

Rulemaking Statement of Impact on Small Business 5 MRSA §8052, sub-§5-A

Agency

Department of Agriculture, Conservation and Forestry—Maine Board of Pesticides Control

Chapter Number and Title of Rule

CMR 01-026, Chapter 20—Special Provisions

Identification of the Types and an Estimate of the Number of the Small Businesses Subject to the Proposed Rule

Currently there are 2,809 pesticide registrants that register their products in Maine. They will all be affected by this amendment:

1. Registrants will be required to complete additional reporting requirements by answering several affidavits regarding fluorination in their products; and
2. Additional recordkeeping will also be required as registrants will now be required to submit the confidential statement of formula (CSF) in addition to answering affidavit questions.

Projected Reporting, Record Keeping, and Other Administrative Costs Required for Compliance with the Proposed Rule, including the Type of Professional Skills Necessary for Preparation of the Report or Record

No additional skills will be necessary for the reporting and recordkeeping required by this new rule, these will be additional steps added to the current pesticide product registration flow.

Required reporting includes:

1. Answering if products have ever been stored, distributed, or packaged in a fluorinated container;
2. Answering if products contain perfluoroalkyl or polyfluoroalkyl substances in the formulation; and
3. Providing the confidential statement of formula (CSF).

Brief Statement of the Probable Impact on Affected Small Businesses

The amendments will result in a slight increase in product registration information submitted and would require registrants to check yes or no to affidavit questions.

Description of Any Less Intrusive or Less Costly, Reasonable Alternative Methods of Achieving the Purposes of the Proposed Rule

If registrants do not submit these materials electronically as a part of the current registration flow, they will need to provide these materials in paper formats which could be more burdensome. Electronic submission is likely the least intrusive and least costly means of accomplishing this requirement.