



JANET T. MILLS
GOVERNOR

STATE OF MAINE
DEPARTMENT OF AGRICULTURE, CONSERVATION AND FORESTRY
BOARD OF PESTICIDES CONTROL
28 STATE HOUSE STATION
AUGUSTA, MAINE 04333

AMANDA E. BEAL
COMMISSIONER

BOARD OF PESTICIDES CONTROL

January 11, 2023

1:00-2:00 PM Board Meeting—Hybrid
2:00-3:00 PM Public Forum
3:00-4:00 PM Board Meeting Continued as Necessary

Join the meeting in person in Room 101, Deering Building, 90 Blossom Lane, Augusta

Or

Join the meeting remotely in the Kennebec/Penobscot Room at the Augusta Civic Center

Or

Join the meeting remotely by video conference hosted in MS Teams:

Join on your computer, mobile app or room device

[Click here to join the meeting](#)

Meeting ID: 219 612 005 364

Passcode: AeaCkJ

Or call in (audio only)

[+1 207-209-4724](#) United States, Portland

Phone Conference ID: 590 138 239#

AGENDA

1. Introductions of Board and Staff
2. Consideration of a Request for Financial Support from Maine Mobile Health

Since 1995 the Board has supported the Migrant and Seasonal Farmworker Safety Education program. The Maine Mobile Health Program (MMHP) provided training to 100 farmworkers during the 2022 season. Funding to support the effort in 2023 is being requested in the amount of \$6,432, which is the same funding amount provided by the Board in 2022. The funding has been accounted for in the Board's FY23 budget.

Presentations By: Hannah Miller, Director of Outreach, Maine Mobile Health

Action Needed: Discussion and determination if the Board wishes to fund this request

MEGAN PATTERSON, DIRECTOR
90 BLOSSOM LANE, DEERING BUILDING



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3. Consideration of a Request to Extend Special Local Need [24(c)] Registration for Sandea Herbicide (Canyon Group and Gowan Company) to Manage Perennial Broadleaf Weeds in Lowbush Blueberries in the Nonbearing Year

In 2016 and again in 2020, the Board approved two Section 24(c) registrations for Sandea Herbicide (EPA Reg. Nos. 81880-18 and 81880-18-10163). The existing 24(c) registrations will expire December 31, 2020. The University of Maine Cooperative Extension submitted this renewal request for a 24(c) registration. This product is one of two Herbicide Resistance Action Committee (HRAC) Group 2 herbicides reviewed and supported by Extension for use in rotation on lowbush blueberries.

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

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

4. Discussion of Work Completed and Proposed by the Massachusetts Glyphosate Commission

At the July 16, 2021, meeting, the Board reviewed LD 519—An Act to Protect Children from Exposure to Toxic Chemicals, which directed the Board to convene the Medical Advisory Committee (MAC) to assess the human health impacts of herbicide use on school grounds. The MAC met and staff prepared an interim report incorporating commentary from MAC members. This report was presented to the Board and the Legislature's Agriculture, Conservation and Forestry Committee. At the December 2, 2022 meeting, staff discussed similar work underway in Massachusetts and the possibility of building upon the Massachusetts effort. Staff will now provide an update on the status and proposed direction of the Massachusetts glyphosate review.

Presentations By: Pam Bryer, PhD, Pesticides Toxicologist

Action Needed: Review/discuss provided information, provide guidance

5. Consideration of a Consent Agreement with Avesta Housing, Portland, Maine

On June 3, 1998, the Board amended its Enforcement Protocol to authorize 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 involved failure to postpone an application as requested by a tenant.

Presentations By: Alex Peacock, Manager of Compliance

Action Needed: Review and/or approve

6. Consideration of a Consent Agreement with Green Thumb Lawn Services, Brewer, Maine

On June 3, 1998, the Board amended its Enforcement Protocol to authorize 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 involved a self-reported unauthorized application and failure to positively identify the application site.

Presentations By: Alex Peacock, Manager of Compliance

Action Needed: Review and/or approve

7. Other Old and New Business

- a. Letter from Jody Spear and article from Biological Conservation
- b. Overview of 2022 certification trainings
- c. Overview of 2023 pesticide product registration renewal progress
- d. LD 8—An Act to Increase Support for the Modernization of the Board of Pesticides Control by Increasing the Annual Pesticide Registration Fee
- e. Recent EPA complaint pertaining to container fluorination
- f. Other items?

8. Schedule of Future Meetings

February 24, 2023, and April 7, 2023 are the next tentative Board meeting dates. The Board will decide whether to change and/or add dates.

The Board will also decide if future meetings will be remote, in-person or hybrid.

Adjustments and/or Additional Dates?

9. 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.