

Board Enforcement Case Pre-Review Background Summary

Subject:

Orkin Exterminating Co. Inc.
960 Riverside Street
Portland, Maine 04103

Summary of Complaints/Incidents:

Incident 1:

On April 25, 2025, the Board received an email from a resident of Freeport, Maine, in which the resident reported that she arrived at her home that afternoon to discover an Orkin pesticide application sign on her yard. She further reported that she does not contract with Orkin for any services. In response to the complaint, on April 30, 2025, a Board inspector conducted a follow-up inspection with Board licensed Company employees Christopher Kent and Dennis Day, in which the inspector ascertained that on April 25, 2025, Dennis Day mistakenly applied Patrol (insecticide), EPA Reg. No. 100-1066, to the residential property located at 4 Harbor Ridge Road in Freeport, Maine instead of the intended property located 6 Harbor Ridge Road.

Incident 2:

On June 25, 2025, the Board received an email from a Falmouth resident who stated that he returned home to discover an Orkin pesticide application sign at his residence. The complainant did not contract for any services from the Company. In response to the complaint, on July 3, 2025, a Board inspector conducted a follow-up inspection with Board licensed Company employees Christopher Kent and Kaleb Kimmelman. During the course of the inspection, the inspector ascertained that on June 25, 2025, Kaleb Kimmelman mistakenly applied Patrol (insecticide), EPA Reg. No. 100-1066, to the residential property located at 124 Brook Road in Falmouth, Maine instead of the intended property located 124 Brook Road in Portland, Maine.

Summary of Relevant Rules and/or Laws:

CMR 01-026, ch. 20, Section 7 (A)

Commercial applicators making outdoor treatments to residential properties to implement a system, based on Board approved methods, to positively identify the property of their customers.

01-026 CMR ch. 20, Section 6 D (2)

No person may apply a pesticide to a property of another unless prior authorization for the pesticide application has been obtained from the owner, manager or legal occupant of that property. The term “legal occupant” includes tenants of rented property.

Attachments: Inspection reports and photos

- Dashboard
- My Work
- Reports
- Configuration
- Renewal Emails
- Recent
- Inquiry / Complaint
EC-93858
- Inquiry / Complaint
EC-102856
- Inspection
RC-140806
- Inquiry / Complaint
EC-105857
- Inquiry / Complaint
EC-100856

Dashboard

 EC-93858

Inquiry / Complaint (EC-93858)

Complaint	Overview	Caller	Inspections	Enforcements	Audit
Action Taken Inspection Required Finalized / Resolved ☐		Comments Resolution Details			
Complaint Details EC-93858		Call Date/Time		Complaint Physical Location Address Line Address Line 2 City Freeport Directions	
Company / Agency Name ORKIN EXTERMINATING CO INC		Estimated Date of Incident Apr 25, 2025			
Complaint Details Email received 4/25/2025. Email states that the homeowner arrived home late afternoon of 4/25/2025 to find a placard in their yard from Orkin that stated a tick and mosquito control application had occurred on their property. The homeowner doe not contract with Orkin or any other pest control company for this service.		Urgency Level High			
		Topic Unauthorized Application			
		Site Biting Fly/Ticks			
		Application Method Powered Backpack			

Pesticide Use Inspection Report

Inspected Company/Agency
Company/Agency Name
ORKIN EXTERMINATING CO INC
Address Line
960 RIVERSIDE ST
Email

sample text
Company/Agency Type
FH
City
PORTLAND
Contact First Name
John
Do you have obsolete pesticides?
No

sample text
Category
Primary Phone
Contact Last Name
Tessier

Type and size of operation:

APPLICATOR, SUPERVISOR, LICENSING

Licensing is:
☒ Correct
☐ Violation
☐ Not Required

Applicator

Name	License (If any)	Firm License (If any)
Dennis Day	COA-8425	SCF-1636

Supervisor (When required)

Name	License (If any)	Location
Christopher Kent	CMA-6215	Portland

APPLICATION SITE

Latitude	Longitude

Field Name, Address or Description of Application Site (If different than on Notice of Inspection)

Field Name	Description	Address Line 1	City	State	Postal Code
		4 Harbor Ridge Road	Freeport	ME	

Owner Name & Address (If different than on Notice of Inspection)

Owner Name	Address Line 1	City
Cristina Post		
State	Postal Code	
ME		

Type of establishment treated (Farm, home, etc)	Site treated (Crop, structure, vegetation, etc.)	Size of area treated	Target pest(s)	Cropping stage (If applicable)	Application Date Time	Wind Speed	Direction	Temperature	Sky Conditions
Home	Lawn	about .5 acres	Tick and mosquitos		April 25, 2025 1:15:00 PM EDT	2 mph	NE	55	

PESTICIDES APPLIED

Formatted Text

[Add item](#)
[Delete](#)

1

Brand Name	EPA Reg #	Site as specified on label	Violation?	Formulation	RUP
Patrol					
	100-1066	Lawns	No	Liquid	False

APPLICATION RATE

Application Method (Equipment) Pressure Nozzle(s) Calibration Adequate Calibration Documented
Backpack N/A

Total Mix in Tank *Amount used if Part Tank Used Area Covered per Tank/Use

Quantity of Pesticide Formulation In Tank Formulation Applied Per Unit Area Or Volume Maximum Labeled Rate Per Unit Area or Per Volume

[Add item](#) [Delete](#)

1

Quantity			Violation?
	No items		
		No items	

PERSONAL PROTECTIVE EQUIPMENT

R=Required W=Worn

	Apply		Mix	
Long sleeve shirt	☐ R	☒ W	☐ R	☒ W
Long pants	☐ R	☒ W	☐ R	☒ W
Shoes/socks	☐ R	☒ W	☐ R	☒ W
Chemical resistant boots	☐ R	☒ W	☐ R	☒ W
Coveralls	☐ R	☐ W	☐ R	☐ W
Chemical resistant suit	☐ R	☐ W	☐ R	☐ W
Gloves, regular	☐ R	☐ W	☐ R	☐ W
Gloves, waterproof	☐ R	☐ W	☐ R	☐ W
Gloves, chemical resistant	☐ R	☒ W	☐ R	☒ W
Chemical resistant hat	☐ R	☐ W	☐ R	☐ W
Chemical resistant apron	☐ R	☐ W	☐ R	☐ W
Protective eyewear	☐ R	☐ W	☐ R	☐ W
Respirator	☐ R	☒ W	☐ R	☒ W
Enclosed cab	☐ Y	☐ N		
PPE in cab	☐ R	☐ W		

Other Items

OTHER COMPLIANCE ITEMS

Storage Area

☐ Violation

☐ No Violation Observed

Posting

☐ Violation

☐ No Violation Observed

Application Method

☐ Violation

☐ No Violation Observed

Mixing/Loading Area

☐ Violation

☐ No Violation Observed

Spray Interval

☐ Violation

☐ No Violation Observed

Rinsing/Disposal

☐ Violation

☐ No Violation Observed

Preharvest Interval

☐ Violation

☐ No Violation Observed

Off target drift

☐ Violation

☐ No Violation Observed

Other

☐ Violation

☐ No Violation Observed

Comments

RECORD DETAILS

Are records maintained for two years?

- ☐ Yes
- ☒ No

Reviewed by Inspector? If no, explain in comments.

- ☒ Yes
- ☐ No

Comments

Records were deleted when client canceled service. Records of application before and after were collected

Application Method

- ☒ Yes
- ☐ No

Size of treated area

- ☐ Yes
- ☒ No

Brand name of pesticide

- ☒ Yes
- ☐ No

Target pest

- ☒ Yes
- ☐ No

Active ingredient(s)

- ☒ Yes
- ☐ No

Site or crop treated

- ☒ Yes
- ☐ No

EPA registration #

- ☒ Yes
- ☐ No

Sensitive areas noted

- ☐ Yes
- ☐ No
- ☒ N/A

REI or Ventilation

- ☐ Yes
- ☒ No

Wind speed & direction

- ☒ Yes
- ☐ No
- ☐ N/A

Applicator name

- ☒ Yes
- ☐ No

Temperature

- ☒ Yes
- ☐ No
- ☐ N/A

Applicator license #

- ☒ Yes
- ☐ No
- ☐ N/A

Sky conditions

- ☐ Yes
- ☒ No
- ☐ N/A

Date of application

- ☒ Yes
- ☐ No

Total amount of RUP

- ☐ Yes

Time of application

- ☒ Yes
- ☐ No

- ☐ No
- ☒ N/A

Town of application

- ☒ Yes
- ☐ No

Application rate GUP

- ☒ Yes
- ☐ No

Site name or description

- ☒ Yes
- ☐ No

Sprayer calibration

- ☐ Yes
- ☒ No
- ☐ N/A

Comments

Did inspector take copy of records

- ☒ Yes
- ☐ No

Hazard Communication Standard

- ☐ Yes
- ☐ No

Comments

Worker Protection Standard?

No

Worker Protection Standard

Provide supporting details and documents.

Physical Samples Taken

Sample Number	Sample Description	Sample Type	Date of Submission	Result	Lab Location	Analysis Completion Date
No items						
Add Physical Sample						

Documentary Samples

Sample Number	Sample Description	
250430JEP01A	Payment history for 6 Harbor Ridge Road	Delete
250430JEP01B	Service report for service before application of concern at 12:10 pm	Delete
250430JEP01C	Service report for service after application of concern at 1:35 pm	Delete

Add Documentary Sample

Reportable Data

Number of Documentary Samples Collected
0

Supporting Documents

Loading...

(6)

Brief Summary of Inspection
This inspection was conducted using fillable pdf forms (attached). Data from fillable forms was transferred to PEGA format post-inspection in the office. Required signatures can be seen on the attached fillable forms.

Conducted non-agricultural follow-up use inspection with Orkin applicator Dennis Day on 4/30/2025. Service Manager Christopher Kent and applicator in training Tucker Warren were also present during the inspection. This inspection was completed as a follow-up to the complaint filed in EC-93856 received on 4/25/2025, alleging unauthorized application on 4 Harbor Ridge Road in Freeport. On a phone call conducted with the complainant, Cristina Post, on 4/29/2025, she said she came home and found the Orkin sign in front of her property. She had spoken to her neighbor at 6 Harbor Ridge Road, and they told her they were contracted with Orkin for tick and mosquito.

After confirming that there was an application that was supposed to be conducted at that time and date with Orkin at 6 Harbor Ridge Road, I showed a picture of each property to Mr. Day. He confirmed that he had made an application of Patrol EPA Reg. No. 100-1066 to 4 Harbor Ridge Road by mistake. He also had trainee Tucker Warren on site with him, but Warren did not participate in the application. There were no available records for this application and Mr. Day couldn't recall how much product had been applied to the property or the exact size of the treated area, therefore rate of application is unknown. Targets and techniques were consistent with the product label. Mr. Day said he knocked on the door when he arrived at the property but there was no answer, there was no electrical box number attached to this account nor any other methods of positive identification. The property had been serviced by Orkin in the past for structural pest control, but this was the first spay service.

Contracted client, Mitch Rouda, from 6 Harbor Ridge Road called Orkin on 4/28/2025 and canceled mosquito and tick services after being informed by neighbor of the unauthorized application. When this account was cancelled the service report was deleted from the system. Mr. Kent said there was nowhere else these service records were saved and no way to find the deleted record. This is a violation of Chapter 50, which requires records to be kept for at least two years. The only records available for this application were the billing information, can be seen in Sample 250430JEP01A. This record shows a charge to Rouda's account on 4/25/2025 and a refund issued on 4/28/2025 with a comment "his neighbor had lawn stake, looking for refund and also would like the mosquito removed off of the account." Application records for applications before and after 4 Harbor Ridge Road were collected to estimate weather conditions, can be seen in samples 250430JEP01B and 250430JEP01C, these records are missing size of treated area and sky conditions. Calibration of spray equipment was scheduled for before May but had not been completed before this application, Mr. Day said it was a brand-new sprayer.

Recommendations

Acknowledgement

Acknowledgement:

The physical and/or documentary samples listed above were collected by a Maine Board of Pesticides Control Representative in connection with administration of FIFRA and/or State of Maine Pesticide Statutes and Regulations.

EC-93858 – Photos of each property

4 Harbor Ridge Road- Property applied to



6 Harbor Ridge Road – Target property



RC-129844

 Maine Board of Pesticides Control 28 State House Station Augusta, ME 04333-0028 Tel: (207) 287-2731 Fax: (207) 287-7548 www.thinkfirstspraylast.org		NOTICE OF PESTICIDE USE RELATED INSPECTION & RECEIPT FOR SAMPLES	
Individual <u>Dennis Day</u> Title <u>Applicator</u>		Owner/Manager (If different) <u>Christopher Kent</u> Title <u>Service Manager</u>	
Company or Farm Name <u>Orkin</u>		Address <u>900 Riverside St</u> Phone <u>207 878 0042</u>	
Town <u>Portland</u> Zip <u>04103</u>		Signature of Pesticide Inspector <u>Jennie Poisson</u>	
Date <u>4/30/25</u> Appointment ☒ Unannounced ☐		Inspection # <u>250430JEP01</u>	
Time <u>8:00a</u> Response to Complaint ☒ Y ☐ N		Name of Pesticide Inspector (Please print) <u>Jennie Poisson</u>	
NOTICE OF INSPECTION & CONSENT TO INSPECTION ☒ Credentials presented			
This investigation is being conducted by a representative of the Maine Board of Pesticides Control for the purpose of inspecting sites where pesticides are being/have been used, to collect data on their use in order to determine whether pesticides are being/have been used in compliance with the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), and/or State of Maine Pesticide Statutes and Regulations.			
☐ Routine inspection ☒ Violation suspected (Describe) <u>Alleged application to Innocent and unauthorized property</u>			
The undersigned hereby voluntarily consents to an inspection of pesticide use related property, records and procedures, of which I am Owner, Agent or Person-In-Charge, for the purposes of gathering information and/or samples in connection with the administration and enforcement of FIFRA and State Pesticide Statutes and Regulations.			
Print Name <u>Dennis Day</u>		Signature <u>Dennis Day</u>	Date <u>4-30-25</u>
RECEIPT FOR SAMPLES (If applicable)			
Samples Collected Describe fully. List sample number, registration number and other positive identification.			
The following pesticide and/or environmental samples or other documentation were collected by a Maine Board of Pesticides Control Representative indicated below in connection with the administration and enforcement of FIFRA and/or State Pesticide Statutes and Regulations.			
<u>250430JEP01A - Payment history for Lott Harbor Ridge Rd</u> <u>250430JEP01B - Service Reports for Service before Concerned Application 12:10pm</u> <u>250430JEP01C - Service Reports for Service after Concerned Application 1:35 pm</u>			
☐ Duplicate samples provided ☐ Duplicate samples not requested		Samples were ☐ Purchased ☒ Received, no charge ☐ Borrowed	
Signature of inspector, samples collected <u>Jennie Poisson</u>		Amount paid for samples ☐ Cash ☐ Voucher ☐ To be billed	
Date <u>4/30/2025</u>		Signature of agent, samples acknowledged	
Date		Date	

Maine Board of Pesticides Control		PESTICIDE USE INSPECTION REPORT		Inspection # <u>250430JEP01</u>	
Company or Farm Name: <u>Orkin</u>		Person Interviewed: <u>Dennis Day</u>		Date: <u>4/30/2025</u>	
Type and size of operation:					Y ☐ N ☐ NA ☐ Do you have obsolete pesticides?
APPLICATOR, SUPERVISOR, LICENSING					
Licensing is: Correct ☐ Violation ☐ Not Required ☐					
Applicator	Name: <u>Dennis Day</u>	License (If any): <u>COA-8425</u>	Firm License (If any): <u>SCF-1636</u>		
Supervisor (When required)	Name: <u>Christopher Bent</u>	License: <u>CMA-6215</u>	Supervisor's Location: <u>Portland</u>		
APPLICATION SITE					
N Deg		Min		Sec	
W Deg		Min		Sec	
Field Name, Address or Description of Application Site, (If different than on Notice of Inspection): <u>4 Harbor Ridge Rd (Contracted)</u>			Owner Name & Address (If different than on Notice of Inspection): <u>Christina Post (Mitch Road)</u>		
Type of establishment treated (Farm, home, etc.): <u>Home</u>		Site treated (Crop, structure, vegetation, etc.): <u>Perimeter</u>		Size of area treated: <u>less than acre maybe 5</u>	
Target pest(s): <u>Tick + Mosquito</u>		Cropping stage (If applicable): <u>N/A</u>			
Application Date: <u>4/28/25</u>	Time: <u>1:15</u>	Wind Speed: <u>55 mph</u>	N/A ☐	Direction: <u>N/A</u>	N/A ☐
Temperature: <u>55</u>		N/A ☐		Sky Conditions: <u>N/A</u>	
PESTICIDES APPLIED					
a. Brand Name: <u>Patrol</u>	EPA Reg #: <u>100-1066</u>	Site as specified on label: <u>Lawns</u>	Violation? Y ☐ N ☒	Formulation: <u>liquid</u>	RUP ☐
b. Brand Name:	EPA Reg #:	Site as specified on label:	Y ☐ N ☐	Formulation:	RUP ☐
c. Brand Name:	EPA Reg #:	Site as specified on label:	Y ☐ N ☐	Formulation:	RUP ☐
APPLICATION RATE					
Application Method (Equipment): <u>Backpack</u>		Pressure: <u>N/A</u>	Nozzle(s): <u>N/A</u>	Calibration Adequate: Y ☒ N ☐ N/A ☐	Calibration Documented: Y ☐ N ☐ N/A ☐
Quantity of Pesticide Formulation In Tank	a. <u>Unknown</u>	Total Mix in Tank:	Area Covered per Tank/Use:	Formulation Applied Per Unit Area Or Volume:	a. <u>Unknown</u>
	b.				b.
	c.		*Amount used if Part Tank Used:		c.
PERSONAL PROTECTIVE EQUIPMENT R = Required W = Worn					
Apply ☒ Mix ☒ Long sleeve shirt ☒ Gloves, regular ☒ Long pants ☒ Gloves, waterproof ☒ Shoes/socks ☒ Gloves, chemical resistant ☒ Chemical resistant boots ☒ Chemical resistant hat ☒ Coveralls ☒ Chemical resistant apron ☒ Chemical resistant suit ☒		Apply ☒ Mix ☒ Protective eyewear ☒ Respirator ☒ Enclosed cab ☒ PPE in cab ☒		Apply ☒ Mix ☒ Violation? Y ☐ N ☒	
OTHER COMPLIANCE ITEMS NVO = No Violation Observed V = Violation					
Storage Area	NVO ☐ V ☐	Application Method	NVO ☐ V ☐	Spray Interval	NVO ☐ V ☐
Posting	NVO ☐ V ☐	Mixing/Loading Area	NVO ☐ V ☐	Rinsing/disposal	NVO ☐ V ☐
Other	NVO ☐ V ☐			Preharvest Interval	NVO ☐ V ☐
Off target drift NVO ☐ V ☐					
RECORDS DETAILS Are records maintained for two years? Y ☐ N ☒ Reviewed by Inspector? Y ☐ N ☒ If no, explain in comments.					
Application method	Y ☐ N ☒	Date of application	Y ☐ N ☒	Sensitive areas noted	Y ☐ N ☐ N/A ☐
Brand name of pesticide	Y ☐ N ☒	Time of application	Y ☐ N ☒	Wind speed & direction	Y ☐ N ☐ N/A ☐
Active ingredient(s)	Y ☐ N ☒	Town of application	Y ☐ N ☒	Temperature	Y ☐ N ☐ N/A ☐
EPA registration #	Y ☐ N ☒	Site name or description	Y ☐ N ☒	Sky conditions	Y ☐ N ☐ N/A ☐
REI or Ventilation	Y ☐ N ☒	Size of treated area	Y ☐ N ☒	Total amount of RUP	Y ☐ N ☐ N/A ☐
Applicator name	Y ☐ N ☒	Target pest	Y ☐ N ☒	Total or rate of GUP	Y ☐ N ☒
Applicator license #	NA ☐ Y ☐ N ☒	Site or crop treated	Y ☐ N ☒	Sprayer calibration	Y ☐ N ☐ N/A ☐
COMMENTS Did inspector take copy of records Y ☐ N ☒					
<u>A Contracted client canceled service right after Application and system deleted Application</u> <u>Trucker Warren + Chris Avoided Garden</u>					Hazard Communication Standard Y ☐ N ☒

Knocked on door in morning, plant by house and avoided
 go to door, knock Calibration not completed yet
 Check electrical number Chris says they do it before May 1st but it hadn't
 some have stickers been done yet Dennis said Brand new
 confirmed Application site 5/11/17, through images



SERVICE REPORT

CONTACT ORKIN:

(800) 649-9462
branch989@rollins.com
989-PORTLAND, ME
980 RIVERSIDE ST
PORTLAND, ME 04103-1046

CUSTOMER INFORMATION

Customer Since 2015

SERVICE ADDRESS

Name CHRIS GREEN
Address 69 LAMBERT Rd
Freeport, ME 04032-6008
Telephone (207) 831-2365
Email Address cgreen@mechanicalservices.com

BILLING ADDRESS

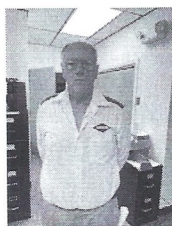
Name CHRIS GREEN
Address PMB 376 190 US ROUTE 1
FALMOUTH, ME 04105-1313
Telephone 2078312365
Account # 1928092

SERVICE INFORMATION

Date of Service 4/25/2025
Service Type Carpenter Ant - EOM 7
Service Event Type PC Standard
Time In 12:10 PM Time Out 12:26 PM
Temp 57 Wind Speed 3 MPH Wind Direction NE

INVOICE INFORMATION

Invoice / Service Report # 272647179
Today's Service \$ 134.00
Tax 0.00
Total Amount Due 134.00
Total Amount Collected 134.00
Payment Type Mastercard 9194
Automatic Payment
Card Exp: 05/2025



YOUR ORKIN PRO
DENNIS DAY
LICENSE # COA-8425



Summer is arriving, and pests are finding their mates. Our service helped protect your home from growing pest populations.

COMMENTS ABOUT TODAY'S SERVICE

Today I inspected the exterior of the home and detached garage or insect of rodent activity. Did a liquid barrier treatment around the exterior of the home and detached garage for ant, spiders, ladybugs, and occasional invaders.

WHAT I DID FOR TODAY'S SERVICE

Because it's Breeding season:

- Inspected to discover entry points that could allow rodents to enter.
- Administered a perimeter liquid insect barrier around your property.
- Treated the windows, doors, and eaves.

OPEN ACTIONS FROM PREVIOUS SERVICE

Observation	Recommendation	Date Entered
Moisture-Damaged Wood	Repair/ Replace	04/17/2024
Pest Type	Status	
Ants	Pending	
Zone Name	Responsibility	
	Customer	
Observation	Recommendation	Date Entered
Insufficient Moisture Control	Evaluation - Moisture	12/07/2022
Pest Type	Status	
	Pending	
Zone Name	Responsibility	
	Customer	

PRODUCT DETAILS

For additional information, a copy of the Label and/or SDS may be requested from your local branch or from [http:// www.orkin.com](http://www.orkin.com).

Product Name PATROL	Quantity 1.5 GALLON(S)	Active Ingredient LAMBDA-CYHALOTHRIN, 9.7%	Target Pests Ants, Spiders
Formulation Liquid	EPA # 100-1066	Application Method Exterior Application	Location Foundation, Exterior - Window, Exterior - Structure Perimeter, Exterior - Detached Garage, Eaves, Doorways
Application Rate 0.4 fl oz per gal water (0.03% dilution) per 1000 sq ft	Lot Number	Application Equipment Compressed Sprayer	

NATIONAL POISON CONTROL CENTER: 1-800-222-1222

POST-TREATMENT GUIDELINES

- Treated Area(s) - Do not allow unprotected person(s), children, or pets to touch, enter or replace items or bedding, to contact or enter treated area(s) until dry.
- Ventilation/Reoccupying - Vacate and keep area(s) closed up to 30 minutes after treatment, then ventilate area(s) well for up to 2 hours before reoccupying.
- Equipment/Processing/Food - Thoroughly wash dishes, utensils, food preparation/processing equipment and surfaces with an effective cleaning compound and rinse with clean water if not removed or covered during treatment. This area should be odor free before food products are placed in the area.
- Exterior Applications (baits) - Do not allow grazing of feed, lawn or sod clippings to livestock after bait applications.
- Granular Application(s) - Do not water to the point of run off.

DDG

Orkin Pro Signature

Customer Not Available to Sign

Customer's Signature



SERVICE REPORT

2504303EPOIC pg 1 of 2

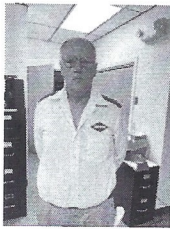
CONTACT ORKIN:
(800) 849-9462
branch989@rollins.com
989-PORTLAND, ME
960 RIVERSIDE ST
PORTLAND, ME 04103-1046

CUSTOMER INFORMATION

Customer Since 2015

SERVICE ADDRESS

Name STORY LANDIS
Address 18 HIGHVIEW Rd
Freeport, ME 04032-6204
Telephone (207) 869-5393
Email Address story.landis@gmail.com
Account # 25106954



YOUR ORKIN PRO
DENNIS DAY
LICENSE # COA-8425

SERVICE INFORMATION

Date of Service 4/25/2025
Service Type Carpenter Ant - EOM 7
Service Event Type PC Standard
Time In 1:35 PM Time Out 2:17 PM
Temp 55 Wind Speed 1 MPH Wind Direction NE

INVOICE INFORMATION

Invoice / Service Report # 272647180
Balance (133.00)
Today's Service \$ 133.00
Tax 0.00
Total Amount Collected 0.00



Summer is arriving, and pests are finding their mates. Our service helped protect your home from growing pest populations.

COMMENTS ABOUT TODAY'S SERVICE

Today we inspected the kitchen treated for ants with ant gel and tarot pro strips. Inspected the upstairs bathrooms replaced any monitors as needed. Inspected the basement. Replace multiple glue boards due to insects. Inspected the garage glue boards replaced all of them due to insects or leaves. Inspected the exterior of the home for insect or rodent activity. Did a liquid barrier treatment to the exterior foundation, doorways windows, eaves for ant, spiders, and occasional invaders.

WHAT I DID FOR TODAY'S SERVICE

Because it's Breeding season:

- Performed an inspection of all areas.
- Inspected to discover entry points that could allow rodents to enter.
- Inspected for pest activity and treated in the basement as necessary.
- Checked kitchen for any pest activity and treated as needed.
- Administered a perimeter liquid insect barrier around your property.
- Treated the windows, doors, and eaves.
- Inspected and replaced pest monitors as necessary.

PRODUCT DETAILS

For additional information, a copy of the Label and/or SDS may be requested from your local branch or from <http://www.orkin.com>.

Product Name	Quantity	Active Ingredient	Target Pests
ADVION ANT GEL	1 GRAM(S)	INDOXACARB, .05%	Ants
Formulation	EPA #	Application Method	Location
Gel	100-1498	Bait Placement	Kitchen
Application Rate	Lot Number	Application Equipment	
Light Infestation - apply .1 -1 g spots		Bait Applicator	

Product Name	Quantity	Active Ingredient	Target Pests
Glue Board Mouse	6		Occasional Invaders
Formulation	EPA #	Application Method	Location
	N/A	Placement	Garage, Basement Level
Application Rate	Lot Number	Application Equipment	
As Needed		No Equipment used	

Product Name Glue Boards- Rat (30/Case)	Quantity 4	Active Ingredient	Target Pests Occasional Invaders
Formulation	EPA # N/A	Application Method Placement	Location Garage, Basement Level
Application Rate As Needed	Lot Number	Application Equipment No Equipment used	
Product Name PATROL	Quantity 2 GALLON(S)	Active Ingredient LAMBDA-CYHALOTHRIN, 9.7%	Target Pests Ants, Spiders
Formulation Liquid	EPA # 100-1066	Application Method Exterior Application	Location Foundation, Exterior - Window, Exterior - Structure Perimeter, Eaves, Doorways
Application Rate 0.4 fl oz per gal water (0.03% dilution) per 1000 sq ft	Lot Number	Application Equipment Compressed Sprayer	
Product Name TERRO-PCO LIQUID ANT BAIT	Quantity 6 OUNCE(S)	Active Ingredient SODIUM TETRABORATE DECAHYDRATE, 5.4%	Target Pests Ants
Formulation Liquid	EPA # 149-8-ZI	Application Method Bait Placement	Location Kitchen
Application Rate As Needed	Lot Number	Application Equipment No Equipment used	

NATIONAL POISON CONTROL CENTER: 1-800-222-1222

POST-TREATMENT GUIDELINES

- Treated Area(s) - Do not allow unprotected person(s), children, or pets to touch, enter or replace items or bedding, to contact or enter treated area(s) until dry.
- Ventilation/Reoccupying - Vacate and keep area(s) closed up to 30 minutes after treatment, then ventilate area(s) well for up to 2 hours before reoccupying.
- Equipment/Processing/Food - Thoroughly wash dishes, utensils, food preparation/processing equipment and surfaces with an effective cleaning compound and rinse with clean water if not removed or covered during treatment. This area should be odor free before food products are placed in the area.
- Exterior Applications (baits) - Do not allow grazing of feed, lawn or sod clippings to livestock after bait applications.
- Granular Application(s) - Do not water to the point of run off.



Orkin Pro Signature

Customer Not Available to Sign

Customer's Signature

- Dashboard
- My Work
- Reports
- Configuration
- Renewal Emails

Dashboard

 EC-102856

Inquiry / Complaint (EC-102856)

- Complaint
- Overview
- Caller
- Inspections
- Enforcements
- Audit

Action Taken	Comments
Inspection Required	
Finalized / Resolved ☐	Resolution Details

Complaint Details

EC-102856

Company / Agency Name

ORKIN EXTERMINATING CO INC

Complaint Details

Email received 6/25/2025. Caller returned home and find a pesticide application placard on their property. Caller does not contract for any services from the company.

Call Date/Time	Complaint Physical Location
	Address Line
Estimated Date of Incident	Address Line 2
Jun 25, 2025	
Urgency Level	City
Medium	Falmouth
Topic	Directions
Unauthorized Application	
Site	
Unknown	
Application Method	
Unknown	

- Recent
- Inquiry / Complaint EC-102856
- Inquiry / Complaint EC-105857
- Inquiry / Complaint EC-100856
- Inspection RC-138816
- Inspection RC-142818

Pesticide Use Inspection Report

Inspected Company/Agency

Company/Agency Name
ORKIN EXTERMINATING CO INC

Address Line
960 RIVERSIDE ST

Email

Type and size of operation:
Commercial pest control company

sample text

Company/Agency Type
FH

City
PORTLAND

Contact First Name
John

Do you have obsolete pesticides?
No

sample text

Category

Primary Phone

Contact Last Name
Tessier

APPLICATOR, SUPERVISOR, LICENSING

no value

Licensing is:

☒ Correct

○ Violation

☐ Not Required

Applicator

Name

Kaleb Kimmelman

License (If any)

COA-9640

Firm License (If any)

SCF-1636

Supervisor (When required)

Name

Christopher Kent

License (If any)

CMA-6215

Location

Portland

APPLICATION SITE

Latitude

Longitude

Field Name, Address or Description of Application Site (If different than on Notice of Inspection)

Field Name	Description	Address Line 1	City	State	Postal Code
	no value	124 Brook Road	Falmouth	ME	no value

Owner Name & Address (If different than on Notice of Inspection)

Owner Name	Address Line 1	City	State	Postal Code
			ME	no value

Type of establishment treated (Farm, home, etc.)	Site treated (Crop, structure, vegetation, etc.)	Size of area treated	Target pest(s)	Cropping stage (If applicable)	Application Date Time	Wind Speed	Direction	Temperature	Sky Conditions
Home	Structure	1000 sq. ft.	Wasps		June 25, 2025 1:45:00 PM EDT	5 mph	SE	80	

PESTICIDES APPLIED

Formatted Text

no value

[Add item](#)
[Delete](#)

1

Brand Name	EPA Reg #	Site as specified on label	Violation?	Formulation	RUP
Patrol	100-1066	Structures	No	Liquid	False

APPLICATION RATE

Application Method (Equipment) Pressure Nozzle(s) Calibration Adequate Calibration Documented
Compressed sprayer N/A Y Y

Total Mix in Tank *Amount used if Part Tank Used Area Covered per Tank/Use
1 gallon

Quantity of Pesticide Formulation In Tank Formulation Applied Per Unit Area Or Volume Maximum Labeled Rate Per Unit Area or Per Volume

[Add item](#)
[Delete](#)
[Add item](#)
[Delete](#)
[Add item](#)
[Delete](#)

1

Quantity	Violation?
.8 fl. oz.	
1	
.8 fl. oz./1000 sq. ft.	
1	
.8 fl. oz./1000 sq. ft.	No

PERSONAL PROTECTIVE EQUIPMENT

R=Required W=Worn

	Apply		Mix	
Long sleeve shirt	☐ R	☒ W	☐ R	☒ W
Long pants	☐ R	☒ W	☐ R	☒ W
Shoes/socks	☐ R	☒ W	☐ R	☒ W
Chemical resistant boots	☐ R	☐ W	☐ R	☐ W
Coveralls	☐ R	☐ W	☐ R	☐ W
Chemical resistant suit	☐ R	☐ W	☐ R	☐ W
Gloves, regular	☐ R	☐ W	☐ R	☐ W
Gloves, waterproof	☐ R	☐ W	☐ R	☐ W
Gloves, chemical resistant	☐ R	☒ W	☐ R	☒ W
Chemical resistant hat	☐ R	☐ W	☐ R	☐ W
Chemical resistant apron	☐ R	☐ W	☐ R	☐ W
Protective eyewear	☐ R	☒ W	☐ R	☒ W
Respirator	☐ R	☒ W	☐ R	☒ W
Enclosed cab	☐ Y	☐ N		
PPE in cab	☐ R	☐ W		

Other Items
no value

OTHER COMPLIANCE ITEMS

no value

Storage Area
☐ Violation
☐ No Violation Observed

no value

Posting
☐ Violation
☐ No Violation Observed

no value

Application Method
☐ Violation
☐ No Violation Observed

no value

Mixing/Loading Area
☐ Violation
☐ No Violation Observed

no value

Spray Interval
☐ Violation
☐ No Violation Observed

no value

Rinsing/Disposal
☐ Violation
☐ No Violation Observed

no value

Preharvest Interval
☐ Violation
☐ No Violation Observed

no value

Off target drift
☐ Violation
☐ No Violation Observed

no value

Other
☐ Violation
☐ No Violation Observed

Comments
no value

RECORD DETAILS

no value

Are records maintained for two years?

- ☒ Yes
- ☐ No

no value

Reviewed by Inspector? If no, explain in comments.

- ☒ Yes
- ☐ No

Comments

Compliance assistance provided for record keeping

no value

Application Method

- ☒ Yes
- ☐ No

no value

Brand name of pesticide

- ☒ Yes
- ☐ No

no value

Active ingredient(s)

- ☒ Yes
- ☐ No

no value

EPA registration #

- ☒ Yes
- ☐ No

no value

REI or Ventilation

- ☒ Yes
- ☐ No

no value

Applicator name

- ☒ Yes
- ☐ No

no value

Applicator license #

- ☒ Yes
- ☐ No
- ☐ N/A

no value

no value

Size of treated area

- ☐ Yes
- ☒ No

no value

Target pest

- ☒ Yes
- ☐ No

no value

Site or crop treated

- ☒ Yes
- ☐ No

no value

Sensitive areas noted

- ☐ Yes
- ☐ No
- ☒ N/A

no value

Wind speed & direction

- ☒ Yes
- ☐ No
- ☐ N/A

no value

Temperature

- ☒ Yes
- ☐ No
- ☐ N/A

no value

Sky conditions

- ☐ Yes
- ☒ No

Date of application

- ☒ Yes
- ☐ No

no value

Time of application

- ☒ Yes
- ☐ No

no value

Town of application

- ☒ Yes
- ☐ No

no value

Site name or description

- ☒ Yes
- ☐ No

Comments

no value

Did inspector take copy of records

- ☒ Yes
- ☐ No

no value

Hazard Communication Standard

- ☒ Yes
- ☐ No

Comments

no value

Worker Protection Standard?

No

Worker Protection Standard

no value

Provide supporting details and documents.

Physical Samples Taken

Sample Number	Sample Description	Sample Type	Date of Submission	Result	Lab Location	Analysis Completion Date
No items						
Add Physical Sample						

Documentary Samples

- ☐ N/A

no value

Total amount of RUP

- ☐ Yes
- ☐ No
- ☒ N/A

no value

Application rate GUP

- ☒ Yes
- ☐ No

no value

Sprayer calibration

- ☒ Yes
- ☐ No
- ☐ N/A

Sample Number	Sample Description	
250703JEP01A	Service Records for 124 Brook Road in Portland on 6/25/2025	Delete
250703JEP01B	Copy of label for Patrol EPA Reg. No. 100-1066	Delete
Add Documentary Sample		

Reportable Data

Number of Documentary Samples Collected
1

Supporting Documents

Loading... (4)

Brief Summary of Inspection
This inspection was conducted using fillable pdf forms (attached). Data from fillable forms was transferred to PEGA format post-inspection in the office. Required signatures can be seen on the attached fillable forms.

Jennie conducted a non-agricultural follow-up use inspection with Orkin applicator Kaleb Kimmelman and Service Manager Christopher Kent on 7/3/2025. This inspection was completed as a follow-up to the complaint filed in EC-102856 received on 6/25/2025, alleging unauthorized application on 124 Brook Road in Falmouth. Complainant George Heywood came home to 124 Brook Road #1 in Falmouth on 6/25/2025 and saw an Orkin application placard in his yard, he did not hire Orkin and said he confirmed with his neighbor in apartment #2 and they also did not hire Orkin.

In a call with Christopher Kent on 7/1/2025, he found in their records they had a client at 124 Brook Road in Portland that was applied to on that day we scheduled an inspection with him and the applicator for 7/3/2025. The applicator Kaleb Kimmelman readily admitted his mistake during the inspection. He said he had looked at both properties on Google Maps before this inspection and remembered applying to the property in Falmouth. When he got to the property he knocked on the door and called the Portland client 3 times with no answer. He saw wasps' nests that he thought were the ones that he was hired to take care of and applied to them. I showed a picture of the property in Falmouth at the inspection, and he again confirmed that he applied there instead of the Portland property. He said he just hit the first address that came up on his phone without confirming the town and would be sure to be more careful in the future. There was no electrical box number attached to this account nor any other methods of positive identification. During this inspection, Kent said he was ordering Orkin stickers to start placing on all Orkin client properties for future application site positive identification. He was given a copy of Ch. 20 Special Provisions to review for positive identification of proper treatment site requirements.

Records for the application were collected. On 6/25/2025, Kaleb Kimmelman made an application of Patrol EPA Reg. No. 100-1066 to wasp nest and along the eves of 124 Brook Road in Falmouth. Compliance assistance was provided for some missing information in records. Results of this inspection show that application rates, targets, and techniques were consistent with product labels.

Recommendations
Unauthorized application and no positive property identification methods in place.

Acknowledgement

Acknowledgement:

The physical and/or documentary samples listed above were collected by a Maine Board of Pesticides Control Representative in connection with administration of FIFRA and/or State of Maine Pesticide Statutes and Regulations.

[Accept](#) [Clear](#)

Documentary Sample No. 250703JEP01

Photo of 124 Brook Road in Falmouth and Portland

124 Brook Road in Falmouth



124 Brook Road in Portland





Maine
Board of Pesticides Control
28 State House Station
Augusta, ME 04333-0028
Tel: (207) 287-2731
Fax: (207) 287-7548
www.thinkfirstspraylast.org

NOTICE OF PESTICIDE USE RELATED INSPECTION & RECEIPT FOR SAMPLES

Date 7/13/25

Appointment ☒
Unannounced ☐

Time 2:00 p

Response to Complaint ☒ Y ☐ N

Inspection # 250703JEP01

Name of Pesticide Inspector (Please print)

Jennie Poisson

Individual

Kaleb Kimmelman

Title

Applicator

Owner/Manager
(If different)

Christopher Kent

Title

Service Manager

Company or
Farm Name

Orkin

Address

960 Riverside St

Phone

2078780042

Town

Portland

Zip

04103

Signature of Pesticide Inspector

Jennie Poisson

☒ Credentials presented

NOTICE OF INSPECTION & CONSENT TO INSPECTION

This investigation is being conducted by a representative of the Maine Board of Pesticides Control for the purpose of inspecting sites where pesticides are being/have been used, to collect data on their use in order to determine whether pesticides are being/have been used in compliance with the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), and/or State of Maine Pesticide Statutes and Regulations.

- ☐ Routine inspection
☒ Violation suspected (Describe)

The undersigned hereby voluntarily consents to an inspection of pesticide use related property, records and procedures, of which I am Owner, Agent or Person-In-Charge, for the purposes of gathering information and/or samples in connection with the administration and enforcement of FIFRA and State Pesticide Statutes and Regulations.

Print Name

→ Kaleb Kimmelman

Signature

→ Kaleb Kimmelman

Date

→ 7/13/25

RECEIPT FOR SAMPLES (If applicable)

Samples Collected Describe fully. List sample number, registration number and other positive identification.

The following pesticide and/or environmental samples or other documentation were collected by a Maine Board of Pesticides Control Representative indicated below in connection with the administration and enforcement of FIFRA and/or State Pesticide Statutes and Regulations.

250703JEP01A - Service records for 124 Brook rd in Portland
on 6/25/2025
250703JEP01B - Label for Patrol epa reg. no. 100-10666

- ☐ Duplicate samples provided
☐ Duplicate samples not requested

Samples were
☐ Purchased ☐ Received, no charge ☐ Borrowed

Amount paid for samples
☐ Cash ☐ Voucher ☐ To be billed

Signature of inspector, samples collected

Jennie Poisson

Date

7/13/25

Signature of agent, samples acknowledged

Kaleb Kimmelman

Date

7/13/25

Maine Board of Pesticides Control		PESTICIDE USE INSPECTION REPORT		Inspection # 250703JEPGI	
Company or Farm Name: Orkin			Person Interviewed: Kaleb Kimmelman		Date: 7/13/25
Type and size of operation: Commercial Pest Control Company					Y ☐ N ☒ NA ☐ Do you have obsolete pesticides?
APPLICATOR, SUPERVISOR, LICENSING			Licensing is: Correct ☐ Violation ☐ Not Required ☐		
Applicator	Name: Kaleb Kimmelman	License (If any): COA-9640	Firm License (If any): SCF -1636		
Supervisor (When required)	Name: Christopher Kent	License: CMA-6215	Supervisor's Location: Portland		
APPLICATION SITE		N Deg	Min	Sec	W Deg Min Sec
Field Name, Address or Description of Application Site (If different than on Notice of Inspection): 124 Brook Rd Falmouth		Owner Name & Address (If different than on Notice of Inspection):			
Type of establishment treated (Farm, home, etc): Home	Site treated (Crop, structure, vegetation, etc.): Structure	Size of area treated: 1000sqft	Target pest(s): Wasps nest	Cropping stage (If applicable): N/A	
Application Date: 6/25/25	Time: 1:45	Wind Speed: 5 mph	N/A ☐	Direction: SE	N/A ☐
				Temperature: 80°	N/A ☐
				Sky Conditions:	N/A ☒
PESTICIDES APPLIED					
a. Brand Name: Patrol	EPA Reg #: 100-10666	Site as specified on label: Structures	Violation? Y ☐ N ☒	Formulation: Liquid	RUP ☐
b. Brand Name:	EPA Reg #:	Site as specified on label:	Y ☐ N ☐	Formulation:	RUP ☐
c. Brand Name:	EPA Reg #:	Site as specified on label:	Y ☐ N ☐	Formulation:	RUP ☐
APPLICATION RATE					
Application Method (Equipment): Compressed Sprayer		Pressure: N/A ☐	Nozzle(s): N/A ☐	Calibration Adequate: Y ☒ N ☐ N/A ☐	Calibration Documented: Y ☒ N ☐ N/A ☐
Quantity of Pesticide Formulation In Tank	a. 8 fl oz	Total Mix in Tank	Area Covered per Tank/Use	Formulation Applied Per Unit Area Or Volume	a. 8 fl oz / 1000sqft
	b.				b.
	c.	1 gal	*Amount used if Part Tank Used		c.
PERSONAL PROTECTIVE EQUIPMENT R = Required W = Worn					
Apply ☐ Mix ☒ Long sleeve shirt ☐ ☒ Gloves, regular ☐ ☒ Long pants ☐ ☒ Gloves, waterproof ☐ ☒ Shoes/socks ☐ ☒ Gloves, chemical resistant ☐ ☒ Chemical resistant boots ☐ ☒ Chemical resistant hat ☐ ☒ Coveralls ☐ ☒ Chemical resistant apron ☐ ☒ Chemical resistant suit ☐ ☒		Apply ☐ Mix ☒ Protective eyewear ☐ ☒ Respirator ☐ ☒ Enclosed cab ☐ ☒ PPE in cab ☐ ☒		Apply ☐ Mix ☒ Violation? Y ☐ N ☒	
OTHER COMPLIANCE ITEMS NVO = No Violation Observed V = Violation					
Storage Area	NVO ☐ V ☐	Application Method	NVO ☐ V ☐	Spray Interval	NVO ☐ V ☐
Posting	NVO ☐ V ☐	Mixing/Loading Area	NVO ☐ V ☐	Rinsing/disposal	NVO ☐ V ☐
Other	NVO ☐ V ☐			Preharvest Interval	NVO ☐ V ☐
RECORDS DETAILS Are records maintained for two years? Y ☒ N ☐ Reviewed by Inspector? Y ☒ N ☐ If no, explain in comments.					
Application method	Y ☒ N ☐	Date of application	Y ☒ N ☐	Sensitive areas noted	Y ☐ N ☐ N/A ☒
Brand name of pesticide	Y ☒ N ☐	Time of application	Y ☒ N ☐	Wind speed & direction	Y ☒ N ☐ N/A ☐
Active ingredient(s)	Y ☒ N ☐	Town of application	Y ☒ N ☐	Temperature	Y ☒ N ☐ N/A ☐
EPA registration #	Y ☒ N ☐	Site name or description	Y ☒ N ☐	Sky conditions	Y ☐ N ☒ N/A ☐
REI or Ventilation	Y ☒ N ☐	Size of treated area	Y ☒ N ☐	Total amount of RUP	Y ☒ N ☐ N/A ☐
Applicator name	Y ☒ N ☐	Target pest	Y ☒ N ☐	Total or rate of GUP	Y ☒ N ☐
Applicator license #	NA ☐ Y ☒ N ☐	Site or crop treated	Y ☒ N ☐	Sprayer calibration	Y ☒ N ☐ N/A ☐
COMMENTS Did inspector take copy of records Y ☒ N ☐					
Knocked on door, called 3 times Portland customer no answer check weather app and surroundings Admitt					Hazard Communication Standard Y ☒ N ☐
Pesticide Inspector's Signature: Jennifer Borron			Date: 7/13/2025		

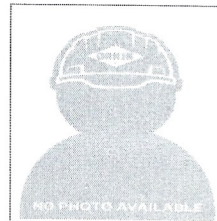


Service Report

Pest Control

Contact Orkin

(800) 649-9462
branch989@rollins.com
989-PORTLAND, ME
960 RIVERSIDE ST
PORTLAND, ME 04103-1046



Customer Information

Customer Since 2019

Service Address

Name	AVERY WHITE
Address	124 BROOK RD , PORTLAND, ME 04103-6104
Phone	2074001733
Email	whiteavery@gmail.com
Account #	33163905



Service Information

Orkin Pro	Kaleb Kimmelman , LICENSE #:
Supervisor	Christopher Kent
Service Date	06/25/2025
Service Type	Carpenter Ant - EOM 7
Service Event Type	Callback
Time In	1:45 PM
Time Out	2:01 PM



Key Findings During Service & What I Did Today

Today I removed wash nest from the eve as well as did a eve treatment to prevent wasp from nesting there for any further. Thank you for choosing Orkin and have a great day.
Treated the windows, doors, and eaves.

**Product Details**Product labels are available at <http://label.orkin.com>

Product Name	Quantity	Active Ingredient	Target Pests
PATROL	1 GALLON(S)	LAMBDA-CYHALOTHRIN, 9.7%	Wasps
Formulation	EPA #	Application Method	Location
Liquid	100-1066	Exterior Application	Eves
Application Rate	Lot Number	Application Equipment	
0.8 fl oz per gal water (0.06% dilution) per 1000 sq ft		Compressed Sprayer	

NATIONAL POISON CONTROL CENTER: 1-800-222-1222

Temperature	Wind Speed	Wind Direction
80	5 MPH	SE

**Post-Treatment Guidelines**

- **Treated Area(s)** - Do not allow unprotected person(s), children, or pets to touch, enter or replace items or bedding, to contact or enter treated area(s) until dry.
- **Ventilation/Reoccupying** - Vacate and keep area(s) closed up to 30 minutes after treatment, then ventilate area(s) well for up to 2 hours before reoccupying.
- **Equipment/Processing/Food** - Thoroughly wash dishes, utensils, food preparation/processing equipment and surfaces with an effective cleaning compound and rinse with clean water if not removed or covered during treatment. This area should be odor free before food products are placed in the area.
- **Exterior Applications (baits)** - Do not allow grazing of feed, lawn or sod clippings to livestock after bait applications.
- **Granular Application(s)** - Do not water to the point of run off.

**Invoice Information**

Invoice / Service Report #	286141468
Today's Service	No Charge
Product / Service Purchased	\$ 0.00
Payment Type	Automatic Payment Card Exp: 10/2027
Billing Address	124 BROOK RD PORTLAND, ME 04103-6104

For additional account details, please log into www.orkin.com/my-account

Remit To:

Orkin 989-PORTLAND, ME

P O BOX 740847

CINCINNATI, OH 45274-0847

Customer Not Available to Sign

Orkin Pro Signature

Customer's Signature

SUMMARY: These provisions regulate the use, storage and disposal of pesticides with specific emphasis on registered pesticides, right of way and aquatic applications and employer/employee requirements.

Section 1. Registered Pesticides

A. Definitions

“Perfluoroalkyl and Polyfluoroalkyl Substances” or “PFAS” means substances that include any member of the class of fluorinated organic chemicals containing at least one fully fluorinated carbon atom.

- B.** The use of any pesticide not registered by the Maine Board of Pesticides Control in accordance with Title 7 M.R.S.A. §601 is prohibited except as otherwise provided in this chapter or by FIFRA, Section 2(ee).
- C.** The use of registered pesticides for other than registered uses, or at greater than registered dosages, or at more frequent than registered intervals is prohibited, provided that application or use of unregistered pesticides and unregistered applications or uses of registered pesticides may be made for experimental purposes if in accordance with requirements of the Maine Board of Pesticides Control, and the U.S. Environmental Protection Agency.
- D.** Retailers and end users of pesticides no longer registered in Maine may continue to sell and use those items provided they were properly registered when obtained and such distribution and use is not prohibited by FIFRA or other Federal law.
- E.** In conducting review of registration or re-registration pursuant to 7 M.R.S.A. §607-A, the Board may consider the potential for environmental damage by the pesticide through direct application on or off-target or by reason of drift. If the Board finds that the use of the pesticide is anticipated to result in significant adverse impacts on the environment, whether on or off-target, which cannot be avoided or adequately mitigated, registration or re-registration will not be granted unless the Board finds that anticipated benefits of registration clearly outweigh the risks. In any case where the Board may request data in connection with registration or re-registration of any pesticide, such data may include that concerning pesticide residues, propensity for drift and testing therefor. Such data, if requested, shall provide information regarding residues and residue effects on plant tissues, soil and water and other potential deposition sites, and shall take into consideration differences in plants, soils, climatic conditions at the time of application and application techniques.

- F. In conducting review of registration or reregistration pursuant to 7 M.R.S.A §607-A, the Board shall require submission of the confidential statement of formula as defined in 7 M.R.S.A. §607 (5-A) and the following affidavits:
1. a completed and signed form provided by the Board at the time of application for product registration review or reregistration which attests that the pesticide has or has never been stored, distributed, or packaged in a fluorinated container; and
 2. a completed and signed form provided by the Board at the time of application for product registration review or reregistration which attests that the pesticide formulation does or does not contain perfluoroalkyl or polyfluoroalkyl substances as defined by the Board for this purpose of this section.

Section 2. Right-of-Way

Deciduous growth over six feet in height and evergreen growth over three feet in height shall not be sprayed with a herbicide within the right-of-way of any public way except that deciduous growth which has been cut to the ground and which has grown more than six feet during the growing season following the cutting, may be sprayed that following season. In addition, chemical pruning of single limbs of trees over the prescribed heights may be performed.

Section 3. Pesticide Storage and Disposal

- A. Unused pesticides, whether in sealed or open containers, must be kept in a secure enclosure and otherwise maintained so as to prevent unauthorized use, mishandling or loss; and so as to prevent contamination of the environment and risk to public health.
- B. Obsolete, expired, illegal, physically or chemically altered or unusable pesticides, except household pesticide products, shall be either:
1. stored in a secure, safe place under conditions that will prevent deterioration of containers or any contamination of the environment or risk to public health, or
 2. returned to the manufacturer or formulator for recycling, destruction, or disposal as appropriate, or
 3. disposed of in a licensed hazardous waste facility or other approved disposal site that meets or exceeds all current requirements of the Maine Department of Environmental Protection and the U.S. Environmental Protection Agency for facilities receiving such waste.

Section 4. Aquatic Applications

No person, firm, corporation or other legal entity shall, for the purpose of controlling aquatic pests, apply any pesticide to or in any waters of the state as defined in 38 M.R.S.A. §361-A(7) without approval of the Maine Department of Environmental Protection.

Section 5. Employer/Employee Requirements

- A. Any person applying pesticide shall instruct their employees and those working under their direction about the hazards involved in the handling of pesticides to be employed as set forth on the pesticide label and shall instruct such persons as to the proper steps to be taken to avoid such hazards.
- B. Any person applying pesticides shall provide and maintain, for the protection of their employees and persons working under their direction, the necessary safety equipment as set forth on the label of the pesticide to be used.

Section 6. Authorization for Pesticide Applications

- A. Authorization to apply pesticides to private property is not required when a pesticide application is made by or on behalf of the holder of an easement or right of way, for the purposes of establishing or maintaining such easement or right of way.
- B. When the Maine Center for Disease Control and Prevention (CDC) has identified that an organism is a vector of human disease and the vector and disease are present in an area, a government entity shall obtain authorization for ground-based applications by:
 - 1. Sending a written notice to the person(s) owning property or using residential rental, commercial or institutional buildings within the intended target site at least three days but not more than 60 days before the commencement of the intended spray applications. For absentee property owners who are difficult to locate, mailing of the notice to the address listed in the Town tax record shall be considered sufficient notice; and
 - 2. Implementing an “opt out” option whereby residents and property owners may request that their property be excluded from the application by submitting written notice to the government entity at least 24 hours before spraying is scheduled to commence. Authorization is considered given for any property for which written notice was submitted and no “opt out” request was received by the sponsoring government entity.
- C. When the Maine Center for Disease Control and Prevention (CDC) recommends control of disease vectors, government entities are not required to receive prior authorization to apply pesticides to private property, provided that the government entity sponsoring the vector control program:
 - 1. Provides advance notice to residents about vector control programs using multiple forms of publicity which may include, but is not limited to, signs, newspaper, television or radio notices, direct mailings, electronic communication or other effective methods; and
 - 2. Implements an “opt out” option whereby residents and property owners may request that their property be excluded from any ground based control program and the government entity makes a reasonable effort to honor such requests; and

3. If aerial applications are made, takes affirmative steps, to the extent feasible, to avoid applications to exclusion areas as identified by Board policy.
- D. **General Provisions.** For any pesticide application not described in Chapter 20.6(A),(B) or (C), the following provision apply:
1. No person may contract with, or otherwise engage, a pesticide applicator to make any pesticide application to property unless that person is the owner, manager, or legal occupant of the property to which the pesticide is to be applied, or that person has the authorization of the owner, manager or legal occupant to enter into an agreement for pesticide applications to be made to that property. The term “legal occupant” includes tenants of rented property.
 2. No person may apply a pesticide to a property of another unless prior authorization for the pesticide application has been obtained from the owner, manager or legal occupant of that property. The term “legal occupant” includes tenants of rented property.
 3. No commercial applicator may perform ongoing, periodic non-agricultural pesticide applications to a property unless:
 - i. there is a signed, written agreement with the property owner, manager or legal occupant that explicitly states that such pesticide applications shall continue until a termination date specified in the agreement, unless sooner terminated by the applicator or property owner, manager or legal occupant; or
 - ii. the commercial applicator utilizes another system of verifiable authorization approved by the Board that provides substantially equivalent assurance that the customer is aware of the services to be provided and the terms of the agreement.

Section 7. Positive Identification of Proper Treatment Site

- A. Commercial applicators making outdoor treatments to residential properties must implement a system, based on Board approved methods, to positively identify the property of their customers. After December 31, 2023, the master applicator responsible for the supervision of certified and noncertified applicators at each branch location must ensure that all applicators under their supervision are trained, annually, on positive identification of proper treatment sites. This master applicator must maintain records of the method of positive identification of proper treatment sites as adopted by the branch location. Appropriate positive identification methods that must be employed include at least one of the following:
1. Obtain the customer’s electric meter number in advance of the treatment, list it on the work order or invoice, and require the applicator to check for that number before initiating the treatment.

2. Visit the customer in advance of the treatment, and using a global positioning system (GPS), identify the coordinates of each property to be treated. Include the coordinates on the work order or invoice, equip the applicator with a GPS unit, and require that employee to check for those coordinates before initiating any treatment.
 3. Visit the customer in advance of the treatment and take a digital time/date stamped photo of the home and any distinctive features of the property. Include the photo on the work order or invoice and require the applicator to carefully check the photo before initiating any treatment.
 4. Visit the customer in advance of the treatment and attach a company logo or other unique identifying tag on the property. Include the location of the logo/tag on the work order or invoice and require the applicator to carefully check for its presence before initiating any treatment.
 5. Any methods that were submitted in writing to the Board prior to March 1, 2024. Any methods submitted after this date may be subject to approval by staff.
- B. Violations of Chapter 20, Section 7 is grounds for the suspension of certification or licensure under 22 M.R.S.A §1471-D(7).
1. For a first violation the applicators license/certification may be suspended;
 2. For a second violation under the same master applicator and within the same company within a 5-year period the applicator's and master's licensure/certification may be suspended; and
 3. For a third violation violation under the same master applicator and within the same company within a five-year period the applicator's, master's, and firm's licensure/certification may be suspended.

Penalties may also be imposed pursuant to 7 M.R.S.A. § 616-A (2) for violations of Chapter 20, Section 7 in addition to any suspensions imposed under Chapter 20, Section 7 (B)(1), (2) or (3). Nothing in this subsection may be construed as prohibiting the Board from seeking license or certification revocation pursuant to 22 M.R.S.A. §§ 1471-D(6) and 1471-J where the Board determines revocation is warranted under the circumstances.

STATUTORY AUTHORITY:

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December 12, 2012 – emergency filing expires, chapter reverts to January 1, 2008 version

September 13, 2012 – Section 6(E) and references added, filing 2012-270 (Emergency – expires in 90 days unless proposed and adopted in the meantime as non-emergency)

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