

BPC Consent Agreements 2009 - 2013

| General Groupings | Issues | Penalty |
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| Drift | | |
| Hemingway Orchard | Drift 2 SALOS/ Drift 1 SALO repeated | AG or court to settle |
| Pulsifer Orchard | Drift from their orchard to abutting Orchard 2 separate occasions | \$300 |
| North East Ag | Drift to SALO when spraying forage corn | \$250 |
| JBI Helicopters | Herbicide drift outside forest block /still on client land/ paper co. self reported | \$300 |
| JBI Helicopters | Herbicide drift outside forest block /damage to abutting property owner's trees/ paper co. self reported/impacted landowner expressed little concern/restitution for damage being negotiated by involved parties | \$300 |
| Multitude of Violations | | |
| Purely Organic | Failure to properly post treated turf/Transporting, handling, distributing pesticides in a careless, faulty, or negligent manner/Engaging in fraudulent business practices in the application and distribution of pesticides/ Failure to instruct employees and those working under company direction about the hazards involved in the handling of pesticides to be employed as set forth on the pesticide label and to instruct such persons as to the proper steps to be taken to avoid such hazards/ Failure as an employer to provide and maintain, for the protection of employees and persons working under company direction, the necessary safety equipment as set forth on the label of the pesticide used/Producing pesticides in an unregistered pesticide producing establishment/Sale, distribution, and use of unregistered pesticides/Applying pesticides commercially outside of license category/Failure to maintain complete and up to date commercial pesticide application records/Submitting false and fraudulent Commercial Applicator Annual Summary Reports | \$18,000 |
| Notification | | |
| TruGreen Chemlawn | Failure to provide notification in 2 separate cases where it was requested. Previous notification violations - 2 in 2005, 1 in 2007 (one involved a registry member) | \$1,500 |
| TruGreen Chemlawn | May 2, June 8, 2012 treated same customer twice w/o notification to registry member/ prior notification viol.for 2 people June 19, 20, and 26 of 2009 | \$2,500 |
| Lucas Tree Experts | Insufficient advance notification to registry member | \$500 |
| Lucas Tree Experts | Insecticide to outdoor tree, no notification to registry member/ prior insufficient notification to registry member | \$500 |
| The Lawn Dawg | Turf herbicide applied, no notification to registry member | \$500 |

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| Advantage Landscaping | Round up to lawn edges and side walk w/o license and no notification to registry member | \$500 |
| PPE | | |
| Sterling Insect-Lawn Control Inc. | Not wearing labeled required PPE. Warning letter for same violation issued 2 years earlier | \$200 |
| Posting | | |
| Old Marsh Country Club | Treated turf not posted, incomplete applicator records, lack of required PPE | \$300 |
| Purchase/Sales violations | | |
| Petro's Ace Hardware | No general use pesticide dealer (GPD) license 2008,2009,2010 | \$160 |
| J.L. Hayes & Co.Inc.-Agway | No general use pesticide dealer (GPD) license 2008,2009,2010 | \$160 |
| Kezar Falls Hardware | No general use pesticide dealer (GPD) license 2003-seven months into 2008 | \$200 |
| John E. Tibbetts | Purchase of a restricted use pesticide without a valid applicator license | \$100 |
| Michael Rowell | Purchase of restricted use pesticides w/o an applicator license | \$100 |
| School IPM Related | | |
| Tripp Middle School | Not providing a copy of an MSDS to school staff upon request/Commercial pesticide application without a commercial pesticide applicator license/Use of a pesticide inconsistent with the pesticide label/Failure of the IPM Coordinator to maintain required record of pesticide application/Failure of the IPM Coordinator to make sure the notification of pesticide application requirement was met/Failure to follow IPM techniques, including not identifying the specific pest. | \$250 |
| Storage Violations | | |
| Northeast Ag Sales Inc. | Lack of design certification for a major pesticide storage facility/Lack of 1 hour fire rated doors to storage/Lack of panic hardware on door to storage area/Floor drains not sealed/No battery powered emergency lighting system/ No alarm system connected to a supervised central location/No automatic heat and smoke alarm system connected to a supervised central location/No emergency showers/Lack of "Danger- Pesticide Storage- Keep Out" signs posted at entrances/Lack of signs posted at entrances indicating no smoking/Lack of an eye wash station/Lack of spill response and clean-up equipment/Siting violations, storage within 250 feet of two residential buildings | \$15,000 |
| Unauthorized Application | | |
| Bruce Hunter | On another's property to open scenic vista | \$600 |
| TruGreen Lawncare 7-20-12 | Treated former customer/prior unauthorized application and notification violations | \$2,000 |
| TruGreen Lawncare 8-2-12 | Treated former customer/ prior violations of registry member and non-registry | \$2,000 |

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| The Lawn Dawg | Combined violations into same CA: treated wrong property 3-28-12 / 7-13-2012 notification registry violation | \$1,700 |
| Atlantic Pest Solutions | Bought out smaller co and customer list. Customer of former co. treated w/o approval | \$400 |
| Atlantic Turf Care | 2 herbicides wrong house, no method of positive id of customer in place/exceeded wind limit | \$800 |
| Scotts Lawn Service | 2 herbicides wrong house, meter # on work sheet, but employee did not check meter at house. Applicator passed all test, but had not applied for lic. | \$900 |
| Egbert's Lawn Care | Herbicide applied to mother's neighbor (as favor) w/o neighbor's permission | \$350 |
| C&D Corporation | Velpar application to their own field, applicator inadvertently made same application to part of another property owner's abutting field. | \$1,000 |
| C&D Corporation | 2 herbicides to company blueberry block, did not stop at P. line, treated abutting owner's blueberry block. Did not report error, caused label issue when owner unknowingly made application to his already treated land | \$1,500 |
| Mainely Grass | Insecticide and an herbicide applied to wrong site-applicator did not check meter # per co. policy, did not wear full PPE/ prior wrong site violation w/l 4 yrs. | \$1,200 |
| Ralph Boynton | Roundup application to neighbor's field at same time he did his own. | \$150 |
| Scotts Lawn Service | Applied pesticides on 2 consecutive days to wrong property. The wrong property was a company customer, but not the intended customer. Incident self reported. Label rates were exceeded. | \$600 |
| Orkin Exterminating Co. | Wrong site treated insecticides indoors and out. Correct address not confirmed | \$1,000 |
| Unlabeled Use | | |
| Northeast Patients Group | Unlabeled use/use of unreg pesticide/use in careless, negligent, faulty manner w/potential harm to public | \$18,000 |
| Unlicensed Commercial Application For Hire | | |
| Firehouse Property Mgmt. | Herbicide crack and crevice parking lot | \$500 |
| TRP Logging | Herbicide turf of Restaurant | \$350 |
| Paul's Lawn Care, Inc. | Granular weed/feed to a town hall turf | \$250 |
| Korhonen Land Care | Glyphosate application to infield public baseball field, denied application, test confirmed application made | \$600 |
| Christian Bulleman III | Cleaner/disinfectant public building, mold remediation job | \$350 worth of public service work |
| Michael Mills Landscaping | Unsupervised herbicide application, lack of PPE, failure to keep applicator records | \$500 |
| Magic Carpet Cleaner | Pesticide use for mold remediation work | \$350 |

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| Taylor Done Lawn Care | Glyphosate application to condominium complex, denied application, test confirmed application made | \$600 |
| PuroClean | Unlicensed application of mold remediation pesticides | \$350 |
| Spruce Bay Farm & Landscape | Granular Herbicide to ornamental plant beds at a commercial building | \$350 |
| Commercial Properties Real Estate Mgmt. Company Inc. | Herbicides used as crack & crevice treatments on pavement of commercial accounts | \$500 |
| DSS Lawn Care & Maintenance | Applicator said he used vinegar to do crack & crevice vegetation control on commercial parking lot job, denied chemical use. Lab results positive for glyphosate | \$450 |
| Unlicensed Commercial Application Not-For- Hire | | |
| Sea Urchin Cottage | Treated rented cottage | \$500 |
| J&S Oil | Weed & Feed to turf of own gas stations | \$300 |
| Woodford St. Apts | Insecticide application to rented apartment units two occasions/ exceeded max. label rate | \$700 |
| Prospect Hill GC | Lic. applicator left course. Unlic applications made 8/2009 to 11/2011 | \$350 |
| Sullivan Property Mgmt. | Insecticide flea treatment inside apartments and hallways | \$500 |
| The Bethel Inn & Country Club | No lic. for 2004,2005,2006,2007,2008,2009/ no application records/ no annual reports to BPC since 2004 despite repeated requests/ in 2004 co. was fine \$400 for making unlicensed applications in 2001,2002, and 2003. | \$3,000 |
| Town of South Berwick | Herbicide crack and crevice sidewalks and curbs | \$500 |
| Town of Randolph | Roundup herbicide application to town fire hydrants and cemeteries | \$400 |
| Patterson Properties | Apartment owner made unlic application of 2 insecticides to a tenant's rental apt. | \$350 |
| Sugarloaf Golf Course | Routine record check revealed that no licensed Master applicator at course from June 08-Sept 08, lic operator was employed at course during this time | \$250 |
| Water Related | | |
| Essex Power Services | Herbicide top of dam spillway | \$400 |
| William Gurrisi | Lab results indicate 2,4-D in lake, Gurrisi was alleged applicator | \$250 |
| David Charlesworth | Property owner denied making broadcast application of herbicide to vegetation along shoreline of tidal water. Lab results from foliage sample- positive for glyphosate | \$500 |
| Windy Weather | | |

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| Scotts Lawn Service | CA combined 2 incidents of spraying in excessive wind and one incident of not posting treated turf until after the application was completed. Also prior violations w/i 4 yr. period. | \$400 |
| Worker Protection Standard (WPS) | | |
| Plants Unlimited | No WPS training of workers, central information display, no applicator records for 2007 and 2008. These same violations documented in a BPC 2003 letter to the company with corrective steps to take to be in compliance. | \$200 |