



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

October 21, 2022

9:00 a.m. Board Meeting--Hybrid

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

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: 293 648 268 778

Passcode: DkShJT

Or call in (audio only)

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

Phone Conference ID: 647 153 89#

AGENDA

1. Introductions of Board and Staff
2. Minutes of the August 5, 2022 Board Meeting

Presentation By: Megan Patterson, Director

Action Needed: Amend and/or approve

3. LD 2019—An Act To Require the Registration of Adjuvants in the State and To Regulate the Distribution of Pesticides with Perfluoroalkyl and Polyfluoroalkyl Substances

At its June 17, 2022 meeting, the Board reviewed/discussed LD 2019. It requested that the staff provide information on existing regulations relative to pesticide containers and to research options relative to defining what “contamination” means in the context of the bill. Staff has provided two memos, one summarizing the August 5, 2022 Board discussion of possible rulemaking pathways and federal preemption and a second summarizing relevant technical information prepared in response to Board member questions. The second memo also addresses the recently published EPA container leachate study.

Presentations By: Megan Patterson, Director

Pam Bryer, Pesticides Toxicologist

MEGAN PATTERSON, DIRECTOR
90 BLOSSOM LANE, DEERING BUILDING



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Action Needed: Review/Discuss Provided Information, Determine Next Steps

4. Invasive Invertebrate List Discussion

At its August 5, 2022 meeting, the Board finally adopted a policy on invasive invertebrate pests on ornamental vegetation in outdoor residential landscapes that may be managed with neonicotinoids. Also at that time, Board members discussed amending the list and developing a revision schedule. Members proposed continuing the relevant conversation at a subsequent meeting.

Presentations By: Karla Boyd

Action Needed: Review/Discuss Provided Information, Determine Next Steps

5. Other Old and New Business

- a. EPA Memo--EPA Analytical Chemistry Branch Laboratory Study of PFAS Leaching from Fluorinated HDPE Containers
- b. Variance Permit Issued to Green Thumb Lawn Services—poison ivy in Eddington
- c. Variance Permit Issued to Green Thumb Lawn Services—poison ivy in Glenburn
- d. Variance Permit Issued to Green Thumb Lawn Services—poison ivy in Newagen
- e. Remote meeting policy
- f. Adopted--Policy on Emergency Permitting for Neonicotinoids Exemption
- g. Adopted--Policy on Approved Invasive Invertebrate Pests on Ornamental Vegetation in Outdoor Residential Landscape
- h. EPA Memo--EPA Proposes to Stop Authorized Use of Certain PFAS In Pesticide Products
- i. Published Article—Targeted analysis and Total Oxidizable Precursor assay of several insecticides for PFAS
- j. Other items?

6. Schedule of Future Meetings

December 2, 2022 and January 11, 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 there is a continuing need to meet remotely.

Adjustments and/or Additional Dates?

7. 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.