



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

June 17, 2022

9:00 AM Board Meeting

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

Join on your computer or mobile app

[Click here to join the meeting](#)

Or call in (audio only)

[+1 207-209-4724](tel:+12072094724) United States, Portland

Phone Conference ID: 828 502 102#

AGENDA

1. Introductions of Board and Staff

2. Minutes of the May 6, 2022 Board Meeting

Presentation By: Megan Patterson, Director

Action Needed: Amend and/or approve

3. Public Hearing on Proposed Rule Amendments to Chapter 41

The Board will hear testimony on the proposed amendments:

Chapter 41—Two amendments are proposed:

1. Add a new section pertaining to neonicotinoids (dinotefuran, clothianidin, imidacloprid or thiamethoxam) to restrict registration and prohibit use in outdoor residential landscapes for the purposes of managing pests in turf and ornamental vegetation and emergency permitting process.
2. Add a new section prohibiting the use of chlorpyrifos, except for licensed applicators who obtain a use permit from the Board to apply chlorpyrifos products purchased prior to December 31, 2022.

MEGAN PATTERSON, DIRECTOR
90 BLOSSOM LANE, DEERING BUILDING



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

4. 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 April 16, 2021 meeting Sara Robinson of the Maine CDC provided an overview of the trends and the state's monitoring program. At the April 16, 2021 meeting, the Board voted to approve funding in the amount of \$50,000 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: Sara Robinson, Infectious Disease Epidemiology Program Director

Action Needed: Review work accomplished and determine if the Board wishes to fund the proposed work

5. LD 2019—An Act To Require the Registration of Adjuvants in the State and To Regulate the Distribution of Pesticides with Perfluoroalkyl and Polyfluoroalkyl Substances

On April 28, 2022, LD 2019 became law without the Governor's signature. This law permits the Board, beginning August 8, 2022, to begin regulating adjuvants in the same manner as pesticides. It also prohibits, beginning August 8, 2022, the distribution of pesticides contaminated by PFAS. It further prohibits, beginning January 1, 2030, distribution of pesticides containing intentionally added PFAS in accordance with Title 38, section 1614, subsection 1, paragraph D. Finally, it directs the Board to adopt rules regulating pesticide containers no later than January 1, 2023.

Presentation By: Megan Patterson, Director

Action Needed: Discussion of next steps

6. Consideration of a Consent Agreement with Caribou Country Club, Caribou, Maine

On June 3, 1998 the Board amended its Enforcement Protocol to authorize staff to work with the Attorney General and negotiate consent agreements in advance on matters not involving substantial threats to the environment or public health. This procedure was designed for cases where there is no dispute of material facts or law, and the violator admits to the violation and acknowledges a willingness to pay a fine to resolve the matter. This case involved insufficient records and multiple unlicensed and unsupervised pesticide applications made to an area open to use by the public—thus requiring commercial licensure.

Presentation By: Ray Connors, Manager of Compliance

Action Needed: Review and/or approve

7. Other Old and New Business

- a. Chlorpyrifos Use Permit Policy for Applicators Intending to Use Existing Stocks of Chlorpyrifos
- b. Press Inquiry about SLN Decision
- c. Other items?

8. Schedule of Future Meetings

August 5, 2022 and September 9, 2022 are the next tentative Board meeting dates. The Board will decide whether to change and/or add dates.

The Board will also decide if there is a continuing need to meet remotely.

Adjustments and/or Additional Dates?

10. 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.