *Integrated Pest Management Act* and looks forward to sharing these results annually.

This report was undertaken to examine program performance, to inform future management decisions and to share with the public the results of the ministry's work.

Data used in this report was collected by ministry staff and tracked manually. Data was thematically analyzed and interpreted by staff for the purpose of this report.

The report is organized into two main sections:

Part A: Overview

- Regulatory Context
- Approach to Compliance and Enforcement
- Compliance Inspections

Part B: Compliance Activities for 2016

- Promoting Compliance
- Compliance Inspection Results
- Enforcement

Beginning in 2017, inspections conducted under the *Integrated Pest Management Act* have been recorded in a new online data management program. It is expected that future reports will include more robust analysis and datasets as a result of the new system being in place.

It is noteworthy to mention that in the ministry, inspectors are classified as Integrated Pest Management Officers. This title demonstrates the true significance of the inspection program.

The ministry is committed to providing technical and skills-based training for staff, with most inspectors receiving approximately 35 hours of training in 2016. The ministry wishes to express its appreciation to the dedicated and professional staff who carry out this important role throughout the province.

Note: the term "regulated party" used throughout this report includes large corporations, small companies, local and provincial government agencies, and private individuals.

PART A: OVERVIEW

REGULATORY CONTEXT

Effective regulations ensure a safe and healthy environment for British Columbians, sustainable economic development, and clear and predictable decisions for the public and business community.

MINISTRY MANDATE

The Ministry of Environment and Climate Change Strategy is responsible for the protection, management and conservation of B.C.'s water, land, air and living resources. In order to fulfil this mandate, the ministry establishes and administers a broad suite of regulatory requirements.

INTEGRATED PEST MANAGEMENT ACT AND REGULATION

The *Integrated Pest Management Act* (IPMA, or the Act) establishes conditions for the sale and use of pesticides in British Columbia. Under the Act, a person must not “use, handle, release, transport, store, dispose of or sell a pesticide in a manner that causes or is likely to cause an unreasonable adverse effect”. This general prohibition, in concert with the requirements for integrated pest management, underpins the ministry’s approach to regulation of pesticides in British Columbia. The Act also provides ministry staff with the authority to inspect for compliance and enforce provisions of the Act and associated regulation.

[Integrated pest management \(IPM\)](#) is a science-based decision-making process that uses a number of different strategies, including both chemical and non-chemical control methods, to manage pests effectively. It is based on continuous improvement, seeks to minimize the use of pesticides whenever possible, and encourages long-term solutions to prevent pests. To the best of our knowledge, British Columbia is currently the only jurisdiction in Canada to require an IPM approach to pest management.

TYPES OF REQUIREMENTS INSPECTED

In British Columbia, any industry, business, activity, or operation must comply with all applicable regulatory requirements under the Act. Different pest control activities have different authorization requirements. The specific authorization required depends on the type of activity and area of use. Most inspections are conducted on authorized pesticide users, however, when an issue or concern is discovered or brought to the ministry’s attention, inspections are also conducted on unauthorized pesticide users.

PESTICIDE USE PERMITS: A permit for use of pesticides is required for particular products or uses of concern, including aerial applications over urban or residential areas, use of a permit-restricted pesticide, and to allow for deviations from standards and requirements set out in the Regulation. Compliance with permit conditions established by the ministry is verified by on-site inspections or reviews of required data submissions.

PESTICIDE USE NOTICE CONFIRMATIONS: A Pesticide Use Notice (PUN) Confirmation is required for many large-scale pesticide uses, including those in forestry, mosquito management, industrial vegetation and noxious weed control. A confirmation holder is required to prepare and adhere to a Pest Management Plan (PMP) that is compliant with the Regulation, and to consult with the public on the proposed pest management activities. Compliance with specific aspects of the PMP is verified by ministry inspectors.

LICENCES FOR PESTICIDE USERS AND VENDORS: Licenses make up the majority of the authorizations issued by the ministry, and therefore the majority of inspections are conducted on license holders each year. Inspectors conduct compliance verification with a wide range of requirements in the regulation that apply to this group, such as the proper storage and use of pesticides, the maintenance of records of pesticide sales and use, and appropriate measures taken to protect human health and the environment.

RANGE OF ACTIVITIES REGULATED

The Act regulates a broad and diverse spectrum of pesticide users and vendors.

Regulated pesticide users include those conducting vegetation management and mosquito control programs on public land, structural pest control operators, and landscapers. Regulated pesticide vendors include those who sell commercial and agricultural pesticides, as well as garden centres and other stores who sell domestic pesticides for use in residential settings.



Ministry inspector verifying compliance

REGULATORY PARTNERS

The ministry depends on a number of internal and external regulatory partners to help manage pesticide use in BC. [Health Canada's Pest Management Regulatory Agency](#) is responsible for legislation under the federal *Pest Control Products Act* that includes regulatory authority over requirements for pesticide labels. The ministry routinely conduct joint inspections with Health Canada inspectors. Work Safe BC also has extensive legislative tools to respond to non-compliances involving workers and pesticides. The ministry partners with the Ministry of Agriculture in promoting best management practices, training and certification of the agriculture sector. The Conservation Officer Service (COS) have inspection powers under the IPMA, and can conduct inspections on behalf of the ministry in responding to complaints in locations where IPM Officers are not located.

WHAT ARE PESTS AND PESTICIDES?

A pest is any kind of living organism causing undesirable effects. E.g., weeds, insects, rodents, fungi.

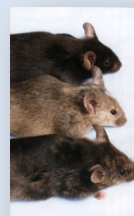
A pesticide is any kind of material that is intended to prevent, destroy, repel, attract or manage pests. Pesticides are grouped according to the pest they control e.g., herbicide, insecticide, fungicide, rodenticide.



WHEN ARE PESTICIDES USED?

Pesticides are used in situations where alternatives to pesticides are not effective to control pests, for example when the exclusion of rodents or planting of disease-resistant plants is ineffective.

Pesticides can also be used to mitigate environmental and economic damage, in addition to the protection of human health (e.g. the use of the natural pesticide btk to control invasive gypsy moth).



APPROACH TO COMPLIANCE AND ENFORCEMENT

The ministry uses a variety of compliance and enforcement tools to ensure compliance with regulatory requirements. When responding to non-compliance, ministry staff consider the severity of actual or potential impact to the environment, human health or public safety, the factual circumstances of the alleged contravention, and the compliance history of the offender.

In many cases, voluntary compliance can be achieved through promoting an understanding of the applicable regulatory requirements and early intervention through the issuance of advisories and

warnings. However, in cases where the impact to the environment, human health or public safety is more serious, or where there is a continued lack of regard for the regulatory requirements, inspection staff will refer the non-compliance for investigation which may lead to prosecution.

COMPLIANCE MANAGEMENT FRAMEWORK

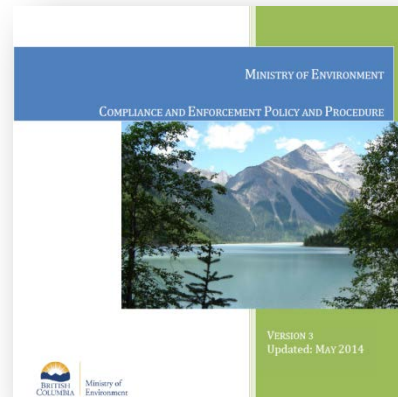
The ministry's [Compliance Management Framework](#) (the framework) outlines a consistent approach and vision for ensuring compliance. The framework describes in detail the model that guides all ministry compliance and enforcement activities. The model outlines four key steps to compliance management:



The framework also highlights the ministry's commitment to continuous improvement, accountability and public reporting of compliance and enforcement results.

COMPLIANCE AND ENFORCEMENT POLICY AND PROCEDURE

The [Compliance and Enforcement Policy and Procedure](#) sets out how ministry inspectors assess and respond to non-compliance. It provides consistency, clarity and predictability regarding the consequences of non-compliance, and ensures that ministry resources are directed to the highest priorities. The Non-Compliance Decision Matrix, a key part of the policy, is a risk-based tool that guides staff in their selection of appropriate responses to non-compliances.



COMPLIANCE AND ENFORCEMENT TOOLS

The ministry has at its disposal a variety of compliance and enforcement tools. Some tools are administrative and can be issued by ministry staff such as warnings, orders and administrative penalties. Some tools can only be issued by

a Conservation Officer subject to an investigation, i.e. violation tickets and recommendation of charges to Crown Counsel that may result in a court prosecution.

Key compliance and enforcement tools:

NOTICE OF COMPLIANCE: issued by an inspector when all parameters of an inspection are found in compliance.

ADVISORY: issued by an inspector advising a non-compliant party that they are not in compliance and often recommending a course of action to achieve compliance.

WARNING: issued by an inspector and is similar to an advisory, but warns of a possible escalated enforcement response if non-compliance continues.

ORDER: a tool issued by designated ministry officials to address non-compliance and/or manage environmental risk. Orders may create new requirements to undertake specific, time bound actions or cease specific actions. Non-compliance with an order is an offence and may be prosecuted accordingly. Alternatively, non-compliance with an order may be dealt with by imposing an administrative penalty.

ADMINISTRATIVE SANCTION: a licence suspension or cancellation issued by the IPMA Administrator.

ADMINISTRATIVE PENALTY: a financial penalty that can be imposed by designated ministry officials on regulated parties for failing to comply with a particular provision of a statute, regulation, an order or the terms of an authorization. These penalties can be administered with less onerous procedural and legal requirements than required by a court prosecution.

COMMUNITY ENVIRONMENTAL JUSTICE FORUM: a dispute resolution process that uses the principles of restorative justice to address non-compliance. The forum, conducted by a certified ministry facilitator, is designed to ensure offender accountability, repair the harm caused by the offence and restore compliance.

VIOLATION TICKET: issued by a Conservation Officer and provides a summary means of dealing effectively and quickly with minor offences.

COURT PROSECUTION: a legal proceeding that is recommended by a Conservation Officer and initiated by Crown Counsel to hold accountable a party alleged to have committed an offence.

NON-COMPLIANCE DECISION MATRIX

The Non-Compliance Decision Matrix is a guidance tool that helps to ensure a consistent and principled approach to assessing and responding to regulatory non-compliance; it is to be used with discretion by staff when considering the context and specifics of individual cases of non-compliance.

The Non-Compliance Decision Matrix is designed to assist staff in assessing individual cases of non-compliance. It is a guidance tool; and is in no way to impair the professional judgment, discretion and autonomy exercised by ministry Statutory Decision Makers.

The Non-Compliance Decision Matrix is displayed below.

		Escalating Environmental, Human Health or Safety (Actual or Potential)				
		Level 1	Level 2	Level 3	Level 4	Level 5
		Diminishing Likelihood of Compliance (Compliance History/Willingness and Capacity to Comply)	Category A (High)	Advisory	Advisory • Warning	Warning • Order • Admin Sanction • Admin Penalty
Category B	Advisory • Warning		Warning • Admin Penalty	Admin Sanction • Investigation		
Category C	Warning • Admin Penalty		Warning • Order • Admin Sanction • Admin Penalty	Order • Admin Sanction • Admin Penalty • Investigation		
Category D	Warning • Order • Admin Sanction • Admin Penalty		Admin Penalty • Investigation			
Category E (Low)	Order • Admin Sanction • Admin Penalty • Investigation					

Levels of Escalating Environmental, Human Health and/or Safety Impacts (Actual or Potential)

LEVEL 1 - Does not or is not likely to result in impact, minor administrative.

LEVEL 2 - Minor temporary impact, significant administrative.

LEVEL 3 - Moderate temporary impact.

LEVEL 4 - Significant temporary or permanent impact.

LEVEL 5 - Severe known, or likely human health impact.

Categories of Likelihood of Compliance (Compliance History/Willingness to Comply)

CATEGORY A - Indications of future and ongoing compliance are very high.

CATEGORY B - Indications of future and ongoing compliance are uncertain.

CATEGORY C - Indications of future and ongoing compliance are unlikely.

CATEGORY D - No indication of future and ongoing compliance.

CATEGORY E - Indications of deliberate obstruction and non-compliance.

Note: Increasing significance of real or potential impacts and diminishing likelihood of compliance warrant the full investigative process (referral to COS). The outcome of the investigation may still be a lower level response, but should the process uncover more than expected, prosecutorial tools will be available.

Violation tickets, restorative justice and prosecution are all additional enforcement tools that do not show up on the matrix because they would be selected after an investigation occurs.

COMPLIANCE INSPECTIONS

Compliance inspections are conducted to verify whether a party is in compliance with applicable regulatory requirements.

NATURE OF INSPECTIONS

The basic intent of an inspection is not to uncover a breach of regulatory requirements; rather, the intent is to verify compliance with the applicable requirements that have been defined for the specific activity in question. Inspectors select a few key parameters to examine out of the myriad of applicable permit conditions or regulatory requirements.

Inspectors conduct both proactive and reactive inspections. Proactive inspections are planned whereas reactive inspections are conducted in response to emerging problems or complaints. Inspections can include in-office reviews of data submitted by regulated parties or on-site examinations of facilities and works. Inspections can also include audits of key regulatory requirements across a sector or within a geographical area. It is important to note that inspections are a “point-in-time” assessment of these parameters.

FREQUENCY OF INSPECTIONS

The ministry inspection policy prescribes the frequency of inspections. Many factors dictate the frequency of these inspection activities including the environmental risk posed, prior findings of non-compliance, as well as the need to maintain contact with regulated parties. Inspections may also be conducted more frequently in newly regulated sectors or for sectors and facilities where trends of non-compliance are emerging.

NOTICE OF INSPECTIONS

Ordinarily, inspectors provide very little or no advance notice to regulated parties when they are conducting an on-site inspection; this ensures the site is inspected under typical operating conditions. In some cases, advance notice is required to ensure inspectors can conduct their work in a timely, thorough and safe manner. This applies to instances when facilities are in a remote location, administrative records require advance preparation, inspectors require certain employees to be present or inspectors themselves must undergo site specific safety training prior to entering the work site.

INSPECTORS

Inspectors are ministry staff designated by the Administrator under the *Integrated Pest Management Act*. The qualifications and backgrounds of inspectors are science-based and range from expertise in forestry, chemistry, entomology, biology, environmental risk assessment and environmental sciences. Inspectors either hold a professional designation such as an agrologist, forester or engineer, or they hold a Bachelor of Science Degree in related natural sciences.



Ministry inspectors are located throughout British Columbia in various regional offices. The spatial distribution of inspectors allows for access to regulated industries and facilities all over the province. Inspectors undertake a wide variety of activities including reviewing data, entering facilities or private land and examining industrial works. Inspectors are also responsible for recommending enforcement action to address non-compliance.

ROLE OF THE INSPECTOR

The primary role of the inspector is to verify compliance. When an inspection results in a finding of non-compliance, the inspector may:

- Issue an advisory or warning;
- Recommend that a designated ministry official issue an order or administrative penalty; or
- Refer the matter for investigation.



Ministry inspector in the field

While the majority of time spent by inspectors is on compliance verification duties, inspectors also play an important role in authorization administration, responding to complaints from the public, and compliance promotion. To this end, inspectors will conduct educational workshops, liaise with industry associations and field a variety of inquiries from regulated parties and the public.

INVESTIGATIONS

If an instance of non-compliance poses an actual or potential risk to the environment, human health or public safety, or it is unlikely that the regulated party will comply, the inspector may refer the file for investigation.

In the Ministry of Environment and Climate Change Strategy, Conservation Officers conduct investigations under the *Integrated Pest Management Act*. They are specially trained to gather evidence, execute search warrants and take statements. Conservation Officers can issue violation tickets, as well as build a case for possible prosecution. Not all files referred for investigation will result in a violation ticket or court prosecution as the investigation may not yield supporting information and evidence. In those cases, files may be referred back to IPM inspectors for an administrative response.



Ministry inspector following up on a complaint

PART B: COMPLIANCE ACTIVITIES FOR 2016

PROMOTING COMPLIANCE

Compliance promotion involves educating and building awareness of environmental regulations in order to encourage voluntary compliance. Promotion can be conducted on a provincial or sector-wide scale, targeted at a location or group, or it can occur in conjunction with site-specific inspection activities.

Compliance promotion can take the form of workshops, presentations, technical assistance and guidance materials, outreach and social marketing programs.

A summary of the compliance promotion efforts undertaken in 2016 are noted below.

RETAIL VENDORS

The Ministry of Environment amended the Integrated Pest Management Regulation in December 2015. The amendments did not come into force until July 1, 2016 in order to give those affected time to come into compliance. These amendments included changes to further regulate the sale and use of pesticides, with the intent of increasing interaction between pesticide vendors and customers at the point of sale, and furthering pesticide users' knowledge of IPM and the responsible use of pesticides.

To facilitate a smooth transition for vendors with the new amendments, the ministry provided guidance documents and facilitated conversations, including webinars, outlining the requirements. Regularly scheduled calls were held with the Retail Council of Canada (RCC) to provide updates and discuss compliance timelines. In addition, the ministry continued to focus on compliance promotion and education through the remainder of the 2016 gardening season.



Example of a vendor selling pesticides

2016 VENDOR EVALUATION PROJECT

Amendments to the Integrated Pest Management Regulation came into force on July 1st, 2016. A number of these changes affected pesticide vendor licence holders, including requirements for restricted access to domestic class pesticides and increased dispenser interactions with customers. In an effort to ensure vendors could come into compliance with the amended regulation, the ministry developed guidance material that were published on the ministry website and also participated in conversations with vendors facilitated by the Retail Council of Canada prior to July 1st. Through the remainder of the 2016 gardening season, vendors were visited by IPM Officers, assessed for compliance with the new requirements, and provided with information and guidance when non-compliances were found. Each assessment was followed up with a letter to the licence holder describing the compliance results. The letter noted that any non-compliances found in the assessment would not form part of their compliance history, but indicated that non-compliances noted must be corrected prior to any subsequent inspections.

A total of 142 assessments were conducted across the province during the 2016 gardening season, representing approximately one third of all licenced vendors and locations in the province. Most assessments were of large scale vendors selling domestic class pesticides. Overall, 30% of vendors were in full compliance and 70% were found to be out of compliance with at least one aspect of the amended regulation. This rate remained fairly consistent throughout the assessment period. Of the vendors that were in compliance, 45% had chosen to only sell excluded products.

In general, it was found that vendors had a better understanding of the new restricted access requirements than the certified dispenser interaction requirements. In addition to awareness of the new requirements from participation in calls with the RCC, communication of early compliance results with corporate representatives from large scale vendors appeared to have a positive impact on compliance, as corporate staff communicated messages to individual vendors concerning the importance of compliance with the new regulations. Improvements in non-compliance with respect to pesticides being placed in restricted access occurred over the assessment period, as vendors came to understand the new requirements and that compliance was being checked. Finally, non-compliance due to certified dispensers missing some or all of the new interaction requirements remained consistently high throughout the assessment period, and accounts for the consistent overall compliance rate over time.

The ministry expects that compliance rates for pesticide vendors will improve going forward as a result of these assessments. Further outreach may be required to ensure that certified dispensers are aware of how to come into compliance with the amended IPM Regulation.

The full report on the **2016 Assessment for Compliance with the Amended Integrated Pest Management Regulation - Pesticide Vendors** is available on the [ministry's website](#).

OUTREACH

Whenever feasible, ministry staff present information at conferences and workshops to encourage a deeper understanding of the regulatory framework that exists in BC.

In 2016, staff conducted outreach by:

- Presenting at the Integrated Environmental Plant Management Association of Western Canada annual general meeting in Kelowna.
- Presenting at a seminar at the Backyard Tree Fruit Spraying meeting in Kelowna.
- Presenting a booth at the Northern Silviculture Committee Conference in Prince George.
- Presenting at the Structural Pest Management Association Meeting in Richmond.



A Senior IPM Officer at the Northern Silviculture Committee Conference

COMPLIANCE INSPECTION RESULTS

Ministry inspectors verify whether parties are in compliance with the regulations that apply to them by conducting compliance inspections.

INSPECTION OUTCOMES

In 2016, a total of 169 inspections were conducted by IPM Officers. Of these, 69% were in compliance and 31% were out of compliance. When any one parameter of an inspection is found out of compliance, is found during an inspection, the whole inspection is marked out of compliance – regardless of how many items were checked or how minor the non-compliance may be.

Figure 1: Inspection Outcomes

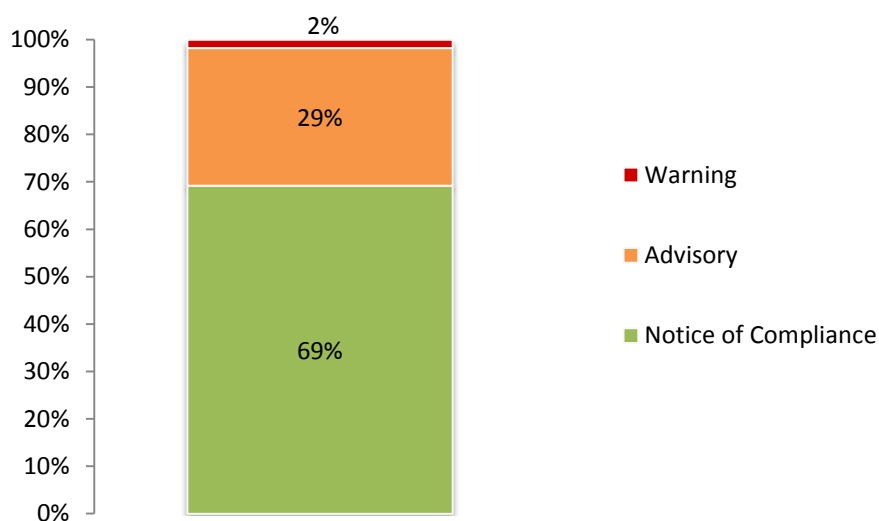


Figure 1 shows that 69% of inspections resulted in the issuance of a notice of compliance. Notices of compliance are issued when every parameter inspected is determined to be in compliance.

Twenty-nine percent of inspections resulted in the issuance of an advisory. Advisories are an official acknowledgement of non-compliance and are issued when the non-compliance has little to no environmental impact or it is administrative in nature and the regulated party is cooperative. For example, a late submission of an environmental monitoring report.

There were a small number of inspections, only 2%, for which a warning was issued. Warnings are similar to advisories; however, warnings are issued when there is minor to moderate, temporary impact to the environment or a more significant administrative non-compliance, but where the regulated party is still cooperative. An example of a non-compliance necessitating a warning is a commercial pesticide

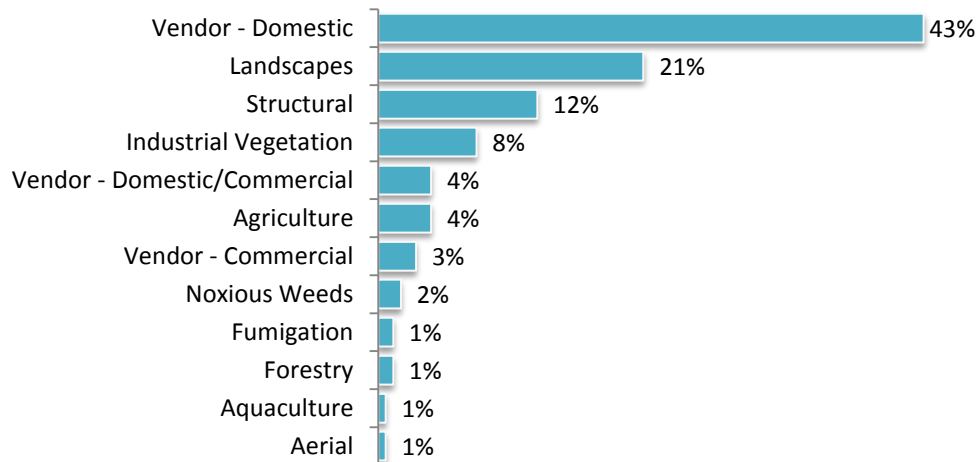
left unattended in the passenger area of a vehicle, or a minor spill that was promptly reported and cleaned up.

No inspections resulted in the issuance of an order. An order is not necessarily triggered by a non-compliance; orders are issued when ministry staff determine it is necessary to intervene at a site and compel the responsible party to take action.

SECTOR PROFILE

Under the *Integrated Pest Management Act*, the ministry serves as a regulator for a wide variety of industrial sectors. Given the diversity of the pest management field, it is not surprising to see a wide variety of sectors noted below. New regulations affecting domestic pesticide vendors came into force on July 1, 2016, and therefore more 2016 inspections of this sector occurred as a result.

Figure 2: Inspections by Sector



OVERVIEW OF SECTORS

Aerial: application of pesticides from helicopters or fixed-wing aircraft to manage mosquitoes, vegetation along rights-of-way, and pests associated with agricultural or forestry production.

Agriculture: management of pests associated with agricultural production of field, orchard, nursery and greenhouse crops, livestock and poultry.

Aquaculture: management of sea lice in fish farms.

Forestry: management of weeds, insects and diseases in forestry production, including noxious weed control on forested land.

Fumigation: use of fumigants to treat ships, containers, and structures.

Industrial Vegetation: management of weeds on industrial land, roads, power lines, railways and pipeline right-of-ways.

Landscapes: management of insects, diseases and weeds of gardens, ornamental plantings and turf on public or private land.

Mosquitoes: management of mosquitoes, including both larvaeciding and adulticiding.

Noxious Weeds: management of noxious weeds on public land.

Structural: management of pests in, near, or on a structure. Includes wood pole preservation.

Vendor: businesses that sell pesticides. The three vendor sub-categories are:

- Domestic pesticides only
- Domestic pesticides plus up to 100kg of commercial pesticides
- Commercial and domestic pesticides



A certified applicator applying pesticides

ENFORCEMENT

Enforcement is necessary to compel compliance when voluntary compliance cannot be achieved or where the nature of the circumstance warrants a more stringent response. The ministry's [Compliance and Enforcement Policy and Procedure](#) guides the selection of appropriate responses to non-compliance.

Enforcement responses serve to protect the environment, human health and public safety, create a level playing field, and provide a deterrent effect for other potential violators. To that end, the ministry publically reports all regulated parties, including individuals, issued enforcement responses via the [Quarterly Environmental Enforcement Summary](#) and the on-line searchable [Environmental Violations Database](#).

Note: Not all of the enforcement actions can be directly correlated to 2016 inspections. For example, an inspection conducted in late 2015 may result in the issuance of a ticket in early 2016 or court conviction at an even later date.

OKANAGAN LANDSCAPER PROJECT

During June 2016, the Ministry of Environment's Integrated Pest Management Team partnered with the Conservation Officer Service for a special project targeting landscaping companies in the Okanagan. The purpose of this project was to ensure the safe use, handling, transport and storage of pesticides and to verify that landscaping companies using pesticide products that require a licence and a certified applicator were in compliance.



A landscaper is using an unmarked vehicle to provide pesticide services without a licence and certified applicator.

A total of 54 landscaping companies were assessed to verify whether the ministry's basic safety, licencing or employee certification requirements were being met. The Conservation Officer Service issued a total of 19 warnings and eight tickets associated with this project.

ADMINISTRATIVE PENALTIES

Administrative penalties are financial penalties imposed outside of the court process by designated ministry officials, offering an alternative response to non-compliance. In 2015, ministry staff were able to begin considering this tool as a response to environmental violations. One administrative penalty was initiated in 2016 and was subsequently completed in 2017. The result of this administrative penalty will be included in the 2017 report.

VIOLATION TICKETS

In 2016, nine violation tickets were issued by the Conservation Officer Service totalling \$5,175 in fines.

Figure 3: Violation Tickets issued in 2016

Violation type	Number of Tickets Issued	Total Value
Transportation, storage	6	\$3,450
Transactions, records and information	1	575
Fail to comply with a requirement	2	1,150
Total	9	\$5,175