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GOVERNOR

STATE OF MAINE  
MAINE DEPARTMENT OF AGRICULTURE, CONSERVATION AND FORESTRY  
BOARD OF PESTICIDES CONTROL  
28 STATE HOUSE STATION  
AUGUSTA, MAINE 04333-0028

WALTER E. WHITCOMB  
COMMISSIONER  
HENRY S. JENNINGS  
DIRECTOR

**BOARD OF PESTICIDES CONTROL**

**October 24, 2014**

**AMHI Complex, 90 Blossom Lane, Deering Building, Room 319, Augusta, Maine**

**MINUTES**

**8:30 AM**

Present: Bohlen, Eckert, Flewelling, Granger, Jemison, Morrill, Stevenson

1. Introductions of Board and Staff

- The Board, Staff, and Assistant Attorney General Randlett introduced themselves.
- Staff Present: Chamberlain, Connors, Hicks, Jennings, Patterson, Tomlinson

2. Minutes of the September 12, 2014, Board Meeting

Presentation By: Henry Jennings  
Director

Action Needed: Amend and/or approve

- **Granger/Stevenson: Moved and seconded to approve the August minutes as written.**
- **In favor: Unanimous**

3. Consideration of Enforcement Action against Daniel Brown of Blue Hill, Maine

In matters involving substantial threats to the environment or the public health, or in which there is dispute over material facts or law, the Board's enforcement protocol specifies that the matter be brought to the attention of the Board. This case involves the purchase and application of a Restricted Use Pesticide (Gramoxone) by an unlicensed applicator. The staff has been unable to resolve the violation. The Board's Enforcement Protocol specifies that such matters should be placed on the Board's agenda. Since all similar cases have resulted in a small penalty, the staff is recommending that the matter be referred to the Office of the Attorney General for enforcement.

Presentation By: Raymond Connors  
Manager of Compliance

Action Needed: Determine appropriate enforcement response

- Connors requested that the Board refer the case to the Attorney General's office because the staff had been unable to resolve the case with a consent agreement (CA). He explained that the US Environmental Protection Agency (EPA) provides a grant to the Board, part of which is

used to conduct inspections. Restricted Use Pesticide Distributor Inspections involve going to facilities and verifying that restricted-use pesticides are sold to only licensed applicators. A review of records during one of these inspections showed a restricted-use pesticide was purchased by Dan Brown who was not a licensed applicator; there is no record that he has ever been a licensed applicator. Similar to past cases, a \$100 fine was proposed. Brown said he felt he shouldn't be held accountable because he did not realize Gramoxone was restricted. In bold print, on the front panel of the label, it specifies that it is restricted to use by certified applicators only. Brown wouldn't agree with the CA, so staff, consistent with the Enforcement Protocol, is asking the Board to refer the matter to the Attorney General.

- Flewelling asked what the Gramoxone was used for. Connors said Brown had acknowledged purchasing and using it, but didn't specify what he used it on.
- Brown said that it was a one-time use. He said he runs a commercial farm and had not used Gramoxone before nor since. The pesticide was recommended to him by a friend and he went to Northeast Ag and bought it. He said he opposes the CA because he didn't understand what the words on the bottle meant, having never had a pesticide license. He went into a retail establishment and purchased it over the counter. He would not have bought if he'd known there were restrictions.
- Jemison asked Brown to describe the use. He said it was used to control a weed in a 100-foot-by-100-foot garden. He said he is an organic farmer and doesn't usually use this type of product.
- Flewelling asked Connors if there were any repercussions to Northeast Ag. Connors replied that there had been a CA negotiated around major pesticide storage and this was rolled into that. It is part of the dealer's responsibility to make sure they are only selling restricted use pesticides to licensed applicators.
- Jemison asked if any other products were purchased. Brown said he had purchased two products. When asked if he was given any instruction, Brown said he followed the instructions on the bottle. He used a pump sprayer. He asked whether the Board thought it was the proper course to fine the farmer, who used a pesticide according to label instructions.
- A Board member questioned why the farmer's tax exemption form was included in the packet, Connors explained that was what Northeast Ag provided to the inspector as proof of pesticide certification.
- In response to questions about whether this was common, Jennings said that in the 1980s there wasn't good compliance with the certification requirement. When FIFRA was rewritten in 1972, designating products as restricted to certified applicators was the cornerstone of the regulatory strategy. In the late 1980s the Board decided that both parties should be held accountable for compliance with this standard. Historically the staff has been conservative about fining agricultural producers, being sensitive to the idea that farming is not as lucrative as it should be; the staff doesn't want to be the difference between solvency and insolvency. This is a matter of adhering to a fundamental regulatory principle. The Board has fined both parties in every instance since the 1980s. There were a couple of cases where the person who was named on the account did not have a license, but the material was applied by a licensed applicator. The staff sent a warning letter instead of a CA in those cases. Jennings noted that the compliance team (Jennings, Randlett, Connors) relies in large part on precedent, fairness, consistency, and statutory considerations when determining how to respond to violations. Consequently, consistency is important. If one person is fined, and another is not, it goes in the minutes, on the website, and the next person can use that as an example. It is critically important to be fair and consistent.
- Randlett remarked that the label is clear that the product is for use only by certified and licensed applicators; the label violation is clear.
- Morrill said that the law is pretty specific; while he sympathizes with Brown's plight, we all know we have to read the label. The language is right on the front in bold type, hard to miss.

These pesticides are restricted for a reason. Going back to comments made at the last meeting, a lot of applicators, especially small farmers and applicators, rely on the dealer. In this case, as well as other cases we've heard, the label is the law. Perhaps more education can prevent this from happening again.

- Brown noted that Connors had handled the case and said the fine was fair. What brought him to the meeting was Jennings saying that this has been the Board's policy. Would like to see the policy changed, maybe just give a warning.
- Randlett said the Board's options were to send it back to staff for further negotiation, or refer to the Attorney General, in which case they would definitely be looking at penalties, as they don't do warning letters.
- Granger said that homeowners would have no knowledge of what a restricted-use pesticide is; this gentleman was not licensed and did not have that understanding. It's hard to blame people who aren't aware; a warning might be a good idea. Going forward, those that use pesticides on food will have to be licensed, and therefore growers will have an understanding of the certification requirements. Hopefully this change will reduce the number of similar incidences. Granger said he likes the idea of a warning; sometimes we hold people to a higher standard than they are trained for. Jennings noted that staff sends a lot of warning letters, but they are not brought before the Board.
- Flewelling said that this was a big problem in the past, especially people buying under other people's names; we've come a long way. Making mistakes costs money, part of the education.
- Bohlen commented that he appreciated Dan Brown coming to the meeting. It cost him more than \$100 to be here. The Board recognizes his time and effort in coming to the meeting.
- Tim Hobbs (Maine Potato Board) asked what the fine is for a distributor selling to an unlicensed person. Connors said that six sales have been made in the last several years. The minimum penalty was \$200, the highest was \$1,400; the range is based on the scope of sales.
- Hobbs noted that if someone sells alcohol to minors, they risk losing their license; that is a deterrent. This is a serious issue, dangerous materials getting into the hands of untrained individuals. He suggests the Board should look at the big picture, independent of this case.
  - **Morrill/Granger: Moved and seconded to refer back to staff for further negotiation.**
  - **In Favor: Unanimous**

4. Review and Potential Adoption of Proposed Amendments to Chapters 20, 22, 28, 31, 32, 33 and 41

*(Note: No additional public comments may be accepted at this time.)*

On July 16, 2014, a Notice of Agency Rulemaking Proposal was published in Maine's daily newspapers, opening the comment period on the proposed amendments to Chapters 20, 22, 28, 31, 32, 33 and 41. A public hearing was held on August 8, 2014, at the Deering Building. The Board reviewed the rulemaking record on September 12, 2014, addressed the comments and provided direction to the staff on appropriate revisions to the proposals. The Board will now review the changes to the proposed amendments, the Response to Comments, Basis Statements and the Statement of Impact on Small Businesses and determine whether it is prepared to adopt the proposed amendments or whether further refining is warranted.

Presentation by: Henry Jennings  
Director

Action Needed: Provide direction to the staff on further refinements or adopt the amendments

- Chapter 20: Jennings pointed out that essentially we are putting a policy that has existed since 2005 into rule. The policy will need to be updated.
  - **Eckert/Flewelling: Moved and seconded to adopt the rule as amended, the basis statement, the impact on small business, the summary of comments and responses for Chapter 20 as written.**
  - **In Favor: Unanimous**
- Chapter 22: Jennings noted that this exempts certain categories from the requirement to identify sensitive areas. The original proposal specified that 6A and 6B applications would need to be conducted consistent with a drift management plan, but at the last meeting the Board decided that was adequately covered by the totality of Chapter 22 and that paragraph was eliminated.
- Morrill noted that the change was to exempt 6A, 6B, and 7E applications from mapping sensitive areas; those applications would now be directed toward posting in Chapter 28. The majority of companies doing 7E applications are posting anyway.
  - **Eckert/Jemison: Moved and seconded to adopt the rule as amended, the basis statement, the impact on small business, the summary of comments and responses for Chapter 22 as written.**
  - **In Favor: Unanimous**
- Chapter 31: Jennings said that the amendments were to put two policies that exempt certain applications from the licensing requirements into rule; to allow for a reciprocal license for aerial applications in emergency situations; and to shorten the waiting period after failing exams.
- Morrill suggested removing “written” from Section 1(E)(V)—Adults applying repellents to children. Randlett said that he did not think that would constitute a substantial change from what was proposed. The basis statement would not need to be changed.
  - **Flewelling/Stevenson: Moved and seconded to remove “written” from Section 1(E)(V)**
  - **In Favor: Unanimous**
  - **Eckert/Jemison: Moved and seconded to adopt the rule as amended, the basis statement, the impact on small business, the summary of comments and responses for Chapter 31 as written.**
  - **In Favor: Unanimous**
- Chapter 32: Jennings reminded the Board that the only amendment to Chapter 32 is to shorten the waiting period after a person fails an exam.
  - **Eckert/Jemison: Moved and seconded to adopt the rule as amended, the basis statement, the impact on small business, the summary of comments and responses for Chapter 32 as written.**
  - **In Favor: Unanimous**

- Chapter 33: Jennings reminded the Board that the only amendment to Chapter 33 is to shorten the waiting period after a person fails an exam.
  - **Eckert/Jemison: Moved and seconded to adopt the rule as amended, the basis statement, the impact on small business, the summary of comments and responses for Chapter 33 as written.**
  - **In Favor: Unanimous**
  
- Chapter 41: Jennings noted that the amendments make any type of applicator’s license acceptable (previously limited to a private or commercial), removes the requirement for the distributor to check for a license prior to sale, and removes the prohibition on air-assisted sprayers.
  - **Eckert/Jemison: Moved and seconded to adopt the rule as amended, the basis statement, the impact on small business, the summary of comments and responses for Chapter 41 as written.**
  - **In Favor: Unanimous**
  
- Chapter 28: Morrill asked what constitutes “open to the public.” Jennings said that there is a robust definition in Chapter 10, which lists shopping malls, retail buildings, etc., but won’t be helpful in describing a sidewalk or a trail. In general, if the public is invited to use it, it’s considered open to the public; it doesn’t matter if a fee is charged, such as at a golf course, the public is still invited.
- Morrill said he is hung up on Section 3(A); he is concerned that the rule will be capturing things we don’t want to capture. Chapter 10 says:
 

*Property open to use by the public includes but is not limited to: shopping centers, office and store space routinely open to the public (i.e. rest rooms, self-service areas and display aisles), common areas of apartment buildings, occupied apartments, public pools and water parks, schools and other institutional buildings, public roads, organized recreational facilities, golf courses, campgrounds, parks, parking lots, ornamental and turf areas around condominiums, apartment buildings, stores malls and retail areas of greenhouses and nurseries if the public is allowed access before the pesticide restricted-entry or re-entry interval elapses.*
  
- Morrill said he is concerned about owners who provide access to the public, like a land trust, that they would have to provide notice. Stevenson said he thought that was what they were trying to capture.
- Randlett noted that for the purposes of the rule it’s not necessary to define every circumstance; that’s the kind of thing that can be determined down the road, or in policy.
- Morrill suggested changing it to trails owned by the public.
- Jemison noted that the people in Gorham, near the rail trail, wanted to have some notification when that trail was sprayed. They felt pretty strongly about it. Morrill pointed out that that situation wouldn’t be covered here anyway as they were spraying the ballast, not the trails. He is afraid that if we push it too far owners will close the trails.
- Jemison said that if the trail in Orono were sprayed for poison ivy, people would want to know. That’s the intent of why people in Gorham were upset; it should have been posted because it was a pesticide application on a public trail. It’s not altogether different than a lawn. It allows the public to make an informed decision about whether to stay out of the treated area based on the information provided by the sign.

- Eckert pointed out that there are trails formally and routinely open to use by the public and then there is informal use of the land, often associated with seasonal use of a trail.
- Jennings asked whether the Board wanted to limit the notification requirement to hiking trails. DOT sprayed the rail trail in Augusta for invasive plants and they posted the spots they had sprayed. That's the kind of thing where there doesn't seem to be any objection and there's a public benefit.
- Flewelling asked about ATV trails. Jennings asked whether it's primarily hiking or walking trails that the Board is trying to capture. Is there a way to narrow it down to where we see a public benefit and where we don't?
- Bohlen agreed that we don't want to create a significant disincentive to have hiking trails; posting signs doesn't seem like a major disincentive, but if people are unclear they might just close it off. He's not sure what the solution is. He's thinking about trails on land trusts, or owned by the state but managed by land trusts. These are clearly maintained trails of gravel, etc., but ATV and snowmobile clubs are doing the same kind of thing if they're doing it right.
- Morrill said that if it's important to the land trust and their members, they will post anyway. They know there's a benefit to posting, like DOT, let the public know what they're doing.
- Jennings asked whether the Board wanted to change to public properties. Bohlen pointed out that most land trusts are corporations, so they are not public property.
- Randlett said that would be a significant change from what was originally proposed and would require restarting the rulemaking process. The rule will have gone from a situation where applicators are required to provide notice on trails, which would capture those on private land, to only those on public lands. There are people out there who use trails that might have been okay with the rule as proposed, but would not be okay with the change, and they might have commented in a different way. He said he views this as substantial; it changes significantly what the original amendment was. People with an interest might complain.
- Jennings said a new notice would have to be published, and another public hearing scheduled; we would miss this legislative session, but it's more important to get it right. Essentially 6A, 6B, and 7E would not have to do anything for a while.
- Jemison suggested leaving it as it was proposed. If we run into issues, we can go back and re-open the rule and talk about it. Eckert said she would rather do that and reference the trails which would be included.
- Morrill noted that the original proposal included a newspaper notice requirement. Randlett said it was okay to get rid of the newspaper requirement because of comments received about it. Now the amendment states there must be notice in some form; he is okay with that change. It still requires some kind of notice.
- Bohlen suggested dealing with the nuances in policy. Methods could be pretty minimal if we're trying to avoid costs on private property.
  - **Eckert/Jemison: Moved and seconded to delete “methods approved in” from Section 3(A) and to adopt the rule as amended, the basis statement, the impact on small business, the summary of comments and responses for Chapter 28 as written.**
  - **In Favor: Unanimous**

5. Consideration of a Consent Agreement with Province Lake Golf Club of Parsonsfield, 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 application of pesticides at the club without a valid certified and licensed applicator.

Presentation By: Raymond Connors  
Manager of Compliance

Action Needed: Approve/disapprove the consent agreement negotiated by staff

- Connors summarized the case. It is an 18-hole golf course, partly in New Hampshire. Matt Winchell, a former employee, called the BPC office, concerned about pesticide use and storage. An inspection was done. The inspector met with an employee, who acknowledged that he had applied an insecticide and was not a licensed applicator. The inspector also met with Winchell, who conveyed concerns about practices at the course. A CA was drafted. The course did have a licensed applicator at one time, but he left the course in December 2011. Through 2012 and most of 2013, applications were made without proper licensing. They did have an employee licensed in New Hampshire, but there is some question about the level of oversight he provided. The inspector was given a list of applications; each had a fee beside it, which implies that the applicator was acting as a contractor, not an employee.
- A representative from Province Lake Golf Club said that management thought the applicator was licensed in both Maine and New Hampshire. Connors responded that he had checked the records and that the person was licensed as a private applicator in Maine, never as a commercial applicator, so he was not licensed for golf courses.
- Morrill noted that Winchell was present and suggested he have five minutes.
- Winchell said that they had hired several people who had been golf course superintendents in Maine, but they weren't licensed applicators. People doing applications weren't using PPE. The storage area was two walls away from where employees eat. There were pesticides from 14 years ago, labels falling off, some leaking. Below the storage area was a storage area for maintenance parts. He was disappointed in the \$400 fine; he thought there would be a big investigation, people arrested, not a slap on the wrist. Winchell noted that Province Lake Association closed the lake to swimming; he was not sure why. People could lose their jobs, the campground could be forced to close. Winchell said it took a lot of work to check all this information out. Golf course personnel are not being forthcoming with the Association about what they're doing. The University of New Hampshire has been doing work at the lake trying to solve the problem; has the BPC been informed?
- Morrill said he appreciated Winchell coming to the meeting. The Board is cognizant of the environmental concerns.
- The representative from the golf course said they are open with the Lake Association. They don't want to damage the lake, that's their livelihood.
- Morrill thanked him for coming and hopes the golf course will move in the right direction as far as licensing and fixing up the storage area.

- **Morrill/Granger: Moved and seconded to accept the consent agreement as written**
- **In Favor: Unanimous**

6. Consideration of a Consent Agreement with Penobscot Cleaning Services Inc. of Brewer, 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 commercial application of mold control products with lapsed applicator and firm licenses.

Presentation By: Raymond Connors  
Manager of Compliance

Action Needed: Approve/disapprove the consent agreement negotiated by staff

- Connors summarized the case. He noted that the summary had been revised because the owner was very candid and upfront, and knows that it is his responsibility as owner of the company to ensure that applicators have licenses. They mostly do fire and water damage and mold remediation. They did have a master applicator for many years, but that person left and no one else got licensed in that capacity. They do now have employees properly licensed and have a firm license.
  - **Flewelling/Eckert: Moved and seconded to accept the consent agreement as written**
  - **In Favor: Unanimous**

7. Review of Board Policy Limiting Continuing Education Video Credits

Current Board Policy limits the number of continuing education credits a certified applicator may receive from watching videos. Private applicators and commercial operators are limited to two credits per certification period while three credits are currently permitted for master certification. However, applicators may receive all of their credits through online courses. Consequently, the staff determined it was appropriate to review the Board policy.

Presentation By: Henry Jennings  
Director

Action Needed: Provide guidance to the staff

- Jennings explained that the Penobscot Soil and Water Conservation District had produced a series of videos many years ago which applicators borrowed, viewed, and took a quiz, and then got credits for it. Originally the Board had said they don't want applicators to get all their credits that way and limited it to one-third. The question has been asked why there is a limit on the number of credits from videos, when online credits are essentially the same.
  - **Morrill/Eckert: Moved and seconded to allow all credits to be in digital form**
- Bohlen asked if it should be all but one credit. Eckert replied that the world has changed; she used to have to get all her credits live, now it's 100% online, and although she has a lingering desire to meet with colleagues, younger people do not.
- Bohlen noted that when he does things online he doesn't necessarily pay attention; oftentimes he's doing webinars just because it's required. Morrill noted that the Board doesn't require attendance at any specific training event. There are lots of good training opportunities on the internet. If people aren't interested in learning, they're not going to pay attention regardless.
  - **In favor: Unanimous**

8. Interpretation of Chapter 27, Section 2(B)(2) Requirements that IPM Coordinators Receive Comprehensive Training within One Year of Appointment

Chapter 27 of the Board's rules requires School IPM Coordinators to receive three types of IPM training: (1) overview, (2) comprehensive and (3) at least one hour of annual continuing education. The staff has received an inquiry about what the Board intended by way of the "comprehensive training." Consequently, the staff is seeking Board input on its interpretation of the requirement.

Presentation By: Kathy Murray  
IPM Specialist

Action Needed: Provide guidance to the staff

- Kathy Murray reminded the Board that, when Chapter 27 was reviewed, one of the recommendations was required training for IPM Coordinators. The rule also now requires schools to notify the Board annually of the identity and contact information for the Coordinator. The initial training has to be taken within one month of first being named IPM Coordinator; it currently consists of a PowerPoint presentation with embedded questions and a quiz at the end. The comprehensive training needs to be taken within one year of appointment. The staff developed a three-hour training and offered it seven times across the state. The third requirement is one hour of continuing education annually. The staff still needs to decide how best to provide that. She noted that her records indicate that approximately 25% of schools have an IPM Coordinator with the comprehensive training; about 15% of schools have reported the name of the Coordinator. She observed that schools are in constant flux; consolidating, splitting; the staff is never sure what unit they're part of.
- Morrill noted that the comments received on the training were remarkable; some people wished it was longer.
- Murray said that the Maine School Management Association, which provides an insurance pool, has about half the schools in the state as members. They do on-site training to help schools meet compliance and they have offered to do the IPM training, but they feel that three hours is way too long, it shouldn't be over an hour. We do cover a lot, go through a label, some pest identification, walk through how to fill out our forms, whether they need approval, and do a walk-through at the school. The question for the Board is, what were your expectations for training, especially comprehensive training? Should we consider shortening it?
- Jennings said that it was difficult to justify making comprehensive training one hour if the initial training was one hour. Also, some schools have found it very valuable in terms of better sanitation, exclusion, etc.
- Morrill said that it wouldn't make sense to have to drive somewhere for a one-hour course, attendees would spend more time driving. Comments indicate that the training is good; he would not shorten it.
- Tim Hobbs noted that when pesticide issues come up, especially around children, it's serious. He feels the Board should try to improve the compliance rate. This was a very serious discussion when it was in front of the Legislature.
- Morrill agreed that there was a lot of passion around this issue. We have to try to improve the buy-in of the schools.
- Jennings said that there is a certain reluctance to levy fines against schools because the money would come out of the classrooms.
- Bohlen noted that sending in the name of the Coordinator is pretty simple, takes five minutes. The fact that it's not happening is a sign that they're not paying attention.

- Eckert suggested sending a letter to superintendents: if you're not in compliance with the training requirements we're going to start levying fines.
- Katy Green (MOFGA) asked what kind of resources are available to help IPM Coordinators. She suggested that, instead of fines, the Board should explain what is required and what is available to help.
- Jennings reminded the Board that the staff is requesting a definition of comprehensive training. Morrill said the proposed outline looks great.

9. Other Old or New Business

- Variance Permit to Boyle Associates for control of phragmites
  - Variance Permit to The Lawn Dawg for control of invasive plants
  - Other?
- Morrill suggested the Board revisit what is being done with compliance around restricted-use pesticide dealers; it's not okay that pesticide dealers are selling restricted-use pesticides to customers without a license.
  - Flewelling said the bulk of the burden should fall on the dealers; they're in the business, they're the ones who should know the rules.
  - Stevenson suggested sending a letter to dealers. The letter doesn't need to be threatening, just to bring the issue to the forefront. Granger suggested the inspectors make it known that the Board is concerned and that they should expect increased fines in the future.
    - **Consensus reached to send a bulletin to dealers saying that there have been violations, the Board is prepared to increase penalties, and they should make sure their employees are appropriately trained.**
  - Jennings noted that the Pollinator Protection Conference is scheduled for November 20 and that there has been a lot of interest.

10. Schedule of Future Meetings

December 5, 2014, and January 14 (Maine Agricultural Trades Show) and March 13, 2015, are tentative Board meeting dates. The Board will decide whether to change and/or add dates.

Action Needed: Adjustments and/or additional dates?

- **The Board added April 24 and June 5, 2015, as tentative Board meeting dates.**

11. Adjourn

- **Morrill/Bohlen: Moved and seconded to adjourn at 11:53 AM**
- **In favor: Unanimous**

## NOTES

- The Board Meeting Agenda and most supporting documents are posted one week before the meeting on the Board website at [www.thinkfirstspraylast.org](http://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 attention of Anne Chamberlain, at the Board's office or [anne.chamberlain@maine.gov](mailto:anne.chamberlain@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.