



STATE OF MAINE
DEPARTMENT OF AGRICULTURE, FOOD AND RURAL RESOURCES
BOARD OF PESTICIDES CONTROL
28 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0028

SETH H. BRADSTREET III
COMMISSIONER
HENRY JENNINGS
DIRECTOR

**BPC WORKING PAPER:
DEVELOPMENT OF A COMPREHENSIVE NOTIFICATION REGISTRY**

Logistics

- Sign-up and distribution of the registry will be Internet-based in order to keep administration manageable.
- The registry will cover applications made by commercial agricultural producers and commercial applications.
- The annual deadline to signup for the updated registry will be March 15.
- The BPC will make it available no later than April 1 (there is some sentiment that this will not be early enough for commercial applicators).
- Participants remain on the registry until they notify us that they want to be removed or until we determine their information is no longer valid (this is currently specified in statute). The BPC will take steps annually to keep the list current.
- People may identify themselves as having medical conditions affected by pesticide exposure.
 - Applicators might voluntarily notify them at greater distances.
- There will be three notification distances for simplicity sake (*see tables, page 2*).
- The historical “by request” option will be retained because:
 - It would allow people who feel they need notice beyond 250 feet an option
 - Some people don’t want to be on a publicly available list
 - Some people will miss the annual sign-up deadline
 - We use it in another rule
 - Some applicators support and prefer the by-request approach
 - It could be used by people interested about pesticide use by adjacent homeowners.

Other Areas of Preliminary Consensus

- The older “urban” registry will be merged into and aligned with the comprehensive registry.
- The notification requirements contained in Chapter 51 will be merged into and aligned with the comprehensive registry.
- The Board would retain the emergency and IPM exemptions outlined in the statute.
- The Board has discussed the following two models for identifying properties that, when treated, trigger a duty to notify registry participants:
 1. The participant identifies the properties for which they want notification within the prescribed distances.
 2. The applicator identifies properties within prescribed distances and adjacent to the participant for which notice must be provided.
- The Board has discussed limiting the registry to e-mail notifications to help expedite the notification process for commercial applicators.
 - The registry would then be augmented by the “by-request” option
- Since complying with the notification requirements involves significant up-front work to implement, a phased-in approach for compliance might make sense
- The Board does not favor requiring posting of the perimeter of pesticide application sites, but has not yet ruled out requiring a single sign, conspicuously positioned, at aerial application sites.

- The sign would simply alert the public that aerial spraying occurs at this site and to contact the land manager and/or sign-up for the registry for more information.

Comments Still Under Consideration

- Some stakeholders believe it makes more sense for the BPC to post information about pesticide applications so that interested individuals can obtain spray information at any distance without imposing the burden of being individually notified.
- Some stakeholders have argued that precise notification distances are illogical and unnecessary. Instead, the BPC should automate the notification system and err on the side of caution.

APPLICABILITY OF THE COMPREHENSIVE NOTIFICATION REGISTRY— INCLUDES APPLICATIONS MADE BY COMMERCIAL AGRICULTURAL PRODUCERS AND COMMERCIAL APPLICATORS	
NOTIFICATION DISTANCE (APPLICATION SITE TO REGISTRY PARTICIPANT’S PROPERTY)	TYPES OF PESTICIDE APPLICATIONS COVERED
≤ 250 feet	<ul style="list-style-type: none"> • Non-powered commercial applications • Granular/pelletized applications (including aerial) • In furrow and band applications • Powered backpacks • Low-pressure hydraulic applications (< 60 psi)
≤ 500 feet	<ul style="list-style-type: none"> • Boom sprayers • Chemigation • Fumigation • Air-carrier equipment • High-pressure hydraulic applications (> 60 psi) • Other powered equipment
≤ 1,320 feet	<ul style="list-style-type: none"> • All aerial spraying

[Alternate version of table for consideration]

APPLICABILITY OF MANDATORY NOTIFICATION WITH PROPOSED REGISTRY						
Distance	Commercial Applicators & Commercial Agricultural Producers					Non-commercial
	Aerial	Ground-based				all
		Other	Powered		Non-powered	
			Person-carried	Low-pressure Hydraulic	all	
≤ 250'	x	x	x	x	x	n/a
251'–500'	x	x	n/a	n/a	n/a	n/a
501'–1,320'	x	n/a	n/a	n/a	n/a	n/a