



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 5, 2020
9:00 AM**

Video conference hosted in Teams Meeting

AGENDA

1. Introductions of Board and Staff

2. Minutes of the February 28, 2020 Board Meeting

Presentation By: Megan Patterson, Director

Action Needed: Amend and/or Approve

3. Annual Report on Funding for the University of Maine Extension Manual Writer/PSEP Position

At the April 19, 2019 meeting, the Board voted to approve a \$65,000 grant to the University of Maine Cooperative Extension, for one year, for a combined Pesticide Safety Education Program and Pesticide Applicator Training position. As part of the approval, the Board requested that it revisit the grant in June every year to confirm that availability of funding for the state fiscal year (October 1-September 30). The Board will now hear a report on work accomplished in the previous year and work projected for the coming year.

Presentation By: Megan Patterson, Director

Action Needed: Discussion of Accomplishments and Projected Work Plan

4. Request to Extend Special Local Need [24(c)] Registration for Dual Magnum (Syngenta Crop Protection, LLC) for Yellow Nutsedge and Hairy Galinsoga in Vegetables

MEGAN PATTERSON, DIRECTOR
90 BLOSSOM LANE, DEERING BUILDING



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In 2014, the Board approved a Section 24(c) registration for Dual Magnum (EPA Reg. No. 100-816). The 24(c) was renewed in 2014, but the registration expired December 2019. The University of Maine Cooperative Extension submitted this renewal request for a 24(c) registration. The proposed SLN will expire December 31, 2024.

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

Action Needed: Approve/disapprove 24(c) registration request

5. Consideration of Consent Agreement with Bath Housing Authority, of Bath, Maine

The Board's Enforcement Protocol authorizes 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 involves an unlicensed application in an area open to the public, posting, and use of a pesticide inconsistent with the product labeling,

Presentation By: Raymond Connors, Manager of Compliance

Action Needed: Approve/Disapprove the Consent Agreement Negotiated by Staff

6. Consideration of Consent Agreement with Hughes Inc., of Freeport, Maine

The Board's Enforcement Protocol authorizes 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 involves an unauthorized pesticide application.

Presentation By: Raymond Connors, Manager of Compliance

Action Needed: Approve/Disapprove the Consent Agreement Negotiated by Staff

7. Consideration of Consent Agreement with The Turf Doctor Inc., of Augusta, Maine

The Board's Enforcement Protocol authorizes 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 involves the notification registry and

broadcast application of pesticides other than those applied to control arthropod vectors of human disease or biting

Presentation By: Raymond Connors, Manager of Compliance

Action Needed: Approve/Disapprove the Consent Agreement Negotiated by Staff

8. Election of Officers

The Board's statute requires an annual election of officers. The members will choose a chair and vice-chair to serve for the coming year.

Presentation By: Megan Patterson, Director

Action Needed: Nominations and Election of Officers

9. Other Old and New Business

- a. Certification and Licensing Program Update
- b. Neonicotinoid Registration Reviews
- c. Pesticide Container Fee Webpage
- d. Notification Update
- e. Budget Update
- f. Variance Permit for Asplundh Tree Experts—Railroad Division
- g. Variance Permit for Dubois Contracting
- h. Letter from Emera Maine
- i. Water Quality Monitoring Update
- j. Falmouth Municipal Ordinance

9. Schedule of Future Meetings

July 24, 2020; September 18, 2020 and November 6, 2020 are proposed meeting dates.

Adjustments and/or Additional Dates?

Possible water monitoring or mosquito monitoring field trip.

8. 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.