



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.