



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

**November 8, 2019
9:00 AM**

Room 101 Deering Building
32 Blossom Lane, Augusta, Maine

AGENDA

1. Introductions of Board and Staff
2. Minutes of the September 13, 2019 Board Meeting

Presentation By: Megan Patterson, Director
Action Needed: Amend and/or Approve
3. Program Overview for Maine State Apiary Program

The State Apiarist will provide a presentation on the apiary program responsibilities and associated activities. Highlights of program efforts from the last few years include expanded Varroa mite management and education, results from the hive survival and management surveys, and an overall effort to provide pesticide literacy to beekeepers and pollinator literacy to pesticide applicators.

Presentation By: Jen Lund, Maine State Apiarist
Action Needed: None, Informational Only

4. Request to Review Board Notification Requirements

Representative Pluecker has asked the Board to convene a stakeholders meeting to discuss strengths and potential weaknesses of the Board's current notification rules.

Presentation By: Megan Patterson, Director

Action Needed: None, Informational Only

5. Presentation and Review of the Board of Pesticides Control, DACF, State of Maine Certification Plan

Board staff prepared the State Plan, in response to the EPA revision of 40 CFR 171, Certification of Pesticide Applicators, as outlined in the Federal Register, Vol. 82, No. 2, dated January 4, 2017. The final rule became effective March 6, 2017. This State Plan compares Maine's regulation and policies to the comparable CFR to identify actions that the State of Maine must take to comply with federal standards. These actions include revisions in regulations. The State Plan is due to EPA by March 4, 2020.

Presentation By: John Pietroski, Manager of Pesticide Programs

Action Needed: Approve/Disapprove the State Plan for Submission to EPA

6. 2019 Obsolete Pesticides Collection Overview

Each October the BPC, in concert with Department of Environmental Protection (DEP), conducts a program to collect and properly dispose of banned and unusable pesticides from homeowners, farms, and greenhouses. A summary of this year's event, including the number of citizens who participated, and amount of product collected, will be provided.

Presentation By: Amanda Couture, Certification and Licensing Specialist

Action Needed: None, Informational Only

7. Progress Report on Collaborative Efforts to Reevaluate the List of Pesticide Active Ingredients Allowed for Control of Browntail Moth Near Marine Waters

At its April 19, 2019 meeting, the board received public comment regarding the pesticide active ingredients allowed, by policy, for management of BTM within 250 of marine waters. The board directed staff to reevaluate the list and determine what active ingredients, if any, should be added or removed. Staff will provide an update on their efforts in response to the Board's request.

Presentation By: Pam Bryer, Pesticide Toxicologist

Action Needed: None, Informational Only

8. General Discussion on the Fumigation Practices and Fumigation Regulation in Maine

The use of fumigation, particularly soil fumigation, is increasing in some agricultural sectors in Maine. By coincidence, the Board recently adopted rules on supplemental certification for private applicators using soil and/or non-soil fumigation application methods. These new

rules will become effective January 1, 2020. Staff will facilitate a discussion about these new rules and current fumigation practices in Maine.

Presentation By: Megan Patterson, Director

Action Needed: None, Informational Only

9. Government Evaluation Act Program Evaluation Report

During the first regular session of the 129th Maine legislature Board staff received a request from the chairs of the Agriculture, Conservation and Forestry Committee to submit a GEA Program Evaluation Report by November 1, 2020.

Presentation By: Megan Patterson, Director

Action Needed: None, Informational Only

10. Funding an Education Campaign Around IPM and Other Pesticide Related Topics

At the April 19, 2019 meeting, the Board discussed regarding education efforts to expand public awareness of the Board and its functions and services. Advertisement and the employ of an advertising firm were determined to be an effective and efficient method of providing education. Staff would like to discuss tentative funding for this proposed campaign.

Presentation By: Megan Patterson, Director

Action Needed: Approve or Disapprove Funding for an Education Campaign

11. Other Items of Interest

a. 129th Legislature Second Regular Session, Bill Requests for Screening, DACF Only

12. Schedule of Future Meetings

January 13, 2020 is the next proposed meeting date. The January meeting will be at the Agricultural Trades show and will include a Public Listening Session.

- Potential 101 Deering Scheduling Conflicts in 2020

Adjustments and/or Additional Dates?

13. 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.