

## Notice of Agency Rule-making Proposal

**AGENCY:** Agriculture, Food & Rural Resources, Board of Pesticides Control

**RULE TITLE OR SUBJECT:** Board of Pesticides Control Rules:  
Amendment to Chapter 28—Notification Provisions for Outdoor Pesticide Applications

**PROPOSED RULE NUMBER:** (LEAVE BLANK—ASSIGNED BY SECRETARY OF STATE)

**CONCISE SUMMARY:** The 124<sup>th</sup> Maine State Legislature enacted PL 2009, Chapter 378, LD 1293, An Act To Require Citizen Notification of Pesticide Applications. The Board is proposing to amend Chapter 28 to implement the requirements of LD 1293. Specifically, the rule will: 1) clarify that mandatory disclosure must be provided to occupants of buildings on abutting properties and within 1320 feet of the application site, 2) provide an alternate notification system for applications that cannot reasonably be foreseen 90 days in advance, 3) exempt from mandatory notification aerial applications that are subject to Chapter 51 of the Board’s rules, 4) allow land managers to propose an alternative notification plan to the Board, and 5) establish deadlines and information requirements for registry of individuals wishing to be notified.

**THESE RULES WILL\_\_ WILL NOT\_XX\_HAVE A FISCAL IMPACT ON MUNICIPALITIES.**

**STATUTORY AUTHORITY:** 5 M.R.S.A., § 8051 et seq., 7 M.R.S.A., §§ 601-625 and 22 M.R.S.A., §§ 1471-A-X.

**PUBLIC HEARING:** Friday, October 2, 2009, at 9:30 A.M., at the Hampton Inn, 425 Kennedy Memorial Drive, Waterville, Maine

**DEADLINE FOR COMMENTS:** 5:00 P.M. on Friday, October 16, 2009

**AGENCY CONTACT PERSON:** Henry S. Jennings

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**URL:** <http://www.state.me.us/agriculture/pesticides/laws/rulemaking.htm>

Please approve bottom portion of this form and  
assign appropriate MFASIS number.

APPROVED FOR PAYMENT \_\_\_\_\_ DATE: \_\_\_\_\_

*Authorized signature*

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