



STATE OF MAINE
DEPARTMENT OF AGRICULTURE, CONSERVATION AND FORESTRY
BOARD OF PESTICIDES CONTROL
28 STATE HOUSE STATION
AUGUSTA, MAINE 04333

JANET T. MILLS
GOVERNOR

AMANDA E. BEAL
COMMISSIONER

BOARD OF PESTICIDES CONTROL

**September 18, 2020
9:00 AM**

Video conference hosted in MS Teams, to join the meeting:

Web link for the Microsoft Teams meeting:

[Join Microsoft Teams Meeting](#)

Dial in phone number: 1 (207) 209-4724

Conference ID: 810 058 278#

AGENDA

1. Introductions of Board and Staff
2. Minutes of the July 24 Regular and August 17 Emergency Board Meetings

Presentation By: Megan Patterson, Director

Action Needed: Amend and/or Approve

3. Request for Variance from Chapter 29 for White Grub Management in Harpswell

Board staff have received a request for variance from 25-foot buffer requirement outlined in Chapter 29, Section 6(A). This request is for the application of Dylox, a state restricted pesticide, for the control of white grubs damaging turf in close proximity to marine waters. An applicator may vary from the standards imposed under Chapter 29, Section 6(A) by obtaining a permit to do so from the Board.

Presentation By: Megan Patterson, Director

Action Needed: Discussion and Determination On How the Board Wishes to Proceed with Requested Variance

4. Additional Requests for Limited Duration Exemptions from Commercial Certification/Licensure Requirements for Custodial Staff Applying General Use

MEGAN PATTERSON, DIRECTOR
90 BLOSSOM LANE, DEERING BUILDING



PHONE: (207) 287-2731
WWW.THINKFIRSTSPRAYLAST.ORG

Antimicrobials with Powered Application Equipment for the Purposes of Routine Cleaning in Facilities Open to the Public

Following the August 17, 2020 emergency meeting of the Board and the issuance of EO 7 FY 20/21, Board staff have received inquiries from various entities, including the University of Maine System and MaineGeneral hospital. These groups which have included municipalities, bus services, ambulance services, universities, hospitals and medical facilities, and houses of worship are all seeking inclusion in the exemption provided to K-12 schools. Additionally, Board staff have been made aware that some school facilities contract with private cleaning and/or bus services. These individuals are not employees of the school and so their use of powered application equipment to apply general use disinfectants would not be addressed by EO 7 FY 20/21.

Presentation By: Megan Patterson, Director

Action Needed: Discussion and Determination On How the Board Wishes to Proceed with Requested Exemptions

5. Review of the 2017-2019 Complaints/Inquiries Summary

In 2007, the Stakeholders Committee on Drift recommended that the Board produce and review an annual summary of complaints received by the Board's office. The Board will now review the 2017, 2018 and 2019 summaries.

Presentation By: Raymond Connors, Manager of Compliance

Action Needed: None—Informational Only

6. Continuation of the BPC Budget Review

At the July 24, 2020 meeting of the Board, expenditures for State Fiscal Year 2020 were reviewed. The Board requested and will now review detailed projections for SFY 2021 and summary projections for SFY 2022 and 2023.

Presentation By: Megan Patterson, Director

Action Needed: Provide Guidance to Staff on Board Budget Priorities

7. Proposed Policy on Facilitating Efficiency and Communication with the *Maine Pesticide Notification Registry* for Non-Agricultural Pesticide Applications

At the July 24, 2020 meeting of the Board staff was directed to return with a policy reflecting the Board discussion of the notification registry and the proposal to make optional the registry enrollment fee. Making the registry fee optional may help facilitate participation in the notification registry. It will also allow the transition to an online format for the notification registry. The Board will now review the draft policy.

Presentation By: Megan Patterson, Director

Action Needed: Approve/Disapprove the Proposed Policy and Approaches

8. Board IPM Outreach/Education Campaign

Board staff is in the process of moving forward with this campaign and part of this process includes the formation of an RFP review committee. The Board had expressed interest in participating in this committee.

Presentation By: Megan Patterson, Director

Action Needed: Select a Board Member for the RFP Review Committee

9. Other Old and New Business

- a. Variance permit to Elizabeth Farrell for control of Japanese knotweed in New Portland
- b. Variance permit to Basswood Environmental, LLC for control of invasive plants in Cape Elizabeth
- c. Revised biological policy pertaining to browntail moth control
- d. Executive Order of the Governor 7 FY 20/21

10. Schedule of Future Meetings

November 6, 2020 is the next proposed meeting date. The Board will decide whether to change and/or add dates.

Adjustments and/or Additional Dates?

12. Adjourn

NOTES

- The Board Meeting Agenda and most supporting documents are posted one week before the meeting on the Board website at www.thinkfirstspraylast.org.
- Any person wishing to receive notices and agendas for meetings of the Board, Medical Advisory Committee, or Environmental Risk Advisory Committee must submit a request in writing to the Board's office. Any person with technical expertise who would like to volunteer for service on either committee is invited to submit their resume for future consideration.

- On November 16, 2007, the Board adopted the following policy for submission and distribution of comments and information when conducting routine business (product registration, variances, enforcement actions, etc.):
 - *For regular, non-rulemaking business*, the Board will accept pesticide-related letters, reports, and articles. Reports and articles must be from peer-reviewed journals. E-mail, hard copy, or fax should be sent to the Board's office or pesticides@maine.gov. In order for the Board to receive this information in time for distribution and consideration at its next meeting, all communications must be received by 8:00 AM, three days prior to the Board meeting date (e.g., if the meeting is on a Friday, the deadline would be Tuesday at 8:00 AM). Any information received after the deadline will be held over for the next meeting.
- During rulemaking, when proposing new or amending old regulations, the Board is subject to the requirements of the APA (Administrative Procedures Act), and comments must be taken according to the rules established by the Legislature.



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STATE OF MAINE
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BOARD OF PESTICIDES CONTROL
28 STATE HOUSE STATION
AUGUSTA, MAINE 04333

AMANDA E. BEAL
COMMISSIONER

BOARD OF PESTICIDES CONTROL

**July 24, 2020
9:00 AM**

Video conference hosted in Zoom
To join the meeting:

Web link for the Zoom meeting: <https://zoom.us/j/94976628725?pwd=b2crWGRpSTR0bXA4cmd4TkhhkbUhXdz09>
Meeting ID: 949 7662 8725
Password: 105419
Dial in phone number: 1 (312) 626-6799

MINUTES

Present: Adams, Bohlen, Flewelling, Granger, Morrill, Waterman

1. Introductions of Board and Staff

- The Board, Assistant Attorney General Randlett, and Staff introduced themselves
- Staff Present: Brown, Bryer, Connors, Couture, Nelson, Patterson, Peacock, Pietroski, Saucier, Tomlinson

2. Minutes of the June 5, 2020 Board Meeting

Presentation By: Megan Patterson, Director

Action Needed: Amend and/or Approve

- **Bohlen/Jemison: Moved and seconded to accept minutes as amended**
- **In Favor: Unanimous**

3. Report on Annual Funding to Maine CDC for Mosquito Monitoring

The Maine Center for Disease Control and Prevention (Maine CDC) coordinates state activities around preventing vector-borne diseases. As part of its responsibilities, the CDC

coordinates mosquito and disease monitoring in Maine. The presence of mosquito-borne diseases and the species of vector mosquitoes present in Maine have been on the rise in recent years. Maine CDC and BPC entered into a Memorandum of Understanding in 2013 to establish cooperation to conduct surveillance for mosquito-borne diseases to protect public health. At the March 8, 2019 meeting Sara Robinson of the Maine CDC provided an overview of the trends and the state's monitoring program. At the April 19, 2019 meeting, the Board voted to approve funding in the amount of \$100,000 for Maine CDC's mosquito monitoring efforts. The Board will now review a report on work accomplished in the previous year and work projected for the current year.

Presentation By: Representative from Maine CDC or Maine Medical Research Institute

Action Needed: Review Work Accomplished and Approve/Disapprove Future Funding to CDC for Environmental Monitoring of Mosquitoes

- Sarah Robinson, of Maine CDC, sent a report to the Board pertaining to mosquito pools, traps, and the locations. She added that they tested 1,500 pools in 2019, which was the highest numbers in recent memory. In York County two mosquito pools were positive for Eastern Equine Encephalitis (EEE). There were no human detections of EEE.
- Robinson stated that they had to close the mosquito insectary because of the current pandemic but they were hoping to reopen in August.
- Morrill inquired whether there was an ask funding.
- Patterson stated that the Memorandum of Understanding provides \$25,000 as a minimum. She added that CDC federal funding had remained flat from last year, and the BPC had sufficient funding to support provision of additional funding for Maine CDC.
- Morrill asked if the Board was projecting decreases in funding due to COVID-19.
- Patterson replied we do not expect funding to decrease but there may be an increase in requests for funds from the department.
- Morrill asked Robinson about funding sources and where their program needed funding.
- Robinson replied that the majority of funding is from the federal CDC and with the \$25,000 grant from BPC Maine CDC could maintain the bare minimum of mosquito testing. She added that any additional monies would be used to get the insectary running and conducting pesticide resistance testing.
- Morrill stated that mosquitoes are a threat to public health and our mission as a Board coincides with this.
 - **Morrill/Granger: Moved and seconded to approve \$50,000 grant to the Maine CDC**
 - **In Favor: Unanimous**

4. Request to Extend Special Local Need [24(c)] Registration for Milestone Herbicide (Corteva Agrisciences) for Herbaceous Broadleaf Weeds and Woody Plants for Forest Site Preparation

This SLN has been requested on behalf of the Maine forest industry. Milestone Herbicide reduces competition by controlling herbaceous broadleaf weeds and woody plants, including native conifers. The industry is seeking to replace the use of glyphosate with aminopyralid. This SLN has already been approved in eleven states indicating this is no longer a local need, but rather interregional or national in scope.

Presentation By: Mary Tomlinson, Pesticides Registrar and Water Quality Specialist
Action Needed: Approve/Disapprove 24(c) Registration Request

- Ron Lemin, pesticide dealer and forest management consultant, submitted a request for control of broadleaf weeds and woody undergrowth for forest site preparation which is not on the original Milestone Herbicide label. He added that in terms of groundwater concerns they had not detected it in Maine since 2014 and that the product is approved for conifer stands in other states.
- Jemison asked how much would be applied via air versus ground applications. He added that there have been issues with items treated with Milestone Herbicide that ended up in compost that went into vegetable operations which resulted in quite a bit of damage in broadleaf vegetables.
- Lemin replied that has been the biggest concern with these pass-through products. He added that he did not know of any forest sites that are also used to graze cattle or for hay or compost production. Lemin stated he did not see a danger with the site preparation application in Maine. He added that this SLN request was strictly for site preparation, not release, so there would not be significant biomass on site.
- Jemison asked how much total acreage would be treated with Milestone.
- Lemin responded that total acreage would likely be between 4,000-5,000 if every landowner used this product instead of glyphosate. He noted that most landowners will continue to use glyphosate because it gives better control of brush and it is less expensive. Lemin added that he was just looking at it as an alternative option.
- Morrill asked if this request was to provide an alternative to use other than glyphosate largely due to public pressure.
- Lemin responded that it was.
- Morrill asked why the manufacturers left this use off the label and if there were intentions to add forestry preparation as a labelled site in the future.
- Lemin responded that he spoke with Corteva and they did not add it to the label because they felt at that point not enough testing had been done. He added that it was his understanding that Milestone was going under re-registration next year and hoped the new label would have the site on label.
 - **Morrill/Granger: Moved and seconded to approve the 24(c) registration request for two years, through until the end of the 2022 growing season**
 - **In Favor: Unanimous**

5. Review of Biological Pesticides for Treatment of Browntail Moth Near Marine Waters

On January 25, 2008, the Board adopted Section 5 of Chapter 29 which regulates the use of insecticides used to control browntail moth within 250 feet of marine waters. Section 5 limits insecticide active ingredients to those approved by the Board. At the April 19, 2019 meeting of the Board inquiries were received about active ingredients for removal from and addition to the list.

Subsequently, the staff was directed to update the list of approved active ingredients for browntail moth control. Due to the differences in performing the risk assessments biological pesticides were assess separately from conventional products. This submission provides the remainder of the active ingredients to be reviewed and focuses solely on biological pesticides. The Board will now consider the list.

Presentation By: Pam Bryer, Toxicologist

Action Needed: Review and Approve/Disapprove the Draft Policy

- Bryer stated that this was a continuation of the assessment of active ingredients allowed for the management of browntail moth near the ocean. She added that in January the Board updated the active ingredients allowed in the 50'-250' zone, and today they will be discussing allowable products in the 25'-50' zone. Bryer noted that tree injections, which are a popular application method, are always allowed in this area.
- Bryer explained to the board that the purpose of the risk assessment was to figure out the concentration of active ingredient that would be in the environment from legal use and how that would affect or cause harm to the most sensitive aquatic organisms. She looked at a total of eight potential active ingredients for use in this area and seven actives were proposed for inclusion in the revised policy. Azadirachtin was not included due to its high acute toxicity to marine organisms.
- Morrill stated that he appreciated Bryer's accurate and accessible summary.
 - **Waterman/Flewelling: Moved and seconded to revise the current policy to include the two new active ingredients**
 - **In Favor: Unanimous**

6. Proposed Minimum Standards for Live and Pre-recorded Online Recertification Courses

Due to the ongoing pandemic, in person recertification training meetings have become difficult to both host and attend. Applicators are seeking, and will likely continue to seek, alternatives to in person, live events. Board staff have developed minimum standards for online courses.

Presentation By: John Pietroski, Manager of Pesticide Programs

Action Needed: Review and Approve/Disapprove the Draft Policy

- Pietroski stated the purpose of the proposed minimum standards was to help clarify what applicators can take for online options, while also providing a method to demonstrate that attendees are engaged.
- Jemison asked if Pietroski would want visual verification of all participants if he was doing a webinar on pest management. He added that was a difficult ask and would require a second and possibly even third person monitoring these people, who are already required to pass a quiz at the end showing they paid attention to what was presented.

- Morrill agreed with Jemison regarding the visual verification and stated that he was not sure if it was realistic in a remote setting. He added that visual verification takes a lot of bandwidth on a virtual meeting. Morrill stated that we could already record entire meetings and pull a log of participants at the end, including how long they were logged in for, and asked who would be responsible for sending and correcting the quiz. He added that he did not want to make this process a hindrance during this time.
- Granger agreed with Morrill and added that in areas where internet connection is spotty the idea of a quiz seemed silly. He added that these applicators had already been licensed and therefore deemed competent, and it seemed like a quiz was overkill and superfluous.
- Patterson told the Board that this policy matched the standards set in other New England states and was created to help protect our reciprocity with these other states; not meeting this level could put our reciprocity at risk.
- There was further discussion amongst the Board regarding whether this was holding people to a higher standard than in-person recertification meetings, whether certification and licensure already deemed a person competent, and the possibility of grandfathering applicators' whose licenses were expiring this year.
- Morrill commented that he would approve additional policies but strike out section 1 subsection B and section 2 subsection C. He also recommended striking out the requirement for an email address because it is a dual entry.
- Jemison stated he would not support the policy as is because there are plenty of opportunities available for online credits. He asked who would be responsible for administering the test and that his biggest complaint was the visual verification.
- Granger commented that there are a lot of people who do not use technology and the internet connectivity in this state is nothing like it is in Massachusetts and some other New England states. He added that these changes could put his own license in jeopardy and that there are likely others in this same boat.
- Patterson stated that staff is sensitive to internet issues outside the I-95 corridor but noted that there is a strong trend toward hosting trainings online—particularly given the current pandemic.
- Bohlen stated that he does a lot of online training on many topics and was not sure there was any way to force someone to pay attention. He added that this should be about steering people towards paying attention.
- Morrill suggested and Board members agreed that this topic be tabled for now and brought back at the next Board meeting.

7. Updating the Notification Process to Facilitate Improved Communication

At the February 28, 2020 meeting of the Board, staff was directed to follow up on approaches to identifying the party responsible for notification. Staff have identified numerous ways in which the notification process could be streamlined. These approaches have been divided into two groups, those best addressed through policy and those that may

be accomplished through routine staff efforts. Two documents detailing this information have been provided for the Board's consideration.

Presentation By: Megan Patterson, Director

Action Needed: Approve/Disapprove the Proposed Policy and Approaches

- Patterson explained to the Board that she reached out to Pluecker about what other regulations could have been in place for him to have had better notification about applications being made around his property.
- Patterson added that suggestions discussed included the following:
 - waving the fee for the urban notification registry,
 - making optional the inclusion of names for adjacent landowners; just identify addresses since owners can often change,
 - producing public assistance doorhangers that could be used by applicators or those seeking notification, as well as fillable postcards that could be mailed to help facilitate notification,
 - developing web hosted fillable form for notification on our website,
 - sending email rather than a letter regarding notification so they would not have to mail anything back to us,
 - develop and deliver notification specific training to applicators.
- Jemison commented that this was a good approach and especially liked the idea that folks could sign up online.
- Flewelling asked how this would apply to agriculture.
- Patterson responded that this was for the urban notification registry and did not apply to agriculture. She added that the door hangers and the post cards could apply to agriculture to help facilitate communication between farmers and their neighbors.
- Randlett suggested staff come back with an actual policy including language that is voted on at next meeting. He also recommended that rule change be done at some point to make clear the Board was removing the fee.

8. Review of Budget

In early 2017, the Board reviewed the budget with a goal of identifying potential resources that could be allocated to Board priorities. At that time the Board requested ongoing annual updates on the status of the Pesticide Control Fund.

Presentation By: Megan Patterson, Director

Action Needed: Provide Guidance to the Staff on Board Budget Priorities

- Patterson told the Board that this reflected all expenditures of the state fiscal year 2020, which runs from July 1 to June 30. She added that they were now on state fiscal year 2021.
- Patterson reviewed available revenue with Board members.
- Morrill asked if the board could provide grants to improve educational recertification opportunities.
- Patterson replied that one consideration for recertification meetings might include public access—Board supported meetings are typically open to the public. She added that this type of grant had not occurred before, but she did not see any barrier to it.
- Morrill stated that a culmination of six to seven years’ work from Megan and Henry has allow the budget to be opened up to include the Board in decisions and opens eyes on what the overhead is at the state level.
- Morrill asked if Patterson could come back next meeting with projections.
- Patterson responded that she would bring back projections for next year as well additional expenses not budgeted for in FY 2021.

9. Water Quality Monitoring Proposal

7 M.R.S. § 607-A, Section 2-A, directs the Board to conduct water residue surveys, for both ground and surface water, to prepare profiles of the kinds and amounts of pesticides present. At the November 2018 Board meeting, Board staff proposed a continuation of past groundwater monitoring efforts. Due to multiple staff vacancies, ground water monitoring work planned for 2019 was scheduled for 2020. In 2020, this work was underway and unexpectedly terminated by issues related to the ongoing pandemic. Staff will now provide a review of the work completed in 2020 and a proposal and budget for ground water monitoring work tentatively planned for 2021.

Presentation By: Mary Tomlinson, Pesticides Registrar and Water Quality Specialist

Action Needed: Approve/Disapprove Funding the Proposed Water Quality Projects

- Tomlinson stated that they began water sampling at the beginning of February but encountered several hurdles, the largest being COVID-19, resulting in only about 30% of samples being collected. Staff decided the best option would be to resample wells sampled this year and recontinue from there next year. Tomlinson stated that resampling would provide us with an opportunity to compare wells over two consecutive years, which we have not been able to do before.
- Tomlinson told the board that study objectives would remain the same as this year, but would also add sites associated with blueberry fields, and staff would ask residents to collect samples rather than entering the homes themselves. She added that there would be no increase in the cost for groundwater analysis, but they were anticipating and extra \$20,000 for duplicate testing.

- Tomlinson stated that the total cost would be approximately \$114,210 for approval of both projects.
 - **Jemison/Bohlen: Moved and seconded to approve both sampling projects as presented.**
 - **In Favor: Unanimous**

10. Other Old and New Business

a. Variance Permit for Taylor's Invasive Plant Control

b. Future Format for Board Meetings

- Patterson explained to the Board Microsoft Teams has been adopted by the Department for online meetings and the Board would be using it for the next meeting. Staff would be happy to help folks become familiar with the new platform.
- Morrill thanked staff for their operation during the pandemic.

11. Schedule of Future Meetings

September 18, 2020 and November 6, 2020 are proposed meeting dates.

Adjustments and/or Additional Dates?

12. Adjourn

- **Granger/Adams: Moved and seconded to adjourn at 11:55pm**
- **In Favor: Unanimous**



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DEPARTMENT OF AGRICULTURE, CONSERVATION AND FORESTRY
BOARD OF PESTICIDES CONTROL
 28 STATE HOUSE STATION
 AUGUSTA, MAINE 04333

JANET T. MILLS
 GOVERNOR

AMANDA E. BEAL
 COMMISSIONER

BOARD OF PESTICIDES CONTROL

Emergency Meeting

August 17, 2020
7:45 AM

Video conference hosted in Microsoft Teams, to join the meeting:

Web link for the Microsoft Teams meeting:

[Join Microsoft Teams Meeting](#)

Dial in phone number: 1 (207) 209-4724

Conference ID: 119 200 904#

MINUTES

Present: Adams, Bohlen, Flewelling, Granger, Jemison, Morrill, Waterman

1. Introductions of Board and Staff
 - The Board, Assistant Attorney General Randlett, and Staff introduced themselves
 - Staff Present: Brown, Bryer, Connors, Couture, Nelson, Patterson, Pietroski, Tomlinson, Tourtelotte

2. Proposed Limited Duration Exemption from Commercial Certification/Licensure Requirements for School Custodial Staff Applying General Use Antimicrobials with Powered Application Equipment for the Purposes of Routine Cleaning in Schools

Board staff have received numerous inquiries from concerned school custodial staff regarding the use of powered application equipment for the application of disinfectants in schools. Under current rule, these applications require a commercial applicator license. On August 6, Facilities and Transportation Directors of over forty schools convened a meeting to discuss the issue and subsequently submitted a letter to the Board requesting an exemption from the certification and licensing requirements. Due to the timing of this request, should the Board support this request, there are limited options by which exemptions could be provided. The Board will now discuss those options, possible approaches to an exemption and next steps.

Presentation By: Megan Patterson, Director

MEGAN PATTERSON, DIRECTOR
 90 BLOSSOM LANE, DEERING BUILDING



PHONE: (207) 287-2731
 WWW.THINKFIRSTSPRAYLAST.ORG

Action Needed: Discussion and determination on how the Board wishes to proceed with the requested exemption

- Morrill thanked everyone for joining the meeting on such short notice and asked Patterson for an overview of the situation.
- Patterson stated that the reason for the Emergency Board Meeting was to discuss an exemption for school custodial staff that were planning to apply disinfectants with powered equipment. She added that beginning a couple of weeks ago staff started receiving inquiries from the schools about using powered application equipment to apply sanitizers and disinfectants.
- Patterson explained to the Board that this type of application would require a commercial pesticide applicator license under Chapter 10, and that Chapter 27, Section 5 mandated implementing Integrated Pest Management, IPM, as well as five days notification, and posting. The IPM requirement would mean that school employees would have to monitor, identify a specific pest, and make record of it in the IPM logbook before any application could be made. Patterson stated that documentation of the IPM process seemed superfluous since the applications made pertain to the ongoing pandemic and IPM measures taken include mask wearing, hand washing, social distancing, etc. Patterson added that without exemption from Section 5 of Chapter 27, the schools would also be required to notify parents daily and postings would have to remain in place continuously.
- Patterson stated that staff would need to provide exams to issue approximately 500 commercial applicator licenses across all schools, which is not feasible as schools are already scrambling to do more with the staff they have in place. She added that the schools felt that powered application of disinfectants was an essential component of keeping students and staff safe.
- Patterson told the Board that, in an effort to provide certification training to school staff, Kathy Murray and Board staff assembled a four-hour training that was conducted live and recorded August 13. The training was meant to assist with preparation for the core and microbial management exams.
- Patterson explained to the Board that the Department had tentatively agreed to support a request to the Governor's office for an order, which appeared to be the only way to facilitate an immediate exemption.
- Randlett commented that the Board's power to create an exemption for this seemed limited by statute to only applications involving non-powered equipment. He added that the Governor's order was the safest way to go.
- Morrill asked if school employees would be required to maintain an applicator log for these applications.
- Patterson stated that they would be required to because the applications were made with powered equipment.
- Randlett counseled the Board to, if they wished, approve the concepts of the requirements and that the language could be worked out prior to submission of the request.
- Morrill asked if staff could shorten, or make more specific, the four-hour training.
- Patterson replied that she thought staff could, and added that the training would focus on topics relevant to efficacy and risk reduction such as dwell time, application equipment, restricted entry intervals, the caustic nature of the pesticides, respiratory hazards, etc. Patterson stated that the exemption would not allow applications to be made when people were present.

- Jemison asked how many products they could use and the possible adverse reactions, especially between bleach and ammonia products.
- Patterson responded that that piece of the training was very important and added that she thought most schools were adopting one product to use. She added that EPA was now evaluating products for use with powered application equipment.
- Patterson told the Board that a restriction was added to the proposed exemption for Board consideration. She stated that it limited school employees to only using products registered by both EPA and Maine, and also only products labelled for use with powered application equipment.
- Waterman commented that this made sense and advocated that the Board not let the perfect be the enemy of the good. He added with time and resources of course we would want everyone to be licensed but that it is not feasible at this point in time.
- Granger stated that he was in total support of what had been discussed so far.
- Adams asked about Chapter 27, Section 5 and if school employees would be required to identify the pest and prove it was there before making an application.
- Patterson responded that was a piece she was proposing to exempt for this virus since it presented a demonstrated public health risk.
- Patterson asked the Board how long the duration of the exemption should be.
- Randlett recommended that the exemption end date should be made consistent with the Governor's emergency order for COVID-19.

- **Morrill/Jemison: Moved and seconded to authorize staff to put forward a request to the Governor's office for an emergency order to create an exemption for unlicensed school staff to use powered equipment and an exemption from Chapter 27, Section 5**
- **In Favor: Unanimous**

3. Adjourn

- **Jemison/Granger: Moved and seconded to adjourn at 8:12am**
- **In Favor: Unanimous**

**BOARD OF PESTICIDES CONTROL
APPLICATION FOR VARIANCE PERMIT
(Pursuant to Chapter 29, Section 6 of the Board's Regulations)**

I. Thomas Sidelinger (207) 721-0600
Name Telephone Number

Naturalawn of America
Company Name

16 Meadow Rd Exn Topsham Me 04086
Address City State Zip

II. Ben Goodall CMA3802
Master Applicator (if applicable) License Number

16 Meadow Rd Exn Topsham Me 04086
Address City State Zip

III. **As part of your application, please send digital photos showing the target site and/or plants and the surrounding area, particularly showing proximity to wetlands and water bodies, to pesticides@maine.gov**

IV. Area(s) where pesticide will be applied:
Product will be applied on affected turf areas around the home.

Property address is: 11 Hurricane Ridge Ext, Harpswell, Me

V. Pesticide(s) to be applied:
Dylox EPA Reg No. 432-1308

VI. Purpose of pesticide application:
Treat active white grub population.

VII. Approximate dates of spray application:

14-20 September

VIII. Application Equipment:

Handheld and push spreader.

IX. Standard(s) to be varied from:

Application may breach the 25ft high water mark buffer zone. The property sits atop a cliff.

X. Method to ensure equivalent protection:

The product will only be applied in near zero wind conditions. Additionally we will apply the product as low to the ground as possible to limit drift. We will be watering the product in immediately to ensure translocation into the soil.

Absorbent socks will be laid out at the edge of the cliff to catch any potential run off.

Signed: Thomas Sidelinger, Operations Manager

Date: 9/8/20

Return completed form to: **Board of Pesticides Control, 28 State House Station, Augusta, ME 04333-0028**
OR E-mail to: pesticides@maine.gov



N

□ O'CONNELL LOT 11 HURRICANE RIDGE EXTENSION
HARPSWELL MARINE

N

TO PORTS POINT

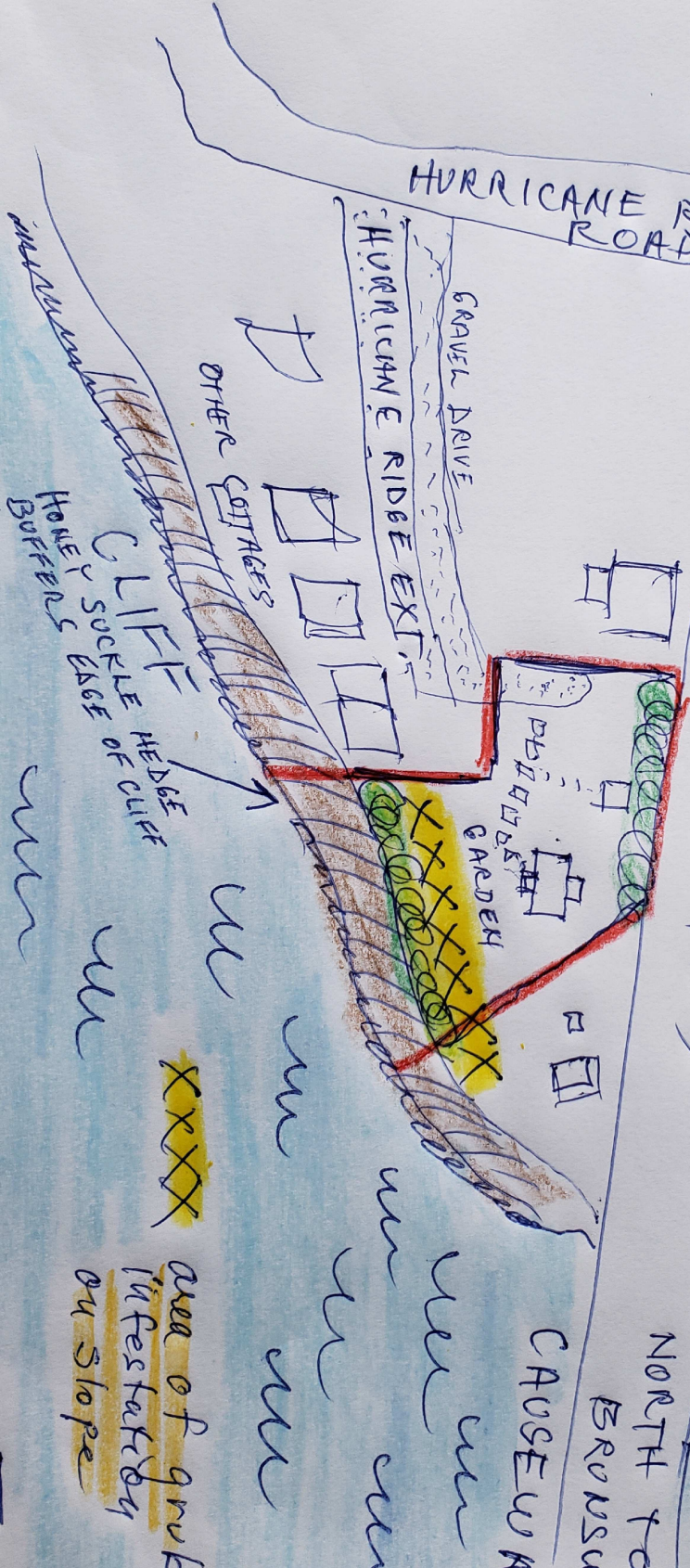
HURRICANE RIDGE ROAD

HARPSWELL ROUTE 123

ESTES COAST

NORTH TO BRUNSWICK

CAUSEWAY



XXXXX Area of grub infestation on slope

S

E

Couture, Amanda

From: Pesticides
Sent: Wednesday, September 09, 2020 12:22 PM
To: Couture, Amanda
Subject: FW: OConnell Application For Variance. For Sept. 18 Board Meeting

From: karen70now <karen70now@yahoo.com>
Sent: Wednesday, September 09, 2020 9:02 AM
To: Pesticides <Pesticides@maine.gov>
Subject: OConnell Application For Variance. For Sept. 18 Board Meeting

EXTERNAL: This email originated from outside of the State of Maine Mail System. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I am sending this application as background on the problem as I had prepared it not certain who should submit application myself or pesticide applicator.

The applicator referred me to the Board initially and they sent me instructions.

I did not want to miss this Wednesday deadline for submission.

Tom Sidelinger submitted an application on Tuesday evening as well. Therefore I reference that application for methods proposed to be used as I do not have specifics as yet.

BOARD OF PESTICIDE CONTROL
APPLICATION FOR VARIANCE PERMIT

I. NAME. KAREN O'CONNELL.

PHONE 207 844 0010

207 833 6265

COMPANY NAME-----

I PLAN TO USE NATURAL LAWN OF AMERICA FOR LAWN GRUB TREATMENT.

ADDRESS /LOCATION of PROPERTY -----

11 HURRICANE RIDGE EXTENSION

HARPSWELL MAINE

mail address is
PO Box 447 Harpswell Maine

II. MASTER APPLICATOR -----please refer to Mr. Sidelinger application

III. DIGITAL PHOTOS SENT UNDER SEPARATE EMAILS-----

Please advise if photos have arrived sent by Tom Sidelinger.

IF BOARD VIEWS AREA ON GOOGLE MAPS, IT IS THE 2ND HOUSE ON EASTERN SIDE JUST SOUTH OF THE CAUSEWAY SOUTH OF ESTES LOBSTER HOUSE ON ROUTE 123. HARPSWELL.

PLEASE NOTE GOOGLE MAPS MAY NOT BE ACCURATE AS TO OUR LOCATION AND TEND TO GO TO HURRICANE RIDGE ROAD RATHER THAN HURRICANE RIDGE EXTENSION WHERE WE LIVE. You need to move North on map to causeway then 2nd house South of causeway on east side is ours. A curved walkway shows on property.

I submitted via separate email a rough sketch of location showing the area of worst infestation in yellow and location of Honeysuckle buffer.

IV. AREA WHERE PESTICIDE WILL BE APPLIED.-----

WE ARE APPLYING TO USE PESTICIDE ON AN AREA OF PROPERTY WHICH WAS PREVIOUSLY NOT TREATED DUE TO IT'S PROXIMITY TO WATER.

WE WILL BE USING GRUB CONTROL ON OUR GRASSED AREA (ABOUT 65% OF OUR ONE THIRD ACRE LOT)
OTHER AREAS OF LOT CONSIST OF BIRCH AND OTHER TREES (naturalized no lawn West side of property)
And HONEY SUCKLE AND OTHER HEDGE TYPE PLANTS (buffer on eastern cliff edge).

V. TYPE OF PESTICIDE TO BE APPLIED-----

QUICK ACTING AND RAPID BREAKDOWN

Please refer to Tom Sidelinger application

VII. PURPOSE OF PESTICIDE-----

TO REDUCE/ CONTROL AN INCREASING 4 YEAR GRUB PROBLEM WHICH PUTS EASTERN SLOPE AT RISK OF WASH OUT TO OCEAN WATERS.

AS BACKGROUND, I HAVE AVOIDED USE OF CHEMICALS ON PROPERTY. I HAVE HAND PULLED WEEDS. I ReDIRECT HONEYSUCKLE BACK INTO ITSELF AND IT HAS BEHAVED FOR 21 YEARS. WE HAVE LIVED ON PROPERTY SINCE 1999. THE FIRST USE AND ONLY USE OF PESTICIDE CHEMICALS WAS 2018.

GRUB INFESTATION BEGAN AS A 30 FOOT AREA ON SUNNY EASTERN FACING SLOPE AND HAS ADVANCED OVER PAST 3 YEARS TO INVOLVE THE ENTIRE 75 FOOT SLOPE AND MOVING TO OTHER AREAS OF OUR PROPERTY AND NOW NEIGHBORS YARDS AS WELL.

THE SLOPE WAS A HEALTHY LAWN FOR APPROX.16 YEARS. APPARENTLY ITS EASTERN FACING LOCATION AND FULL DAYS SUN CAUSE IT TO BE IDEAL LOCATION FIR GRUBS.

SPRING 2017 AREAS OF GRASS ON SLOPE LOOKED BROWN AND DID NOT GREEN UP MUCH DURING SUMMER.

SPRING OF 2018, ON A 30 FOOT AREA OF THE SLOPE THE GRASS HAD THE APPEARANCE OF BEING TOTALLY ROTO -TILLED.(ANIMAL ACTIVITY PURSUING GRUBS) GRASSES WERE TOTALLY DEAD AND TURNED UP AND AREA AT RISK OF WASHING OUT.

THIS OCCURRED AGAIN SPRING OF 2019 AND 2020

FOR TWO YEARS (SPRING 2018 AND 2019) I PLANTED CLOVER GROUND COVER TO KEEP THE SLOPE FROM WASHING OUT. THE CLOVER GREW NICELY BUT THEN WAS TOTALLY TORN UP EACH SPRING.

SPRING OF 2018, OTHER AREAS OF THE LAWN BECAME INFESTED AND DUG UP AND WE TREATED THOSE WITH GRUB PRODUCT. I TRIED NEMATODES ON THE SLOPE BECAUSE IT WAS TOO CLOSE TO WATER TO USE GRUB PESTICIDE CONTROL. THAT DID NOT WORK.

GRUB PROBLEM CONTINUES ON MANY AREAS OF LAWN THIS YEAR WITH SLOPE THE WORST.

***CURRENTLY THE SLOPE IS BARE EARTH WITH CRAB GRASS. NO OTHER GRASS UNDER THE CRAB GRASS.

I WANT TO TREAT THIS FALL AND NEXT SPRING SO THAT GRASSES to be planted this Fall (RECOMMENDED BY GARY FISH) WILL NOT BE DESTROYED THIS FALL AND NEXT SPRING.

VII. APPROXIMATE DATES FOR APPLICATION-----

SEPTEMBER 2020 AND SPRING 2021 AS GRUBS COME TO SURFACE.

VIII. APPLICATION EQUIPMENT -----

SPREADER AND WATER SPRAYER

TO SETTLE AND ACTIVATE PRODUCT

Please refer to Tom Sidelinger application.

I understand there may be Town Ordinances that limit products, and will be checking on this.

IX. STANDARDS TO BE VARIED FROM ---

APPLICATION WILL BE CLOSER THAN THE 25 FOOT SET BACK BUT BETWEEN 10 AND 5 FOOT DISTANT FROM CLIFF EDGE

X. METHOD TO ENSURE EQUIVALENT PROTECTION -----

Please Refer to Tom Sidelinger application

I will call in on day of meeting to answer questions.

SKETCH OF PROPERTY SENT SEPARATE EMAIL

Sent via the Samsung Galaxy S9, an AT&T 5G Evolution capable smartphone



Dylox[®]
6.2

GRANULAR INSECTICIDE

For Control of White Grubs, Mole Crickets, Sod Webworms,
Cutworms, and Other listed Pests of Turfgrass
Controls damaging insects below the soil surface

Provides control of Japanese beetle grubs

ACTIVE INGREDIENT:

Trichlorfon, Dimethyl (2,2,2-trichloro-
1-hydroxy-ethyl)phosphonate 6.2%

OTHER INGREDIENTS: 93.8%

TOTAL: 100.0%

STORE IN A DRY PLACE

Treats 10,000 sq ft for White Grubs and Mole Crickets

Treats 15,000 sq ft for Sod Webworms

EPA Reg. No. 432-1308

EPA Est. No. 070989-MO-001

STOP - READ THE LABEL BEFORE USE.

KEEP OUT OF REACH OF CHILDREN.

CAUTION

PARA EL USUARIO: Si usted no lee o entiende inglés, no use este producto hasta que le hayan explicado completamente las instrucciones que figuran en la etiqueta.

(TO THE USER: If you cannot read or understand English, do not use this product until the label has been fully explained to you.)

For MEDICAL And TRANSPORTATION Emergencies ONLY Call 24
Hours A Day 1-800-334-7577

For PRODUCT USE Information Call 1-800-331-2867

FIRST AID

Contains an organophosphate that inhibits cholinesterase.

If swallowed:	<ul style="list-style-type: none">• Call a poison control center or doctor immediately for treatment advice.• Have person sip a glass of water if able to swallow.• Do not induce vomiting unless told to do so by a poison control center or doctor.• Do not give anything to an unconscious person.
If in eyes:	<ul style="list-style-type: none">• Hold eye open and rinse slowly and gently with water for 15 to 20 minutes. Remove contact lenses, if present, after the first 5 minutes, then continue rinsing.• Call a poison control center or doctor for treatment advice.

Have the product container or label with you when calling a poison control center or doctor or going for treatment. The Bayer Environmental Science Emergency Response Telephone No. is 1-800-334-7577.

Note To Physician: Prolonged exposure will cause cholinesterase depression. Atropine Sulfate is antidotal. 2-PAM is also antidotal and may be administered in conjunction with atropine.

Net Contents
30 Pounds

SKU #0909274

03545249D 150120AV1

White Grubs





Dylox[®]
6.2

GRANULAR INSECTICIDE

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION

Harmful if swallowed. Causes moderate eye irritation. Do not take internally. Do not breathe dust. Avoid contact with eyes, skin, or clothing. Prolonged or frequently repeated skin contact may cause allergic reactions in some people.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

Mixers, Loaders, Applicators and other handlers must wear:

- Long-sleeved shirt and long pants
- Shoes plus socks

Follow manufacturer's instructions for cleaning/ maintaining PPE. If no such instructions for washables exist, use detergent and hot water. Keep and wash PPE separately from other laundry.

User Safety Recommendations

Users should:

- Wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet.
- Remove clothing/PPE immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.
- Remove PPE immediately after handling this product. Wash outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

ENVIRONMENTAL HAZARDS

This product is toxic to fish, birds, and wildlife. Do not apply directly to water. Do not contaminate water by cleaning of equipment or disposal of wastes. Do not apply when turf grass areas are water-logged or the soil is saturated with water (i.e. will not allow penetration into the root zone of the plant). Avoid run-off or puddling of irrigation water following application.

To protect the environment, do not allow pesticide to enter or run off into storm drains, drainage ditches, gutters, or surface waters. Applying this product in calm weather when rain is not predicted for the next 24 hours will help to ensure that wind or rain does not blow or wash pesticide off the treatment area. Sweeping any product that lands on a driveway, sidewalk, or street, back onto the treated area of the lawn or garden will help to prevent run off to water bodies or drainage systems.

Use only as directed on this label. Do not use on crops used for food or forage.

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling.

IMPORTANT: Read these entire Directions for Use before using DYLOX 6.2 Granular Insecticide. **Do not use on turf being grown for sale or other commercial use as sod, or for commercial seed production or for research purposes except for research involving use of this product that is consistent with this label.**

ENTRY RESTRICTIONS

Do not enter or allow others to enter the treated area (except those persons involved in the incorporation) until the incorporation is complete. Incorporation is to be accomplished by watering-in. Do not enter or allow others to enter the treated area until the surface is dry after the watering-in. For home lawns, notify the property owner that he or she must water-in the product promptly or within the same day.

RESTRICTIONS

- Do not apply this product in a way that will contact workers or other persons, either directly or through drift.
- Only protected handlers may be in the area during application.
- Aerial application is prohibited.
- Use this product only on the turf sites permitted by this label.
- Do not apply this product using hand-held or chest-mounted spreaders.
- ~~The applicator must water-in the product after application, or notify the property owner that he or she must water-in after application on the same day.~~
- Limit the number of applications to turf to 3 per calendar year with minimum retreatment intervals of 7 days.
- Limit the total of all applications to 24.5 lbs of active ingredient (395 lbs of product) per acre per year for controlling mole crickets and grubs and to 16.2 lbs of active ingredient (261 lbs of product) per acre per year for controlling surface feeding insects.
- Apply this product directly to the lawn or garden area. Water treated area as directed on this label.
- Do not water to the point of run-off. Do not make applications during rain.
- Application is prohibited directly into sewers or drains, or to any area like a gutter where drainage to sewers, storm drains, water bodies, or aquatic habitat can occur. Do not allow the product to enter any drain during or after application.

Additional Restrictions For Turf on Golf Courses

- Do not apply within 25 feet of lakes, reservoirs, rivers, permanent streams, marshes, natural ponds, or estuaries.
- Broadcast use is limited to tees and greens. Use on fairways is limited to spot treatments.
- Post-application watering-in is mandatory.

PRODUCT SPECIFICATIONS

DYLOX® 6.2 GRANULAR INSECTICIDE

- Granular Insecticide containing 6.2% trichlorfon

CONTROLS

- White Grub Larvae (such as larvae of Asiatic garden beetle, black turfgrass atanius, European chafer, green June beetle, Japanese beetle, *Aphodius* spp., May or June beetles (*Phyllophaga* spp.), northern and southern masked chafers (*Cyclocephala* spp.), oriental beetle and sugarcane grubs (*Tomarus* spp.))
- Mole crickets
- Annual bluegrass weevil
- Billbug larvae
- Sod webworms and cranberry girdler
- Cutworms and armyworms
- Chinch bugs

WHERE TO APPLY

- All types of turf where pests have been seen or found excluding turf where application is not allowed. See IMPORTANT: above.

COVERAGE

- One bag (30 lbs) will treat 10,000 sq ft for white grubs, annual bluegrass weevil, chinch bugs, cranberry girdler, and mole crickets.
- One bag (30 lbs) will treat 15,000 sq ft for sod webworms, armyworms, and cutworms.

HOW TO APPLY

- Do not apply with hand-held or chest-mounted spreader.
- Apply granules using a broadcast or drop type spreader.

QUESTIONS

For questions or comments, call toll free 1 (800) 331-2867.

SURFACE FEEDING INSECTS

Sod webworm, cranberry girdler, cutworm, and armyworm

Use Rate

- 2-3 pounds per 1,000 sq. ft. of turf.
- Refer to chart for spreader settings (Make sure your spreader is calibrated for this product before application).

How to Apply

- For properly managed turf remove excessive thatch, which encourages insects. Rake or de-thatch the area and remove the debris to expose insect hiding places.
- Water the turf and cut to proper height.
- Apply granules with a broadcast or drop type spreader.
- To release the active ingredient from the granule, the applicator must water-in after application or notify the property owner that he or she must water-in, on the same day as application, with sufficient water to thoroughly wet the remaining thatch. If sufficient rainfall to thoroughly wet the thatch occurs after application but before watering-in, additional watering-in is not required.

When to Apply

- Treat when the insects are present.
- To control multiple generations of sod webworm larvae, additional treatments at 30- to 40-day intervals during the summer months may be required. Do not make more than 3 applications per calendar year.

Apply Dylox 6.2 Granular Insecticide uniformly over the area being treated with normally used granular application equipment. Both drop-type and rotary-type spreaders may be used to apply Dylox 6.2 Granular Insecticide. Do not use spreaders that would apply the material in concentrated bands. Calibrate application equipment prior to use according to the manufacturer's directions. Check frequently to be sure equipment is working properly and distributing granules uniformly and accurately.

Spreader Settings 2 pounds per 1,000 sq ft

SPREADER	SETTING	SPREADER	SETTING
Cyclone Pro	4	Scott's R7X	H
Cyclone-Roto	3	Spyker Pro	4
Lely Broadcast	2.5	Greenview (Model 105)	6.5
Lesco Rotary	11	Earthway (Model 2600)	8
Prize CB85, CB T85	4.5	Sears Broadcast	3.5
Scott's Drop	4	Sears Drop	6
(30 pounds will treat 15000 sq ft at this rate)			

Spreader Settings 3 lb/1,000 sq ft

SPREADER	SETTING	SPREADER	SETTING
Cyclone Pro	4.75	Scott's R7X	J
Cyclone-Roto	3.5	Spyker Pro	4.7
Lely Broadcast	2.9	Greenview (Model 105)	7.5
Lesco Rotary	14	Earthway (Model 2600)	10
Prize CB85, CB T85	5	Sears Broadcast	4
Scott's Drop	4.5	Sears Drop	7
(30 pounds will treat 10,000 sq ft at this rate)			

ROOT FEEDING INSECTS

annual bluegrass weevil (larvae) white grub larvae: larvae of Asiatic garden beetle, black turfgrass ataenius, European chafer, green June beetle, Japanese beetle, Billbugs (larvae) European chafer, green June beetle, Japanese beetle, *Aphodius* spp., May or June beetles (*Phyllophaga* spp.), northern & cranberry girdler mole crickets southern masked chafers (*Cyclocephala* spp.), Oriental beetle, and chinch bugs sugarcane grubs (*Tomarus* spp.)

Use Rate

- 3 pounds per 1,000 sq. ft. of turf.
- Refer to chart for spreader settings (Make sure your spreader is calibrated for this product before application).

How to Apply

- Ensure that there is no more than 1/2 inch of thatch present at time of application. Under dry conditions, prewater prior to application for control of white grub and weevil larvae.
- Water the turf and cut to proper height.
- Apply granules with a broadcast or drop type spreader.
- The applicator must water-in after application or notify the property owner that he or she must water-in, on the same day as application, with sufficient water to thoroughly wet the remaining thatch and move the product to the root zone. If sufficient rainfall to thoroughly wet the thatch occurs after application but before watering-in, additional watering-in is not required.

When to Apply

- Apply when pests are present.
- Consult your Agricultural Extension Service for the best time to treat in your area.
- A second treatment may be needed for mature large sized grubs.

STORAGE AND DISPOSAL

Do not contaminate water, food, or feed by storage or disposal.

PESTICIDE STORAGE:	<ul style="list-style-type: none">• Store in its original container in a cool, dry, locked place out of reach of children.
PESTICIDE DISPOSAL:	<ul style="list-style-type: none">• Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.
CONTAINER HANDLING:	<ul style="list-style-type: none">• Nonrefillable container. Do not reuse or refill this container. Completely empty bag into application equipment. Offer for recycling, if available or dispose of empty bag in a sanitary landfill.

IMPORTANT: READ BEFORE USE

Read the entire Directions for Use, Conditions, Disclaimer of Warranties and Limitations of Liability before using this product.

If terms are not acceptable, return the unopened product container at once. By using this product, user or buyer accepts the following Conditions, Disclaimer of Warranties and Limitations of Liability.

CONDITIONS: The directions for use of this product are believed to be adequate and must be followed carefully. However, because of manner of use and other factors beyond Bayer CropScience LP's control it is impossible for Bayer CropScience LP to eliminate all risks associated with the use of this product. As a result, crop injury or ineffectiveness is always possible. All such risks shall be assumed by the user or buyer.

DISCLAIMER OF WARRANTIES: TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, BAYER CROP-SCIENCE LP MAKES NO OTHER WARRANTIES, EXPRESS OR IMPLIED, OF MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE OR OTHERWISE, THAT EXTEND BEYOND THE STATEMENTS MADE ON THIS LABEL. No agent of Bayer CropScience LP is authorized to make any warranties beyond those contained herein or to modify the warranties contained herein. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, Bayer CropScience LP disclaims any liability whatsoever for special, incidental or consequential damages, resulting from the use or handling of this product.

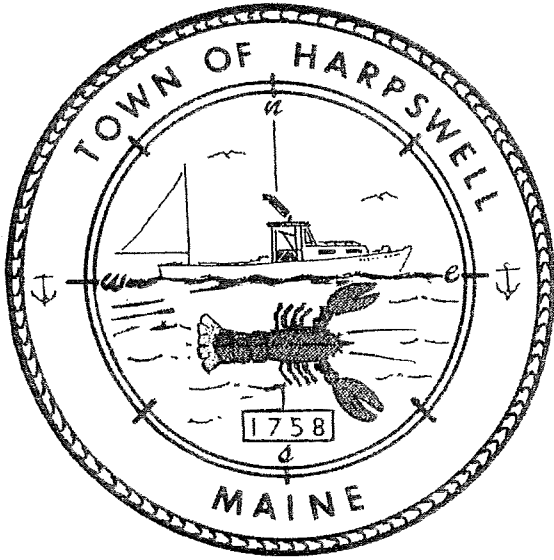
LIMITATIONS OF LIABILITY: TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, THE EXCLUSIVE REMEDY OF THE USER OR BUYER FOR ANY AND ALL LOSSES, INJURIES OR DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT, WHETHER IN CONTRACT, WARRANTY, TORT, NEGLIGENCE, STRICT LIABILITY OR OTHERWISE, SHALL NOT EXCEED THE PURCHASE PRICE PAID, OR AT BAYER CROP-SCIENCE LP'S ELECTION, THE REPLACEMENT OF PRODUCT.

Bayer (reg'd), the Bayer Cross (reg'd) and Dylox® are registered trademarks of Bayer.



Produced for:
Bayer Environmental Science
A Division of Bayer CropScience LP
2 T. W. Alexander Drive
Research Triangle Park, NC 27709

Bayer



*Town of
Harpswell
Maine
2018*

Outdoor Pesticides Control and Fertilizer Use Ordinance

TOWN OF HARPSWELL
Outdoor Pesticides Control and
Fertilizer Use Ordinance

Enacted May 20, 2004
Amended March 12, 2016
Amended March 11, 2017
Amended March 10, 2018

Harpswell, Maine

Attest: A true and exact copy.

Catherine J Doughty
Town Clerk, Deputy Deputy

Date 03/28/2018



Section 1. Purpose

Scientific studies have shown that certain Insect Growth Regulators (IGR), neonicotinoids and insecticides adversely affect aquatic invertebrates, especially molting shellfish such as lobsters and crabs. In addition to harming shellfish, these chemicals may interfere with beneficial insect species such as bees and lepidopteran pollinators (moths and butterflies). The Town of Harpswell is comprised of approximately 216 miles of coastline, numerous islands and narrow peninsulas such that discharges and runoff from inland areas are extremely close to coastal waters. The application of water soluble fertilizers is apt to runoff into the sea and overload it with nitrogen that causes algal blooms and coastal acidification which affect shellfish by inhibiting their shell formation. The purpose of this Ordinance is to establish regulations that will aid the Town in protecting and maintaining the health of its shellfish resources, marine environment, and pollinators.

Section 2. Definitions

Aerial Spraying – spraying by airplane.

Insect Growth Regulator – a substance or mixture of substances including, but not limited to, azadirachtin, diflubenzuron, and tebufenozide, that act to disrupt the action of insect hormones thereby interrupting or inhibiting the life cycle of insects.

Insecticide – a substance or mixture of substances intended to prevent, destroy, repel or mitigate insects.

Licensed Applicator – a person who applies pesticides, has passed certification exams and is licensed by the Maine Board of Pesticides Control.

Neonicotinoid – a class of neuro-active insecticides including, but not limited to, acetamiprid, clothianidin, imidacloprid, nitenpyram, nithiazine, thiacloprid, and thiamethoxam.

Pesticide – any substance or mixture of substances intended for preventing, destroying, repelling or mitigating any pest; any substance or mixture of substances intended for use as a plant regulator, defoliant or desiccant; and any nitrogen stabilizer. Herbicides, fungicides, insecticides, and rodenticides are considered pesticides. Multicellular biological controls, such as mites, nematodes, parasitic wasps, snails or other biological agents not regulated as pesticides by the U.S. Environmental Protection Agency, are not considered pesticides.

Weed and Feed Fertilizer – a mixture of fertilizer and pesticide.

Section 3. Prohibition and Restrictions on the Outdoor Use of Pesticides

- a) The outdoor use of the following pesticides is prohibited in the Town of Harpswell except for use in conjunction with commercial agriculture, nurseries, or golf courses:

- i. the use and/or application by any person by any method whatsoever of any Insect Growth Regulator (IGR) as defined, or;
 - ii. the aerial spraying of any Insecticide whose product label indicates that it is harmful to aquatic invertebrates.
- b) No outdoor use of a pesticide shall be permitted within twenty-five (25) feet of the maximum high water line of a great pond, stream, tributary stream, the highest annual tide (HAT) of a coastal wetland or the upland edge of a freshwater wetland; except in conjunction with commercial agriculture, nurseries, or golf courses.
- c) The outdoor use and/or application of any neonicotinoid insecticide whose product label indicates that it is harmful to bees or aquatic invertebrates is subject to the following restrictions except in conjunction with commercial agriculture, nurseries, or golf course.
- i. Between twenty-five (25) and two hundred fifty (250) feet of the maximum high water line of a great pond, stream, tributary stream, the highest annual tide (HAT) of a coastal wetland or the upland edge of a freshwater wetland, the use of a neonicotinoid insecticide regulated by this ordinance must be done by a licensed applicator. Uses permitted by licensed applicators are limited to applications by stem injection or painting on wind pollinated trees or plants.
 - ii. Outside of the two hundred fifty (250) foot shoreland zone, neonicotinoid insecticides may be applied by:
 - a) stem injection or tree painting to wind pollinated trees plants, or
 - b) other application methods if applied by a licensed applicator.

Section 4. Use of Licensed Pesticide Applicators

Any application, for which compensation is paid, of general use pesticides, restricted pesticides, or weed and feed fertilizers, shall be done by a licensed applicator.

Section 5. Fertilizer Use Limitation

The outdoor use of fertilizers, except in conjunction with commercial agriculture, nurseries, or golf courses, is subject to the following limitations:

- a) Within the shoreland zone:
 - i. No fertilizer shall be applied within twenty-five (25) feet of the maximum high water line of a great pond, stream, tributary stream, the highest annual tide (HAT) of a coastal wetland or the upland edge of a freshwater wetland.
 - ii. Between twenty-five (25) and two hundred fifty (250) feet of the maximum high water line of a great pond, stream, tributary stream, the highest annual tide (HAT) of a coastal wetland or the upland edge of a freshwater wetland, only non-water soluble fertilizer, compost, or composted manure may be applied.

- b) Outside of the two hundred fifty (250) foot shoreland zone, water soluble chemical fertilizer, sludge or non-composted manure may be applied in addition to those allowed in Section 5(a)(ii).

Section 6. Exemptions

- a) The following materials are not regulated by the provisions of this Ordinance:
 - i. Pet supplies such as shampoos, tick and flea collars, and dusts;
 - ii. Insect repellents;
 - iii. Aerosol products; and
 - iv. Application of materials or substances mandated by state or federal law.

- b) The provisions of this Ordinance do not apply to the following uses:
 - i. Commercial agriculture;
 - ii. Nurseries;
 - iii. Golf courses; and
 - iv. Indoor uses

Section 7. Waiver

The Conservation Commission is authorized to grant waivers from the provisions of this ordinance when a pest presents: a) an immediate threat to human health, or b) an immediate threat of substantial property damage or loss. A waiver may only be granted to a licensed applicator for a specific use of a specific pesticide. The initial approval of a waiver shall be for a period of not more than thirty (30) days. The commission may grant a renewal of a waiver for a period of not more than three (3) years if it finds that the licensed applicator has performed satisfactorily, that the location of the treatment and the pesticide and method of application will be the same as the initial waiver, and that the need for the continuing waiver is the result of the same ongoing infestation or problem.

The licensed applicator who seeks a waiver shall apply to the Code Enforcement Officer. The application shall specify the specific nature of the situation requiring a waiver including an analysis of why other approaches for control of the pest cannot be utilized or will create greater risk to the marine environment and/or pollinators, the pesticide use for which the waiver is sought, the proposed method of application, and measures that will be taken to limit any adverse impacts on the marine environment or pollinators.

Upon receipt of an application for a pesticide use waiver or the renewal of an existing waiver, the CEO shall forward the application to the Conservation Commission which shall consider the application within fifteen (15) days. The Commission may obtain outside assistance in its review of the application.

The Commission shall approve the application only if it finds:

1. That there is an immediate threat to human health or an immediate threat of substantial property damage or loss,
2. That control methods allowed by the ordinance are not adequate to address the threat,
3. That the approach for controlling the pest for which the waiver is requested presents the least risk to the marine environment and/or pollinators, and
4. The licensed applicator will undertake measures to limit the potential adverse impacts on the marine environment.

A decision of the Conservation Commission with respect to the granting of a waiver may be appealed to the Board of Selectmen within fifteen (15) days of the Commission's decision. The Board shall act on an appellate basis in reviewing the decision and may affirm or modify the Commission's decision.

Section 8. Enforcement

When a violation of the provisions of this ordinance is suspected, the Code Enforcement Officer may require that the person, firm, or corporation that is the owner of or having control or use of the property, provide the Town with soil or leaf samples from a location on the property specified by the Code Enforcement Officer in sufficient quantity to permit laboratory testing of the soil or leaf in order to check for the presence of any Insect Growth Regulator (IGR) that prevents molting or inhibits exoskeletal formation or any Neonicotinoid or Insecticide whose product label indicates that it is harmful to aquatic invertebrates or bees.

- a) This Ordinance shall be enforced by the Code Enforcement Officer. The Code Enforcement Officer is hereby authorized to institute or cause to be instituted, in the name of the town, any and all actions, legal or equitable, that may be appropriate or necessary for enforcement of this Ordinance.

The following procedure is available to the Code Enforcement Officer when he/she becomes aware of a possible violation of this ordinance and wishes to investigate it:

- 1) If there has been a complaint, the complainant shall document the nature of the complaint using a form provided by the Town and submit the completed form to the Code Enforcement Officer who may, in his/her discretion, choose to meet with the complainant.
- 2) Based on the information available, the Code Enforcement Officer shall make a preliminary determination as to whether there is a possible violation of this ordinance.
- 3) If there is a possible violation of the ordinance involving the use of fertilizers, the Code Enforcement Officer shall attempt to meet with the property owner and/or the applicator of the fertilizer to obtain information on the type of fertilizer applied.
- 4) If there is a possible violation of this ordinance involving the use of pesticides, the Code Enforcement Officer shall obtain information from the applicator of the material on the type and concentration of pesticide applied, the location and method of application, the conditions at the time of application, and any mitigation activities undertaken using a form provided by the Town.

- 5) If the Code Enforcement Officer believes that there could be a violation of the Maine Pesticide Control Board regulations, the Code Enforcement Officer shall contact the enforcement staff of the Board.
 - 6) If there is agreement between the Code Enforcement Officer and the property owner and/or applicator that a violation has occurred, and that the violation was not a willful or repeat violation, the Code Enforcement Officer together with a representative of the Conservation Commission shall meet with the property owner and/or applicator to explain the requirements of this ordinance.
 - 7) If the Code Enforcement Officer determines, based on this information, that there is an unresolved possible violation of this ordinance, he/she shall refer the case to the Board of Selectmen for further action.
- b) The Board of Selectmen shall review any cases of possible violation of this ordinance referred to it by the Code Enforcement Officer to determine if a violation has occurred in accordance with the following:
- 1) The Board of Selectmen shall determine if a violation of the ordinance has occurred. In making this determination, the Board may retain outside expertise to evaluate the information collected and/or obtained by the Code Enforcement Officer, undertake sampling and testing for pesticides, and to provide professional guidance as to whether a violation has occurred. The Board may require the owner of the property subject to the review or the applicator to pay for the collection and testing of appropriate samples if a violation is found. If the Board determines that a violation has occurred, it shall pursue the legal remedies set forth in Section 9.

Section 9. Legal Remedies

When the Board of Selectmen determines that a violation of this ordinance has occurred in accordance with 8.b)1), the Board may enter into a consent agreement with the property owner and/or pesticides applicator setting forth appropriate remedies and remedial actions if necessary, or undertake any and all actions, legal or equitable against the property owner and/or applicator for violation of the ordinance. In the latter case, a person, firm, or corporation who uses or applies or causes to be used or applied any Insect Growth Regulator or Insecticide in violation of the Ordinance shall be subject to a fine of not less than \$1,000 nor more than \$2,500 for the first violation of this Ordinance. A fine of not less than \$2,501 nor more than \$5,000 shall be levied against any person, firm, or corporation violating this Ordinance for the second and each subsequent violation. Refusal to comply with the Code Enforcement Officer's request for information on pesticide use or the collection of samples from the property shall result in a fine of not less than \$1,000 and may result in further action by the Town in seeking an administrative inspection warrant for the property.

Section 10. Severability

To the extent any provision of this Ordinance is deemed invalid by a court of competent jurisdiction, the balance of the Ordinance shall remain valid.

Section 12. Table of Prohibitions and Restrictions

The following table provides an overview of the prohibitions and restrictions on the outdoor use of pesticides and fertilizers except for applications in conjunction with commercial agriculture, nurseries, and golf courses. Where there is conflict between the table and the descriptions in the preceding sections, the language of Sections 3, 4, 5 and 6 shall apply.

HARPSWELL PESTICIDE/FERTILIZER PROHIBITIONS AND DISTANCE FROM WATER			
CLASS OF PESTICIDE/ FERTILIZER	SHORELAND ZONE		OUTSIDE SHORELAND ZONE
	25' BUFFER	25' – 250'	OVER 250'
Insect Growth Regulator (IGR)	X	X	X
Neonicotinoids: Label indicates harmful to pollinators or aquatic invertebrates	X	Use only permitted by Licensed Applicator on wind pollinated trees or plants using stem injection or painting	Use only permitted on wind pollinated trees or plants using stem injection or painting. Other application methods will not be restricted if applied by a Licensed Applicator.
All other pesticides	X	No restriction	No restriction
Fertilizer	X	Compost Non water soluble nitrogen fertilizer	No restriction

X = Use prohibited

01 DEPARTMENT OF AGRICULTURE, CONSERVATION AND FORESTRY

026 BOARD OF PESTICIDES CONTROL

Chapter 41: SPECIAL RESTRICTIONS ON PESTICIDE USE

SUMMARY: This chapter describes special limitations placed upon the use of (1) aldicarb (Temik 15G) in proximity to potable water bodies; (2) trichlorfon (Dylox, Proxol); (3) hexazinone (Velpar, Pronone), (4) aquatic herbicides in the State of Maine and (5) plant-incorporated protectants.

Section 1. ALDICARB (TEMIK®)

The registration of aldicarb (Temik 15G) is subject to the following buffer zone requirements:

- A. Aldicarb (Temik 15G) shall not be applied within 50 feet of any potable water source if that water source has been tested and found to have an aldicarb concentration in the range of one to ten parts per billion (ppb). The 50 foot buffer would be mandatory for one year with a required retesting of the water at the end of the period.
- B. Aldicarb (Temik 15G) shall not be applied within 100 feet of any potable water source if that water source has been tested and found to have an aldicarb concentration in excess of 10 ppb. The 100 foot buffer would be mandatory for one year with a required retesting of the water at the end of this period.

Section 2. TRICHLORFON (DYLOX, PROXOL)

The registration of trichlorfon (Dylox, Proxol) is subject to the following requirements:

- A. Trichlorfon shall only be used for control of subsurface insects on turf.
- B. Prior to application the target pest must be identified and the severity of the infestation must be determined, including the extent of the damage.
- C. Only infested areas shall be treated with trichlorfon. Broadcast treatments of the entire turf area are prohibited.
- D. Following application, the trichlorfon must be watered into the soil with at least ½ inch of water and according to the label directions. The applicator must assure that the appropriate watering will take place prior to re-entry by any unprotected person.

Section 3. HEXAZINONE (VELPAR, PRONONE)

The registration of hexazinone is subject to the following limitations and conditions.

A. Licenses Required

No person shall use or supervise the use of any pesticide containing the active ingredient hexazinone unless they have obtained an applicators license in accordance with 22 M.R.S. §1471-D.

Section 4. AQUATIC HERBICIDES

The registration of pesticides for which there is an aquatic herbicide use on the product label shall be subject to the following limitations and conditions.

A. Board Publication of List

The Board of Pesticides Control will publish by May 23, 2003 and by March 15th of each year thereafter a list of herbicide products registered in Maine for which the manufacturer has verified that there is an aquatic use on the pesticide label. Based on available information, the Board may exempt from this list pesticides that it determines are not for use in the control of aquatic vegetation. Pesticides labeled solely for use in aquariums and antifouling paints, are specifically exempt from this list.

B. Licenses Required

- I. Unless exempted under Chapter 41, Section 4 (B) (III), no person shall purchase, use or supervise the use of any aquatic herbicides identified on the Board's annual listing unless they have obtained a private or commercial pesticide applicator's license from the Board.
- II. No person shall:
 - a. Distribute any aquatic herbicides identified on the Board's annual listing without a restricted use pesticide dealer's license from the Board; or
 - b. Unless exempted under Chapter 41, Section 4 (B) (III), distribute any aquatic herbicides identified on the Board's annual listing to any person who is not licensed as a private or commercial applicator by the Board.
- III. Registered herbicides containing only the active ingredients erioglaucine (Acid Blue 9 or FD&C Number 1, CAS Registry No. 1934-21-0) and/or tartrazine (Acid Yellow 23 or FD&C Yellow Number 5, CAS Registry No. 2650-18-2 (trisodium salt) or 3844-45-9 (triammonium salt)) are exempt from the applicator licensing requirements described in Chapter 41, Section 4 (B) (I) and Chapter 41, Section 4 (B) (II) (b).

C. Disclosure

The Board will make a disclosure form available to dealers distributing any aquatic herbicides identified on the Board's annual listing. The Board requests that dealers present to customers the disclosure form that advises purchasers that, (1) an aquatic discharge license must be obtained from the Maine Department of Environmental Protection before any application may be made to any surface waters of the State as defined in 38 M.R.S.A. Section 361-A(7) including any private ponds that may flow into such a body of water at any time of year, (2) that Best Management Practices developed jointly by the Board and the Maine Department of Environmental Protection on the use of aquatic herbicides are available.

D. Records and Reporting

Dealers distributing any aquatic herbicides identified on the Board's annual listing shall keep records of such sales and provide reports to the Board as described for restricted use pesticides in Chapter 50, "Record Keeping and Reporting Requirements."

E. Use of Best Management Practices

Aquatic herbicides applied to private ponds and not subject to an aquatic discharge permit may only be applied consistent with Best Management Practices developed jointly by the Board and the Maine Department of Environmental Protection.

Section 5. PLANT-INCORPORATED PROTECTANTS

The registration, distribution and use of plant-incorporated protectants are subject to the following limitations and conditions:

A. Definitions

"Plant-incorporated protectant" means a pesticidal substance that is intended to be produced and used in a living plant, or in the produce thereof, and the genetic material necessary for the production of such a pesticidal substance.

B. License Required

No person shall distribute any plant-incorporated protectant without either a general use pesticide dealer license or a (restricted or limited use) pesticide dealer license from the Board.

C. Dealer Requirements

Dealers distributing plant-incorporated protectants are subject to the following requirements:

- I. General use and (restricted or limited use) pesticide dealers shall notify the Board of their intent to distribute plant-incorporated protectants on all initial license and license renewal application forms provided by the Board.
- II. General use and (restricted or limited use) pesticide dealers shall maintain sales records showing the list of the names and addresses of all purchasers of plants, plant parts or seeds containing plant-incorporated protectants. These records must be made available to representatives of the Board for inspection at reasonable times, upon request, and must be maintained for two calendar years from the date of sale.
- III. Any general use and (restricted or limited use) pesticide dealer who discontinues the sale of plant-incorporated protectants shall notify the Board in writing and shall provide the Board, upon request, with all records required by Section 5(C)II of this chapter.

D. Grower Requirements

- I. All users of plant-incorporated protectants shall maintain the records listed below for a period of two years from the date of planting. Such records shall be kept current by recording all the required information on the same day the crop is planted. These records shall be maintained at the primary place of business and shall be available for inspection by representatives of the Board at reasonable times, upon request.
 - a. Site and planting information, including town and field location, a map showing crop location and refuge configuration in relation to adjacent crops within 500 feet that may be susceptible to cross-pollination;
 - b. Total acres planted with the plant-incorporated protectant and seeding rate;
 - c. Total acres planted as refuge and seeding rate;
 - d. Detailed application information on any pesticide applied to the refuge as described in Section 1(A) of Chapter 50, "Record Keeping and Reporting Requirements"; and
 - e. Planting information for each distinct site including:
 - i. date and time of planting; and
 - ii. brand name of the plant-incorporated protectant used.
- II. There are no annual reporting requirements for growers.

E. Product-Specific Requirements

- I. Requirements for plant-incorporated protectant corn containing *Bacillus thuringiensis* (Bt) protein and the genetic material necessary for its production.
 - a. Prior to planting plant-incorporated protectant corn containing any *Bacillus thuringiensis* (Bt) protein and the genetic material necessary for

its production, the grower must have completed a Board-approved training course and possess a valid product-specific training certificate.

- b. Product-specific training certificates shall be issued following each Board-approved session. The certificates will remain valid until December 31 of the third year after issuance.
 - c. Non-Bt-corn growers whose crops are or will be located within 500 feet of a prospective Bt-corn planting site can request that the Bt-corn grower protect the non-Bt-corn crop from pollen drift.
 - i. the request must be made prior to planting of the Bt-corn crop;
 - ii. the request must identify the non-Bt-corn crop to be protected; and
 - iii. the growers may agree on any method for protection but, if an agreement cannot be reached,
 - 1. the Bt-corn grower must plant any refuge required by the Bt-corn grower agreement, grower guide or product label in a configuration that provides maximum protection from pollen drift onto the adjacent non-Bt-corn crop; or
 - 2. if no refuge is required, the Bt-corn grower shall maintain at least a 300-foot Bt-corn-free buffer to non-Bt-corn crops.
 - d. Bt-corn growers are encouraged to follow all best management practices developed by the Board or the Department of Agriculture, Conservation and Forestry.
- II. Dealers distributing Bt-sweet corn shall only sell the seed in quantities large enough to plant one acre or more.

F. **Confidentiality**

Any person providing information to the Board in connection with the record-keeping and reporting requirements of Section 5 of this chapter may designate that information as confidential in accordance with 7 M.R.S.A. §20.

STATUTORY AUTHORITY: 5 M.R.S.A. §§ 8051 *et seq.*
7 M.R.S.A. §§ 601-610
22 M.R.S.A. §§ 1471-A, 1471-B, 1471-C, 1471-D, 1471-M

EFFECTIVE DATE:
March 8, 1981 (Captan)

AMENDED:
May 7, 1981 (Trichlorfon)
January 2, 1984 (Aldicarb)
May 8, 1988 (Trichlorfon)
August 5, 1990 (Captan)
August 17, 1996 (Hexazinone)
October 2, 1996

EFFECTIVE DATE (ELECTRONIC CONVERSION):
March 1, 1997

AMENDED:
May 7, 1997 - Section 3(B)(II)

CONVERTED TO MS WORD:
March 11, 2003

AMENDED:
May 12, 2003 - Section 4 added

NON-SUBSTANTIVE CORRECTIONS:
June 24, 2003 - summary only

AMENDED:
February 2, 2004 - Section 4, 1st paragraph and sub-section A, filing 2004-31
April 30, 2007 – filing 2007-154
February 3, 2008 – filing 2008-36
July 16, 2009 – filing 2009-253 (final adoption, major substantive)
May 3, 2012 – filing 2012-99 (final adoption, major substantive)

CORRECTIONS:
February, 2014 – agency names, formatting

AMENDED:
December 9, 2014 – Section 3, filing 2014-283

Couture, Amanda

From: Patterson, Megan L
Sent: Tuesday, September 08, 2020 5:23 PM
To: White, Nathaniel; Pesticides
Cc: Abello, Thomas; Saucier, Daniel; Couture, Amanda
Subject: Re: September 18th Board Meeting

Hi Nathaniel,

Thanks for your email. I'll add your letter and this request to the Board meeting agenda.

Please be aware that this meeting will be hosted via Microsoft Teams. Someone will contact you with meeting details.

Thanks again and be well,

Megan Patterson

Get [Outlook for iOS](#)

From: White, Nathaniel <Nathaniel.White@MaineGeneral.org>
Sent: Tuesday, September 8, 2020 3:59:50 PM
To: Pesticides <Pesticides@maine.gov>
Cc: Abello, Thomas <Thomas.Abello@maine.gov>; Saucier, Daniel <daniel.saucier@mainegeneral.org>; Patterson, Megan L <Megan.L.Patterson@maine.gov>
Subject: September 18th Board Meeting

EXTERNAL: This email originated from outside of the State of Maine Mail System. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Afternoon,

We understand there is a Board of Pesticides Control Meeting on September 18th, and per the guidelines, items that are to be brought up at the meeting should be sent 3 days prior the meeting date. We at MaineGeneral would like to receive an exemption to use the electrostatic sprayers within our facilities as part as the cleaning/ sanitizing process with COVID-19. We would like to use the same exemption as the schools only change the language to hospitals and healthcare facilities. We understand that Governor Mills signed an executive order in order for the schools to use those and we were hopeful that this could be talked about for the hospital as well.

We would like this brought up at the meeting to possibly start the process of using electrostatic sprayers within our hospitals.

Thanks

Nathaniel White

Nathaniel J. White
Environmental Services Manager
Thayer Campus/Outbuildings
MG Lean Yellow Belt 🏆
Office: 207-872-1682
Cell: 207-314-6191
Pager: 207-580-0443



Couture, Amanda

From: Couture, Amanda
Sent: Thursday, September 10, 2020 9:21 AM
To: Couture, Amanda
Subject: FW: NEW Disinfectant Sprayer Training Now Required for School Employees

From: Adam Hanson <ahanson@auburnschl.edu>
Sent: Wednesday, September 9, 2020 6:38 PM
To: Murray, Kathy <Kathy.Murray@maine.gov>
Cc: Billy Hunter <bhunter@auburnschl.edu>
Subject: Re: NEW Disinfectant Sprayer Training Now Required for School Employees

EXTERNAL: This email originated from outside of the State of Maine Mail System. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Kathy,

Thanks for the info.

Who would be the appropriate person for me to email to request that they extend the executive order to also include contracted service providers? This puts some districts at a big disadvantage based solely on whether they happen to employ or contract cleaning and busing services.

Thank you.

On Tue, Sep 8, 2020 at 10:28 AM Murray, Kathy <Kathy.Murray@maine.gov> wrote:

Adam,

Contracted service providers must have the proper Commercial Pesticide Operator applicator license (certified in category 7C3 – microbial control) and be working under the supervision of a Commercial Master Applicator with the category 7C3 certification). They are not considered to be school employees and therefore are not under the same ‘temporary suspension of licensing requirements for school employees’ under the Governor’s Executive Order 7 FY 20/21. The same goes for contracted transportation drivers.

-Kathy

From: Adam Hanson <ahanson@auburnschl.edu>
Sent: Tuesday, September 8, 2020 10:19 AM
To: William Hunter <bhunter@auburnschl.edu>; Murray, Kathy <Kathy.Murray@maine.gov>
Subject: Re: NEW Disinfectant Sprayer Training Now Required for School Employees

EXTERNAL: This email originated from outside of the State of Maine Mail System. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Kathy,

Thanks for your input on the hand sanitizer.

Can you get back to me about the question below, on whether the new guidelines apply to contracted cleaners (not just employees)?

Thank you.

On Tue, Sep 1, 2020 at 4:47 PM Adam Hanson <ahanson@auburnschl.edu> wrote:

Hi Kathy,


Does the below information apply also to contracted cleaners who work in our schools? Our evening custodians are contracted, and they are the ones who would be using this equipment the most.

Thank you.

----- Forwarded message -----

From: Maine Department of Agriculture, Conservation and Forestry <DACF@subscriptions.maine.gov>
Date: Mon, Aug 31, 2020 at 11:48 AM
Subject: NEW Disinfectant Sprayer Training Now Required for School Employees
To: <bhunter@auburnschl.edu>

Having trouble viewing this email? [View it as a Web page.](#)

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MAINE DEPARTMENT OF
AGRICULTURE, CONSERVATION & FORESTRY

SCHOOL INTEGRATED PEST MANAGEMENT

News

New Requirements for Electrostatic Sprayers, Foggers, and Misters

State regulations requiring a Commercial Applicator's License for use of powered equipment such as battery powered electrostatic sprayers, misters, or foggers to disperse general use disinfectants and sanitizers in schools and buses have been temporarily lifted for K-12 school employees meeting the stipulated requirements outlined below. Non-powered application of general use disinfectants and sanitizers (routine hand cleaning) is also exempted from pesticide licensing requirements.

Due to the urgency associated with schools re-opening during the COVID-19 pandemic and the short time frame available for school staff to become licensed, on Wednesday August 26th Governor Mills issued Executive Order 7 FY 20/21 which **temporarily permits unlicensed school staff to use powered equipment** in the course of routine cleaning and disinfection **with the following requirements:**

1. School employees using powered equipment **must complete training*** (**below**) specified by the Board of Pesticides Control (note this is a new training. Previous participation in other training sessions does not meet this new requirement),

2. Schools must keep detailed records of such applications as is required for all other pesticide applications,
3. Schools must provide notice in their policy manual or handbook,
4. Products applied by powered equipment must be:
 - o Labeled for use with powered application equipment
 - o Registered by the Board of Pesticides Control (see [Maine Registered Disinfectants for Use Against COVID-19](#))
 - o Approved by EPA for use against SARS-CoV-2 (COVID-19)

NEW! Disinfectant Applicator Training for School Employees using Powered Sprayers REQUIRED per Governor's Executive Order

Thursday September 3, 2020, 8:00 AM - 9:00 AM

REGISTER NOW. This is **NEW training required for any school staff using powered equipment such as electrostatic sprayers to apply disinfectants and sanitizers in schools** and buses. Just before the event begins click on this link >> [JOIN NOW.](#)

Note: this training will be recorded and available for viewing after the event on the Maine School IPM Program webpage (click on [Training and Events](#)).

Trainees must document successful completion of the training by completing a short on-line questionnaire.

NEW Resource!

Find links to training, sample record-keeping forms, and additional resources for cleaning and sanitizing schools on the new [Maine School IPM COVID-19 Microbial Control and Pest Management webpage.](#)

How to Get a Pesticide Applicator's License



The Governor's Executive Order does not pertain to non-school employees. Personnel employed by private service providers such as bus service drivers and private cleaning service providers are not exempted and must have the necessary Commercial Pesticide Applicator licenses. For those wishing to get a pesticide application license, the Maine Board of Pesticides Control is offering free on-line training to prepare aspiring licensees to pass the required examinations.

Recorded presentations and slides for pesticide license training are now available [here](#).

Finally, the [Core Manual](#) and the [Microbial Manual](#) study guides are available for \$7 from UMaine Extension.

[Licensing Brochure](#) (PDF). FMI: [Board of Pesticides Control](#).

For more information contact the Board of Pesticides Control at pesticides@maine.gov or 207-287-2731.

Questions/Comments? Contact us!

Email: kathy.murray@maine.gov

Phone: 207-287-7616

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Business Manager

Auburn School Department

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	A	B	C	D	E	F	G	H	I	J
1	Maine Board of Pesticides Inquiry / Complaint Report FY 2017									
2	Case ID	Case Status	Caller Type	Event Type	Topic	Site	Date Of Incident	Application Method	Complaint Details	City
3	EC-336	Pending staff resolution	Concerned Citizen	Complaint	Drift	AG-Row Crop/Vegetables	9/1/17	Boom	Spraying top kill on potatoes on route 1 in Blaine. Wind very high, homeowner thinks drift likely on property. Application occurring at time of call to BPC at 9:15 am	Blaine
4	EC-333	No violations. Closed	Concerned Citizen	Complaint	Unauthorized Application	AG-Row Crop/Vegetables	8/31/17	Unknown	Caller thinks someone killed her tomato and potato plants by putting something on them. Ate a tomato last night and got sick. Last year someone killed cucumbers and peonies. Thinks knows who did this but did not provide names.	Exeter
5	EC-295	No violations. Closed	Concerned Citizen	Complaint	Drift from tree farm	AG-Tree Crop	6/21/17	Boom	Caller has lived next to a Christmas tree farm for 35 yrs. The land where the trees are is leased and the grower uses backpack sprayers to make applications. Drift occurs, Wants abutter to buy him out so he can move.	Searsmont
6	EC-309	CA-\$1,000 related to line 47	Concerned Citizen	Complaint	License Issue	Antimicrobial	7/10/17	Hand Can	Allegation Service Master Elite in Saco making unlicensed applications.	Lewiston
7	EC-324	Pending enforcement mtg. review, off target sample positive	Concerned Citizen	Complaint	Drift	Biting Fly/Ticks	8/17/17	Powered Backpack	Mosquito Squad got spray on customer's abutting property . Could smell, saw fog come over , upper lip numb.	Cape Elizabeth
8	EC-396	CA-\$16,500	Concerned Citizen	Complaint	Drift	Fumigation - Crops	9/18/17	Fumigation	Company fumigated a potato field across from their house, family experienced coughing , burning eyes, and watery eyes.	Washburn
9	EC-282	Closed inspector handled on site	Concerned Citizen	Complaint	spraying common ROW near ocean	Other	6/7/17	Hand Can	Alleges neighbor sprayed herbicide on a common deeded foot path ROW to the ocean, sprayed adjacent property, too close to the ocean.	York
10	EC-299	CA-\$900	Government Employee	Complaint	Storage / Disposal	Other	6/23/17	Dumped and strewn	Maine DEP conveyed report 8-10 bags of fertilizer was dumped into a wetland across from Elmer's barn (route 17). Possibly pesticides	Whitefield
11	EC-310	Closed- No violations documented from inspection	Government Employee	Complaint	Unlic. Applicators/storage issues	ROW	7/14/17	Unknown	EPA region 1 conveyed call from EPA's region 1 CID. Smith Mountain Investments Co. Allegations: storage violation, unlic. applicators in MA./VT. Asked BPC to follow up.	Anson
12	EC-349	CA- \$1,500	Concerned Citizen	Complaint	Unauthorized Application	Turf/Ornamental	9/15/17	Unknown	Alleges neighbor used pesticides and damaged caller's property. Killed grass and damaged some trees.	Belfast
13	EC-180	Closed- provided caller with requested information	Concerned Citizen	Complaint	Non-Target Effects	Right-of-Way	10/5/16	Non-powered Backpack	Allegation home owner spraying roadside ROW with Roundup and a drainage ditch and w/i 50-100 ft. of the ocean. Caller asked about regulations.	Northport
14	EC-308	Closed no violations, but DOT did not keep agreement in area	Grower	Complaint	Non-Target Effects	Right-of-Way	7/10/17	Hydraulic	Turf Doctor contracted by DOT for ROW on RT. 32 near organic farm. Grower concerned with hay field and runoff from across the road onto cert. organic land.	South China
15	EC-184	Closed - no violation found	Concerned Citizen	Complaint	Human Exposure / Health Effects	Structural	11/17/16	Unknown	Grandfather of a resident at the Shalom house in Portland thinks grandson may have be exposed to pesticides during applications at the facility.	Portland
16	EC-190	CA-\$1,600	Tenant	Complaint	License Issue	Structural	11/7/16	Fogger	Tenant of building PLD Groups Inc manages alleged PLD employees made multiple unlicensed applications to caller's apt. and other apts. for bed bugs.	Winthrop
17	EC-191	Inspector clarified lic. requirement. Applications ceased	Government Employee	Complaint	License Issue	Structural	12/12/16	Unknown	Public health inspector with DHHS reported owner of Tim Hortons in Calais as well as apartments, does own pest control at the restaurant and apartments.	Calais
18	EC-196	No violations. Closed	Tenant	Complaint	Notification / Posting	Structural	1/5/17	Unknown	Lack of notification and posting alleged	Auburn
19	EC-211	Pending enforcement mtg. review, violations confirmed	Tenant	Complaint	Human Exposure / Health Effects	Structural	3/6/17	Other Non-powered Equipment	Allegation landlord of apartment in Bangor gave tenant bombs and aerosol cans for bed bugs. Tenant and, or tenant's mother treated the apt., another apt. and common bathroom, common kitchen, and front hallway apartment #1 .	Bangor

	A	B	C	D	E	F	G	H	I	J
1	Maine Board of Pesticides Inquiry / Complaint Report FY 2017									
2	Case ID	Case Status	Caller Type	Event Type	Topic	Site	Date Of Incident	Application Method	Complaint Details	City
20	EC-238	No violations. Closed	Tenant	Complaint	Other	Structural	5/5/17	Unknown	Tenant suspects Atlantic Pest Solutions, which is now Ehrlich (thinks personnel are the same in both companies) is intentionally introducing bed bugs in to the apartment.	South Portland
21	EC-229	Found no case file, likely not transferred to inspector	Tenant	Complaint	Human Exposure / Health Effects	Structural	4/3/17	Unknown	Unlicensed heat application made to apartment for bed bugs by employee of Landlord is Brown House Property. Bug Busterzz used Gentrol and Demand and sprayed caller's mattress. Caller sick days, unsure if pesticides or to the open septic in the basement.	Waterville
22	EC-272	Enforcement agenda, SCF tenant permission only outd. Ap.	Landlord	Complaint	Unauthorized Application	Structural	5/26/17	Unknown	Tenant hired Green Pest Defense to treat common area outdoors for ants. Sign posted, applicator told landlord her authorization not needed since tenant gave authorization.	Portland
23	EC-265	Need to check office for original inspection forms	Concerned Citizen	Complaint	Human Exposure / Health Effects	Structural	5/18/17	Non-powered Backpack	Alleged Modern Pest applicator at Helen Noreen Apts. at 51 Rainbow Road (or lane, or street.) in Pl. Group "I" set of buildings (top set of buildings)No advance notification. Only posting both sides of the road to the entry to complex. Careless around toys, strollers, bikes.	Presque Isle
24	EC-307	Advisory letter sent	Government Employee	Complaint	Unauthorized Application	Structural	7/7/17	Unknown	Maine DHHS, noted containers of bed bug pesticides at inn's laundry room. Reported to BPC	Stoneham
25	EC-314	Inspector determined posted # automated vm. gives FL. #	Concerned Citizen	Complaint	Notification / Posting/ # on sign out of service	Structural	7/12/17	Unknown	Smithfield Resident called # on Terminix sign posted on out of state neighbor's treated property. No information available through #	Smithfield
26	EC-328	Advisory letter send, license required	Government Employee	Complaint	Human Exposure / Health Effects	Structural	8/21/17	Unknown	DHHS reported house keepers applying pesticides to rooms to kill bedbugs. Rooms are rented to travelers.	Trenton
27	EC-345	Inspector could not substantiate use. Evidence SCF hired	Government Employee	Complaint	License Issue	Structural	8/31/17	Unknown	DHHS reporting the during their health inspection at the restaurant they saw insect aerosol cans inside the restaurant.	Portland
28	EC-340	Closed- site follow up, clarified regulation on moth ball use	Concerned Citizen	Complaint	Odors	Structural	9/12/17	Unknown	Danforth resident, on E. Grand Lake alleged to use moth balls outdoors. Strong odor.	Danforth
29	EC-369	Enforcement agenda, landlord bait station to tenant	Tenant	Complaint	Laws/Policies	Structural	6/11/17	Bait	Tenant reported landlord misused rodenticide at mobile home that they rent.	Waterford
30	EC-397	A pest. labeled for site used, no posting, eye protection	Concerned Citizen	Complaint	Human Exposure / Health Effects	Structural	3/12/17	Hand Can	Allegation Termidor Insecticide misused by lic. company in a 2 unit apartment building. No tenants present, no notification	Brunswick
31	EC-258	Inspector to clarify with applicator	Concerned Citizen	Complaint	License category Issue	Turf/Ornamental	5/17/17	Unknown	Caller alleged Shane Theriault is advertising for outdoor ornamentals w/o required Outdoor Ornamentals Category (3A)	Presque Isle area
32	EC-241	Closed-inspector handled on site	Government Employee	Complaint	Non-Target Effects	Turf/Ornamental	5/9/17	Hand Can	Caller reported Lubec resident applies 2,4-D to caller's lawn. May bring from out of state. Concern with potential runoff	Lubec
33	EC-313	Closed no violations	Concerned Citizen	Complaint	Water Quality	Turf/Ornamental	7/14/17	Boom	Caller stated that two applicators each with motorized ride on application equipment with a broadcast hopper in front for granular, a boom in the back for liquids, and a side mount hose/reel to spot spray were treating turf with all three methods. Location is The Village at Oceans End, 470 Main St. SW. Harbor. Definitely treated w/i 25 ft of 2 retention ponds which drain through a culvert under the road and into the ocean. Sprayed w/i 2 ft. of 2 garden service workers. Concern for water, wildlife and people.	SW Harbor
34	EC-316	Closed no violations	Concerned Citizen	Complaint	License Issue	Turf/Ornamental	7/24/17	Non-powered Backpack	Caller alleged LST landscape sending out unlic. employees to make commercial applications using roundup herbicide. Applications made to beds to reduce hand weeding costs. Some big commercial accounts where this is done.	Portland and surrounding area

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35	EC-337	Enforcement agenda, posting, records elements,	Concerned Citizen	Complaint	Drift	Turf/Ornamental	9/6/17	Unknown	Caller reported two man Sports Field crew applying to turf at Quarry Hill Property across the street. The wind was strong and it drifted onto caller.	Camden
36	EC-329	CA \$21,500 plus conditions	Concerned Citizen	Complaint	Unauthorized Application	Turf/Ornamental	8/22/17	Unknown	Prior customer of TruGreen Lawn Care cancelled their service. TruGreen continued to make applications after multiple cancellation notices.	Falmouth/Foreside
37	EC-326	Need to check if inspection requested	Concerned Citizen	Complaint	Occupational Exposure / Worker Protection Standard	Turf/Ornamental	8/16/17	Boom	Caller reported Precision Lawn Care applicators applying in windy conditions and no PPE	Caribou
38	EC-346	Closed no violation	Concerned Citizen	Complaint	Non-Target Effects	Turf/Ornamental	9/9/17	Unknown	Call about a misuse of an herbicide at Lucerne golf course. Apparently acres of grass were inadvertently killed. Caller thought this evidence of a label violation if not also an application by an unlicensed applicator	Dedham
39	EC-381	Closed inspector handled on site	Tenant	Complaint	Non-Target Effects	Turf/Ornamental	6/7/17	Hand Can	Tenant said landlord targeted alder but killed tenant's Queen Anne's Lace by porch and tomatoes, chives, swiss chard, 6 mice in a fish tank on the porch.	Jay
40	EC-246	Under review	Licensed Applicator	Complaint	License Issue	Unknown	5/10/17	Unknown	Caller said there is advertising of pest control services from unlicensed person. If google "carpenter ants Ellsworth Maine" will see ad.	Central Maine area
41	EC-315	Inspection conducted 7-19-17, issues: wps W/H. Train, PPE	Employee	Complaint	Occupational Exposure / Worker Protection Standard	Unknown	7/19/17	Unknown	Allegation that employees are exposed to organic and conventional chemicals such as pyrethrins that the employees spray weekly. PPE is not provided, employee has to bring own PPE. Employee has been burned by the chemical in the past, Pyrethrins stored in GH, conventional chemical stored in garage. Location of incident- 318 Readfield Ro. in Manchester. Complaint received from Augusta OSHA office (626-9160) on 7-18-17. OSHA complaint no. 30858822	Manchester
42	EC-227	Closed- information on regs given	Concerned Citizen	Complaint	Water Quality	Right-of-Way	4/19/17	Hydraulic	Concerns DOT sprays along Boothby Rd. /108 in Livermore including the roadside along Ford Brook. What are the regulations	Livermore
43	EC-276	Closed- no violation	Tenant	Complaint	Other	Structural	5/4/17	Hand Can	Reported that Ehrlich's technicians planting live bed bugs in apartment on more than one occasion. After inspections signs of bed bugs, not before.	South Portland
44	EC-253	Discussed allegations with inspector	Grower	Complaint	Human Exposure / Health Effects	Unknown	5/10/17	Unknown	Caller pointed out that a Facebook page alluded to pesticide use on marijuana that was sold a store in Machias.	Machias
45	EC-303	Resolved-Finalized no pesticide applied	Concerned Citizen	Complaint	Odors	AG-Cereals and Pasture	6/30/17	Rotary	Hay field cut next to caller's house. Now white algae fiber is being spread on the cut hay field about 100 ft. from the house. Strong odor, has asthma.	W. Gardiner
46	EC-344	Resolved-Finalized no detection on sample collected	Concerned Citizen	Complaint	Drift	AG-Row Crop/Vegetables	9/14/17	Fixed Wing	Caller saw a yellow plane spraying broccoli on Smith Farm land spray with booms on over property line and saw drift on to property. Thought agreement existed not to aerially spray	Presque Isle
47	EC-311	Resolved-Finalized information provided	Concerned Citizen	Complaint	Non-Target Effects	AG-Small Fruit	7/12/17	Unknown	DEP Bangor convey a call on aerial spraying of blueberries in the Penobscot area. Same caller later called BPC.	Penobscot
48	EC-213	Resolved-Finalized CA \$1,000	Concerned Citizen	Complaint	License Issue	Antimicrobial	3/15/17	Unknown	Call about unlicensed remediation work done by Service Master Elite involving antimicrobial.	Old Orchard Beach
49	EC-188	Discussed w/ inspector, will monitor	Concerned Citizen	Complaint	License Issue	Other	11/29/16	Other Non-powered Equipment	Caller said Billy & Binks Place at 66 Industrial Way (or Drive and 28 Industrial Way , near Houlton airport) in Houlton are unlicensed grow facilities and are making unlicensed pesticide applications to the marijuana crop. Affiliated w/ Hygrow Hydroponics store on North Road next to tractor supply also in Houlton. William McCluskey and Steven Porter co-owners	Houlton

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50	EC-321	Resolved-Finalized CA \$250	Concerned Citizen	Complaint	Unauthorized Application	Other	8/8/17	Non-powered Backpack	Penquis employees were spraying Round Up 3 on the school grounds of AOS 43 in Lagrange, Maine.	Lagrange
51	EC-335	Resolved-Finalized DOT met for questions	Concerned Citizen	Complaint	Other	Right-of-Way	8/31/17	Hydraulic	Caller reported DOT ROW route 173 in Searsmont sprayed. Too close to fruit trees, no notification	Searsmont
52	EC-302	Resolved-Finalized No violation	Concerned Citizen	Complaint	Notification / Posting	Turf/Ornamental	6/26/17	Unknown	Mainly Grass did not provide sufficient notification for an application made that same day.	Sanford
53	EC-263	Resolved -Finalized by inspector	Concerned Citizen	Inquiry	Notification / Posting	AG-Small Fruit	5/17/17	Boom	Notification requested from Lyle Guptill f last year. Received none last year or a recent application. Wants to know regulation.	Great Pond
54	EC-289	Inspected property, provided information	Concerned Citizen	Inquiry	Wants info on low impact tick control near water.	Biting Fly/Ticks	6/15/17	Unknown	Caller has tick problem in swale area, wants to control but be compliant. What is the regulation.	Brooksville
55	EC-317	Closed no violation, customer resolved w/company	Customer	Inquiry	Non-Target Effects	Turf/Ornamental	7/25/17	Hydraulic	Customer called. Thinks insecticide application could have affected highbush blueberries. Question about eating blueberries	Brewer
56	EC-318	CA-\$1,000 wrong property treated.	Concerned Citizen	Inquiry	Unauthorized Application	Turf/Ornamental	7/28/17	Boom	Caller reported Green Thumb Lawn Service spayed a section of the lawn. Caller is not a customer	Brewer
57	EC-338	Co. Inspection done, no violation	Concerned Citizen	Inquiry	Drift	Turf/Ornamental	8/29/17	Unknown	Neighbor hires TruGreen to treat lawn. Last application on August 29. Veg. garden within 3-4 feet, concern about possible drift to veg. Called to discuss	Clifton
58	EC-193	Need website review and follow up	Concerned Citizen	Inquiry	License Issue	Unknown	12/1/16	Unknown	An individual called Jan Betts and asked if any employees from a company called PIC Home Pro were licensed to apply pesticides in Maine. Betts found no evidence that anyone at the company was licensed in Maine. The company is from New Hampshire, but advertises on their website that they cover the southern Maine region as well as New Hampshire. the link to their website is: http://www.pichomepros.com/ The website lists approximately over two dozen Maine towns the company serves.	southern Maine
59	EC-201	HUD requires application, no violation	Concerned Citizen	Inquiry	NA	NA	1/20/17		Home builder built a new home in Berwick and has a buyer getting loan through Bangor Savings. Builder called for BPC input on termite inspection requirement.	Berwick
60	EC-208	Closed- BPC regs allow time to provide SDS	Employee	Inquiry	Other		2/24/17	Unknown	Caller asked if they need hard copies of their SDSs. They have electronic versions on the work site, but no printers.	Anthol
61	EC-207	Discussed notification and email info.	Concerned Citizen	Inquiry	Notification / Posting	AG-Row Crop/Vegetables	2/14/17	Boom	Caller wants to know rights about notification and regulations on buffers.	Monticello
62	EC-236	Hicks rtn call w/ info. Closed	Grower	Inquiry	Other	AG-Row Crop/Vegetables	4/27/17	Unknown	Call about carry over of glyphosate residues in vegetables from a field where glyphosate products had not been used in 10 years.	Acton me
63	EC-237	Discussed notification rights w/ caller	Concerned Citizen	Inquiry	Notification / Posting	AG-Row Crop/Vegetables	5/3/17	Unknown	Caller lives in Hope and is surrounded by blueberry fields and wanted to know notification rights	Hope
64	EC-230	Discussed regs. with caller.	Concerned Citizen	Inquiry	Non-Target Effects	AG-Row Crop/Vegetables	4/25/17	Unknown	Called to inquire on potential impact of commercial farm possibly buying land next to a primarily organic farm.	Andover
65	EC-278	Discussed regs. with caller.	Concerned Citizen	Inquiry	Human Exposure / Health Effects	AG-Row Crop/Vegetables	6/5/17	Unknown	Caller purchased home in 2017, surrounded by potato fields. Asked about impact to family and property.	Sherman
66	EC-218	Provided caller with lab contact info.	Concerned Citizen	Inquiry	Notification / Posting	AG-Small Fruit	4/7/17	Boom	Caller concerned about proximity to blueberry fields. Asked about notification, drift and water contamination.	Hope
67	EC-234	Provided caller digital EPA HTC manual	Licensed Applicator	Inquiry	Other	AG-Small Fruit	4/27/17	Unknown	Caller asked about respirator requirements when in an enclosed cab (agricultural work)	Augusta

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68	EC-233	WPS questions answered	Licensed Applicator	Inquiry	Other	AG-Small Fruit	4/27/17	Boom	Caller asked if the WPS medical evaluation requirement can be done on line (3M company has a site) and if respirator required in enclosed cab.	Ellsworth
69	EC-255	Info on leaching, notification provided	Concerned Citizen	Inquiry	Water Quality	AG-Small Fruit	5/17/17	Rotary	Public health officer concerned with leaching of blueberry herbicides in water.	Sedgewick me
70	EC-257	Clarified notification rights	Concerned Citizen	Inquiry	Notification / Posting	AG-Small Fruit	5/17/17	Boom	Commercial blueberry grower bought abutting land. Asked for, did not received notification. Boom over caller's prop. Wants notification this year.	Great Pond
71	EC-205	Clarified notification rights, label lookup	Apiarist	Inquiry	Notification / Posting	AG-Tree Crop and Grapes	1/31/17	Air Blast	Apiarist caller. Asked about notification rights. Lives next to orchard in Cumberland. Concerned about veg. garden too.	Cumberland
72	EC-332	Discussed BPC right to check records	Government Employee	Inquiry	Water Quality	AG-Tree Crop and Grapes	8/30/17	Unknown	Supt. of Bowdoinham Water District explained an orchard is within this watershed. State drinking water program requires SOC testing (synthetic organics, pesticides etc.). Specific pesticides have to be tested for. Ask if we could get orchard applicator records from the orchard if he is unsuccessful. Will save several thousand dollars in testing if he knew what pesticides were applied this year only.	Bowdoin
73	EC-206	Water question- referred to DEP	Concerned Citizen	Inquiry	Water Quality	Aquatic	2/1/17	Unknown	Resident of Gateway Commons development, a 76 house community. Retention pond to catch and then drain runoff from the development. Possible cattail problems. Herbicides allowed?	Gorham
74	EC-228	Info on regs, pesticide near water	Licensed Applicator	Inquiry	Buffers	Biting Fly/Ticks	4/19/17	Powered Backpack	Caller asked about mosquito/tick control within 25 feet of surface waters.	Lisbon Falls
75	EC-224	Info on record keeping provided	Licensed Applicator	Inquiry	Other	Biting Fly/Ticks	4/18/17	Unknown	Caller works for Eagle Arboriculture Inc. Ask the record keeping requirements for fipronil inside boxes to attract mice to treat them for tick control.	Trenton
76	EC-244	Provided info. on notification rights	Concerned Citizen	Inquiry	Human Exposure / Health Effects	Biting Fly/Ticks	5/10/17	Unknown	Caller lives 300 ft. downhill down hill from Orkin customer. Asked about rights to protect family, garden, animals.	Litchfield
77	EC-297	Gave fact sheet How to Choose Tick Product	Concerned Citizen	Inquiry	Other	Biting Fly/Ticks	6/12/17	Unknown	Question on tick control	Falmouth
78	EC-298	Mainly Ticks gave SDS, Hick called too.	Concerned Citizen	Inquiry	Human Exposure / Health Effects	Biting Fly/Ticks	6/9/17		Caller concerned with bifenthrin use to control ticks affecting granddaughters other kids, and water in the area near Panther Pond.	Raymond
79	EC-322	Closed- proactive call in case of complaint	Licensed Applicator	Inquiry	Applicator pro-active call in case there was a complaint	Biting Fly/Ticks	8/10/17	Non-powered Backpack	Blackstone Enterprises LLC dba Skeeter Beaters called BPC to be proactive to report a neighbor of a Saco customer was confrontational with use of Essentria IC3. The neighbor called the police.	Saco
80	EC-343	Information provided lic. and notification	Licensed Applicator	Inquiry	Non-Target Effects	Biting Fly/Ticks	9/14/17	Unknown	Caller operates a MOFGA cert organic farm. Neighbor hires mosq. squad of S. Maine to spay for mosq/ticks. Concerned about property/family. Asked about notification process. Thought people going through lic. process should be made aware of registry. Also asked if BPC could send someone to talk to her road assoc. on pesticide haz. for example permethrin, cyfluthrin, and permethrin. Plans to call C. Lay next week to discuss request. Last application Sept 12. Others scheduled Oct 2 and 23.	Freeport
81	EC-296	Provided info. on posting treated area	Licensed Applicator	Inquiry	Notification / Posting	General Vegetation Management	6/21/17	Other Non-powered Equipment	Caller asked about posting requirements for CST on invasive plants in areas people are not likely to go. Bittersweet, honey suckle for example.	VARIOUS AREAS
82	EC-209	Case closed- no pesticide used, only a pair of ravens	Licensed Applicator	Inquiry	Other	Other	2/28/17	Bait	USDA APHIS agent called for clarification of Avitrol label	Lewiston

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83	EC-222	No BPC lic. needed to trap animals.	Licensed Applicator	Inquiry	License Issue	Other	4/18/17	Unknown	Caller has a potential customer with a squirrel problem. Asked if BPC regs apply if only trapping.	Portland (possibly)
84	EC-226	Provided information on record keeping	Employee	Inquiry	Other	Other	4/18/17	Unknown	Caller asked what record book commercial ag. producers were required to keep the application records in and if UMO's was sufficient.	Topsham
85	EC-235	Provided information on 25b products	Concerned Citizen	Inquiry	Other	Other	4/27/17	Unknown	Caller asked about the regulatory requirements for Coastal Products Co. in Lisbon to package her 25b pesticide.	Lisbon
86	EC-232	Provided information on spill herb. Disposal	Concerned Citizen	Inquiry	Spill / Discharge	Other	4/25/17	Unknown	Caller had a 1 gallon jug of roundup herbicide that split and spilled. Has spill and remainder. Asked about disposal.	Durham
87	EC-220	Clarify notification request requirements	Concerned Citizen	Inquiry	Notification / Posting	Right-of-Way	4/10/17	Hand Can	Caller wants notification when owner sprays the ROW/road that caller has an easement to cross.	Green
88	EC-277	Advisory letter send, treated beyond PL	Concerned Citizen	Inquiry	Human Exposure / Health Effects	Right-of-Way	5/31/17	Unknown	Follow up call from same caller. Requested copy of case file from caller's earlier complaint. Has developed cancer.	Rockland
89	EC-212	Provided caller with landlord/tenant regulations.	Tenant	Inquiry	Notification / Posting	Structural	3/7/17	Unknown	Caller asking about notification required to tenants and related regulation.	Portland, ME
90	EC-243	Provided caller with notification requirements	Landlord	Inquiry	Notification / Posting	Structural	5/10/17	Unknown	Rental apartment employee asked about notification requirements to tenants when SCF hired for structural exterior perimeter treatment .	Saco
91	EC-301	Provided copy of Ch. 26, and to call UMO extension	Concerned Citizen	Inquiry	Notification / Posting	Structural	6/27/17	Unknown	Tenant asked for information about bed bug treatments to apartment.	Sanford
92	EC-198	Provided toxicology information on product selection	Government Employee	Inquiry	Non-Target Effects	Turf/Ornamental	1/13/17	Other Powered Ground Equipment	Question Regarding control of invasive Asian Bittersweet in coastal area	Kennebunkport
93	EC-204	Provided lic./posting requirements for town BTM project	Government Employee	Inquiry	Other	Turf/Ornamental	1/26/17	Unknown	CEO for Brunswick asked about regs applicable to pending BTM project along recreation path that will be done by town employees.	Brunswick
94	EC-221	Toxicology information for Grubex provided	Concerned Citizen	Inquiry	Non-Target Effects	Turf/Ornamental	4/13/17	Other Non-powered Equipment	Caller wanted to know about use of Grubex I for Japanese beetles and potential effects on non-targets	Andover
95	EC-225	Info. to Brewer CEO on mothball outdoor use restrictions	Government Employee	Inquiry	Non-Target Effects	Turf/Ornamental	4/18/17	Unknown	CEO of Brewer got a complaint about moth ball use, asked to put it in context.	Brewer
96	EC-219	Gave reg. status of Tree-age for Brown tail moth control	Licensed Applicator	Inquiry	Other	Turf/Ornamental	4/7/17	Injection	Registration status of Tree-age for Brown tail moth control	Boothbay Harbor
97	EC-254	Applicator calling about school notification regulations	Licensed Applicator	Inquiry	Notification / Posting	Turf/Ornamental	5/15/17	Unknown	Call asking what method of notification can be used by a school IPMC to provide the 5-day prior notification and how the 5 days are calculated.	Brunswick
98	EC-242	Provided info. on regs- tick applications on school grounds	Parent of student	Inquiry	Other	Turf/Ornamental	5/9/17	Unknown	Call to get information about pesticide use on school grounds for tick problem.	Kennebunk
99	EC-251	Round up use was 5 yrs. ago-should not be an issue	Concerned Citizen	Inquiry	Water Quality	Turf/Ornamental	5/15/17	Unknown	Concerned re: Round up in well water-use was 5 to 6 years ago.	Georgetown ME
100	EC-300	Gave info. on pyrethroids, bifenthrin, spray contract firm	Home owner	Inquiry	Human Exposure / Health Effects	Turf/Ornamental	6/26/17	Unknown	Caller was concerned about bifenthrin used for ticks.	Georgetown
101	EC-250	Information provided	Concerned Citizen	Inquiry	Turf dieback	Turf/Ornamental	5/11/17	Unknown	Caller has extensive die back to lawn. Opposed to pesticides but due to extent of damage seeking information on cause and cure.	Trenton
102	EC-292	Discussed SSURO process with caller	Concerned Citizen	Inquiry	Other		6/19/17	Unknown	Caller heard information about the BPC's SSURO of a vinegar product at a GPD that did not sound factual. Calling to get clarification.	Arrowsic

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103	EC-327	Provided info on notification rights	Concerned Citizen	Inquiry	Notification / Posting	AG-Row Crop/Vegetables	8/16/17	Boom	Caller lives next to a rented field leased for agriculture. Wheat and potatoes recent yrs. Called to ask how to get notified.	Presque Isle
104	EC-187	Notification inform. Hicks contact	Concerned Citizen	Inquiry	Human Exposure / Health Effects	AG-Small Fruit	11/23/16	Unknown	Son diagnosed with Tourette's syndrome. Questions about chromated arsenic, if it has been used on the BB fields and about testing soil and/or water for it. Lives on bb land and near commercial bb field. Has young kids	Union/Hope
105	EC-217	Info on pesticide regs and use near well	Concerned Citizen	Inquiry	Buffers	AG-Small Fruit	3/29/17	Boom	Caller lives next to a blueberry field, well is w/i 20 ft. Caller is fact finding pesticide regulations, set backs for spraying and what rights are.	Hope
106	EC-403	Information on notification and drift	Grower	Inquiry	Notification / Posting	AG-Small Fruit	5/15/17	Boom	Organic grower abuts a strawberry grower in Bucksport. Caller asking about notification rights and how to address drift if drift occurs.	Bucksport
107	EC-259	day care not associated with school-notification NA	Licensed Applicator	Inquiry	Notification / Posting	Biting Fly/Ticks	5/17/17	Unknown	Asking if an outdoor application to the yard of a day care requires notification/compliance in Ch. 27. Day care is not part of a school system.	Wells
108	EC-248	day care not associated with school-notification NA	Licensed Applicator	Inquiry	Notification / Posting	Biting Fly/Ticks	5/11/17	Powered Backpack	Asked about regulations when treating for ticks outdoors at a daycare at a private home and if Ch. 27 was applicable.	Portland
109	EC-249	day care not associated with school-notification NA	Licensed Applicator	Inquiry	Notification / Posting	Biting Fly/Ticks	5/11/17	Powered Backpack	Caller asked about regulations when treating outdoors a private daycare for ticks.	Standish
110	EC-273	Closed- Tick included in stinging, biting insects	Licensed Applicator	Inquiry	Notification / Posting	Biting Fly/Ticks	5/26/17	Unknown	Questioned if ticks are included in the "stinging, biting insects" exemptions in Ch. 27	Statewide
111	EC-290	Provided infor. on posting	Licensed Applicator	Inquiry	Notification / Posting	General Vegetation Management	6/19/17	Unknown	Asked about posting for treating fence-line around a town basket ball / recreation complex (skateboard) and the posting/notification for sidewalk same area.	Madison
112	EC-286	Provided inform. on pesticide use in 25 ft. buffer	Government Employee	Inquiry	Water Quality	General Vegetation Management	6/12/17	Hand Can	Asked what applications can be made in the 25 foot buffer next to a lake. Plan is RTU Roundup on red osier dogwood in the 25 foot buffer.	Portage Lake
113	EC-181	Provided inform. on storage regulations	Licensed Applicator	Inquiry	Storage / Disposal	Other	11/2/16	Unknown	Requested copy of Ch. 24 and Ch.10 to review definitions major/ minor pesticide storage facilities.	Presque Isle
114	EC-260	Provided info on Ch. 29 and commercial applications	Concerned Citizen	Inquiry	Water Quality	Other	5/18/17	Unknown	President of a lake association in Norway for 4 lakes. Problem w/ yellow iris within the shore zone. DEP said to call us to ask about regs.	Norway
115	EC-330	Provided info on status of a pesticide bill	Concerned Citizen	Inquiry	Laws/Policies	Other	8/28/17	Not Applicable	Caller asked the status of the bill submitted allowing the state to preempt local pesticide ordinances.	N. Berwick
116	EC-347	Provided info. on licensed applicators to treat poison ivy	Government Employee	Inquiry	Schools	Other	9/25/17	Not Applicable	Request for a list of commercial applicators, Limington area, poison ivy on school grounds at the H.B Emery School which is part of SAD #6.	Limington
117	EC-281	Clarified roadside ROW exempt for notification	Licensed Applicator	Inquiry	Notification / Posting	Right-of-Way	6/7/17	Other Powered Ground Equipment	Asked what notification is required when spraying the roadside right-of-way	Fort Kent
118	EC-331	Clarified how to get notification for utility ROW spraying	Concerned Citizen	Inquiry	Notification / Posting	Right-of-Way	8/29/17	Unknown	Caller asked if any type of notification is required when powerlines treated. Estimated their house is about 285 ft. from the power line.	Clifton
119	EC-185	Clarification of definition of Crack/Crevice application	Licensed Applicator	Inquiry	Other	Structural	11/17/16	Other Non-powered Equipment	Caller asked for the definition of a c/c application in restaurants. Wanted to ensure he was in compliance. Product is Pyroicide 100	Lyman
120	EC-288	Discussed label language and toxicologist called too	Registry Member (non-ag)	Inquiry	Non-Target Effects	Structural	6/14/17	Unknown	Modern notified person, person asking BPC if the products used, could affect water, cattle in a pasture.	Freeport

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121	EC-194	Provided inform. on regulations	Government Employee	Inquiry	Water Quality	Turf/Ornamental	12/15/16	Unknown	Water district asked if local golf course uses atrazine and needed a permit and what other pesticides are used.	Boothbay
122	EC-266	Provided inform. on application w/1 25 ft. of water	Licensed Applicator	Inquiry	Water Quality	Turf/Ornamental	5/18/17	Other Non-powered Equipment	Caller asked about regulations related to the 25 ft. buffer around water.	Lebanon
123	EC-264	Provided inform. on town ordinance and Ch. 29	Concerned Citizen	Inquiry	Buffers	Turf/Ornamental	5/18/17	Unknown	Question about regulations near water. He heard pesticides cannot be applied at all in the town of Lebanon except for farmers.	Lebanon
124	EC-261	Provided inform on ch. 29 and BTM approved pesticides	Licensed Applicator	Inquiry	Other	Turf/Ornamental	5/18/17	Powered Backpack	Call to get information about regulations and pesticides approved for BTM projects.	Brunswick, Harpswell area
125	EC-268	Provided inform. on BPC drift study	Licensed Applicator	Inquiry	Non-Target Effects	Turf/Ornamental	5/23/17	Unknown	Caller leases 70A of blueberry land, grows organic berries next to the high school in Brunswick. School to hire lic. applic. for BTM. Caller asked if he could request they use OMRI approved product,	Brunswick
126	EC-275	Provided inform on restrictions of pesticide use near wells	Concerned Citizen	Inquiry	Water Quality	Turf/Ornamental	5/30/17	Unknown	Email question- any restrictions for pesticides and fertilizers near wells.	not know
127	EC-280	Provided inform. on notification process and regulations	Apiarist	Inquiry	Non-Target Effects	Turf/Ornamental	6/6/17	Other Powered Ground Equipment	Neighbor hired the Flower Power Co., bifenthin to lawn. has 2 bee hives. Asked about notification process and concerned for well.	Poland
128	EC-323	Provided inform. on 25 ft. buffer near water.	Government Employee	Inquiry	Buffers	Turf/Ornamental	8/16/17	Unknown	3 different state parks have a problem with geese. Does 25 ft. buffer apply to turf herbicides?	Different state parks
129	EC-192	Provided inform. pesticide use on marijuana	Lawyer	Inquiry	Other	Unknown	12/12/16	Unknown	Lawyer asked about BPC regulations related to marijuana.	Maine
130	EC-202	Answered question on record retention	Licensed Applicator	Inquiry	Other	Unknown	1/20/17	Unknown	Caller asked how long commercial application records have to be kept.	Worcester, MA
131	EC-252	Provided inform. on application w/1 25 ft. of water	Concerned Citizen	Inquiry	Water Quality	Unknown	5/15/17	Unknown	Director of the Megunticook Watershed Association asked about regs on fertilizers and pesticides in the shoreland zone.	Camden
132	EC-279	Provided information on roundup herb. Calls	Licensed Applicator	Inquiry	Other	Unknown	6/5/17	Unknown	Questioned if BPC has been getting an increase in calls about Roundup Herbicide in response to recent news reports.	Augusta
133	EC-284	Clarified process to request notification	Concerned Citizen	Inquiry	Notification / Posting	Unknown	6/8/17	Hydraulic	Ehrlich treating neighbor's lawn . Caller asked applicator for info and told to call office. Wants to know regulations in this case.	Kennebunkport

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1	Maine Board of Pesticides Inquiry / Complaint Report FY 2018								
2	Case ID	Case Status	Caller Type	Event Type	Topic	Site	Date Of Incident	Complaint Details	City
3	EC-432	Enforcement meeting agenda item	Concerned Citizen	Complaint	Unauthorized Application	AG-Cereals and Pasture	5/15/18	Caller asked Jack Driscoll to stay off his property and not to cut trees or spray on his property. Driscoll sprayed not only the rock wall on the PL but about 5 ft. into caller's property killing vegetation, including large hardwood trees.	Livermore
4	EC-552	closed no violations	Concerned Citizen	Complaint	Notification / Posting	AG-Small Fruit	6/19/18	Caller alleged no notification received, treatment within 25 ft. of lake, and round up used when workers present.	Bucksport
5	EC-498	No violation, discussed notification	Concerned Citizen	Complaint	Human Exposure / Health Effects	AG-Small Fruit	8/24/18	Caller's property abuts a Wyman's blueberry field . Chemically sensitive affected by sprays. Posting not done.	Eastbrook
6	EC-466	No violation-closed	Grower	Complaint	Drift	AG-Small Fruit	5/7/18	Worcester Wreath on abutting property to Alexander's cranberry bogs. Alexanders thinks aerial applic. caused drift damage bog	Columbia Falls
7	EC-429	Enforcement meeting agenda item	Grower	Complaint	Drift	AG-Tree Crop and Grapes	5/22/18	Called alleged drift from Pulsifer Orchard onto Lambert's organic orchard otherwise known as Stanton Orchard.	Cornish
8	EC-507	closed no violations	Concerned Citizen	Complaint	Water Quality	AG-Tree Crop and Grapes	9/11/18	Email received from ACF employee . Call originally lodged w/ DEP. Orchard in Parsonsfield affecting Long Pond.	Parsonsfield
9	EC-502	Closed- no violation found	Concerned Citizen	Complaint		AG-Tree Crop and Grapes	9/4/2018	Caller has been told orchard sprayer spills pesticides when on road, may be reason for hive collapse	
10	EC-628	Enforcement meeting agenda item, records unlic. Applicators	Licensed Applicator	Complaint	License Issue	Biting Fly/Ticks	7/31/18	Alleged company is sending out unlicensed applicators, wrong property treated	Gorham
11	EC-420	Consent agreement \$750	Registry Member (non-ag)	Complaint	Human Exposure / Health Effects	Biting Fly/Ticks	5/14/18	Registry member arrived home, no notification, experienced drift from commercial application across the road.	Jefferson
12	EC-440	Repeat of EC-441 below	Concerned Citizen	Complaint	Unauthorized	Biting Fly/Ticks	6/11/18	Unauthorized mosquito/tick application by Mainely Grass.	Kittery Point
13	EC-441	Consent Agreement \$500, unauthorized application	Concerned Citizen	Complaint	Unauthorized Application	Biting Fly/Ticks	6/11/18	Unauthorized mosquito/tick application by Mainely Grass.	Kittery Point
14	EC-423	Consent Agreement \$500, unauthorized application	Licensed Applicator	Complaint	Unauthorized Application	Biting Fly/Ticks	5/17/18	Ed Maurais, owner of Mainely Ticks called on 5-16-18 to self- report that his applicator treated a property on 5-16-18 that was not a customer.	Sanford
15	EC-435	Same case as above, homeowner called	Concerned Citizen	Complaint	Unauthorized Application	Biting Fly/Ticks	5/15/18	On Tuesday May 15th Mainely Ticks made unauthorized tick application to caller's property. Previous owners were customer, they were not.	Sandford
16	EC-472	Enforcement meeting agenda item, wrong property confirmed by inspector (RC-1498)	Concerned Citizen	Complaint	Unauthorized Application	Biting Fly/Ticks	7/31/18	Allegation that Mosquito S OF SM made an unauthorized insecticide application to property on July 31th. That application was intended for Adam Johnson residence at 5 Wilson St.	Gorham
17	EC-499	Test Case Chamberlain	Concerned Citizen	Complaint	Drift	Biting Fly/Ticks	8/31/18	fadf	Gardiner
18	EC-506	Enforcement meeting agenda 170 unlic. Applications	Employee	Complaint	Laws/Policies	Biting Fly/Ticks	6/10/18	Allegation Mosquito Squad of S. Maine sending out unlicensed applicators to make pesticide applications	Bridgton and others
19	EC-513	closed no violations	Government Employee	Complaint	License Issue	Biting Fly/Ticks	5/17/18	EPA Region one emailed BPC. Ivy Oaks thought to be sending unlicensed applicators to spray kids summer camps, possibly other facilities (campgrounds, resorts).	Mount Vernon
20	EC-451	Enforcement meeting agenda item, lic. expired, home owner product	Government Employee	Complaint	Buffers	General Vegetation Management	6/26/18	State employee was at the boat launch on the St. John River in Frenchville, herbicide application close to water. Variance needed?	Frenchville
21	EC-469	Enforcement meeting agenda item, unlic. Applic. Public area near water	Concerned Citizen	Complaint	Buffers	General Vegetation Management	7/24/18	Received a message from Maine Fish and Wildlife. Allegation herbicides had been applied to a forested area to control invasive species. End of Catherine Drive in Scarborough and is next to a clam flat.	Scarborough

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22	EC-394	Closed no pesticide applied	Government Employee	Complaint	Human Exposure / Health Effects	Greenhouse	3/7/18	Indoor marijuana grower set off a fire alarm. Fire/EMS chief/ two others responded. mist/fog in the air. Think ProKure D applied.	Lebanon
23	EC-387	Closed- lab test negative for alleged violation	Concerned Citizen	Complaint	Human Exposure / Health Effects	Other	3/1/18	Staples is growing marijuana at 2 locations. Farmingdale/Winthrop. Alleged use of Eagle 20 pesticide on plants.	Winthrop
24	EC-418	closed no violations	Concerned Citizen	Complaint	Use Inconsistent with the Label	Other	5/9/18	Caller reported resident at 17 Mousam Street in Springvale, sprinkle something on the lawn with cat treats. Person said putting out cyanide (poison cat treats) to keep cats out.	Springvale
25	EC-404	Closed, explained private drinking water only sampled randomly on projects	Concerned Citizen	Complaint	Human Exposure / Health Effects	Other	4/12/18	Caller's lab report shows exposure to insecticides, wants well and soil tested.	Dover-Foxcroft
26	EC-474	Inspector followed up, allegation not substantiated.	Concerned Citizen	Complaint	Non-Target Effects	Other	8/7/18	Allegation made manager and assistant manager of Tractor Supply in Waterville directed employees to spray pesticides on bags of feed after grain mites were found on the bags. T	Waterville
27	EC-494	Inspection did not confirm allegation	Concerned Citizen	Complaint	Other	Other	8/24/18	Allegation that a store was selling a misbranded fungicide.	Farmington
28	EC-356	Enforcement meeting agenda custom blend not on own property	Government Employee	Complaint	Laws/Policies	Right-of-Way	10/24/17	EPA asked that Maine do a record check at Lucas Tree Portland office to check inventory of custom blend herbicides, purchase of same, and in general where and how they get them and use on power lines in ME.	Portland
29	EC-414	Case closed- Letter in May 2018 Board packet for review	Concerned Citizen	Complaint	Non-Target Effects	Right-of-Way	10/17/17	Letter mailed to BPC concerns with ROW spraying in Waldo County. Impacts to water, wildlife, and people. Suggested alternatives.	waldo county
30	EC-484	Closed- no violation	Concerned Citizen	Complaint	Non-Target Effects	Right-of-Way	8/9/18	The caller has no spray agreement with CMP. Recently saw evidence of pesticide application near pasture- brown trees. Called CMP, Nicholas and Lucas to come tomorrow.	Orrington
31	EC-467	Closed- no actionable violations found	Concerned Citizen	Complaint	Buffers	Right-of-Way	6/23/18	About 3-4 weeks ago the town hired a local company to spray roadside ROW. Caller has owned the property for 13 years but has lived there only since 2015. Old Ford PU spraying ROW, 1 driver, on guy in passenger seat spraying out the window with a hose and gun (caller firm on this point). Spayed in wetlands, over streams, cement culverts, hit apple trees, by neighbor's well. First time to caller's knowledge this road sprayed. Caller concerned about spray practices of this company. Not a state road, it is a town road. Assumes town must have hired. Will sign statement about observations/concerns and meet inspector to point out areas of concern that were sprayed.	Oakfield
32	EC-468	Pending staff resolution	Concerned Citizen	Complaint	Unauthorized Application	Right-of-Way	7/10/18	CMP corridor widened by caller's land, alleges cut over on to property. Later Lucas cut beyond the ROW. Now herbicide onto caller's property.	Cornville
33	EC-458	Determined that a no spray agreement was not in place- explained how to enter into one	Concerned Citizen	Complaint	Non-Target Effects	Right-of-Way	7/9/18	Caller bought house from CMP. Said had no spray agreement CMP is not honoring. Herbicides: Rodeo, Arsenal, Milestone	Greene
34	EC-505	Inspection did not substantiate allegation	Concerned Citizen	Complaint	Water Quality	Right-of-Way	8/27/18	Caller did not see ROW spraying but first saw evidence of herbicide spaying by mailbox, also along Lakeside Dr. and entire length of Route 96 to end of peninsula. Also outside ROW and exceed target tree height.	Boothbay Harbor
35	EC-504	closed no violations	Government Employee	Complaint	Water Quality	Right-of-Way	8/20/18	Dir. of DEP Water Q conveyed call received. Same as line 33 above.	Boothbay

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36	EC-353	Pending-Inspection	Lawyer	Complaint	License Issue	Structural	10/17/17	Pine Tree Legal Client apartment in Lewiston. Alleged l.lord treated apartment for bedbugs. After housing authority followed up, l.lord hired commercial A.	Lewiston
37	EC-366	Pending staff resolution	Government Employee	Complaint	License Issue	Structural	12/7/17	On 12-5-17 a DHHS food health inspector inspected Flores Restaurant at 863 Congress St. in Portland. The report (attached) notes that the owners are applying Raid and Ortho insecticides themselves to treat for roaches in the kitchen..	Portland
38	EC-350	Resolved-Finalized	Tenant	Complaint	Human Exposure / Health Effects	Structural	10/11/17	Couple lease an almost new single family home in Wells. Real E. agent handled the lease for owner. Modern made exterior application. Renter has auto immune disease. Modern will not provide pesticide info. Agent will not provide owner contact inform. Renters do not want future applications.	Wells
39	EC-360	Pending-Inspection (cannot confirm inspection follow up)	Government Employee	Complaint	License Issue	Structural	10/30/17	On 10-16-17 the following email was received from DHHS: "Complainant and family observed hundreds of cockroaches in the dining area, on tables and in the bathroom. Both juvenile and adult. Also observed was a white powder around the perimeter of the inside of establishment. Manager aware of the problem". On 10-30-17 DHHS sent a follow up email providing their inspector's name involved with the case.	Anson
40	EC-383	No violation documented	Tenant	Complaint	Human Exposure / Health Effects	Structural	2/7/18	Caller's landlord has been applying a rodenticide bait in the code locked basement of an apartment bldg. Tenants do not have access to the basement. CEO has inspected multiple times, landlord uses a shop vac to vacuum up to prepare.	Old Orchard Beach
41	EC-358	land lord gave hot shot- to tenants for bb control, enfor. Agenda	Lawyer	Complaint	Laws/Policies	Structural	10/24/17	Pine Tree Legal called for tenant in Westbrook. In 2016 tenant told landlord found bed bugs. Landlord gave 10 gal. jugs to tenants to control the bed bugs. Landlord resupplied tenants with more when ran out. Tenant moved, location not known.	Westbrook
42	EC-406	land lord gave hot shot- to tenants for bb control, enfor. Agenda, heat treat now	Tenant	Complaint	Laws/Policies	Structural	4/17/18	Complaint 10 unit apartment Biddeford. Landlord and maint. man informed of bed bug infestation units back. Maint. guy gave 1 gallon container of RTU liquid insecticide to tenants and dir. to share. Problem persists even after some tenants applied insecticide.	Biddeford
43	EC-402	Closed not violation substantiated	Licensed Applicator	Complaint	Laws/Policies	Structural	4/11/18	McCreary was in process of closing the deal with a landlord in Portland to treat a 2 unit apartment to do an ant control. One of the tenants had a friend who McCreary thinks works for Orkin or Terminix who did the job before McCreary closed on it. Tenant had tried diatomaceous earth prior to the professional treatment. McCreary not sure if notification and other regulations followed or if the applicator did the job as a side job or as an employee of a commercial co.	Portland
44	EC-444	Enforcement agenda- Cy-Kick Cs perimeter treated wrong house.	Licensed Applicator	Complaint	Unauthorized Application	Structural	6/12/18	Central Exter. called to self report that a co. applicator made an exterior perimeter application of Cy-kick CS.	Camden
45	EC-510	Case closed - allegation incredible	Concerned Citizen	Complaint	Unauthorized Application	Structural	9/19/18	Allegation of unauthorized applications of pesticides, on multiple occasions, to the exterior and interior of house.	Orrington

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46	EC-493	Pending staff resolution	Government Employee	Complaint	Notification / Posting	Structural	8/17/18	Alleged interior pesticide application in the Dunkin Donuts 5 Ridge Rd. in Richmond. Improper posting, possible issue with application.	Richmond
47	EC-517	Closed allegations not confirm by inspector	Customer	Complaint	Use Inconsistent with the Label	Structural	6/7/18	Allegation Modern Pest misapplied PT Phantom 2 insecticide to the tenant's mattress and elsewhere in the apt. to control bed bugs.	Rumford
48	EC-480	Pending-Inspection	Government Employee	Complaint	Schools	Structural	7/30/18	Application not authorized by school IPMC (Shaw), application record not provided within time required, applicator records incomplete. Shaw reported incident to K. Murray who then conveyed message to the BPC.	Harpwell
49	EC-491	Enforcement agenda - Unlic. friend as applicator, homeowner only product, Inn	Government Employee	Complaint	License Issue	Structural	8/17/18	Customer at Pleasant Mountain Inn reported bedbugs in room at Inn. Owners admitted to DHHS inspector that they did the pesticide treatment themselves.	Bridgton
50	EC-497	Closed Clarified right to ask for information	Tenant	Complaint	Notification / Posting	Structural	8/27/18	Caller was informed of pending bed bug application. Spoke to Rent To Kill, they would not provide information about the application. Application will be for entire building on Wed. August 29th.	Rumford
51	EC-363	Resolved-Finalized	Concerned Citizen	Complaint	Human Exposure / Health Effects	Turf/Ornamental	11/16/17	Caller complaint earlier in year. Asking about regulations for applications at schools, senior housing. Asked BPC policy on enforcing Camden's regulations.	Camden
52	EC-400	Part of a larger \$21,500 consent agreement settled with TruGreen	Concerned Citizen	Complaint	Drift	Turf/Ornamental	4/5/18	Caller abuts TruGreen customer In Scarborough. Thought wind was excessive at time of application.	Scarborough
53	EC-388	Enforcement agenda - condo not notifying member of pending applications	Concerned Citizen	Complaint	Notification / Posting	Turf/Ornamental	3/2/18	Condo owner with lung issues not getting requested notification from condo association.	Wells
54	EC-430	Closed- inspection found no violations	Concerned Citizen	Complaint	Unauthorized Application	Turf/Ornamental	5/24/18	Caller wants Green Thumb to stop making application near retention ponds of Village at Oceans End housing development for environmental reasons.	Southwest Harbor
55	EC-431	Sampled declining trees, no pesticides detected. Check for inspection file.	Concerned Citizen	Complaint	Unauthorized Application	Turf/Ornamental	5/17/18	Caller was a customer of Lawn Dawg (LD). When LD sold TruGreen, TG and others solicited caller to be a customer. Caller declined but TG. made a pesticide application anyway. Caller's young transplant trees are declining.	Falmouth
56	EC-425	Email to Petroski waiting for response	Concerned Citizen	Complaint	Drift	Turf/Ornamental	5/18/18	Saw neighbor applying herbicide, drifted on to my property.	Augusta
57	EC-442	Case close, inspection did not confirm allegation	Concerned Citizen	Complaint	Laws/Policies	Turf/Ornamental	6/11/18	On 6-11-18 caller was playing golf at Oakdale Country Club in Mexico. Golfer saw a person spraying chemicals on the greens, looked in the clubhouse, practice green, and other places, saw no signs posted at all.	Mexico
58	EC-422	Closed- inspector determined application made by homeowner or applicator he hired.	Concerned Citizen	Complaint	Unauthorized Application	Turf/Ornamental	10/16/17	Compagna physically removed knotweed from customer Judy Domicile's property (likely it is actually in roadside ROW) last July , loamed and reseeded. Grass established well. Dimeceli is at 4 Thorndike Rd. in Fortune Rocks. Grass now dead, thinks contractor hired who applied herbicide (Last yr. JW Booth of Alfred or Biddeford was LS contractor).Sprayed at 2 Thorndike rd. May all have been in ROW. About 5,000 sq. ft. Close to Rachel Carson Preserve. Treated area slopes to wetland.	Fortune Rocks
59	EC-477	Inspection found no violations, allegations withdrawn	Concerned Citizen	Complaint	Drift	Turf/Ornamental	8/9/18	Caller reported that on Thursday he observed a Green Thumb lawn care applicator making an application at Kimball Terrace Inn. No respirator, in shorts and T-shirt.	North East Harbor
60	EC-473	Enforcement agenda- Unauthorized hedge application alleged, refuted	Concerned Citizen	Complaint	Unauthorized Application	Turf/Ornamental	8/1/18	Caller alleged Ground Renovators (Derek LeGasse) made an unauthorized insecticide application to a cedar hedge for mites on Maple Lane in NE Harbor. Hedge was sprayed 3 wks. prior by another SCF.	North East Harbor

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61	EC-486	Enfor. Agenda, Lab results positive for glyphosate use/violation of 25' water buffer	Concerned Citizen	Complaint	Water Quality	Turf/Ornamental	8/10/18	Allegation a weed killer has been applied multiple times to a property along the shoreline of Drews Lake in New Limerick. Trees and vegetation along the shore line are now dead or dying.	New Limerick
62	EC-470	Enforcement agenda- unlic. lawn application housing complex	Concerned Citizen	Complaint	License Issue	Turf/Ornamental	7/24/18	Caller said applicator making a pesticide application at applicator's mother's apartment building.	Fort Fairfield
63	EC-445	Enforcement agenda- Unauthorized application same co. as EC-473, invoice cancelled	Licensed Applicator	Complaint	Unauthorized Application	Turf/Ornamental	6/1/18	Caller said employees from another co. have made soil/tree injections to some of his customers after his co. already made a treatment. The caller's employee was told that Derek LeGasse of Ground Renovators then made similar applications to the same customers.	not specified
64	EC-433	Enforcement agenda- Short notice, inspection and samples lab report no pesticides (bees)	Apiarist	Complaint	Non-Target Effects	Turf/Ornamental	5/29/18	Caller said Whitney Tree has kept caller in the notification loop in recent years. Over the memorial weekend they were supposed to text her. Instead called about 6:15 from next driveway from her to notify. Covered hives about 6:20. Had 4 hives in line perpendicular to treated area. Two hives closest to target area (described it as the strongest) and hive furthest minimally affected. Third hive in from treated area completely collapsed. Collapsed hive (biggest?) had a S. Portland queen (Russian descent?) Estimate application 150-200 ft. away.	Freeport
65	EC-446	Closed \$750 consent agreement	Registry Member (non-ag)	Complaint	Notification / Posting	Turf/Ornamental	6/12/18	Registry member reported not notice when abutting property treated by Turf Dr.	Augusta.
66	EC-481	Randlett input- need clarification on which areas in condo assoc. treated.	Concerned Citizen	Complaint	Laws/Policies	Turf/Ornamental	8/17/18	Felt lives in the Village at Stockton Harbor (VASH) condo community. 64 units, 5 board members. July 2018 bd. mtg. Janice Capano (landscape committee leader) said roundup will be used by landscape c. for weed control in turf. Felt reminded the board the applicator lic. requirements as clarified in 2015, Later at the August mtg., the condo association said ok for condo owners to apply roundup to turf. Each condo owner owns 1A, condo assoc. owns 64A. Impossible to define which acre is yours. Felt to email BPC narrative to clarify the pesticide use issue there. Felt thinks turf is common area and lic. required.	Stockton Springs
67	EC-465	Enforcement agenda-suggest advisory letter	Concerned Citizen	Complaint	Notification / Posting	Turf/Ornamental	7/17/18	Caller walks dog, thinks treated area not sufficiently posted. Single sign was in the median where the Thomas point road intersects the movie theater parking lot.	Brunswick
68	EC-515	Pending staff resolution	Concerned Citizen	Complaint	License Issue	Turf/Ornamental	9/18/18	Alleged ulic. commercial application work.	Damariscotta
69	EC-365	No evidence complaint received	Government Employee	Complaint	Other	Unknown	11/16/17	Call from the complaint investigation div. of the AG's office asking if BPC received information/documents involving Orkin PC and billing complaint.	Kittery
70	EC-448	Checking into BPC response	Concerned Citizen	Complaint	Unauthorized Application	Unknown	6/14/18	Caller spoke with toxicologist, canceled scheduled application but the company still sprayed yard. Questions about effect on good insects.	Wayne
71	EC-439	Closed , no violation documented	Concerned Citizen	Complaint	Drift	Unknown	6/11/18	Ehrlich made a pesticide application one Kittery Point. Caller could smell pesticide inside home, phone # on sign but was not in use.	Kittery Point
72	EC-475	Closed , no violation documented	Concerned Citizen	Complaint	Unauthorized Application	Unknown	7/23/18	Calling that neighbor sprayed pesticides on caller's property killing vegetation. Also concerned with leaching to Damariscotta River, dogs, berries.	Damariscotta
73	EC-459	Closed, no violation documented	Concerned Citizen	Complaint	Water Quality	Unknown	7/6/18	Saw White's Weed Control truck back down the boat ramp on the Durham Bridge Road, Newport. Foam material was running out of the truck body.	Newport

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74	EC-508	Pending staff resolution	Concerned Citizen	Complaint	License Issue	Unknown	9/11/18	Anonymous complaint chemicals being sprayed for mildew and fertilizers without licensing, not fair to those who get their licenses .	Orono
75	EC-436	Unauthorized application, sample results- no pesticide detected in foliage	Concerned Citizen	Complaint	Unauthorized Application	Unknown	5/17/18	Last summer contracted w/ Lawn Dawg (LD). LD sent letter they were sold. Several lawn care companies solicited, did not respond. TruGreen made pesticide application. No contract. Three red maples planted in fall 2016 now declining.	Falmouth
76	EC-393	Closed- left message with information with caller	Government Employee	Inquiry	Other	AG-Cereals and Pasture	3/13/18	ME CES forwarded message concerning hay. Had been sprayed with something (gave a sample). What is waiting period before feeding to horse or thrown out?	Bangor
77	EC-411	Closed- discussed regulations	Concerned Citizen	Inquiry	Buffers	AG-Row Crop/Vegetables	4/25/18	Sender's emailed forwarded to BPC. Asking about buffer requirements between a farm and home.	Eliot
78	EC-398	Resolved-Finalized discussed regs, advised to call CMP and MOFGA	Grower	Inquiry	Other	AG-Row Crop/Vegetables	3/27/18	Caller seeking MOFGA certification. Utility line near Dutton Pond. OK to use water from the pond to irrigate his vegetables? Asked about no spray agreements, buffer requirements for MOFGA.	South China
79	EC-519	Resolved-Finalized clarified BPC regulations	Concerned Citizen	Inquiry	Drift	AG-Row Crop/Vegetables	9/24/18	Spray potatoes within 10 ft. of caller's dog, horses, and cattle. Caller has cancer. Wants to know regulations. Can smell in house when field sprayed. In past thinks spraying killed part of lawn. Will pull up one side of boom if home, if not keep both down.	Fryeburg
80	EC-401	Closed, staff discussed pesticide used in blueberry production	Concerned Citizen	Inquiry	Human Exposure / Health Effects	AG-Small Fruit	4/9/18	Caller thinking about buying blueberry land in Appleton. Asking about old use of pesticides on land and their impacts. Issues with current use of pesticides nearby.	Appleton
81	EC-501	Closed- help with rate calculation and suggested calling extension to confirm	Grower	Inquiry	Other	AG-Small Fruit	9/4/18	Caller asked about the label rate for an insecticide if the lowest rate is 4oz./acre and caller has 12, 000 sq. ft of elderberry to treat.	Belgrade
82	EC-461	Closed- recorded callers concerns and passed them on	Concerned Citizen	Inquiry	Drift	AG-Small Fruit	7/18/18	Caller traveling the Smithville Road towards Steuben. Nearby air blast sprayer applying a pesticide to a blueberry field. White cloud, mist on one side of tractor was seen. Thinks cones placed in road and warning of spray.	Steuben
83	EC-454	Inspection completed, inspector clarified PPE requirement, no other Viol. Found	Government Employee	Inquiry	Use Inconsistent with the Label	Antimicrobial	6/22/18	Email: about ECOLAB SaniSave EPA registration number 6836-138-1677. Lonza chemical 6836-138. ECOLAB is telling the stores they can clean and sanitized their food contact surfaces and equipment with SaniSave alone. Asking BPC about correct label use.	Standish
84	EC-357	Pending staff resolution	Licensed Applicator	Inquiry	Laws/Policies	Biting Fly/Ticks	10/24/17	Caller thinking about installing Mist-A-Way automated spray misters outdoors on customer properties, both public(motels for example) and private. Would install the system and refill the tank reservoir monthly. Asking if our regulations allow the use of this set up and what the requirement would be for posting the applications. Spraying ticks, flying insects.	various
85	EC-408	Resolved-discussed Dennys River CPCA and emailed summary of same	Licensed Applicator	Inquiry	Laws/Policies	Biting Fly/Ticks	4/20/18	Asking if there were any Critical Pesticide Control Areas to be aware of.	Machias
86	EC-457	Resolved-customer retracted concerns after reviewing communication w/ Co.	Concerned Citizen	Inquiry	Human Exposure / Health Effects	Biting Fly/Ticks	7/5/18	TruGreen customer had concerns about how the service was provided.	Scarborough

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87	EC-450	Closed- caller never requested notification, will in the future	Concerned Citizen	Inquiry	Non-Target Effects	Biting Fly/Ticks	6/20/18	Atlantic Turf Care spayed the yard of the neighbor across the road for ticks using a powered backpack. Caller ask about notification rights.	Cape Elizabeth
88	EC-471	Closed, BPC staff answered questions	Concerned Citizen	Inquiry	Human Exposure / Health Effects	Biting Fly/Ticks	8/1/18	CES employee sent email explaining the situation that person contacted them about: Hired tick treatment, company sprayed blackberry bushes, concerned about eating them.	South Berwick
89	EC-516	Closed- inspector followed up, provided info. to caller, no violations noted	Government Employee	Inquiry	Human Exposure / Health Effects	Biting Fly/Ticks	9/20/18	The division chief for Kennebunk Fire and Rescue emailed the BPC the following message: "A company sprayed a residence in lower village for mosquitos and the next door neighbor complained that is was a strong odor and they became nauseous. Can you tell me what the chemical is and if they are licensed to work and use this product in Maine."	Kennebunk
90	EC-478	Closed- inspector followed up, no pesticide applied, water only in cooling fans	Customer	Inquiry	Human Exposure / Health Effects	Biting Fly/Ticks	8/12/18	Caller was at Frisbee's Wharf 2 or 3 nights ago dining outdoors on the dock reported t outdoor fans made by Cool Zone, dispensing metofluthrin to repel mosquitoes.	Kittery
91	EC-391	Closed- information requested and provided	Concerned Citizen	Inquiry	Laws/Policies	Forestry	3/7/18	Caller visited the Allagash region and called to ask about forest spray projects and regulations.	Allagash
92	EC-492	Closed - information provided to caller	Concerned Citizen	Inquiry	Human Exposure / Health Effects	Fumigation - Crops	8/22/18	Caller lives across from a field posted about "danger under fumigation, do not enter, Metam fumigant, Vapam HL soil fumigant, K-pam HL soil fumigant". Talked to grower. Called BPC asking if it is safe to stay in homes when this is done.	Easton
93	EC-361	Resolved-Finalized	Licensed Applicator	Inquiry	Laws/Policies	Fumigation - Stored Commodities	11/7/2017	Use of methyl bromide to fumigate logs for export to China. Inquired about licensing-- necessary categories and other regulatory restrictions for this type of application. Indicated that he had contacted DEP, specifically Nick Archer, to ask about environmental regulations. Archer indicated that the only concern would be direct discharge to waters of the state. Mullen further indicated that he was aware of USDA compliance agreements. BPC staff contacted Marc Cone, Director of Air Quality at DEP. Cone indicated that there are specific air quality restrictions for use of methyl bromide in Maine. Further indicated that there may be concern around emissions from treatment as well as emissions from the treated product. Concerns around VOCs as well as Maine's membership in the ozone transport region. Mullen's contact information and initial email were forwarded to Cone for further communication.	Augusta?
94	EC-399	Resolved-Finalized	Licensed Applicator	Inquiry	Laws/Policies	General Vegetation Management	4/4/18	Caller asked what category he needed to spray poison ivy among rocks estimated to be within 20 ft. of the ocean. Also regulations when treating this close to water.	CAPE ELIZABETH
95	EC-490	Resolved-Finalized	Licensed Applicator	Inquiry	Laws/Policies	General Vegetation Management	8/21/18	Called to ask if he had to be on site when unlicensed town employees made herbicide applications to town sidewalks	Rumford
96	EC-479	Closed- provided requested information	Government Employee	Inquiry	Laws/Policies	General Vegetation Management	8/16/18	Town to hire VCS for c/c treatment to sidewalks, want to know posting/notification requirements.	Old Orchard Beach

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97	EC-424	Closed- provided requested information	Licensed Applicator	Inquiry	Laws/Policies	General Vegetation Management	5/16/18	Owner came to BPC office to ask about regulations for treating poison ivy both near water and not near water. This is on private property, some trails, but not open to public.	CAPE ELIZABETH
98	EC-487	Closed- provided requested information	Concerned Citizen	Inquiry	Laws/Policies	General Vegetation Management	8/15/18	Caller saw 2 people on an ATV. One was driving, the other spraying a municipal sidewalk in OOB. No posting, unaware until saw them spraying. Asking BPC posting/notification requirements and who was spraying.	Old Orchard Beach
99	EC-489	Closed- provided requested information	Government Employee	Inquiry	Laws/Policies	General Vegetation Management	8/21/18	Resident angry with side walk spraying. Calling to find out what the town's posting/notification responsibilities are.	Old Orchard Beach
100	EC-488	Closed- provided requested information	Government Employee	Inquiry	Laws/Policies	General Vegetation Management	8/21/18	Question about posting/notification	Old Orchard Beach
101	EC-462	Closed- will use propane torch on weeds	Concerned Citizen	Inquiry	Human Exposure / Health Effects	General Vegetation Management	7/20/18	Caller is a caregiver to aged homeowner. Aged client plans to give roundup to handyman to apply to the weeds/grass in the gravel driveway. Caller asked about lic. regs. Plan now is to use torch on weeds.	Deer Isle
102	EC-464	Closed- staff discussed variance process, and to contact MNAP, local CEO	Concerned Citizen	Inquiry	Laws/Policies	General Vegetation Management	7/20/18	Caller has property in Cape Neddick. Canal filled in phragmites, about 100 ft. long and expanding fast. Army Corp. of Engineers have surveyed. About 10-12 other homeowners have a right to use the canal. Asking what license needed to kill the phragmites.	Cape Neddick
103	EC-374	Closed- provided requested information	Licensed Applicator	Inquiry	Laws/Policies	Greenhouse	1/29/18	Caller got a NOW, said corrected record keeping. Questions about where to get med. evaluation form, if physical required each year, who does med. evaluation in Maine or on line, is dust/filter mask a respirator.	Orient
104	EC-455	Closed- provided requested information	Licensed Applicator	Inquiry	Other	Not Applicable	6/27/18	Called to ask about glyphosate, keeps hearing about it in the media, wonders if there is a better alternative. Looking for "true effects scientifically proven".	unk
105	EC-362	Closed- provided requested information	Licensed Applicator	Inquiry	Laws/Policies	Other	11/16/17	Asked about posting/notification requirement for treating invasive plants in Fort Williams Park in Cape Elizabeth. Trail runs through park. Not treating trail but areas in park itself.	Cape Elizabeth
106	EC-378	Closed- clarified requirement the application required commercial applicator	Employee	Inquiry	Laws/Policies	Other	2/7/18	Call from RSU 18 asking if the school can make a pesticide treatment to van for lice.	Oakland
107	EC-407	Closed- provided requested information	Grower	Inquiry	Laws/Policies	Other	4/19/18	Corn grower asked if he needs to have medical evaluation, fit test, and training if applying avipel to control crows in corn. Avipel requires a respirator.	Newburgh
108	EC-384	Closed- provided DEP and M. Hedrich's numbers. Not a pesticide	Concerned Citizen	Inquiry	Water Quality	Other	2/15/18	Field near his house is spread with gray sludge likely from Waterville Plant. Spread on forage corn land, Septic leach field of neighboring house also faulty. Concerned about well and aquifer feeding it.	Benton
109	EC-409	Closed- provided requested information	Employee	Inquiry	Schools	Other	4/20/18	Caller asked how to report that he is the IPMC for Pine Tree Academy.	Freeport
110	EC-453	Closed- clarified regulation only applies to applications w/i 25 ft. of water	Licensed Applicator	Inquiry	Laws/Policies	Other	6/27/18	Applicator has a customer on a pond in Oakland. Asked if Flight Control Plus can be applied within 30 feet of a lake. Geese problem the customer is trying to solve.	Oakland
111	EC-460	Closed- provided requested information	Grower	Inquiry	Non-Target Effects	Other	7/19/18	Own 11 A commercial cranberries, vines look dormant, no terminal bud, no bloom, no berries. Think abutting ag. grower hired aerial spray. Clarification on notification rights, is drift possible.	Columbia

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112	EC-500	Closed- provided requested information	Concerned Citizen	Inquiry	Human Exposure /	Other	8/29/18	Recent dx of scabies and worried about application of pesticides in home.	Unk
113	EC-392	Closed-Clarified limits of variance, suggested calling cities about ordinances	Licensed Applicator	Inquiry	Laws/Policies	Right-of-Way	3/9/18	Caller asked about the municipal ordinance in S. Portland. RWC has rr lines they have scheduled to treat.	Westfield, MA
114	EC-652	Closed- No pesticides applied	Concerned Citizen	Inquiry	Odors	Structural	7/31/18	Caller shops at both Mannafords grocery store in Jonesport and Hannafords Shop N Save in Columbia. Wonders if pest control person could be spraying the stores causing odor on products.	Jonesport/Columbia
115	EC-367	Closed- No pesticides applied, license requirement explained if pesticides used	Government Employee	Inquiry	Unauthorized Application	Structural	12/15/17	Report that Brewing Company had roach bombs in their mop closet to use on drain flies.	Portland
116	EC-359	Closed- provided requested information	Government Employee	Inquiry	Schools	Structural	10/23/17	RSU 19--Nokomis in Newport problem w/ bees in classrooms. Asked for list. of lic. companies with no past violations of rules.	Newport
117	EC-370	Pending staff resolution	Licensed Applicator	Inquiry	License Issue	Structural	1/17/18	Caller thinks owner made rodenticide applications to the locked attic above the cafe. Empty decon boxes and 1 Tom Cat tamper proof bait station up there with 1 bait block in it. Caller asked if landlord needs a license. A hair salon abuts cafe thought to be same landlord. Another attic above salon	Freeport
118	EC-390	Closed- inspection found no violations	Tenant	Inquiry	Other	Structural	3/6/18	Tenant let landlord (LL) know about bed bugs. LL hired Buggy's Pest Control who sprayed. Treated while caller still leaving apt., no prep instruction but was notified. Caller asking if Buggy's Pest Control is legit. They sprayed while caller was in the process of leaving the apt. Knew they were coming but no instructions on how to prepare. Second application made. Asking if things done right.	Saco
119	EC-415	Closed- J. Greenman OHMS with DEP contacted to respond to spill	Concerned Citizen	Inquiry	Spill / Discharge	Structural	5/3/18	Call to say having a problem with an odor. Husband spilled a bottle of insecticide (for roses and that is all we know) in the garage. Tried to clean it but the odor remains.	Wayne
120	EC-417	Case closed- DHHS closed school kitchen, BPC ensured control by commercial applic.	Government Employee	Inquiry	Human Exposure / Health Effects	Structural	5/7/18	DHHS reported mouse infestation at Oxford High School in S. Paris. Affected area dry food storage of kitchen, in suspended ceiling of kitchen, culinary arts section. of school. DHHS had closed school kitchen. Ehrlich to site put out snap traps and other mechanical traps. Exclusion efforts also done. Some clean up of leaves exterior by cul. arts section.	S. PARIS
121	EC-373	See EC-370 (same case) Enforcement agenda- lic. issue	Licensed Applicator	Inquiry	License Issue	Structural	1/24/18	Repeat caller, asked findings of DHS interpretation of if the attic above a cafe is considered part of the "eating establishment" thereby triggering the need for a commercial applicator license. The answer is yes, a license is required to make pesticide applications to the attic.	Freeport
122	EC-518	Closed- provided caller w/ information including calling manufacturer	Customer	Inquiry	Unauthorized Application	Structural	9/28/18	A carpenter w/ aversion to insects put granular Ortho Home Defense (3 month barrier) around the perimeter of the garage and deck for active ants . Application unauthorized. Homeowner ask how to remediate. Caller would not provide Company name. Not a complaint.	Scarborough

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123	EC-509	Closed - staff discussed toxicity issue	Employee	Inquiry	Other	Structural	9/13/18	Ruby Tuesday Auburn (looks like Ecolab from the receipt) sprayed over the drink lines to the soda machine and beer taps. The lines go down into a 10" pipe that runs under the floor. Sprayed section 90% stainless steel. Given that the lines are under pressure the likelihood of the pesticide getting into the line is low, also given that the lines are largely metal it is doubly unlikely that any pesticide could reach the patrons drinking from those lines. They are going to clean up the foam and then wash the items.	Auburn
124	EC-355	Closed- provided dylox regulations, provided Fish & Murray contact information	Concerned Citizen	Inquiry	Laws/Policies	Turf/Ornamental	10/19/17	Caller lives on the shoreline lawn has a grub problem. Damage is extensive. Contractor suggested Dylox. Caller asked about Dylox regulations, grub control options, regulations near water. Contractor said the vertical cliff distance counts towards any set back requirement.	Harpswell
125	EC-385	Delete, duplicate entry	Employee	Inquiry	Non-Target Effects	Turf/Ornamental	2/21/18	Ignore this entry. My mistake and this is an incomplete duplicate. See EC-386 for the full story.	Raymond Neck
126	EC-426	Closed-caller questions were answered, said may call back, never did.	Customer	Inquiry	Laws/Policies	Turf/Ornamental	4/27/18	Quellette called to ask if posting is required when treating turf. Also asked if there was a penalty is for treating the wrong property. He suspects TruGreen charged him without making an application of fert/herbicide earlier in the year. He is still discussing with TG.	Biddeford
127	EC-428	Closed, information requested and provided	Concerned Citizen	Inquiry	Laws/Policies	Turf/Ornamental	5/21/18	Donna called to ask about regulations related to BTM spraying near the ocean for a friend. Donna will be moving to Phippsburg shortly.	Falmouth
128	EC-372	Closed, information requested and provided	Employee	Inquiry	Notification / Posting	Turf/Ornamental	1/29/18	McLean called on Jan. 26 to get clarification on the color of graphics of the sign required to post per CH. 28 Section 3 and other questions related to the sign requirements.	Portland
129	EC-405	Closed- no violation noted	Government Employee	Inquiry	Laws/Policies	Turf/Ornamental	4/17/18	Beaudoin the IPMC for RSU23 in OOB, said Sterling Insect and Pest Control was treating grubs on athletic fields today using granular Acelepryn. Beaudoin posted fields and sent out notification. Athletic dir. cancelled all play on fields. A school coach was confrontational with applicator. Beaudoin called to ask of anything wrong with the applications to the school athletic fields.	Old Orchard Beach
130	EC-456	Closed- toxicology discussed, caller did not provide contact information	Concerned Citizen	Inquiry	Human Exposure / Health Effects	Turf/Ornamental	7/2/18	Caller stated daughter was "exposed to pesticides". Daughter sat in lawn area with signs on it and now has red spots on her legs. I gave her the number for NNEPC. I didn't get a chance to ask for any other information.	Unk
131	EC-476	Closed, information requested and provided	Customer	Inquiry	Other	Turf/Ornamental	6/27/18	Caller was a customer of Lawn Dawg. When that co. bought by TruGreen, caller went to TG by default. Application made in May and June of this year were ineffective in controlling weeds in lawn. Applicator did not know the names of the weeds when asked. Caller asked what the licensing requirements are and if this applicator was licensed and if there are grounds for a complaint.	Biddeford
132	EC-386	Closed, information requested and provided	Government Employee	Inquiry	Water Quality	Turf/Ornamental	2/19/18	Portland Water District called after receiving a call about treating Hemlock Woolly Adelgid on Frye Island in Sebago Lake. She (Bree from PWD) had received a call from a homeowner concerned about lake water quality after hearing that her homeowner's	Frye Island

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133	EC-421	Closed, information requested and provided	Registry Member (non-ag)	Inquiry	Notification / Posting	Turf/Ornamental	5/15/18	In the past, caller has not always received the required notification. Caller lives in the "cottages" section of this facility. Clay Brook landscaping company who is a contractor here, will hire an application company to apply pesticides. Caller does not know who has been hired. Liz- an employee of the community caller lives in is the contact person for Caller. I suggested caller contact Liz about notification and also the applicator, when know, to ensure notification.	Rockland
134	EC-447	Closed- no evidence pesticide related	Concerned Citizen	Inquiry	Phytotoxicity	Turf/Ornamental	5/30/18	Rosengren's Landscape Co. planted B&B arborvitae in late Nov. 2017. Location, 21 Squidmere Lane (Blackstone Housing) in Falmouth. Three weeks ago looked ok. Noticed last Wed. 5th or 6th, or maybe on the weekend 25 arborvitae were all brown. Trees about 7-8 ft tall when planted. Ehrlich sprayed bifenthrin 5-30-18. Rosengren wondering if arborvitae decline is spray related.	Falmouth
135	EC-482	Closed- consent agreement \$750, too close to water	Lawyer	Inquiry	Water Quality	Turf/Ornamental	5/24/18	Sign seen posted on treated turf in Rome, may be issue with being too close to Great Pond. Application site 16 South Crane Lane. BPC received information from Matt Randall, who was contacted by Peter Beckerman (397-4411). Email string document included as attachment to this case.	Rome
136	EC-534	Enforcement meeting for CA	Concerned Citizen	Inquiry	License Issue	Turf/Ornamental	8/15/18	Caller witnessed Boulay landscaping perform tree work and pest control in Wells area. In August of 2018, caller saw the owner, Guy Boulay, spread weed and feed without proper PPE at a home along Wells beach that abuts the marsh. The lawn is directly along the marsh edge. Caller was able to take a photo for evidence of a pesticide application. Photo is attached. House address thought to be in the range of 200-300 Webhannet Drive in Wells. This is just one example caller has witnessed multiple occasions where Boulay has performed work improperly, without a license, and without insurance.	Wells
137	EC-364	Closed, information requested and provided	Concerned Citizen	Inquiry	Laws/Policies	Unknown	11/16/17	Caller asked if service bulletins are enforceable.	S. China
138	EC-443	Closed- no significant natural malady with sample, likely starvation	Apiarist	Inquiry	Non-Target Effects	Unknown	6/12/18	On May 19th LaPorte received 1 hive of bees from Sweet Mtn. Honey in Georgia. They were shipped on May 14. About 500 bees were dead when received. Shipment was delayed due to cold weather- were supposed to ship in April. LaPorte put bees and queen in hive box. Eggs were laid 4-5 frames had comb. Two weeks ago check on a cold day, bees were in a ball. Today noticed bees were dead. LaPorte wonders if field near him that was plowed up w/i last month for marijuana sprayed. LaPorte used herb w/ imazapyr & glyphosate.	Medway
139	EC-537	Closed- informed to call NNEPC and NPIC for information	Concerned Citizen	Inquiry	Human Exposure / Health Effects	Unknown	5/15/18	Caller called talked to Jan. Is worried because of BTM spraying in Cumberland County spraying this past spring (2018). Caller's dog has leukemia and he's worried about his daughter that was outside in spring (maybe during spraying?).	unk

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3	EC-605	Closed- Inspector clarified how to request notification	Concerned Citizen	Complaint	Not sure	Buffers	AG-Small Fruit	5/13/19	Blueberry fields not posted. One tire on road, one on shoulder spraying in to bb fields. May be hitting in roadside ROW too. People/dogs may be exposed to residues. H	Sedgwick
4	EC-642	Case on enforcement mtg. agenda, .36 % off target	Concerned Citizen	Complaint	Business	Drift	AG-Cereals and Pasture	7/7/19	Family & company playing volleyball on front lawn. Applicator spraying grain across the road w/ boom sprayer., drifted across road, experienced choking from the fog, had to go inside and close the windows. Applicator saw them but bid not stop the spraying.	Caribou
5	EC-606	Inspector clarified rights of abutter and responsibility of lando.	Concerned Citizen	Complaint	Not sure	Drift	AG-Row Crop/Vegetables	5/16/19	Abutting land owner leases it to different growers, notification sometimes good, sometimes not accurate. No sprays yet this yr. Have to keep windows closed, cannot put kids toys or pool outside. Always a breeze. No buffer, plant to edge, thinks abutter is 6 ft. over on to caller's property line.	Sherman
6	EC-635	Closed, negative lab results from inspection samples	Concerned Citizen	Complaint	Not sure	Drift	AG-Small Fruit	6/24/19	Caller driving on the Point Road in Otis. Blueberry field was being sprayed by a boom sprayer. The pesticide drifted onto caller's vehicle and could smell odor.	Otis
7	EC-520	Closed- sulfur applied, no pesticides involved	Concerned Citizen	Complaint	Business	Drift	AG-Small Fruit	10/9/18	White powder being applied to a blueberry field managed by Wyman's BB. Caller environmentally sensitive. Asked for notification this spring, only got notification 1x this season. Wind blowing towards caller's property when application made.	Eastbrook
8	EC-612	Closed, lab results negative	Concerned Citizen	Complaint	Business	Drift	AG-Tree Crop and Grapes	5/23/19	Caller reported orchardist next to them was in the process of spraying. She could see drift coming about 50 feet onto their property(garden, kids play area. Been going on for 5 years now but caller thinks this was excessive. Usually notifies, no notification for this application.	Jefferson
9	EC-644	Call, email into Alex to check sample status	Concerned Citizen	Complaint	Business	Drift	Biting Fly/Ticks	7/3/19	Caller saw an application made by Rent to Kill Co. (Steritech) spraying for mosquitoes and ticks on the National Estuarine Reserve in Wells. Caller asked if legal and said spray drifted onto their property.	Wells
10	EC-589	Closed Trial test complaint to check system entry	Concerned Citizen	Complaint	Business	Drift	Right-of-Way	4/24/19	Driving up Western Ave. in Augusta about 9AM. An Able applicator was spraying ginkgo trees in the median and sprayed in my window.	Augusta
11	EC-631	Pending staff resolution	Concerned Citizen	Complaint	Business	Drift	Turf/Ornamental	6/17/19	GreenThumb applicator applied pesticide to the lawn across the street from caller. Ride on equipment seem to be dispersing from the front and making hand application at the same time. Wind speed high, could smell, breathe in the pesticide- had to close house windows.	Bangor
12	EC-668	Closed, lab result negative	Concerned Citizen	Complaint	Individual	Human Exposure / Health Effects	AG-Row Crop/Vegetables	8/22/19	Applicator sprays about 1x week, last spray Aug. 22 and drifted onto caller's property. Not the first time. Caller's wife has health issues that spray affects. Two years ago asked for notification- never received any.	Limestone
13	EC-647	Close , information provided	Concerned Citizen	Complaint	Business	Human Exposure / Health Effects	Forestry	7/16/19	Caller concerned with effect on drainage into lake she lives on. Affect on grand kids and environment.	Bowerbank area
14	EC-646	Closed, information provided	Concerned Citizen	Complaint	Business	Human Exposure / Health Effects	Forestry	7/15/19	Caller concerned with pending aerial forest spraying. Effects on people, environment.	Somerset county area

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15	EC-648	Closed- \$1,000 consent agreement settled	Tenant	Complaint	Business	Human Exposure / Health Effects	General Vegetation Management	7/24/19	Saw Bath Housing Authority maint. man with a backpack spraying a herbicide on the walkway and ends of both buildings at the housing complex. Asked applicator what was sprayed- did not respond. No notice, no posting. Asked for SDS 2 hrs. ago in a VM to office mgr , still no response. Caller has asthma. Caller, kids, others unaware of application.	Bath
16	EC-634	MLP logged into PEGA, dead ended?	Licensed Applicator	Complaint	Business	Human Exposure / Health Effects	Right-of-Way	6/18/19	Two employees, possibly from Municipal Pest Management Services riding in a go cart down the sidewalk in downtown Saco. Area of Main Street and Pleasant near the post office. One driving the other had hand powered application equipment and appeared to be spraying herbicide. There were no observable weeds in the sidewalk. Given the timing of the application, there was pedestrian traffic in close proximity. A woman was walking her dog and a boy was riding his bicycle behind the two applicators.	Saco
17	EC-536	Closed- inspection did not substantiate allegations	Tenant	Complaint	Business	Human Exposure / Health Effects	Structural	11/16/18	Tenant & maint. man treat common hallway for ants on floor. Caller could not breathe. Thinks workers on ladders accessed pipe chase space between roof and apartments to make some type of space spray or bomb. on opposite side of bldg. from caller. Caller's health poor, has sought medical attention as have other in bldg. with similar symptoms. Mucus, rash. Some to ICU. Requested notice, none ever received.	Waterville
18	EC-521	Need narrative from Pietroski on findings	Tenant	Complaint	Business	Human Exposure / Health Effects	Structural	10/18/18	4th floor tenant saw a guy spraying the carpet in the hallway, had a white container with black lettering like a homeowner would use. No PPE on. Caller spoke to him and asked him to stop spraying. He stopped. No notice given or posted. Port Property Mgmt. said Suspend SC applied for roaches 2x/month, gave SDS. Caller has med. cond. & does not want 15 yr. old son or other tenants exposed to pesticides.	Portland
19	EC-587	Closed- Settled consent agreement \$600	Customer	Complaint	Business	Human Exposure / Health Effects	Turf/Ornamental	4/16/19	Caller hired applicator last 2 years but had no agreement to hire him this year and in fact emailed him saying had made alternate arrangements for brown tail moth this yr. and to take caller off his schedule. The applicator that was canceled made the application anyway.	Falmouth
20	EC-592	Closed- inspection did not substantiate allegation	Concerned Citizen	Complaint	Individual	Laws/Policies	AG-Small Fruit	5/3/19	Alleged that applicator was spraying blueberry field in the rain today near caller's house in Searsmont.	Searsmont
21	EC-676	Closed- based on inspector follow up inspection	Concerned Citizen	Complaint	Business	Laws/Policies	Forestry	9/1/19	Caller riding bike on Westmanland Road, guy w/ hard hat said road was blocked due to aerial forest application to a private landowners property. Caller peddled out of the area but a helicopter almost immediately was in the air. No notification about this. Application w/i a few hundred feet of a residence caller wants to know about regulations related to this forestry project, spraying along a public road, house nearby. Block sprayed owned by Bither.	Westmanland
22	EC-527	Closed- information requested and provided, must post	Licensed Applicator	Complaint	Business	Laws/Policies	Structural	11/5/18	Caller asked if commercial outdoor structural applications within 1 ft. of a building had to be posted.	Augusta
23	EC-572	Pending-enforcement review and action (unlic. application)	Concerned Citizen	Complaint	Business	Laws/Policies	Turf/Ornamental	3/25/19	Caller said Shane Hendrick (Tree Works) located at 554 West Rockport St. (RT, 90) made an unlicensed insecticide tree injection to hemlock trees at 60 Timber Cliffe Dr. in Camden to control Hemlock Wholly Adelgid recently (about the last week of March).	Camden
24	EC-619	Pending-enforcement review and action (unlic. application)	Licensed Applicator	Complaint	Business	License Issue	Biting Fly/Ticks	6/5/19	Caller said company making unlic. applications. Advertise w/ roadside signs. Operating in the Gorham, Standish, and Windham areas. Facebook ads too.	Gorham

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25	EC-632	Closed, could not substantiate allegation	Customer	Complaint	Business	License Issue	Biting Fly/Ticks	5/25/19	Caller said Elizabeth Britton of EB Landscapes treated his yard for mosquitoes and ticks. The application was ineffective. He later learned she does have the 7E category to treat for these pests. He called the BPC to ask if this was legal.	xxx
26	EC-621	Enforce agenda, wilful unlic commercial applications	Licensed Applicator	Complaint	Business	License Issue	Biting Fly/Ticks	6/5/19	Company advertising with roadside signs Rt. 114 Gorham to Standish about 1/2 way on R. Also advertise on Facebook. No license.	Gorham
27	EC-623	Case on enforcement mtg. agenda	Concerned Citizen	Complaint	Business	License Issue	General Vegetation Management	6/10/19	Allegation unlic. herbicide applied by school employee to volley ball court	Bethel.
28	EC-671	Enforce agenda- unlicensed commercial lic, no records, posting	Employee	Complaint	Business	License Issue	General Vegetation Management	8/5/19	Caller alleges a company requires unlicensed employees to spray roundup at all CMP locations as well as all Circle K sites during normal business hours. Treated areas not posted.	Augusta/others
29	EC-625	Closed- inspection did not substantiate allegation	Concerned Citizen	Complaint	Business	License Issue	Turf/Ornamental	6/12/19	Camden caller spoke to Benner Tree Service in Thomaston about BTM applications. BTS said "we will cut down a bunch of trees and apply something to prevent the moth". She asked if they had a license to make applications and they said they didn't need one as it was part of their BTM service plan.	Camden
30	EC-677	Closed- subcontract to a lic. applicator, no other violations	Concerned Citizen	Complaint	Business	License Issue	Turf/Ornamental	9/5/19	Caller alleged Summit Property Mgmt. is making pesticide applications (pellets and powder) to property at Royal Woods Condo Association on Kelley Drive in Yarmouth. Pellets are tracked into house. Dog gets into pellets. Thinks company is not licensed to apply pesticides.	Yarmouth
31	EC-639	Closed- no pesticides applied or stored at this time.	Concerned Citizen	Complaint	Business	License Issue	Turf/Ornamental	6/29/19	Allegation Moose River Golf Club in Jackman spraying and making unlicensed pesticide and fungicide applications and doing so in a no spray zone.	Jackman
32	EC-656	Closed- Warning letter sent (Need to email it Beaudoin)	Government Employee	Complaint	Individual	License Issue	Turf/Ornamental	8/5/19	Bd. of Pesticides employee observed volunteer making a herbicide application at the Beaudoin Ball Park on the Piggery Road in Augusta. BPC employee clarified license requirement to make applications. Volunteer immediately ceased making the application.	Augusta
33	EC-637	Closed- inspector resolved. Property is for sale, will not recur	Concerned Citizen	Complaint	Individual	License Issue	Unknown	6/19/19	Inspector in Aroostook received vm that an unlicensed person was "spraying" at the Hanson Apartments at 336 Main Street in Fort Fairfield. Concern for children who live in the bldg. and play outside.	Fort Fairfield
34	EC-653	Need to find inspection (file check samples) email to MP	Concerned Citizen	Complaint	Business	Non-Target Effects	AG-Row Crop/Vegetables	7/31/19	Potato field on Pelletier Island in St. Agatha was sprayed, heavy rain event after. Shawn Bernard DEP office 760-3135 went to lake, saw 100's of dead crayfish in one area about 1/2 mile in length along shore. DEP conveyed to BPC The farm is Pelletier Farms.	St. Agatha
35	EC-667	Closed, Discuss regulations. Sent copies of Ch's.10,28, 29	Concerned Citizen	Complaint	Not sure	Non-Target Effects	Biting Fly/Ticks	8/14/19	Neighboring camp owner hired a commercial company to make an outdoor application. Used motorized backpacks to apply by woods and shore. Husband talked to them, they showed label of Talstar. Caller said no notification, wonders if Talstar can be used in Maine. Calling to ask about notification regs. and applications near water.	Beddington
36	EC-645	Closed, sent info on forest notification, gave toxicologist #	Concerned Citizen	Complaint	Not sure	Non-Target Effects	Forestry	7/16/19	Caller concerned with forest aerial applications. Family hikes Baxter, fish Carrabassett/Rangeley area. Concerned with impact of aerial spraying on environment, health of her family. Notice in paper too small, need more publicity so people know. Why allow continued use of roundup. Child has auto immune disorder.	Rangeley and others

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37	EC-624	Closed, inspection done, parties are resolving	Concerned Citizen	Complaint	Not sure	Non-Target Effects	General Vegetation Management	6/11/19	Caller said in 2018 overspray from a herb. application to the fence along between caller's back yard and the abutting apt.building caused damage to turf about 3 ft. into property. Caller contacted apt. bldg. owner- who hired someone to do the work and it would not happen again. This April, a yew and a rhododendron began to decline in this same area. They looked worse in May.	Saco
38	EC-649	Closed- concrete sealant, no pesticides involve	Concerned Citizen	Complaint	Not sure	Non-Target Effects	Right-of-Way	7/25/19	Caller saw 2 applicators on foot w/backpack sprayers applying pesticide along the river in Anson just north of the bridge that connects Madison and Anson. Thinks they were DOT employees. Thinks they were applying too close to the river and could affect wildlife in the area.	Anson
39	EC-650	Pending staff resolution	Concerned Citizen	Complaint	Not sure	Non-Target Effects	Right-of-Way	7/25/19	Thinks spray affecting birds	no town
40	EC-643	Pending staff resolution	Concerned Citizen	Complaint	Business	Non-Target Effects	Turf/Ornamental	7/2/19	Allegation that a commercial pesticide application on abutting property affected caller's white spruce tree.	Bangor
41	EC-608	Case on enforcement mtg. agenda, incorrect notification	Concerned Citizen	Complaint	Business	Non-Target Effects	Turf/Ornamental	5/15/19	Caller received notification about pending application for Piper Shores neighborhood in Scarborough on May 15th. Notification about Organic Treatment Program for turf, by Seabreeze Company. SDS provided was for Lesco Dimension. Concerned about notification process and potential impact to wetlands.	Scarborough
42	EC-588	Closed, inspector reported no violations	Concerned Citizen	Complaint	Business	Non-Target Effects	Turf/Ornamental	4/24/19	Caller from Hanna Dr. in Gorham. Concerned about run-off from Egbert Lawncare's pesticide applications today in the rain. Multiple applications to nearby houses on his street today and it is raining fairly steady.	Gorham
43	EC-748	Closed- inspector provided contact info, notification process	Concerned Citizen	Complaint	Not sure	Notification / Posting	Right-of-Way	7/28/19	Last year noticed that the power lines going across caller's property had been sprayed. Contacted CMP, Emera Maine, the town office, the code enforcement office and a couple of others. No one will tell caller who did the spraying and what was sprayed. Lines are close to Leonard Lake and Union River.	Ellsworth
44	EC-659	Closed- part of a \$21,500 consent agreement	Registry Member (non-ag)	Complaint	Business	Notification / Posting	Turf/Ornamental	8/1/19	Caller reported that Thursday August 1st, a TruGreen applicator applied pesticides to neighbor's lawn at 28 Wood Road. Caller is on the notification registry, treated property is listed as an abutter. No notification provided. Registry member's windows were open and did not have time to cover fruit trees. Has two kids, a baby and a 5 year old. Could smell in house.	Cape Elizabeth
45	EC-641	Closed- no evidence of drift, notification no mandatory here.	Concerned Citizen	Complaint	Business	Notification / Posting	Unknown	7/2/19	Caller said thinks Bob Chasse applied a pesticide yesterday. He did not provide the required notification she request in a letter earlier this year. Caller is not sure how close the application was.	Bucksport
46	EC-543	Closed- no violations substantiated by follow up inspection	Concerned Citizen	Complaint	Other	Schools	Structural	12/24/18	Caller's 7 yr. old son is a student at Strong Elementary School. A bed bug incident was reported at the school. Modern Pest was involved as was Merrill's Investigations and Security (have bed bug detection dogs). To date, caller has not been able to get confirmation or clearance from the SIPMC, that there is no problem at the school and son will not bring b. bugs home inadvertently. Caller questions the dog and handler's certification and the knowledge of the IPMC and frustrated with the lack of information provided in in this case. Wants to see a report on the results/findings on the bed bug investigation.	Strong

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47	EC-614	Case on enforcement mtg. agenda, accidental spill	Government Employee	Complaint	Individual	Spill / Discharge	Other	5/18/19	While driving by 241 Hines Street in Washburn, driver noticed what appeared to be an area on the ground where a spill had occurred as evidenced by a red stain on the property (Porter Farms-Washburn?). The BPC was first notified of this information by MDEP.	Washburn
48	EC-523	Pending staff resolution	Concerned Citizen	Complaint	Business	Storage / Disposal	Unknown	10/25/18	Estimate 4-5, 55 gal. blue drums stored on pallets in field giving off odor. Some tops have open holes. Tarp covering but wind blew off. Concerned may be pesticides. Labels says Primera Triplet SF. Go to Mystical Way to Stanley Ridge. Drums on left by burn pile. Could smell for last 3 days. Also empty 1gal. jugs at Those Guys Company business further in. Can access this co. on Amethyst Rd. from Falmouth end. Casey Ginn with that co. thought to own drums/containers	Cumberland
49	EC-683	Pending-Inspection talk to Lou about PL	Concerned Citizen	Complaint	Individual	Unauthorized Application	General Vegetation Management	9/19/19	Caller said a 3rd party saw Banner spraying along a fence line. Caller thinks it was about 1 week ago. Location of application 210 Main Street in Fairfield. Grass/vegetation dead both sides of fence. Concern for kids and pets in the area. Ferns at end of fence in back dead too. Allegation he sprayed beyond his property line on to abutting property. Banner may operate a furniture type business at this location.	Fairfield
50	EC-673	Closed- fungus disease, not pesticides	Concerned Citizen	Complaint	Individual	Unauthorized Application	General Vegetation Management	9/3/19	Neighbor applies herbicide to fence line- application goes on to complainant's property each time. Complainant has asked activity to stop to no avail. BPC received letter 9-3-19, said most recent application "this year"	Scarborough
51	EC-554	check for CA	Government Employee	Complaint	Business	Unauthorized Application	Structural	2/28/19	Maintenance department is treating for bed bugs. The maintenance department is using Steri-Fab, EPA Reg #, 397-13. According to DHHS, this practice has been going on for several years.	Auburn
52	EC-617	Closed, inspection follow up applic. not confirmed	Concerned Citizen	Complaint	Business	Unauthorized Application	Turf/Ornamental	5/29/19	Caller who is not a TruGreen customer found TruGreen sign posted on their property. Called TG 800#, got TG call ctr. in CT. Receptionist said it would take 3-5 days to respond. TG has not called back. Called police to verify sign on property. Has leukemia. Possibly neighbor playing a prank.	Kennebunkport
53	EC-604	Closed- part of a \$21,500 consent agreement	Concerned Citizen	Complaint	Business	Unauthorized Application	Turf/Ornamental	5/6/19	Caller said TruGreen made an unauthorized pesticide application to his lawn.	Windham
54	EC-590	Closed, deer and insect damage. No pesticides involved.	Concerned Citizen	Complaint	Individual	Unauthorized Application	Turf/Ornamental	4/29/19	Homeowner had a mugho pine and some green giant arborvitae planted by a landscaper and a nursery worker. Plants purchased at a nursery and Lowes. Damage to plants looks suspicious. Someone suggested sampling.	Rockport
55	EC-524	Check with inspector for file	Concerned Citizen	Complaint	Business	Unauthorized Application	Turf/Ornamental	10/12/18	Caller found 2 Mainely Grass signs posted on his front lawn and could see application equipment tracks on his lawn so called Mainely Grass 3 times and left VM about this since he is not a customer. Caller's street # is next to the front door of the house. Has a photo of the sign used to post lawn	York
56	EC-638	Closed- no enforcement action required	Concerned Citizen	Complaint	Individual	Water Quality	General Vegetation Management	6/28/19	Allegation made that April Taylor is applying Roundup Herbicide along the shoreline of Sebec Lake at 11 Cover Road in Sebec where family summers.	Sebec
57	EC-658	Gave DHHS/CDC drink water#, caller's # To Hedrich, Randall	Concerned Citizen	Complaint	Individual	Water Quality	Other	8/8/19	Caller reported that David LaChance owns land above caller's and bulldozers his forage corn land so that manures, pesticides and fertilizers drain onto caller's property. Wants something done about it. Concerned that his drilled well is being contaminated.	Hampden

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58	EC-684	Closed- no violations substantiated	Concerned Citizen	Complaint	Business	Water Quality	Right-of-Way	9/9/19	Caller concerned w/ personal well. Asplundh said their policy a set back of 100' from private wells. Herbicide damaged vegetation indicates to caller application possibly within 50'.Further concerned about applications occurring in close proximity to Leonard's Lake. This lake is a part of the Union River Water System. Applications may have occurred 2-3 weeks ago. Caller spoke with several employees of Asplundh who were cutting vegetation from the transmission line near caller's home, dragging it across the road and placing it near the lake shore.	Ellsworth
59	EC-672	Closed- discussed Ch. 22 Section 3 D. need site-specific buffer	Licensed Applicator	Inquiry	Other	Buffers	Unknown	8/28/19	Carmichael called to ask about buffer requirement when making an aerial application near a school.	xxx
60	EC-568	Close , information provided, toxicity not likely	Apiarist	Inquiry	Other	Drift	Turf/Ornamental	3/21/19	Call from bee keeper for input on insecticides for BTM control possibly affecting hives.	Wiscasset
61	EC-567	Closed- info on pesticide, notification, notification process	Concerned Citizen	Inquiry	Other	Drift	Turf/Ornamental	3/20/19	Email forwarded from MCES. Family veg. garden near neighbor's trees that are sprayed for winter moths. Email specified the insecticides applied. Want info on residual length, safe to eat produce etc.	Unknown
62	EC-609	Closed- information provided	Concerned Citizen	Inquiry	Other	Human Exposure / Health Effects	AG-Row Crop/Vegetables	5/20/19	Caller is a member of the Bath community gardens (Rec. Dept. program)	bath
63	EC-603	Closed- info on tox,IPM, label. UMCE # provided	Concerned Citizen	Inquiry	Other	Human Exposure / Health Effects	Biting Fly/Ticks	5/9/19	We received an email forward from ME CDC that caller: "wants to spray yard against ticks, is there anything safe? Spoke with caller, explained cultural controls for reducing habitat, then application to targeted areas, reviewed importance of the label, reviewed some details on bifenthrin including cancer rating. Referred caller to UMCE Pest Management Office -gave phone number.	Eddington
64	EC-582	Closed, information requested and provided	Concerned Citizen	Inquiry	Other	Human Exposure / Health Effects	Biting Fly/Ticks	4/16/19	Caller asked if there are any safe treatments for treating ticks.	Long Island
65	EC-680	Closed- provided notification information as requested	Concerned Citizen	Inquiry	Business	Human Exposure / Health Effects	Fumigation - Crops	9/9/19	Staff member from Senator Collins' Office called to discuss constituent concerns about a fumigation application made by Dasco. Call made to BPC to better understand notification requirements when Vapam HL is applied.	Caribou
66	EC-594	Closed- BPC staff sent discussed and sent caller information	Concerned Citizen	Inquiry	Other	Human Exposure / Health Effects	Not Applicable	5/6/19	Caller asked about glyphosate causing non-Hodgkins lymphoma. Caller used some on some weeds in November was wondering if should eat out of her garden.	East Machias
67	EC-542	Closed- information requested and provided	Concerned Citizen	Inquiry	Other	Human Exposure / Health Effects	Other	1/8/19	email: I am moving to Surry Me this year and have recently become aware of the use of pesticides in the support of the blueberry industry . Can you inform me of the impact this is having on the health of people in this area specifically around Ober road in terms of air quality, ground run off, or drinking water. I would. Appreciate any info you can provide.	Surry
68	EC-665	Closed, information requested and provided	Tenant	Inquiry	Not sure	Human Exposure / Health Effects	Structural	8/7/19	Caller has medical/health issues. Lives in 32-33 unit apartment bldg. to be sprayed for cockroaches. Caller's unit will not be treated but concern with unit below him having treatment. He is chemically sensitive as well. Called to ask about our regulations and his rights.	Ellsworth
69	EC-544	Closed- Information requested and provided	Customer	Inquiry	Other	Human Exposure / Health Effects	Structural	1/14/19	Email received, caller's bedridden mother has bed bugs in home. Asking for BPC input on PCO's who do work and pesticide options.	Unknown

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70	EC-583	Close , information provided	Concerned Citizen	Inquiry	Other	Human Exposure / Health Effects	Turf/Ornamental	4/17/19	Email from Westport Island resident who is allergic to BTM and has an infestation. Asking about toxicity of Acephate , if injections effective, possible contamination to soil and g. water.	Westport Island
71	EC-595	Closed- offered to review proposed chemicals if sent	Concerned Citizen	Inquiry	Other	Human Exposure / Health Effects	Turf/Ornamental	5/6/19	Caller asked about a BTM application being done at summer home in Georgetown. Has a grandchild that had leukemia and wanted to know if the pesticides the applicator was going to use are carcinogens.	Georgetown
72	EC-599	Closed- Discussed and sent links to NPIC and EPA.	Concerned Citizen	Inquiry	Other	Human Exposure / Health Effects	Turf/Ornamental	5/7/19	Caller asking about health effects of bifenthrin being sprayed on neighbor's property for BTM. She is pregnant, worried about cancer rating, the endocrine disruption potential, and nervous system effects.	Phippsburg
73	EC-584	Closed- email w/ MeCDC's contact, info. on washing produce	Concerned Citizen	Inquiry	Other	Human Exposure / Health Effects	Turf/Ornamental	4/22/19	Caller wanted to know if eating BTM hairs was okay.	Gardiner
74	EC-596	Closed-staff discussed label and precautions	Concerned Citizen	Inquiry	Other	Human Exposure / Health Effects	Turf/Ornamental	5/6/19	Caller asked how close to apply his lawn's Weed & Beetle Complete by Bonide to his garden.	Saco
75	EC-636	Close , information provided	Employee	Inquiry	Business	Laws/Policies	Antimicrobial	6/24/19	Asked if needed a lic. to apply "Roof Shampoo" made by Exterior Service Brite in Maryland to control mildew, algae etc. on house, camp, roofs.	Farmington
76	EC-627	Closed, BPC does not enforc. ordinances, none on file	Licensed Applicator	Inquiry	Other	Laws/Policies	Biting Fly/Ticks	6/12/19	Caller asked about BPC's role in enforcing municipal ordinances. Has had a request by parents to spray town ball fields because of tick problem. Heard Rockport had a pesticide ordinance in place but vote to take place to allow application in this case.	Rockport
77	EC-630	Closed- clarified posting requirement	Licensed Applicator	Inquiry	Business	Laws/Policies	Biting Fly/Ticks	6/14/19	Caller works at Advantage Pest Control office. Application of IC3 Essentria made at customer at 111 East Grand Ave. Scarborough. Neighbor did not like the smell. Applicator posted treated property- caller asking what has to be on the sign.	Scarborough
78	EC-685	Closed- Licensed commercial applicator made application	Concerned Citizen	Inquiry	Business	Laws/Policies	General Vegetation Management	9/1/19	Caller noticed a patch of dead poison ivy next to the beach in Cape Elizabeth. Thinks someone applied herbicide to this isolated patch. Asked if this is allowed. Area is managed by Cape Land Trust. This was the only vegetation treated that caller was aware of.	Cape Elizabeth
79	EC-575	Closed- sent links to EPA & MDOL secondary containers	Employee	Inquiry	Other	Laws/Policies	Not Applicable	4/4/19	Caller asked about requirement for labeling secondary containers.	Portland
80	EC-661	Closed, can treat ROW since owns, covered limits near water	Concerned Citizen	Inquiry	Individual	Laws/Policies	Right-of-Way	8/2/19	Caller asked if the owner of a camp road could apply roundup to the ROW. Other camp owners have permission to use the road. Also inquired if poison ivy could be sprayed near the shoreline.	Augusta area
81	EC-553	Close , information provided	Tenant	Inquiry	Other	Laws/Policies	Structural	2/21/19	Caller found a bed bug in the bed of his rented apt. Tried Shout Out bomb and called to ask about using Home Front BB Killer EPA reg. no. 4-358-91901 which he purchased but has not used. 128 oz. container says Ready to Use on label and has a pistol grip spray handle. Language on label includes information on tablespoons- he is confused if he needs to dilute. Also how to use product to control the bedbugs.	Belgrade
82	EC-570	Closed-Emailed caller copy of the bed bug statute Title 14	Concerned Citizen	Inquiry	Other	Laws/Policies	Structural	3/26/19	Caller runs a counseling co. One of his clients is a tenant in an apartment bldg. The landlord told the tenant he would have to pay for a bed bug treatment. Caller asked what the regulations say.	Fairfield

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83	EC-530	Closed- information requested and provided	Licensed Applicator	Inquiry	Other	Laws/Policies	Structural	11/6/18	Caller from Central Exterminating Services called to ask if school is out for 3 days is that sufficient to not notify about an insect application inside a middle school. Directed caller to Ch. 27 section 1F. School must be out for one week to be considered not in session. Notice must be give 5 days before an application otherwise.	China
84	EC-558	Close , information provided	Licensed Applicator	Inquiry	Other	Laws/Policies	Turf/Ornamental	3/6/19	Brook operates New England Spray Technologies. He asked if there are any exemptions to notifying registry members when treating for BTM.	Yarmouth, Freeport
85	EC-564	Close , information provided	Concerned Citizen	Inquiry	Other	Laws/Policies	Turf/Ornamental	3/15/19	Leeper is involved with the Megunticook Water Association. There are a significant number of BTM webs in mature oaks around Megunticook Lake (Camden/Lincolville). He wants to educate shorefront owners on how to id the pest, potential impacts to the water, regulations near water including setback requirements, and control options.	Camden
86	EC-576	Closed- explained regulations	Licensed Applicator	Inquiry	Other	Laws/Policies	Turf/Ornamental	4/5/19	Patty Egbert called to ask if organic weed control products applied to lawns need to be posted. Includes 25 b products. Specifically asked how this applies to Portland and S. Portland ordinances.	Portland
87	EC-577	Closed-Ch. 20.- allows in situation caller described	Licensed Applicator	Inquiry	Other	Laws/Policies	Turf/Ornamental	4/5/19	Caller cut some locust trees down for a client last year. Stumps have sprouted this year, some over 6'. Asking if a permit is needed to apply herbicide to the sprouts. Area about 300 sq. ft.	Bangor
88	EC-616	Closed- Told caller posting required, dir. to ch. 28	Licensed Applicator	Inquiry	Business	Laws/Policies	Turf/Ornamental	5/31/19	Caller asked about posting requirements when injecting ornamental trees to control BT moth.	Camden
89	EC-598	Pending-Review (not sure response given)	Licensed Applicator	Inquiry	Other	Laws/Policies	Turf/Ornamental	5/6/19	Davey Tree called to ask if they still needed to use the signs to post yards if they were using an organic product.	Unknown
90	EC-640	Closed - Discussed caller's questions and BPC website	Government Employee	Inquiry	Other	Laws/Policies	Turf/Ornamental	7/2/19	CEO of town called to get clarification on what our regulation requirements are for posting turf applications and to discuss how to reconcile their municipal ordinance with our posting requirements.	Ogunquit
91	EC-682	Closed- discussed Ch. 7 posting and notification requirements	Licensed Applicator	Inquiry	Other	Laws/Policies	Turf/Ornamental	9/20/19	Caller asked about posting and notification requirements when applying crabgrass/fertilizer to turf at Lewiston High School. School is in session.	Lewiston
92	EC-547	Closed- discussed and information sent	Concerned Citizen	Inquiry	Other	Laws/Policies	Turf/Ornamental	1/31/19	Paul is with the Megunticook Water Association and wants to publish information on how folks can treat for BTM this season. Looking for clarification on what can be done and where.	Camden
93	EC-551	Close , information provided	Licensed Applicator	Inquiry	Other	Laws/Policies	Unknown	2/13/19	Caller associated w/ Winslow Agriculture asking about what BPC inspection entails. Has been asked by growers. Caller trying to put some info. together to answer this question.	New Gloucester
94	EC-555	Close , information provided	Licensed Applicator	Inquiry	Other	Laws/Policies	Unknown	3/4/19	Called to ask options for notifying registry members in Maine	Many
95	EC-597	Closed- staff called left message (call into Bryer)	Concerned Citizen	Inquiry	Other	Non-Target Effects	Not Applicable	5/6/19	Caller inquired about all the seasonal spraying "that is everywhere". Wonders about how it is affecting the environment and how if it is getting into the waterways.	Fryeburg
96	EC-679	Closed, toxicologist called, no aerial in area, suggest NPIC	Concerned Citizen	Inquiry	Not sure	Non-Target Effects	Other	9/10/19	Caller feeds birds and squirrels in rural 100 acre location. Heard on Ch. 8 news report S. Me was to be aerially sprayed for EEE. Recently animal activity minimal. Last week she had an ocular migraine, 9 yr.old granddaughter had a migraine, grandson had a stomach ache, and dog was sick. Wonders if aerial pesticide application could explain it.	Pittston

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97	EC-526	Closed- covered reg. requirements, suggest Bryer, Manufact.	Licensed Applicator	Inquiry	Other	Non-Target Effects	Structural	11/2/18	Owner of a pest control business is controlling rats on the exterior of a house of one of his clients. The client's neighbor has a concern with secondary poisoning and wants baits switched. Called the BPC for input.	Bridgton
98	EC-626	Close , information provided	Concerned Citizen	Inquiry	Business	Non-Target Effects	Turf/Ornamental	6/12/19	Caller asked about regulation related to spraying near an eagle nest and the coastal shoreline. A Lucas Tree Crew was spraying a customer opposite his home about 100 ft. from an eagle's nest. Hose and gun application as applicator walked property. Some trees near water- distance unknown. Also questioned efficacy for brown tail moth this late in the season. Applicator said this was the last day of spraying for them.	Brunswick
99	EC-586	Close , information provided, dir caller to MFS too	Concerned Citizen	Inquiry	Other	Non-Target Effects	Turf/Ornamental	4/22/19	Caller wanted to know more about the effects of BTM treatments being offered by applicators. Wanted more information about which is the best to use, told him to contact the Maine Forest Service.	Pownal
100	EC-585	Closed- discussed half-lives, chem. Properties	Concerned Citizen	Inquiry	Other	Non-Target Effects	Turf/Ornamental	4/22/19	Caller wanted to know which pesticide applicator to use; one was offering bifenthrin and the other spinosad.	Freeport
101	EC-607	Closed-discussed "safe" & basic tox, sent NPIC publications.	Concerned Citizen	Inquiry	Other	Non-Target Effects	Turf/Ornamental	5/17/19	Andrew called to assure his wife that the BTM treatment they are scheduling will not cause squirrels and birds to drop dead out of the trees. Two applicators are proposing different chemicals, permethrin and bifenthrin. He was asking which is safer.	Freeport
102	EC-571	Closed, recommended talking to toxicologist and MFS	Concerned Citizen	Inquiry	Other	Non-Target Effects	Turf/Ornamental	3/26/19	Caller asked about BT moth control. Plans to clip webs, but asked about toxicity of insecticides to other lepidopterous insects if BT treatment made.	Camden
103	EC-549	Closed- Comparison chart sent	Concerned Citizen	Inquiry	Other	Non-Target Effects	Turf/Ornamental	2/11/19	Member of the Rivers Edge Homeowners Association called to get more information on which pesticide would work best for their area. Bee-keeper in the neighborhood that is worried. They are looking to know more about: Exceliprin, Conserve, Adept, and Tempo. Caller prefers synthetics based on experience working with IDEXX and understands that sometimes "natural" chemicals can be more toxic and less discriminating.	South Freeport
104	EC-573	Closed, toxicologist provided information	Concerned Citizen	Inquiry	Other	Non-Target Effects	Turf/Ornamental	4/2/19	Caller asked about effects of tree injection with acephate on other organisms. Specifically concerned with birds eating bugs that had some acephate in them. His homeowner's group is considering treatment of their tall oaks.	Freeport
105	EC-545	Closed- toxicologist sent risk table for some BTM insecticides	Government Employee	Inquiry	Other	Non-Target Effects	Turf/Ornamental	1/17/19	Town manager of Yarmouth, asking for more information on a bifenthrin product (Bisect L) for the treatment of public land for brown tail moth (BTM).	Yarmouth
106	EC-670	Closed- Discussed, emailed Ch. 28, Ch. 10- sensitive areas.	Concerned Citizen	Inquiry	Not sure	Notification / Posting	AG-Row Crop/Vegetables	8/22/19	Caller lives near a broccoli field that was sprayed by a plane on Thursday 8/22. Field is N/NE from his house. In past done with tractors. Called to ask how to receive notification. Thinks field is leased.	Caribou
107	EC-580	Closed- email ch.10 & 28 highlighted sections of relevance	Licensed Applicator	Inquiry	Other	Notification / Posting	AG-Small Fruit	4/11/19	Caller asked what his notification responsibilities are when an abutter asked for notification this year via a cert. ltr. He raises strawberries and pumpkins and plants round up ready soybeans as a cover crop. Neighbor is Stacy Leafsong.	Bucksport
108	EC-655	Closed, inspector reported no violations	Concerned Citizen	Inquiry	Business	Notification / Posting	Right-of-Way	8/6/19	Madison Electric truck sprayed the power line along the Hilton Hill road ROW early in the morning. Wants to know about regulations and notification. Applicator was on back of truck in chair when spraying- said did not have to notify.	Anson

	A	B	C	D	E	F	G	H	I	J
1	Maine Board of Pesticides Control Inquiry / Complaint Report FY 2019									
2	Case ID	Case Status	Caller Type	Event Type	Complaint About	Topic	Site	Date Of Incident	Complaint Details	City
109	EC-618	Enforce agenda- no notice registry member, record items	Concerned Citizen	Inquiry	Not sure	Notification / Posting	Turf/Ornamental	6/3/19	Ghent is on the 2019 Registry. Called to ask if fertilizers require notification. Has seen Grass Geeks signs across the street. Ghent has allergies- no notification received. Suggested to check signs- pesticide applications will be noted on the sign. Ghent called back 6-4-19. Husband checked sign across the street- pesticide application made by Grass Geeks. Sign on lawn next door- pesticide application by Lucas Tree- no notification for either.	Cape Elizabeth
110	EC-540	Closed- toxicologist received call discussed caller's asthma	Tenant	Inquiry	Individual	Odors	Other	12/28/18	Caller having trouble with a chemical odor in apartment . Only slept in the unit one night due to the odor. Management office is not returning her calls. Neighbors said that area was treated for bedbugs recently. Transported to local hospital due to asthma attack induced by staying in the apartment.	Gray
111	EC-556	Close , information provided	Government Employee	Inquiry	Other	Other	Not Applicable	3/5/19	Called for the town of Falmouth. The town council directed the Conservation Commission to work on an ordinance to regulate pesticide use. Call to inquire about Board regulations and ask if any town ordinances already in existence require reporting pesticide use to a town/city.	Falmouth
112	EC-525	Closed- supplied contact for disposal of product	Employee	Inquiry	Business	Other	Other	10/31/18	Cintas Uniform Company in Westbrook called about how to handle cans of permethrin they don't want. Had been applying the product to a client's uniforms at their request when they were brought in for cleaning. Client no longer is using Cintas so they have this product left over.	Westbrook
113	EC-562	Close , information provided	Employee	Inquiry	Other	Other	Turf/Ornamental	3/6/19	Caller asking for advice on best BTM control options. Farley and son would subcontract with a lic. applicator for applications to Farley and Son's customers. Caller seeing many BTM webs in mature oaks at the Eastward By The Sea Condominiums in Rockport which is N. of the Samoset. Thinks there will be a problem this year.	Rockport
114	EC-563	Closed- sent Ch. 29, and directed to Bd. Minutes	Licensed Applicator	Inquiry	Other	Other	Turf/Ornamental	3/12/19	Wanted to know about Maine's applicator rules around applying pesticides with UAS, particularly in regards to BTM.	Topsham
115	EC-579	Closed- sent map, distances, regs. Decided to hire CMA	Concerned Citizen	Inquiry	Other	Other	Turf/Ornamental	4/8/19	Caller has brown tail moth problem on property he owns on Sheep Island in Harpswell. Asking for input on control. Has 2 oaks, possibly a 3rd with webs. Not full grown maybe 30 ft. + tall. Has an electric battery powered sprayer (hose & gun). Estimated nearest water 100+ yards away from these trees.	Harpswell
116	EC-566	Closed- information likely provided	Concerned Citizen	Inquiry	Other	Other	Turf/Ornamental	3/19/19	Caller had BTM problem last year. Wants advice on how to prevent recurrence and some names of who could help. Sounded elderly on VM she left when calling.	Damariscotta.
117	EC-593	Closed, dead bees sample + for bifenthrin, origin unknown	Apiarist	Inquiry	Other	Pollinators	AG-Animal	5/1/19	Caller owns three bee hives, reports that the middle hive has gone into collapse, but that the adjoining hives are healthy. Possible pesticide application to an adjoining property (brown tail moth), which the bees may have come into contact with.	Topsham
118	EC-622	Case on enforcement mtg. agenda	Concerned Citizen	Inquiry	Business	Registration of Pesticides	Biting Fly/Ticks	5/2/19	Caller asked if the product used by Nervous Tick in a newspaper article was actually a pesticide. The article implied it was not a pesticide which was contrary to the caller's understanding. Article was on a start up business for tick control.	Damariscotta
119	EC-610	Pending staff resolution	Employee	Inquiry	Other	Registration of Pesticides	Not Applicable	5/21/19	Inspector placed SSURO ON Summit ... Responsible Solutions Mosquito & Gnat Barrier Concentrate. EPA reg. no. 6218-76 at Tractor Supply Company # 1410 at 979 US Route 2, East Wilton. during Mkt. PI inspection on 5-17-19. Mangrum called BPC office 5-21-19 saying they are working with the manufacturer who told them they already have a diluted product like this reg. in Maine and on 5-17-19, in response to the SSURO, submitted a registration form to the BPC. Mangrum asked if the Tractor Supply Stores could continue to sell the product at this point. She works for the Tractor Supply Support Center in Tenn.	East Wilton

	A	B	C	D	E	F	G	H	I	J
1	Maine Board of Pesticides Control Inquiry / Complaint Report FY 2019									
2	Case ID	Case Status	Caller Type	Event Type	Complaint About	Topic	Site	Date Of Incident	Complaint Details	City
120	EC-581	Information requested and provided	Concerned Citizen	Inquiry	Other	Registration of Pesticides	Turf/Ornamental	4/12/19	Caller wants to know if his applicator can use Grandeeo instead of Entrust. Also, wanted to know if spotted wing Drosophila is an issue in Maine.	Westport Island
121	EC-533	Closed- product coded so not distributed in Maine	Government Employee	Inquiry	Other	Retailer	Aquatic	11/8/18	Yurlina reported to BPC noticed Rodeo herbicide is offered for sale on line through the Tractor Supply Store website and thought it may therefore be available at their Maine store locations as well. Rodeo is labeled for aquatic use and is a restricted use pesticide for this reason. Tractor supply is not a restricted use pesticide dealer.	ME Tractor Supply Stores
122	EC-664	Closed, reviewed photos received, no violations found	Concerned Citizen	Inquiry	Other	Storage / Disposal	Other	8/21/19	Caller asked about storage regulations related to the sale of pesticides. Wants to make sure both Hammond Lumber and Viking Supply in Blue Hill storage of Roundup are in compliance. Will call back if he determines they are not.	Blue Hill
123	EC-600	Closed, jugs collected, held for BPC obsolete PU program	Government Employee	Inquiry	Other	Storage / Disposal	Unknown	5/7/19	MDEP followed up on a complaint about eight 2 1/2 gallon jugs of empty Charger Max herbicide containers found stuffed in an old chimney at the end of the Menotomy Road in Fryeburg. DEP has the jugs in a plastic bag. Each with about 1/4 to 1/2 cup of residue. Will hold for obsolete pick up.	Fryeburg
124	EC-675	Closed- spot treat, no violation, notification not mandatory	Concerned Citizen	Inquiry	Not sure	Water Quality	General Vegetation Management	9/3/19	BPC was contacted about what appeared to be herbicide use near a retention pond. Call asked if this considered water and was notification required as none was received.	Scarborough
125	EC-662	Closed, directed to Ray Bryant and PHL for well sampling	Concerned Citizen	Inquiry	Individual	Water Quality	Other	8/16/19	Previous caller called back to ask if there is anyone else who could help with the runoff from his neighbor's land. Ray Bryant did follow up on his initial call and recommended he contact the local CEO about the runoff issue.	Hampden
126	EC-541	Closed- at time of call no hemp reg.pesticides. Fish also called.	Concerned Citizen	Inquiry	Not sure	Water Quality	Other	1/3/19	Caller said land behind their house is being cleared and hemp will be grown there. Concerned with potential impact on well, drinking water. What pesticides are allowed on hemp. What should e test well water for.	Topsham

BOARD OF PESTICIDES CONTROL - SUMMARY
014-01A-0287-01 CASH REPORT

		<i>Projected 2022</i>	<i>Projected 2023</i>
BALANCE FORWARD		1,349,501.44	1,264,895.69
Revenues:			
1407	REG INSECT & FUNGICIDES	2,038,376.00	2,038,376.00
1448	SPECIAL LICENSES & LEASES	136,498.86	136,498.86
2206	FED GRANTS FOR PUB HEALTH	1,014.33	1,014.33
2631	REGISTRATION FEES	1,609.45	1,609.45
2686	MISC-INCOME	217.47	217.47
2690	RECOVERED COST	56.25	56.25
2953	ADJ OF ALL OTHER BALANCE FWD	41,073.45	41,073.45
2968	REG TRANSFER UNALLOCATED	(25,000.00)	(25,000.00)
2978	DICAP TRANSFER	(239,730.00)	(239,730.00)
2981	LEGIS TRANSFER OF REVENUE	(200,000.00)	(200,000.00)
TOTAL REVENUES		1,754,115.81	1,754,115.81
Expenditures:			
31	SALARIES, WAGES, & FRINGE	1,437,396.00	1,476,231.00
40	PROF. SERVICES, NOT BY STATE	94,711.65	95,245.89
41	PROF. SERVICES, BY STATE	-	-
42	TRAVEL EXPENSES, IN STATE	3,269.50	3,334.89
43	TRAVEL EXPENSES, OUT OF STATE	6,587.60	6,719.35
44	STATE VEHICLES OPERATION	1.75	1.79
46	RENTS	14,484.56	14,774.25
48	INSURANCE	2,731.44	2,786.07
49	GENERAL OPERATIONS	48,630.49	49,603.10
50	EMPLOYEE TRAINING	556.94	568.08
51	COMMODITIES - FOOD	415.47	423.78
53	TECHNOLOGY	165,156.21	341,509.33
54	CLOTHING	409.26	417.45
55	EQUIPMENT AND TECHNOLOGY	792.39	808.24
56	OFFICE & OTHER SUPPLIES	6,128.32	6,250.88
63	GRANTS TO CITIES AND TOWNS	6,250.00	6,375.00
64	GRANTS TO PUB AND PRIV ORGNS	6,000.00	6,000.00
85	TRANSFERS	45,200.00	46,104.00
TOTAL EXPENDITURES		1,838,721.57	2,057,153.08
CURRENT CASH BALANCE		1,264,895.69	961,858.43

Yearly revenue projections based on 4 yr average 2018-2021

Yearly salary projections include 3% increase over previous year

Other expenses based on 4 yr average with 2% increase

Dicap & Stacap increased due to taking on more MEPERLS costs

**BOARD OF PESTICIDES CONTROL - SUMMARY
014-01A-0287-01 CASH REPORT**

		Actual Thru 8/26/2020		Total FY21	Projected	Projected	Projected	Projected	Projected	Projected	Projected	Projected	Projected	Projected	Projected 2021
		Jul-20	Aug-20	Thru 8/26/2020	Sep-20	Oct-20	Nov-20	Dec-20	Jan-21	Feb-21	Mar-21	Apr-21	May-21	Jun-21	TOTAL
BALANCE FORWARD		1,755,694.23	1,663,657.99	1,663,657.99	1,553,561.46	1,354,278.27	1,151,823.40	1,518,624.26	2,066,163.05	2,177,395.97	2,002,404.89	1,713,391.67	1,582,556.72	1,465,509.15	
Revenues:															
1407	REG INSECT & FUNGICIDES	19,360.00	16,000.00	35,360.00	10,026.67	9,866.67	541,333.33	983,246.67	239,836.00	74,186.67	41,646.67	56,400.00	32,426.67	25,546.67	2,049,876.00
1448	SPECIAL LICENSES & LEASES	8,290.00	3,160.00	11,450.00	3,606.67	3,843.33	5,666.67	30,446.33	28,821.67	12,756.00	13,092.33	8,931.67	9,626.67	8,560.00	136,801.33
2206	FED GRANTS FOR PUB HEALTH	-	-	-	-	-	-	-	-	-	-	-	-	-	-
2631	REGISTRATION FEES	-	-	-	-	60.00	227.50	1,096.00	180.00	-	60.00	-	-	-	1,623.50
2686	MISC-INCOME	830.00	-	830.00	-	-	-	-	-	-	-	-	-	-	830.00
2690	RECOVERED COST	-	-	-	-	-	-	-	-	-	-	-	-	-	-
2953	ADJ OF ALL OTHER BALANCE FWD	-	66.69	66.69	-	-	-	-	-	-	-	-	-	-	66.69
2968	REG TRANSFER UNALLOCATED	-	-	-	(50,000.00)	-	-	-	-	-	-	-	-	-	(50,000.00)
2978	DICAP TRANSFER	(19,684.20)	(15,162.67)	(34,846.87)	(16,691.67)	(18,100.00)	(28,500.00)	(22,000.00)	(18,360.00)	(20,140.00)	(16,280.00)	(17,800.00)	(23,400.00)	(17,860.00)	(233,978.53)
2981	LEGIS TRANSFER OF REVENUE	-	-	-	-	-	-	-	-	-	(200,000.00)	-	-	-	(200,000.00)
TOTAL REVENUES		8,795.80	4,064.02	12,859.82	(53,058.33)	(4,330.00)	518,727.50	992,789.00	250,477.67	66,802.67	(161,481.00)	47,531.67	18,653.33	16,246.67	1,705,218.99
					Projected revenues based on 3 yr average										
Expenditures:															
31	SALARIES, WAGES, & FRINGE	97,149.25	96,779.26	193,928.51	100,646.00	150,576.33	110,238.33	107,151.33	104,888.33	106,076.33	107,621.33	154,966.33	115,680.33	112,156.33	1,363,929.51
40	PROF. SERVICES, NOT BY STATE	-	2,357.39	2,357.39	9,206.00	26,008.00	304.00	300,051.00	3,854.00	114,938.00	859.00	-	1,004.00	-	458,581.39
41	PROF. SERVICES, BY STATE	-	-	-	-	-	20,000.00	-	-	-	-	-	-	-	20,000.00
42	TRAVEL EXPENSES, IN STATE	15.53	11.39	26.92	350.00	350.00	350.00	350.00	350.00	350.00	350.00	350.00	350.00	350.00	3,526.92
43	TRAVEL EXPENSES, OUT OF STATE	-	-	-	-	-	300.00	300.00	300.00	300.00	300.00	300.00	300.00	300.00	2,400.00
44	STATE VEHICLES OPERATION	-	-	-	-	-	-	-	-	-	-	-	-	-	-
46	RENTS	-	1,041.52	1,041.52	321.00	3,782.00	1,563.00	1,387.00	1,026.00	768.00	1,047.00	575.00	1,485.00	1,485.00	14,480.52
48	INSURANCE	-	-	-	2,500.00	-	-	-	-	50.00	-	-	-	-	2,550.00
49	GENERAL OPERATIONS	696.71	351.04	1,047.75	11,151.86	1,258.54	2,891.30	19,460.88	11,626.41	2,731.42	774.88	5,625.29	331.57	1,343.04	58,242.94
50	EMPLOYEE TRAINING	-	-	-	-	-	-	-	-	-	-	-	-	-	-
51	COMMODITIES - FOOD	-	-	-	-	-	30.00	-	250.00	30.00	30.00	-	-	70.00	410.00
53	TECHNOLOGY	-	10,137.00	10,137.00	12,000.00	12,000.00	12,000.00	12,000.00	12,000.00	12,000.00	12,000.00	12,000.00	12,000.00	12,000.00	130,137.00
54	CLOTHING	-	-	-	-	-	-	400.00	-	-	-	-	-	-	400.00
55	EQUIPMENT AND TECHNOLOGY	50.12	(146.62)	(96.50)	110.00	110.00	110.00	110.00	110.00	110.00	110.00	110.00	110.00	110.00	1,003.50
56	OFFICE & OTHER SUPPLIES	13.99	129.57	143.56	440.00	440.00	440.00	440.00	440.00	440.00	440.00	440.00	440.00	440.00	4,543.56
63	GRANTS TO CITIES AND TOWNS	-	-	-	-	-	-	-	-	-	-	-	-	-	-
64	GRANTS TO PUB AND PRIV ORGNS	-	-	-	6,000.00	-	-	-	-	-	-	-	-	-	6,000.00
85	TRANSFERS	2,906.44	3,500.00	6,406.44	3,500.00	3,600.00	3,700.00	4,000.00	4,000.00	4,000.00	4,000.00	4,000.00	4,000.00	4,000.00	45,206.44
TOTAL EXPENDITURES		100,832.04	114,160.55	214,992.59	146,224.86	198,124.87	151,926.63	445,250.21	139,244.74	241,793.75	127,532.21	178,366.62	135,700.90	132,254.37	2,111,411.78
CURRENT CASH BALANCE		1,663,657.99	1,553,561.46	1,553,561.46	1,354,278.27	1,151,823.40	1,518,624.26	2,066,163.05	2,177,395.97	2,002,404.89	1,713,391.67	1,582,556.72	1,465,509.15	1,349,501.44	1,349,501.44

Salary projected @2% increase over FY20 for possible step increases, then an additional 3% in January for December pay raise
 Prof Services @ 2% increase over FY20
 Rents (vehicles) figured with annual 3% increase over FY20
 Oct.20 Salary increased for 2 positions



STATE OF MAINE
 DEPARTMENT OF AGRICULTURE, CONSERVATION & FORESTRY
 BOARD OF PESTICIDES CONTROL
 28 STATE HOUSE STATION
 AUGUSTA, MAINE 04333

JANET T. MILLS
 GOVERNOR

AMANDA E. BEAL
 COMMISSIONER

DRAFT

**MAINE BOARD OF PESTICIDES CONTROL POLICY—WAIVER OF THE MAINE
 PESTICIDE NOTIFICATION REGISTRY FEE AS OUTLINED IN CHAPTER 28,
 SECTION 2(A)(1)**

BACKGROUND

At its July 24, 2020 meeting, the Board discussed possible amendments to the notification process that arose during the February 28, 2020 public information gathering meeting of the Board. In part, the discussion addressed the possibility of waiving the *Maine Pesticide Notification Registry* fee.

Chapter 28.02(G) gives the Board discretion to waive the fee where there's an inability to pay or "where other extenuating circumstances exist which justify granting a waiver." Given the possible ambiguities in this language, the Board voiced support of interim policy waiving the fee generally. Waiver of the fee would allow staff to move registry registration online and will simplify the overall registry participation process.

POLICY

For the purposes of Chapter 28, Section 2(A)(1), the fee required of persons requesting to be listed shall be waived.

MEGAN PATTERNSON, DIRECTOR
 90 BLOSSOM LANE, DEERING BUILDING



PHONE: (207) 287-2731
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STATE OF MAINE
DEPARTMENT OF AGRICULTURE, CONSERVATION AND FORESTRY
BOARD OF PESTICIDES CONTROL
28 STATE HOUSE STATION
AUGUSTA, MAINE 04333

9a

JANET T. MILLS
GOVERNOR

AMANDA E BEAL
COMMISSIONER

August 6, 2020

Ms. Elizabeth Farrell
1170 Middle Road
New Portland, Maine 04961

RE: Variance Permit for CMR 01-026, Chapters 29 for control of invasive knotweed along approximately 1,000' of the Carrabassett River in New Portland, ME.

Dear Ms. Farrell:

This letter will serve as your variance permit for broadcast application of herbicides along portions of 1170 Middle Road, New Portland, Maine along approximately 1000 feet of Carrabassett River frontage.

The Board has authorized the issuance multi-year permits for broadcast pesticide applications within 25 feet of water for the control of invasive plants provided the applicator has demonstrated knowledge of best management practices for control of the plant, has a multi-year plan for controlling the invasive plants, and has a re-vegetation plan for the site. Please notify the Board in advance of significant changes, particularly if you plan to use a different product from those listed.

This variance is valid until December 31, 2022. Please bear in mind that your permit is based upon your company adhering to the precautions listed in Section IX of your application.

I will alert the Board at its September 18, 2020 meeting that the variance permit has been issued. If you have any questions concerning this matter, please feel free to contact me at 287-2731.

Sincerely,

Megan Patterson
Director



STATE OF MAINE
DEPARTMENT OF AGRICULTURE, CONSERVATION AND FORESTRY
BOARD OF PESTICIDES CONTROL
28 STATE HOUSE STATION
AUGUSTA, MAINE 04333

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JANET T. MILLS
GOVERNOR

AMANDA E BEAL
COMMISSIONER

August 24, 2020

Mr. Erik Lema
Basswood Environmental, LLC
32 Brentwood Rd.
Cape Elizabeth, Maine 04107

RE: Variance Permit for CMR 01-026, Chapters 29 for control of invasive species in Trundy Point Preserve in Cape Elizabeth, ME.

Dear Mr. Lema:

This letter will serve as your variance permit for broadcast application of herbicides within Trundy Point Preserve.

The Board has authorized the issuance multi-year permits for broadcast pesticide applications within 25 feet of water for the control of invasive plants provided the applicator has demonstrated knowledge of best management practices for control of the plant, has a multi-year plan for controlling the invasive plants, and has a re-vegetation plan for the site. Please notify the Board in advance of significant changes, particularly if you plan to use a different product from those listed.

This variance is valid until December 31, 2022. Please bear in mind that your permit is based upon your company adhering to the precautions listed in Section IX of your application.

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Sincerely,

Megan Patterson
Director



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JANET T. MILLS
GOVERNOR

AMANDA E. BEAL
COMMISSIONER

MAINE BOARD OF PESTICIDES CONTROL POLICY—DEFINITION OF BIOLOGICAL PESTICIDE AS IT RELATES TO CHAPTER 29 SECTION 5

Revised July 24, 2020

BACKGROUND

The Board discussed questions that arose during the spring of 2016 relative to interpretation of the term “biological pesticide” as used in Section 5 of Chapter 29, which regulates pesticide applications for control of browntail moth adjacent to marine waters. The staff pointed out that when this rule was originally written, it contemplated that “biological pesticide” would primarily include strains of *Bacillus thuringiensis* and similar microbial pesticides. With the recent increase in browntail moth populations, questions have arisen about other active ingredients which are derived from organisms. Staff indicated that the term “biological pesticide” is now commonly perceived to include pesticide active ingredients consisting of single cell organisms or products derived from organisms. At the January 11, 2017 meeting, the Board reviewed various options and adopted an interpretation of the term “biological pesticide,” which was subsequently amended at the March 31, 2017 meeting.

In 2019, continued interest in expanding the number of available biological pesticides prompted the BPC to reevaluate the list of biological pesticides. Qualitative and quantitative risk assessments were used to determine the active ingredients appropriate for this use.

POLICY

For the purposes of Chapter 29, Section 5, the term “biological pesticide” includes any microbial pesticide that contains the microorganism and byproducts normally associated with the organism, as approved by the Board.

As of July 24, 2020, the Board has approved:

Bacillus thuringiensis subspecies *kurstaki*
Bacillus thuringiensis subspecies *aizawai*
Beauveria bassiana
GS-omega/kappa-Hxtx-Hv1a
Isaria fumosorosea
Kaolin Clay
Spinosad

MEGAN PATTERNSON, DIRECTOR
90 BLOSSOM LANE, DEERING BUILDING



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Office of
The Governor

No. 7 FY 20/21
DATE August 26, 2020
Corrected

AN ORDER REGARDING PRE-K-12 EDUCATION

WHEREAS, I proclaimed a state of emergency on March 15, 2020 and renewed states of emergency on April 14, 2020, May 13, 2020, June 9, 2020, July 8, 2020 and August 5, 2020 to authorize the use of emergency powers in order to expand and expedite the State's response to the serious health and safety risks of the highly contagious COVID-19 virus; and

WHEREAS, Art. VIII, Pt. 1, § 1 of the Maine Constitution provides in pertinent part that the general diffusion of the advantages of education is essential to the preservation of the rights and liberties of the people; and

WHEREAS, 20-A M.R.S. § 5001-A (7) provides in pertinent part that K-12 education is essential to the preservation of the rights and liberties of the people and the continued prosperity of our society and our nation; that maintaining regular student attendance is necessary to achieve the goal of an educated citizenry; and that public schools should ensure the rights of access for all school-age persons to an appropriate educational opportunity; and

WHEREAS, Maine, like all states, continues to manage the COVID-19 virus and the Maine Department of Education (DOE) is preparing all pre-K-12 schools for the possibilities of in-person, remote, and a hybrid of in-person and remote learning starting this fall; and

WHEREAS, the Legislature expressly provided in pertinent part in P.L. 2019, Ch. 617, Pt. A, § A-1 enacted on March 17, 2020 that for the duration of a state of emergency due to the outbreak of COVID-19, and for 30 days following the termination of that state of emergency, and in addition to any other powers conferred by law and notwithstanding any provision of law to the contrary, the Governor, in consultation with the DOE Commissioner, may implement for elementary and secondary schools a plan to waive certain attendance requirements in statute and related rules, and that certain attendance requirements may be met through nontraditional learning systems, such as remote access; and

WHEREAS, based on a recent DOE survey of Maine teachers and school staff and as a result of the COVID-19 pandemic, DOE anticipates a shortage of teachers and related staff who would meet certain current certification standards, and DOE therefore needs to prepare schools for this contingency; and

WHEREAS, DOE further anticipates the need to help pre-K through 12 schools make their facilities as safe as practicable in managing exposure to COVID-19, including allowing flexibility for trained school personnel to apply antimicrobial cleaning agents in school facilities; and

WHEREAS, a governor’s emergency powers expressly include the authorities to:

- a. Allow certain attendance requirements to be met through nontraditional learning systems during the COVID-19 emergency pursuant to 37-B M.R.S. §742(1)(D) as enacted in P.L. 2019, Ch. 617, Pt. A, § A-1;
- b. Modify or suspend the requirements for professional or occupational licensing or registration if strict compliance hinders coping with the emergency pursuant to 37-B M.R.S. §742(1)(C)(13)(c);
- c. Suspend the enforcement of statutes or agency rules inconsistent with managing the emergency pursuant to 37-B M.R.S. §742(1)(C)(1) and §834;
- d. Make, amend and rescind a necessary order or rules related to the emergency pursuant to 37-B M.R.S. §741(3)(A);
- e. Enlist the aid of any person to assist in the effort to care for the safety of persons pursuant to 37-B M.R.S. §742(1)(C)(5) and 37-B M.R.S. §827;
- f. Utilize all available resources of the State as reasonably necessary to cope with the emergency pursuant to 37-B M.R.S. §742(1)(C)(2);
- g. Take whatever action is necessary to mitigate a danger that may exist within the State pursuant to 37-B M.R.S. §742(1)(C)(12); and
- h. Delegate pursuant to 37-B M.R.S. § 741(3)(H) any authority vested in the Governor under 37-B M.R.S. Ch. 13;

NOW, THEREFORE, I, Janet T. Mills, Governor of the State of Maine, pursuant to 37-B M.R.S. Ch. 13, including but not limited to the authorities cited in the Proclamations, Orders and provisions referenced above, do hereby Order as follows:

I. ORDERS

- A. In-Person, Remote and Hybrid Instruction.** The requirements for school administrative units set forth in 20-A M.R.S. Ch. 206, Subch. 2, the requirements for private schools set forth in 20-A M.R.S. Ch. 117, the basic school approval requirements for both public and private schools set forth in DOE Joint Rule Ch. 125, and any other pertinent provisions regarding enrollment, attendance, or alternative education programs that are inconsistent with the goal of this section to

provide accessible quality education during this pandemic are hereby modified as follows:

1. In order to qualify for a state subsidy or publicly funded tuition for in-person, remote and hybrid instruction this fall, school administrative units approved under basic school approval and private schools approved for tuition purposes must at a minimum comply with the health, safety, planning, scheduling, communication, support, assessment and other requirements as defined and set forth in the *Common Expectations for Remote and Hybrid Education* in DOE's *Framework for Reopening Schools and Returning to In-Person Instruction* (Framework).

For purposes of this Order and the Framework, attendance for in-person learning shall mean physical presence in the school, and attendance for partially or wholly remote attendance shall mean regular contact and engagement between teachers and students each school day. Schools shall document in-person attendance by traditional measures and remote attendance by use of reasonably reliable measures, and questions of truancy shall be addressed by use of such documentation.

B. Certifications. The requirements for professional educator and administrator certification set forth in 20-A M.R.S. Chs. 502 and 502-A, including but not limited to 20-A M.R.S. § 13013, DOE Joint Rule Ch. 115 and any other pertinent provisions regarding certifications that are inconsistent with the goal of this section to provide most qualified teachers and related professionals during this pandemic are hereby modified as follows.

1. **Emergency Certification.** In order to respond to emergency shortages in essential school staff, DOE may issue an Emergency Teacher Certificate to an individual who holds a 4-year postsecondary degree or the equivalent in work and/or academic experience as determined by DOE; or who is enrolled in an approved teacher preparation program; or who holds equivalent credentials from another state or country. Criminal history background checks (CRHC) are required as for all such certifications. Emergency Certificates will be effective through August 31, 2020 and will expire on September 1, 2021. Any person employed under emergency certification must participate in a school or SAU-based mentoring program or in a DOE mentoring program.
2. **Educator and Administrator Certification Reciprocity.** In order to respond to emergency shortages in essential school staff, individuals holding a certificate as a teacher, specialist, or administrator issued by another state or country deemed comparable by DOE may qualify for a DOE certification. CHRC background checks are required as for all such certifications. Certificates issued under this Order will be effective for the regular life of the certificate and required coursework. Other recertification

requirements as outlined in DOE Joint Rule Ch. 115 must be completed prior to renewal.

3. **Additional Emergency Support Staff.** In order to respond to emergency shortages in essential staff, and to provide support for teachers who may be unable to be physically present for in-person learning, DOE may authorize schools facing such staff support shortages to hire persons who have successfully completed a Learning Facilitator training program offered by an accredited Maine college or university, including the learning facilitator pathway offered by a Maine community college, and approved by DOE.

Persons who obtain a certification pursuant to this section B shall be employed only as necessary to meet an identified staffing shortage and shall not be used to supplant persons who meet the underlying standards and are available and willing to work.

The modification of fingerprinting and CHRC requirements as set forth in section I.A.2 of Executive Order 52 FY 19/20 is repealed, provided that all school personnel shall have 30 days from the date of this Order to complete any outstanding background checks.

- C. **Facility Disinfection.** To help reduce potential exposures to the COVID-19 virus in schools, the certification and licensing requirements in 22 M.R.S.A. §§ 1471-C(5) and 1471-D(1), and Department of Agriculture, Conservation and Forestry Board of Pesticides Control Rule (BPC Rule) Ch. 01-026, Ch. 10, § 2 (I) regarding the powered application of general use antimicrobial agents by school facilities staff are suspended provided that:

1. Applicators must use only those agents registered by the BPC;
2. When using powered application equipment, applicators must use products approved by the Environmental Protection Agency for use with label-specified powered equipment; and
3. Each school staff member using powered application equipment must complete BPC required training.

The requirements related to notification, posting, and the record of Integrated Pest Management techniques defined in the BPC Rules Ch. 27.04(B)(1) and (2), and Ch. 27.05 (c) respectively, are suspended as applied to school custodians and school facilities staff in managing potential exposures to the COVID-19 virus in schools, provided that adequate notice is provided in the school's policy manual or handbook and the Pest Management Activity Log is kept and made available upon request.

II. INTERPRETATION

This Order is subject to interpretative guidance by DOE.

III. EFFECTIVE DATE

This Order takes effect on August 26, 2020 and shall remain in effect until amended, rescinded or until 30 days after the State of Civil Emergency to Protect Public Health is terminated, whichever occurs first.



Janet T. Mills
Governor