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February 25, 2007

TO: Board Members
FROM: Gary Fish, Certification Specialist
SUBJECT: Applicability of Chapter 26 to Dormitory Rooms

After attending one of our educational sessions, Michael Sauda, University of Maine, Safety and Environmental Manager and Assistant Director of Facilities asked if the Chapter 26 notification requirements for residences applied to dormitories. I was not sure what the Board's intent was regarding dorm rooms, so we posed the question to Mark Randlett. Mark's reply was, "I think Chapter 26 could reasonably be construed to include dormitories. The payment of board fees would seem to qualify a dorm room as a rented residential unit."

Section 3 of the rule says,

A. Notice to Residents.

At least 24 hours and no more than seven days in advance of a pesticide application not exempted by Section 2, the applicator must provide or cause to be provided a Board approved written notice (see Appendix A) to the resident or residents of an apartment unit, condominium unit or **other rented residential unit** to be treated, where the residents of that unit did not request the impending pesticide application. The notice may be mailed or provided directly to the residents and shall explain that pesticides may be used in their residential unit and that they have the right to ask for and receive more specific information described in Section 3(D) of this regulation. If the resident asks for further information specified in Section 3(D), the applicator must provide it.

What is the Board's intent regarding dormitory rooms? Should you decide they **are** considered rented residential units, I don't think we need to develop an additional policy. If they **are not** included, then I think we need to develop a policy that excludes dormitories from the term "other rented residential unit".