



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

December 6, 2024

9:00 AM Board Meeting

Join the meeting in person in Room 101, Deering Building, 32 Blossom Lane, Augusta
Or

[Join the meeting now](#)

Meeting ID: 242 912 376 79

Passcode: GC2Yw2mo

Dial in by phone

[+1 207-209-4724](tel:+12072094724), [119671382#](tel:+119671382) United States, Portland

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Phone conference ID: 119 671 382#

AGENDA

1. Introductions of Board and Staff
2. Minutes of the October 25, 2024 Board Meeting

Presentation By: Alex Peacock, Director
Action Needed: Amend and/or Approve

3. Budget Review

Overview of BPC Budget.

Presentation By: Alex Peacock, Director
Action Needed: Discussion

4. Funding Request for DACF IPM Program

The Integrated Pest Management Program is requesting funds to assist with ongoing efforts for the advancement of IPM in Maine. The Maine IPM Program works closely with the BPC to educate and promote IPM across the entire State of Maine, including giving talks annually for applicator credits across several categories, updating the GotPests website with new factsheets

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and research and referring to the BPC website in all presentations and educational materials. While the IPM Program is supported, in part, by grant funding this funding is insufficient to support all outreach opportunities.

Presentation By: Hillary Peterson, Ph.D., IPM Specialist
Action Needed: Approve/Disapprove Funding

5. Case Background Summary, Herbicide Detections, Kittery

In September 2023, BPC staff investigated a case that involved the possible unauthorized application of herbicides in the Town of Kittery. This case involves destruction of trees and vegetation adjacent to coastal waters. As this case is unresolved, the BPC Enforcement Protocol provides for presentation to the Board for discussion and guidance.

Presentation By: Alex Peacock, Director
Action Needed: Discussion/Guidance

6. BPC Prohibited Acts

Upon the Board's acceptance of the Administrative Consent Agreement with Arthur and Amelia Bond in July of 2023, staff have often been asked what can be done to deter violations of unauthorized pesticide applications in the future. MRS Title 7 §606. Prohibited Acts, outlines criteria of pesticide use that are recognized as violations in statute. Staff has prepared sample language that may enhance the prohibited acts provisions to create a greater deterrent for unauthorized applications of pesticides. This topic is brought to the board for input and discussion

Presentation By: Alex Peacock, Director
Action Needed: Discussion

7. BPC Penalties

During presentation and ratification of administrative consent agreements, the subject of insufficient penalties to deter future violations has often been raised. BPC penalties have also received attention in the media in connection with recent fines that have been assessed. MRS Title 7 §616-A. Penalties, outlines the BPC's penalty structure in statute. Staff has prepared sample language that may enhance the penalty provisions. This topic is brought to the board for input and discussion.

Presentation By: Alex Peacock, Director
Action Needed: Discussion

8. Service Container Labeling Policy

At the October 25, 2024, meeting, staff proposed a policy regarding labeling of service and secondary containers for pesticides. Upon taking into consideration the feedback during the discussion at the meeting, staff has revised the proposed policy.

Presentation By: Alex Peacock, Director
Action Needed: Amend and/or Adopt

9. 2023 Aerial Forestry Report

In 2021, the 131st Maine legislature voted to pass LD 125, An Act to Prohibit Aerial Spraying of Glyphosate and Other Synthetic Herbicides for the Purpose of Silviculture. Governor Mills vetoed the bill and issued an executive order requiring state agencies to review the best management practices, rules and regulations, and potential consequences of aerial glyphosate application. One of the key provisions of this executive order was the establishment of a surface water quality study specifically focused on the impact of aerial herbicide spraying in forestry. The Maine Board of Pesticides Control (BPC) was tasked with conducting this study.

Presentation By: Julia Vacchiano, Pesticide Registrar & Water Quality Specialist
Action Needed: Discussion

10. Other Old and New Business

- a. EPA Releases Rodenticide Strategy, Including Final Biological Evaluation on the Effects of 11 Rodenticides on Endangered Species and Associated Mitigation
- b. Municipal Ordinance, Town of Camden
- c. Groundwater Monitoring Plan Revision
- d. EPA Releases Draft Guidance to Support Registration of Pre-saturated Disinfecting Wipes
- e. EPA Makes Thousands of Records on the Agency's Review of Studies on Pesticides Publicly Available

11. Schedule of Future Meetings

The next scheduled Board meeting date is January 15, 2025, at the Augusta Civic Center during the Agricultural Trade Show.

Future Meetings: February 28, 2025, April 11, 2025, May 23, 2025, July 11, 2025

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.