



December 12, 2019

Nalisha Asgarali, Policy Analyst
Environmental Policy Branch
Ministry of the Environment, Conservation and Parks
40 St. Clair Avenue West, 10th Floor
Toronto, ON M4V 1M2

Dear Ms. Asgarali:

Re: ERO Number: 019-0601 - Amendments to the Pesticide Regulation (63/09 General)

I am writing to you in response to the Ministry of the Environment, Conservation and Parks' plan to update Regulation 63/09. Professional Engineers Ontario (PEO) has a legislative mandate under the *Professional Engineers Act* (PEA) to regulate the practice of professional engineering in the province. In that context, we offer the following comments regarding sections of the Regulation that relate to PEO's administration of the PEA.

Section 1 - Use of Term "Professional Engineer"

This defines a "professional engineer" as "a person who holds a licence, limited licence or temporary licence under the *Professional Engineers Act*". PEO suggests that, for the sake of consistency, the Ministry change the term "professional engineer" to our preferred term "licensed engineering practitioner", which refers to someone who holds a licence, limited licence or temporary licence under the PEA. This term has been used in recent regulations under the *Environmental Protection Act*, the *Safe Drinking Water Act*, and the *Health Protection and Promotion Act*.

Section 61 - Fumigation in Vaults

Section 61 states that "a person responsible for a vault shall not cause or permit a fumigation performed by means of a fumigant gas to be performed in the vault unless the vault has been confirmed to be gas-tight by the report of a professional engineer". However, it does not provide any guidance as to the standards of this report. We suggest that the Ministry consider defining a specific gas permeability standard.

We recognize that these issues are beyond the matters contemplated by the Ministry in its current proposal to update the Regulation. Regardless, we believe the opportunity exists to address a longstanding conflict with the PEA. PEO is ready to engage with the Ministry in discussing this matter in greater detail at your convenience.

I look forward to your reply.

Sincerely,

for

Johnny Zuccon, P.Eng., FEC
CEO/Registrar

cc: Sheryl Cameron, Counsel, Ministry of the Attorney General

Association of Professional Engineers of Ontario



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