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

**August 21, 2026**

**9:00 AM Board Meeting**

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

**Microsoft Teams meeting**
**Join: https://teams.microsoft.com/meet/25019295399962?p=QQZxGr2SY1R56IhimJ**
**Meeting ID: 250 192 953 999 62**
**Passcode: uA9DM2tn**

**Dial in by phone**
**+1 207-209-4724,,88902077# United States, Portland**
**Find a local number**
**Phone conference ID: 889 020 77#**

## AGENDA

1. Introductions of Board and Staff

2. Stakeholder Input Gathering Session Regarding L.D. 1323, Resolve, Directing the Board of Pesticides Control to Evaluate the Impact of Neonicotinoids on Pollinators, Humans, and the Environment

   Section 2 of L.D. 1323 requires that the Board seek stakeholder input regarding the seven research topics outlined in Section 1 of the resolve. Stakeholders may provide input to the Board in person in Room 101, Deering Building, 90 Blossom Lane, Augusta, or at the Maine Potato Board conference room located at 744 Main St., Suite #1 in Presque Isle. Anyone interested in providing comment in Presque Isle, please check in with Pesticide Inspector Jacob Richard upon arrival.

   Presentation by: Alexander Peacock, Director
   Action Needed: None, Informational

3. Minutes of July 10, 2026 Board Meetings

Presentation By: Alexander Peacock, Director
Action Needed: Amend and/or Adopt

4. Consideration of proposed administrative consent agreement with David Ayaya

This proposed administrative consent agreement deals with the unauthorized application of an unregistered pesticide, Sniper 1000EC DDVP, active ingredient: dichlorvos, an organophosphate, to the interior of a tenant's apartment.

Presentations By: Jose Gayoso, Manager of Compliance
Action Needed: Approve/Disapprove

5. Enforcement Case Pre-Review for Orkin Exterminating Co. Inc. of Portland

In accordance with BPC enforcement protocol, this information is being brought to the Board's attention, identifying repeat violations of unauthorized pesticide applications and failure to have a positive property identification system in place occurring under the supervision of the same Certified Master Applicator. Pursuant to Chapter 20: Special Provisions, the Board has several enforcement options for repeat violations of unauthorized pesticide applications.

Presentation By: Jose Gayoso, Manager of Compliance
Action Needed: Discussion, Enforcement Guidance

6. Other Old and New Business

a. Variance Permit for CMR01-026, American Forest Management, Inc.

b. Variance Permit for CMR01-026, Arbor Armor, NE Harbor.

7. Schedule of Future Meetings

The next scheduled Board meeting date is October 2, 2026, at the Deering Building, Room 101, Augusta

Future Meetings: November 13, 2026, and December 18, 2026

Adjustments and/or Additional Dates?

8. 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.

2

APPROVED
JUNE 12, 2025
BY GOVERNOR

CHAPTER
69
RESOLVES

**STATE OF MAINE**

---

**IN THE YEAR OF OUR LORD**

**TWO THOUSAND TWENTY-FIVE**

---

**H.P. 858 - L.D. 1323**

# Resolve, Directing the Board of Pesticides Control to Evaluate the Impact of Neonicotinoids on Pollinators, Humans and the Environment

**Sec. 1. Board of Pesticides Control to study neonicotinoids. Resolved:** That the Department of Agriculture, Conservation and Forestry, Board of Pesticides Control, referred to in this resolve as "the board," shall study:

1. The impacts of neonicotinoids, including neonicotinoid-treated seeds, on pollinators;

2. The costs and benefits of neonicotinoid-treated seeds compared to untreated seeds, including the market availability of neonicotinoid-treated seeds compared to untreated seeds;

3. The impact of neonicotinoids on the environment, including, but not limited to, soil, water and plant tissues;

4. The toxicity of neonicotinoids to humans;

5. Alternatives to neonicotinoid seed treatments for the protection of crops from damaging pests and disease;

6. The toxicity of effective alternatives to neonicotinoids and neonicotinoid-treated seeds that may be used for the protection of crops from damaging pests and disease; and

7. Methods of application of alternatives to neonicotinoids and neonicotinoid-treated seeds and the required number of applications for effectiveness.

In conducting the study under this section, the board shall give special consideration to effects on potato crops and corn crops.

**Sec. 2. Request for information. Resolved:** That the board shall solicit feedback regarding ideas and insights on the topic of the study, pursuant to section 1, from the public, stakeholders and interested parties through either a public hearing or a request for information document.

**Sec. 3. Reports. Resolved:** That the board shall submit a preliminary report to the Joint Standing Committee on Agriculture, Conservation and Forestry no later than January 15, 2026 and shall submit a final report with findings and recommendations relating to the

subject matter of the study under section 1 to the joint standing committee of the Legislature having jurisdiction over agricultural matters no later than January 15, 2027. The joint standing committee may submit a bill to the 133rd Legislature in 2027 relating to the subject matter of the final report.

**Sec. 4. Appropriations and allocations. Resolved:** That the following appropriations and allocations are made.

**AGRICULTURE, CONSERVATION AND FORESTRY, DEPARTMENT OF**

**Pesticides Control - Board of 0287**

Initiative: Provides funding for contractual services to research the effects of neonicotinoids.

| **OTHER SPECIAL REVENUE FUNDS** | **2025-26** | **2026-27** |
|---|---|---|
| All Other | $156,500 | $0 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $156,500 | $0 |

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

**July 10, 2026**

**9:00 AM Board Meeting**

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

**Microsoft Teams Meeting**
**Join: https://teams.microsoft.com/meet/276753929830876?p=8oKN8SBRc5PoJif8qT**
**Meeting ID: 276 753 929 830 876**
**Passcode: Qj3Qk2mY**

**Dial in by phone**
**+1 207-209-4724,,679137039# United States, Portland**
**Find a local number**
**Phone conference ID: 679 137 039#**

## MINUTES

1. Introductions of Board and Staff

   - Board Members: Bohlen, Adams, Carlton, Fanning, Gray
   - Staff Members: Boyd, Gayoso, Gustanski, Johnston-Fennell, Leibowitz, Richard, Steinman, Vacchiano, Van Hoewyk

2. Stakeholder Input Gathering Session Regarding L.D. 1323, Resolve, Directing the Board of Pesticides Control to Evaluate the Impact of Neonicotinoids on pollinators, Humans, and the Environment

   A provision in section 2 of L.D. 1323 requires that the Board seek stakeholder input regarding the seven research topics outlined in Section 1 of the resolve. This is the first of two planned stakeholder input gathering sessions.

   Presentation by: Alexander Peacock, Director

Action Needed: None, Informational

Recording:

https://stateofmaine-my.sharepoint.com/:v:/r/personal/alexander_r_peacock_maine_gov/Documents/Recordings/BPC%20Board%20Meeting,%20July%2010,%202026-20260710_090826-Meeting%20Recording.mp4?d=wa37d778ec5744995a0fd172041100e00&csf=1&web=1&e=mXuV6l&nav=eyJyZWZlcnJhbEluZm8iOnsicmVmZXJyYWxBcHAiOiJTdHJlYW1XZWJBcHAiLCJyZWZlcnJhbFZpZXciOiJTaGFyZURpYWxvZy1MaW5rIiwicmVmZXJyYWxBcHBQbGF0Zm9ybSI6IldlYiIsInJlZmVycmFsTW9kZSI6InZpZXcifX0%3D

3. Minutes of June 5, 2026, Board Meetings

Presentation By: Alexander Peacock, Director
Action Needed: Amend and/or Adopt

**Bohlen/Carlton: Moved and seconded to adopt June 5, 2026, meeting minutes**
**In favor: Unanimous**

4. Consideration of proposed policy framework for 25(b) Citronella Candle Registration and soft claims

The BPC pesticide registrar seeks to establish a standardized regulatory policy to improve the review and registration process for citronella candles that qualify for an exemption from FIFRA under Section 25(b).

Presentations By: Julia Vacchiano, Pesticide Registrar & Water Quality Specialist
Action Needed: Discussion, Approve/Disapprove

- Vacchiano brought to the Board's attention the current registration process for citronella candles, some of which fall under FIFRA 25(b). The EPA does not require registration of 25(b) products, but Maine requires 25(b) registration and requires minimum-risk products that claim to mitigate public health pests (mosquitoes, ticks, and bed bugs) to meet efficacy standards set by the Association of American Pesticide Control Officials (AAPCO.)
- Vacchiano stated that currently, any company that sells citronella candles must provide evidence that their candle meets these standards, even if the candle label makes no claims to be a repellent.
- Vacchiano proposed a policy where citronella candles are still required to be registered as 25(b) products, but do not need to meet efficacy standards if they are not making any explicit pesticidal claims.
- Vacchiano's proposed policy defines a soft claim, like the colloquial understanding of how citronella candles are used, and exempts products with no claims or only soft claims from efficacy requirements.
- Adams said he didn't have a problem with the proposed policy, but that most people associate citronella candles with mosquito repellent

- Vacchiano agreed and explained how that association is the soft claim.
- Bohlen asked what the EPA's standard was for registering citronella candles.
- Vacchiano said that candles with more than 3% citronella could be considered pesticides and registered.
- Fanning asked for clarification on the efficacy standard requirements.
- Vacchiano explained that topical pesticides need to have a 90% efficacy rate, and spatial pesticides need a 75% efficacy rate.

**Carlton/ Gray: Moved and seconded to accept proposed policy**
**In Favor: Unanimous**

5. Overview of Board member composition and establishment

An overview of the composition of the Board as outlined in M.R.S. Title 22 §1471-B. Board of Pesticides Control, current Board member vacancies, and upcoming term expirations.

Presentation By: Alexander Peacock, Director
Action Needed: None, Informational

- Peacock informed the Board that it is possible the Governor will seek to fill the empty and expired seats of boards and commissions before the end of the administration.
- Peacock explained the make-up of the Board and the restrictions around who can be a part of it.
- Carlton asked if there were any chances of seats being filled this year.
- Peacock said indications leaned towards yes and that if there was any interest in applying, now would be the time.

6. Other Old and New Business

a. Variance Permit for CMR01-026, Damariscotta Mills Consulting, Inc.

b. Municipal Ordinance, Belgrade, ME

c. Press release regarding rulemaking adoption for Chapter 40: Restricted and Limited Use Pesticides

- Peacock updated the Board on the status of the rulemaking adoption to restrict certain rodenticides. Businesses have been contacted, and products should have been taken off the shelf by now. Emails are continuing to be sent, and inspection staff are visiting stores to ensure compliance. If an inspector finds a product that needs to be removed, they issue a notice of warning. If, when they return a couple of weeks later, the product is still being sold, they will pursue further actions.
- Boyd pointed out that the list of products affected by this change is on the front page of the BPCs website.

7. Schedule of Future Meetings

The next scheduled Board meeting date is August 21, 2026, at the Deering Building, Room 101, Augusta

Future Meetings: October 2, 2026, November 13, 2026, and December 18, 2026

Adjustments and/or Additional Dates?

8. Adjourn
**Carlton/Fanning: Moved and seconded to adjourn at 9:54 am**
**In favor: Unanimous**

**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.

**STATE OF MAINE**
**DEPARTMENT OF AGRICULTURE, CONSERVATION AND FORESTRY**
**BOARD OF PESTICIDES CONTROL**

| | | |
|---|---|---|
| In the Matter of:<br>David Ayaya<br>85 Penn Avenue<br>Portland, Maine 04103 | )<br>)<br>)<br>) | ADMINISTRATIVE CONSENT AGREEMENT<br>AND<br>FINDINGS OF FACT |

This Agreement by and between David Ayaya (hereinafter referred to as the "Landlord") and the State of Maine Board of Pesticides Control (hereinafter referred to as the "Board"), as approved by the Office of the Attorney General ("OAG"), is entered into pursuant to 22 M.R.S. § 1471-M(2)(D), and in accordance with the Enforcement Protocol, as amended by the Board on December 13, 2013.

The parties to this Agreement agree as follows:

1. That the Landlord manages an apartment building located at 57 Edgecomb Road in Lisbon Falls, Maine.

2. That on August 11, 2025, a tenant of the building described in Paragraph 1 contacted the Board and voiced concerns upon viewing home camera footage of the Landlord entering her apartment and spraying an unknown substance along the juncture of the floor and baseboard. The tenant called her landlord, who stated he was spraying for cockroaches because the contracted pest control company had cancelled the scheduled service. The Landlord subsequently sent smartphone screenshots depicting 2 insecticides that he applied in the caller's residence, which included Sniper 1000EC DDVP (no EPA Reg. No.) and Eliminator Ant, Roach and Spider Killer, EPA Reg. No. 11623-46-59144.

3. That as a result of the complaint described in Paragraph 2, and based on a review of the Sniper 1000 EC DDVP label, the Board's Director and Toxicologist promptly called the complainant and advised that occupants both apartments vacate the apartments until the apartments could be professionally cleaned and properly ventilated.

4. That in response to the complaint described in Paragraph 2, on August 12, 2025, a Board inspector met with the complainant to obtain specific details about her observations, to collect site information and documentation of the pesticide applications and products used.

5. That on August 13, 2025, a Board inspector conducted a follow-up inspection with the Landlord, David Ayaya.

6. That during the course of the inspection described in Paragraph 5, the inspector ascertained that the Landlord applied the Sniper 1000EC DDVP undiluted using a 1-quart plastic hand spray bottle to the baseboards in the kitchen and laundry areas at both apartments in the

building. The Landlord further stated that he also applied Eliminator Ant, Roach and Spider Killer, EPA Reg. No. 11623-46-59144 to baseboard areas in both apartments.

7. That during the course of the inspection described in Paragraph 5, the inspector ascertained that the Landlord had purchased the Sniper 1000 EC DDVP in the Bronx, New York, from a company doing business as Adon Distribution, Inc.

8. That review of the available information relating to the Sniper 1000 EC DDVP revealed that:
   a) The product is not registered by the United States Environmental Protection Agency;
   b) The labeling information found on the product container possessed by the Landlord states that the product was manufactured in China and distributed by a company from Nigeria.
   c) The labeling information found on the product container possessed by the Landlord states, "A contact and fumigant acting insecticide for control of a wide range of insect pests in grain storage warehouses as well as rapid knockdown of insect pest in field and vegetable crops."
   d) The labeling information found on the product container possessed by the Landlord bears a skull and crossbones graphic.
   e) The labeling information found on the product container possessed by the Landlord states the product contains 1000 grams of DDVP per liter, which is equal to 100 percent active ingredient.

9. That Board regulation, 01-026, ch. 20, Section 1(B) states that, "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)."

10. That Sniper 1000 EC DDVP that the Landlord acknowledged applying to the complainant's apartment was not registered by the Board.

11. That the circumstances described in Paragraphs 1 through 10 constitutes a violation of 01-026, ch. 20, Section 1(B).

12. That 7 U.S.C. § 136j(a)(2)(G) and 7 M.R.S. § 606(2)(B) prohibit the use or supervision of such use of a pesticide inconsistent with its label.

13. That the label for Sniper 1000 EC DDVP only allows the product to be used for insect pests in grain storage warehouses as well as rapid knockdown of insect pests in field and vegetable crops.

14. That the Landlord applied the Sniper 1000 EC DDVP inside an occupied residence to the juncture of the floors and the baseboards.

15. That Sniper 1000 EC DDVP does not allow for any residential uses.

16. That the circumstances described in Paragraphs 12 through 15 constitute violations of 7 U.S.C. § 136j(a)(2)(G) and 7 M.R.S. § 606(2)(B).

17. That 01-026, ch. 10, Section 2(P)(2)(b) defines "property open to use by the public" to include occupied apartments.

18. That 22 M.R.S. § 1471-C(5-A) defines a pesticide application to "property open to use by the public" as a "custom application."

19. That 22 M.R.S. § 1471-C(5) defines a person who uses general-use pesticides in a "custom application" as a "commercial applicator."

20. That 22 M.R.S. § 1471-D(1)(A) states that "No commercial applicator may use or supervise the use of any pesticide within the State without prior certification from the board, provided that a competent person who is not certified may use such a pesticide under the direct supervision of a certified applicator."

21. That the Landlord was not certified by the Board prior to pesticide applications described in Paragraph 6; nor was the Landlord using pesticides under the direct supervision of certified applicator.

22. That the circumstances described in Paragraphs 17 through 21 constitute a violation of 22 M.R.S. § 1471-D (1) (A).

23. That the active ingredient of Sniper 1000 EC DDVP, dichlorvos, is classified by the United States Environmental Protection Agency as an organophosphate insecticide.

24. That Sniper 1000 EC DDVP has a concentration of 100 percent active ingredient dichlorvos.

25. That the Landlord applied Sniper 1000 EC DDVP undiluted to the juncture of the floors and the baseboards in both apartments in the building located at 57 Edgecomb Road in Lisbon Falls, Maine.

26. That the United States Environmental Protection Agency prohibits the use of all organophosphates in residential spaces except for uses relating to directly treating pets and for use as a slow-release solid strips in unoccupied spaces.

27. That the circumstances described in Paragraphs 23 through 26 demonstrate that the Landlord used or supervised the use of pesticides applied in a careless, negligent or faulty manner or in a manner which is potentially harmful to the public health.

28. That, as of the dates of the conduct described herein, "[a] person may not violate [Title 7, part 2, chapter 103, subchapter 2-A] or a rule adopted pursuant to [Title 7, part 2, chapter 103, subchapter 2-A] or Title 22, chapter 258-A or a rule adopted pursuant to Title 22, chapter 258-A." 7 M.R.S. § 616-A(2)(A) (2025), *amended by* P.L. 2025, ch. 292, § 1 (effective Sep. 24, 2025).

29. That, as of the dates of the conduct described herein, violation of the Board's statutes or rules was subject to a fine of not more than $1,500 per violation. 7 M.R.S. § 616-A(2)(A)(1)

(2025), *amended by* P.L. 2025, ch. 292, § 1 (effective Sep. 24, 2025).

30. That the Landlord expressly waives:

    A. Notice of or opportunity for hearing;

    B. Any and all further procedural steps before the Board; and

    C. The making of any further findings of fact before the Board.

31. That this Agreement shall not become effective unless and until the Board accepts it.

32. That in consideration for the release by the Board of the cause of action which the Board has against the Landlord resulting from the violations referred to in Paragraphs 11, 16 and 22, the Landlord agrees to pay a penalty to the State of Maine in the sum of $3,000.00 (Please make checks payable to Treasurer, State of Maine.)

33. The Board and OAG grant a release of their causes of actions against the Landlord for the specific violations cited in the immediately preceding paragraph (Paragraph 32) on the express condition that all actions listed in Paragraph 32 of this Agreement are completed in accordance with the express terms and conditions of this Agreement and to the satisfaction of the Board and the OAG. The release shall not become effective until the Landlord has completed its obligations pursuant to Paragraph 32.

34. Any non-compliance with any term or condition of this Agreement, as determined by the Board and OAG in their sole discretion, voids the release set forth in Paragraph 33 of this Agreement and may lead to an enforcement, suspension/revocation, equitable, and/or civil violation action pursuant to Titles 7 and 22 of the Maine Revised Statutes, as well as the pursuit of other remedies, including those pursuant to 14 M.R.S. § 3138.

35. By signing and executing this Agreement, the Landlord knowingly, voluntarily, intentionally, permanently, and irrevocably waives any and all defenses related to the enforcement of this Agreement, including the enforcement of this Agreement as a final administrative order and a money judgment pursuant to 14 M.R.S. § 3138, and expressly agrees that it will not assert:

    a) Any claim or defense that the Landlord's obligations under this Agreement are illegal, invalid, or otherwise unenforceable;

    b) Any claim or defense pertaining to any payment obligation;

    c) Any claim or defense pertaining to the timing and efficacy of notice and/or process regarding this Agreement and the Board's enforcement of the terms of this Agreement; and/or

    d) Any other circumstance which might otherwise constitute a defense available to, or a discharge of any obligation of, the Landlord with respect to this Agreement.

36. Nothing in this Agreement shall be construed to be a relinquishment of the Board's or OAG's powers under Titles 7 and 22 of the Maine Revised Statutes against the Landlord for any other violations other than those expressly listed in this Agreement.

37. This instrument contains the entire agreement between the parties, and no statements, promises, or inducements made by either party or agent of either party that are not contained in this written contract shall be valid or binding; this contract may not be enlarged, modified, or altered except in writing signed by the parties and indorsed on this Agreement.

38. The provisions of this Agreement shall apply to, and be binding on, the parties and their officers, agents, servants, employees, successors, and assigns, and upon those persons in active concert or participation with them who receive actual notice of this Agreement.

IN WITNESS WHEREOF, the parties have executed this Agreement of 5 pages.

DAVID AYAYA

By: David ayaya Date: 08/08/2026

Type or Print Name: David ayaya

BOARD OF PESTICIDES CONTROL

By: _____ Date: _____
Alexander Peacock, Director

APPROVED:
By: _____ Date: _____
Carey Gustanski, Assistant Attorney General

**Dear Members of the Maine Board of Pesticides Control,**

My name is **David Ayaya**, and I am writing to sincerely apologize for my actions regarding the use of **Sniper 1000EC DDVP** in a tenant's apartment.

First and foremost, I want to express my deepest regret for this incident. My intention was never to harm my tenants or put anyone's health or safety at risk. At the time, I was dealing with a significant cockroach and insect problem in my apartment building and was trying to address it as quickly as possible. I purchased the product from a store, and I genuinely did not know that it was not approved for residential use in Maine or that using it in that manner violated state and federal regulations.

As soon as I learned about the seriousness of the situation, I accepted responsibility for my actions. I fully cooperated with the Maine Board of Pesticides Control and followed the recommendations provided. I hired a professional cleaning company, and with the guidance of the State Toxicologist and the Board, I ensured that the apartment was thoroughly cleaned and properly ventilated before anyone was allowed to return. I am grateful that no one was injured or became ill as a result of this incident.

This experience has been a difficult lesson for me. I now understand the importance of following pesticide laws and using only approved products in accordance with their labels. I take full responsibility for my mistake and have taken steps to ensure that nothing like this will ever happen again.

I respectfully ask for your understanding and forgiveness. I deeply regret my actions and the concern they caused. Thank you for considering my apology and for giving me the opportunity to resolve this matter.

Thank you for your time and consideration.

Respectfully,

**David Ayaya**

# 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

# Inquiry / Complaint (EC-93858)



**Action Taken**
Inspection Required

Finalized / Resolved ☐

**Comments**
—

**Resolution Details**
—

## Complaint Details

**EC-93858**

**Company / Agency Name**
ORKIN EXTERMINATING CO INC

**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.

**Call Date/Time**
—

**Estimated Date of Incident**
Apr 25, 2025

**Urgency Level**
High

**Topic**
Unauthorized Application

**Site**
Biting Fly/Ticks

**Application Method**
Powered Backpack

**Complaint Physical Location**

**Address Line**
—

**Address Line 2**
—

**City**
Freeport

**Directions**
—

# Pesticide Use Inspection Report

Inspected Company/Agency
sample text

sample text

Company/Agency Name
ORKIN EXTERMINATING CO INC

Company/Agency Type
FH

Category

Address Line
960 RIVERSIDE ST

City
PORTLAND

Primary Phone

Email

Contact First Name
John

Contact Last Name
Tessier

Type and size of operation:

Do you have obsolete pesticides?
No

## APPLICATOR, SUPERVISOR, LICENSING

Licensing is:
- (●) Correct
- ( ) Violation
- ( ) Not Required

**Applicator**

Name
Dennis Day

License (If any)
COA-8425

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 |
|---|---|---|---|---|---|
| | | 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

| | Brand Name | EPA Reg # | Site as specified on label | Violation? | Formulation | RUP |
|---|---|---|---|---|---|---|
| 1 | 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**

Add item Delete

| | Quantity |
|---|---|
| 1 | |

**Formulation Applied Per Unit Area Or Volume**

Add item Delete

| | |
|---|---|
| No items | |

**Maximum Labeled Rate Per Unit Area or Per Volume**

Add item Delete

| | | Violation? |
|---|---|---|
| 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

Brand name of pesticide

- ● Yes
- ○ No

Active ingredient(s)

- ● Yes
- ○ No

EPA registration #

- ● Yes
- ○ No

REI or Ventilation

- ○ Yes
- ● No

Applicator name

- ● Yes
- ○ No

Applicator license #

- ● Yes
- ○ No
- ○ N/A

Date of application

- ● Yes
- ○ No

Size of treated area

- ○ Yes
- ● No

Target pest

- ● Yes
- ○ No

Site or crop treated

- ● Yes
- ○ No

Sensitive areas noted

- ○ Yes
- ○ No
- ● N/A

Wind speed & direction

- ● Yes
- ○ No
- ○ N/A

Temperature

- ● Yes
- ○ No
- ○ N/A

Sky conditions

- ○ Yes
- ● No
- ○ N/A

Total amount of RUP

- ○ Yes

Time of application
- (●) Yes
- ( ) No

Town of application
- (●) Yes
- ( ) No

Site name or description
- (●) Yes
- ( ) No

- ( ) No
- (●) N/A

Application rate GUP
- (●) 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

(6)

Loading...

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.

Accept Clear

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: Dennis Day — Title: Applicator
Owner/Manager (If different): Christopher Trent — Title: Service Manager
Company or Farm Name: Orkin
Address: 900 Riverside St — Phone: 2078780042
Town: Portland — Zip: 04103

Date: 4/30/25 — Appointment ◉ Unannounced ○
Time: 8:00a — Response to Complaint ◉ Y ○ N
Inspection #: 250430JEP01

Name of Pesticide Inspector (Please print): Jennie Poisson
Signature of Pesticide Inspector: Jennie Poisson

## 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) Alleged application to incorrect and unauthorized property

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 | Signature | Date |
|---|---|---|
| ⇒ Dennis Day | ⇒ Dennis Day | ⇒ 4-30-25 |

## 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.

250430JEP01A - Payment history for 6 Harbor Ridge Rd
250430JEP01B - Service Reports for Service before Concerned Application 12:10pm
250430JEP01C - Service Reports for Service after Concerned Application 1:35 pm

☐ 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 | Date | Signature of agent, samples acknowledged | Date |
|---|---|---|---|
| Jennie Poisson | 4/30/2025 | | |

**Maine Board of Pesticides Control**

# PESTICIDE USE INSPECTION REPORT

Inspection # 25B430JEP01

Company or Farm Name: Orkin

Person Interviewed: Dennis Day

Date: 4/30/2025

Type and size of operation:

Do you have obsolete pesticides? Y ☐ N ☐ NA ☐

## APPLICATOR, SUPERVISOR, LICENSING

Licensing is: Correct ☐ Violation ☐ Not Required ☐

| | Name | License (If any) | Firm License (If any) |
|---|---|---|---|
| Applicator | Dennis Day | COA-8425 | SCF - 1636 |
| Supervisor (When required) | Christopher Bent | CMA-6215 | 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): 4 Harbor Ridge Rd (Contracted Le Harbor Ridge)

Owner Name & Address (If different than on Notice of Inspection): Freeport Christina Post (Mitch Roade)

| Type of establishment treated (Farm, home, etc) | Site treated (Crop, structure, vegetation, etc.) | Size of area treated | Target pest(s) | Cropping stage (If applicable) |
|---|---|---|---|---|
| Home | Perimeter | Less than acre maybe 5 | Tick + Mosqito | N/A |

| Application Date | Time | Wind Speed | Direction | Temperature | Sky Conditions |
|---|---|---|---|---|---|
| 4/28/25 | 1:15 | ~55 2 mph ☐ N/A | ~2 mph ☐ N/A | ~55 ☐ N/A | ☐ N/A |

## PESTICIDES APPLIED

| | EPA Reg # | Site as specified on label | Violation? | Formulation | |
|---|---|---|---|---|---|
| a. Brand Name: Patrol | 100-1066 | Lawns | Y ☐ N ☑ | 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) | Pressure | Nozzle(s) | Calibration Adequate | Calibration Documented |
|---|---|---|---|---|
| Backpack | N/A ☐ | N/A ☐ | Y ☑ N ☐ N/A ☐ | Y ☐ N ☐ N/A ☐ |

| Quantity of Pesticide Formulation In Tank | Total Mix in Tank | Area Covered per Tank/Use *Amount used if Part Tank Used | Formulation Applied Per Unit Area Or Volume | Maximum Labeled Rate Per Unit Area or Per Volume | Violation? |
|---|---|---|---|---|---|
| a. Unknown | | | a. Unknown | a. Unknown | Y ☐ N ☐ |
| b. | | | b. | b. | Y ☐ N ☐ |
| c. | _____ | | c. | c. | Y ☐ N ☐ |

## PERSONAL PROTECTIVE EQUIPMENT

R = Required W = Worn

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

## OTHER COMPLIANCE ITEMS

NVO = No Violation Observed V = Violation

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| Storage Area | NVO ☐ V ☐ | Application Method | NVO ☐ V ☐ | Spray Interval | NVO ☐ V ☐ | Preharvest Interval | NVO ☐ V ☐ |
| Posting | NVO ☐ V ☐ | Mixing/Loading Area | NVO ☐ V ☐ | Rinsing/disposal | NVO ☐ V ☐ | Off target drift | NVO ☐ V ☐ |
| Other | 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 ☐

Contracted Client canceled service right after Application and system detected Application Avoided Garden

Ivcker Warren + Chris

Hazard Communication Standard Y ☐ N ☐

Pesticide Inspector's Signature Date

Knocked on door no answer in corner and flowering plant by house and Avoided

Confirmed Application site throughout

go to door, Knock Calibration not completed yet May 1st but if hadn't

Check electrical number Chris says they do it before been done yet Dennis said Brand new sprayer

some have stickers

no electric

250430JEP01B pg1 of 2

# SERVICE REPORT

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

## CUSTOMER INFORMATION

*Customer Since 2015*

SERVICE ADDRESS

| | |
|---|---|
| **Name** | CHRIS GREEN |
| **Address** | 69 LAMBERT Rd<br>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<br>FALMOUTH, ME 04105-1313 |
| **Telephone** | 2078312365 |
| **Account #** | 1928092 |

## SERVICE INFORMATION

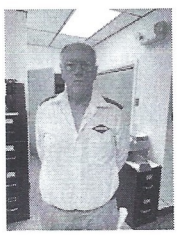
| | |
|---|---|
| **Date of Service** | 4/25/2025 |
| **Service Type** | Carpenter Ant - EOM 7 |
| **Service Event Type** | PC Standard |

**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<br>Automatic Payment<br>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.

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

DDy

Orkin Pro Signature

Customer Not Available to Sign

Customer's Signature

250430JEP01C pg 1 of 2

# SERVICE REPORT

**CONTACT ORKIN:**
(800) 649-9462
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<br>Freeport, ME 04032-6204 |
| **Telephone** | (207) 869-5393 |
| **Email Address** | story.landis@gmail.com |
| **Account #** | 25106954 |

## SERVICE INFORMATION

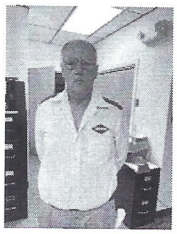
| | |
|---|---|
| **Date of Service** | 4/25/2025 |
| **Service Type** | Carpenter Ant - EOM 7 |
| **Service Event Type** | PC Standard |

**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 |



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 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 #** | **ApplicationMethod** | **Location** |
| Gel | 100-1498 | Bait Placement | Kitchen |
| **Application Rate** | **Lot Number** | **Application Equipment** | |
| Light Infestation - apply .1 -1 g spots or app. 1/4 in spot | | Bait Applicator | |

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

| Product Name | Quantity | Active Ingredient | Target Pests |
|---|---|---|---|
| Glue Boards- Rat (30/Case) | 4 | | Occasional Invaders |
| **Formulation** | **EPA #** | **ApplicationMethod** | **Location** |
| | N/A | Placement | Garage, Basement Level |
| **Application Rate** | **Lot Number** | **Application Equipment** | |
| As Needed | | No Equipment used | |

| Product Name | Quantity | Active Ingredient | Target Pests |
|---|---|---|---|
| PATROL | 2 GALLON(S) | LAMBDA-CYHALOTHRIN, 9.7% | Ants, Spiders |
| **Formulation** | **EPA #** | **ApplicationMethod** | **Location** |
| Liquid | 100-1066 | Exterior Application | Foundation, Exterior - Window, Exterior - Structure Perimeter, Eaves, Doorways |
| **Application Rate** | **Lot Number** | **Application Equipment** | |
| 0.4 fl oz per gal water (0.03% dilution) per 1000 sq ft | | Compressed Sprayer | |

| Product Name | Quantity | Active Ingredient | Target Pests |
|---|---|---|---|
| TERRO-PCO LIQUID ANT BAIT | 6 OUNCE(S) | SODIUM TETRABORATE DECAHYDRATE, 5.4% | Ants |
| **Formulation** | **EPA #** | **ApplicationMethod** | **Location** |
| Liquid | 149-8-ZI | Bait Placement | Kitchen |
| **Application Rate** | **Lot Number** | **Application Equipment** | |
| As Needed | | 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

# Inquiry / Complaint (EC-102856)



**Action Taken**
Inspection Required

Finalized / Resolved ☐

**Comments**
—

**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**
—

**Estimated Date of Incident**
Jun 25, 2025

**Urgency Level**
Medium

**Topic**
Unauthorized Application

**Site**
Unknown

**Application Method**
Unknown

**Complaint Physical Location**

**Address Line**
—

**Address Line 2**
—

**City**
Falmouth

**Directions**
—

# Pesticide Use Inspection Report

| | | |
|---|---|---|
| Inspected Company/Agency | sample text | sample text |
| Company/Agency Name<br>ORKIN EXTERMINATING CO INC | Company/Agency Type<br>FH | Category |
| Address Line<br>960 RIVERSIDE ST | City<br>PORTLAND | Primary Phone |
| Email | Contact First Name<br>John | Contact Last Name<br>Tessier |
| Type and size of operation:<br>Commercial pest control company | Do you have obsolete pesticides?<br>No | |

## APPLICATOR, SUPERVISOR, LICENSING

no value

Licensing is:

- (●) Correct
- ( ) Violation
- ( ) Not Required

**Applicator**

| Name | License (If any) | Firm License (If any) |
|---|---|---|
| Kaleb Kimmelman | COA-9640 | 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 |
|---|---|---|---|---|---|
| | 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

| | Brand Name | EPA Reg # | Site as specified on label | Violation? | Formulation | RUP |
|---|---|---|---|---|---|---|
| 1 | 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
1 gallon

*Amount used if Part Tank Used

Area Covered per Tank/Use

**Quantity of Pesticide Formulation In Tank**

Add item
Delete

| | Quantity |
|---|---|
| 1 | .8 fl. oz. |

**Formulation Applied Per Unit Area Or Volume**

Add item
Delete

| | |
|---|---|
| 1 | .8 fl. oz./1000 sq. ft. |

**Maximum Labeled Rate Per Unit Area or Per Volume**

Add item
Delete

| | | Violation? |
|---|---|---|
| 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

- ( ) 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

## 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

| 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

(4)

Loading...

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

no value

Documentary Sample No. 250703JEP01

Photo of 124 Brook Road in Falmouth and Portland

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

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

Date: 7/3/25 Appointment ☒ Unannounced ☐
Time: 2:00p Response to Complaint ☒ Y ☐ N

Inspection # 250703JEP01
Name of Pesticide Inspector (Please print): Jennie Poisson
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 ⇨ [signature]
Date ⇨ 7/3/25

## 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. 100-1066

☐ 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 | Date | Signature of agent, samples acknowledged | Date |
|---|---|---|---|
| [signature] | 7/3/25 | [signature] | 7/3/25 |

| Maine Board of Pesticides Control | PESTICIDE USE INSPECTION REPORT | Inspection # 250703JEP01 |
|---|---|---|

Company or Farm Name: Orkin | Person Interviewed: Kaleb Kimmelman | Date: 7/3/25

Type and size of operation: Commercial Pest Control Company

Do you have obsolete pesticides? Y ☐ N ☑ NA ☐

**APPLICATOR, SUPERVISOR, LICENSING** Licensing is: Correct ☐ Violation ☐ Not Required ☐

| | Name | License (If any) | Firm License (If any) |
|---|---|---|---|
| Applicator | Kaleb Kimmelman | COA-9640 | SCF-16366 |
| Supervisor (When required) | Christopher Kent | 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) | Site treated (Crop, structure, vegetation, etc.) | Size of area treated | Target pest(s) | Cropping stage (If applicable) |
|---|---|---|---|---|
| Home | Structure | 1000sqft | Wasps nest | N/A |

| Application Date | Time | Wind Speed | Direction | Temperature | Sky Conditions |
|---|---|---|---|---|---|
| 6/25/25 | 1:45 | 5 mph | SE | 80° | N/A ☑ |

**PESTICIDES APPLIED**

| | EPA Reg # | Site as specified on label | Violation? | Formulation | RUP |
|---|---|---|---|---|---|
| a. Brand Name: Patrol | 100-1066 | Structures | Y ☐ N ☑ | liquid | ☐ |
| b. Brand Name | | | Y ☐ N ☐ | | ☐ |
| c. Brand Name | | | Y ☐ N ☐ | | ☐ |

**APPLICATION RATE**

| Application Method (Equipment) | Pressure | Nozzle(s) | Calibration Adequate | Calibration Documented |
|---|---|---|---|---|
| Compressed Sprayer | N/A ☐ | N/A ☐ | Y ☑ N ☐ N/A ☐ | Y ☑ N ☐ N/A ☐ |

| Quantity of Pesticide Formulation In Tank | Total Mix in Tank | Area Covered per Tank/Use | Formulation Applied Per Unit Area Or Volume | Maximum Labeled Rate Per Unit Area or Per Volume | Violation? |
|---|---|---|---|---|---|
| a. 8 fl oz | 1 gal | *Amount used if Part Tank Used | a. 8fl oz / 1000sqft | a. 8 fl oz / 1500 | Y ☐ N ☑ |
| b. | | | b. | b. | Y ☐ N ☐ |
| c. | | | c. | c. | Y ☐ N ☐ |

**PERSONAL PROTECTIVE EQUIPMENT** R = Required W = Worn

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

**OTHER COMPLIANCE ITEMS** NVO = No Violation Observed V = Violation

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| Storage Area | NVO ☐ V ☐ | Application Method | NVO ☐ V ☐ | Spray Interval | NVO ☐ V ☐ | Preharvest Interval | NVO ☐ V ☐ |
| Posting | NVO ☐ V ☐ | Mixing/Loading Area | NVO ☐ V ☐ | Rinsing/disposal | NVO ☐ V ☐ | Off target drift | NVO ☐ V ☐ |
| Other | 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 ☐

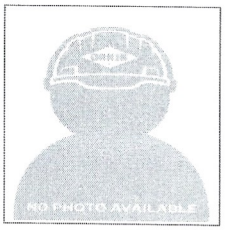
Pesticide Inspector's Signature: Jennifer Porrron Date: 7/3/2025

em # was deleted so not available for this application

# 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@ymail.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

Orkin Pro Signature

Customer Not Available to Sign

Customer's Signature

**01 DEPARTMENT OF AGRICULTURE, CONSERVATION AND FORESTRY**

**026 BOARD OF PESTICIDES CONTROL**

**Chapter 20: SPECIAL PROVISIONS**

---

**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:
Title 22 M.R.S.A., Chapter 258-A

EFFECTIVE DATE:
July 6, l979

AMENDMENT EFFECTIVE:
April 1, 1985
January 1, 1988
May 21, 1996

EFFECTIVE DATE (ELECTRONIC CONVERSION):
March 1, 1997

AMENDED:
May 7, 1997 - Section 5

CONVERTED TO MS WORD:
March 11, 2003

CORRECTED HEADER CHAPTER NUMBER:
January 10, 2005

AMENDED:
January 1, 2008 – new Sections 6 and 7, filing 2007-65
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)
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)
December 12, 2012 – emergency filing expires, chapter reverts to January 1, 2008 version
June 12, 2013 – Emergency major substantive filing 2013-134

CORRECTIONS:
February, 2014 – agency names, formatting

AMENDED:
September 11, 2014 – filing 2014-163 (Final adoption, major substantive)
December 9, 2014 – Section 7 added, filing 2014-279
May 16, 2022 – filing 2022-085

AMENDED:
January 30, 2024 – filing 2024-015

**01 DEPARTMENT OF AGRICULTURE, CONSERVATION AND FORESTRY**

**026 BOARD OF PESTICIDES CONTROL**

**Chapter 20: SPECIAL PROVISIONS**

---

**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:
Title 22 M.R.S.A., Chapter 258-A

EFFECTIVE DATE:
July 6, l979

AMENDMENT EFFECTIVE:
April 1, 1985
January 1, 1988
May 21, 1996

EFFECTIVE DATE (ELECTRONIC CONVERSION):
March 1, 1997

AMENDED:
May 7, 1997 - Section 5

CONVERTED TO MS WORD:
March 11, 2003

CORRECTED HEADER CHAPTER NUMBER:
January 10, 2005

AMENDED:
January 1, 2008 – new Sections 6 and 7, filing 2007-65
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)
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)
December 12, 2012 – emergency filing expires, chapter reverts to January 1, 2008 version
June 12, 2013 – Emergency major substantive filing 2013-134

CORRECTIONS:
February, 2014 – agency names, formatting

AMENDED:
September 11, 2014 – filing 2014-163 (Final adoption, major substantive)
December 9, 2014 – Section 7 added, filing 2014-279
May 16, 2022 – filing 2022-085

AMENDED:
January 30, 2024 – filing 2024-015

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

July 21, 2026

American Forest Management, Inc.
Elizabeth Farrell
40 Champion Lane
Milford, ME 04461

**RE: Variance permit for CMR 01-026 Chapter 29, American Forest Management, Inc., Spencer, T3 R5, BKP WKR**

Greetings,

The Board of Pesticides Control considered your application for a variance from Chapter 29. The variance is approved, provided that all products to be used are currently registered in the State of Maine or were registered at the time of purchase and that any application is made above the high-water line.

The Board authorizes the issuance of up to three-year permits for Chapter 29; therefore, this permit is valid until December 31, 2028, provided that the applications are consistent with the information provided in the variance request. Please notify the Board in advance of changes, particularly if you plan to use a different product from those listed.

Please bear in mind that your permit is based upon your company adhering to the precautions listed in Section X of your Chapter 29 variance request.

I will alert the Board at its next meeting that the variance permit has been issued. If you have any questions regarding this matter, please do not hesitate to contact me at (207) 287-2731.

Sincerely,

Alexander Peacock

Alexander Peacock
Director

ALEXANDER PEACOCK, DIRECTOR
90 BLOSSOM LANE, DEERING BUILDING

PHONE: (207) 287-2731
THINKFIRSTSPRAYLAST.ORG

**BOARD OF PESTICIDES CONTROL**
**APPLICATION FOR VARIANCE PERMIT**
**(Pursuant to Chapter 29, Section 6 of the Board's Regulations)**

I. **Elizabeth Farrell** **(207) 491-3917**
Name Telephone Number

**American Forest Management**
Company Name

| **40 Champion Lane** | **Milford** | **ME** | **04461** |
|---|---|---|---|
| Address | City | State | Zip |

II. **Bob Carlton** **CMA-5653**
Master Applicator (if applicable) License Number

| **45 Ramsdell Road** | **Kingfield** | **ME** | **04947** |
|---|---|---|---|
| Address | City | State | Zip |

III. **As part of your application, please send a revegetation plan and digital photos showing the target site and/or plants and the surrounding area, particularly showing proximity to wetlands and water bodies, to pesticides@maine.gov**
Revegetation plan is described below; pictures are attached.

IV. Area(s) where pesticide will be applied:

See attached map – herbicide will be applied within the hashed area only. This is a roadside ditch of a historic winter road. The phragmites have taken hold in a ditch with poorly drained soils and a high water table year-round. The site was reviewed in June, July, August, and September 2025 in an attempt to identify a time of year when standing water was not present. The time of year does not appear to affect the amount of water on site. A site visit in July 2026 indicates this has not changed. There is no surface connectivity to streams or wetlands. The site is best described as a cedar/mixed conifer seep. The closest stream or wetland is Spencer Stream 0.25 miles away.

V. Pesticide(s) to be applied: (Including EPA Registration Number)
AquaMaster EPA #524-343

Methylated Seed Oil Surfactant

VI. Purpose of pesticide application:
Eliminate invasive phragmites from the road ditch before it spreads.

VII. Approximate dates of spray application:
August - September 2026, follow up in September 2027 and September 2028 if necessary.

VIII. Application Equipment:
Low-volume backpack.

IX. Standard(s) to be varied from:
Chapter 29, Section 6 - Buffer Requirement, Section 5 (wetlands)

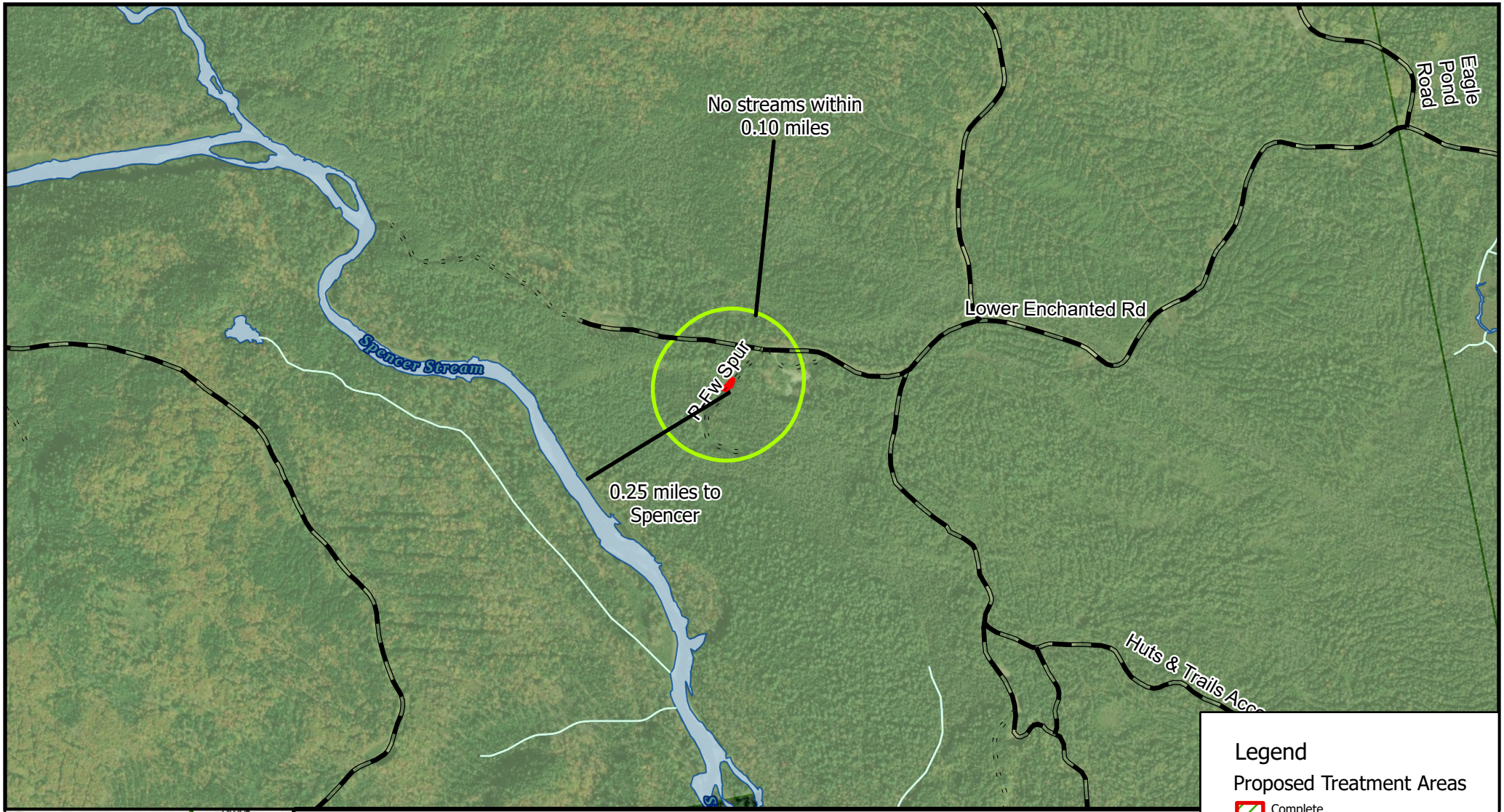
X. Method to ensure equivalent protection and Revegetation Plan:
The site is a 0.05-acre cedar/mixed conifer site with extensive woody regeneration. If the herbicide application results in a lack of vegetation, conservation mix will be applied to the area.

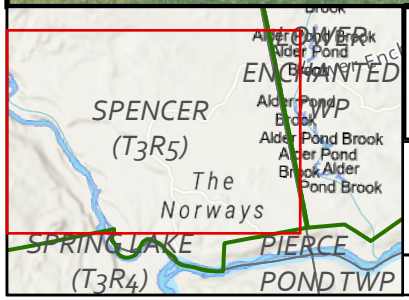
XI. Revegetation Plan (attach separately if necessary)
If herbicide application results in a lack of vegetation, conservation mix will be applied to the area. Follow-up checks for herbicide efficacy and revegetation will occur annually for three years. The slope in this area is minimal, with no connectivity to streams or water bodies. Erosion potential is very low.

Signed: _____ Date: 7/1/2026

Return completed form to: **Board of Pesticides Control, 28 State House Station, Augusta, ME 04333-0028**
**OR E-mail to: pesticides@maine.gov**

Rev. 2/2022




# Pesticide Treatment Plan

## Spencer - Phragmites - 0.05 acres

AMERICAN FOREST MANAGEMENT

0 700 1,400 Feet

N

Coordinate System: NAD 1983 UTM Zone 19N

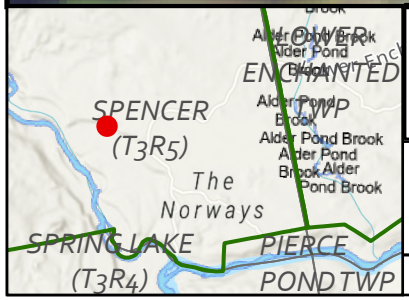
### Legend

**Proposed Treatment Areas**

- Complete
- Proposed
- BBC Land, LLC

**Buffer Type**

- 0.10 Miles
- Dwelling
- Public Road
- Water
- Well




# Pesticide Treatment Plan

## Spencer - Phragmites - 0.05 acres

AMERICAN FOREST MANAGEMENT

0 15 30 Feet

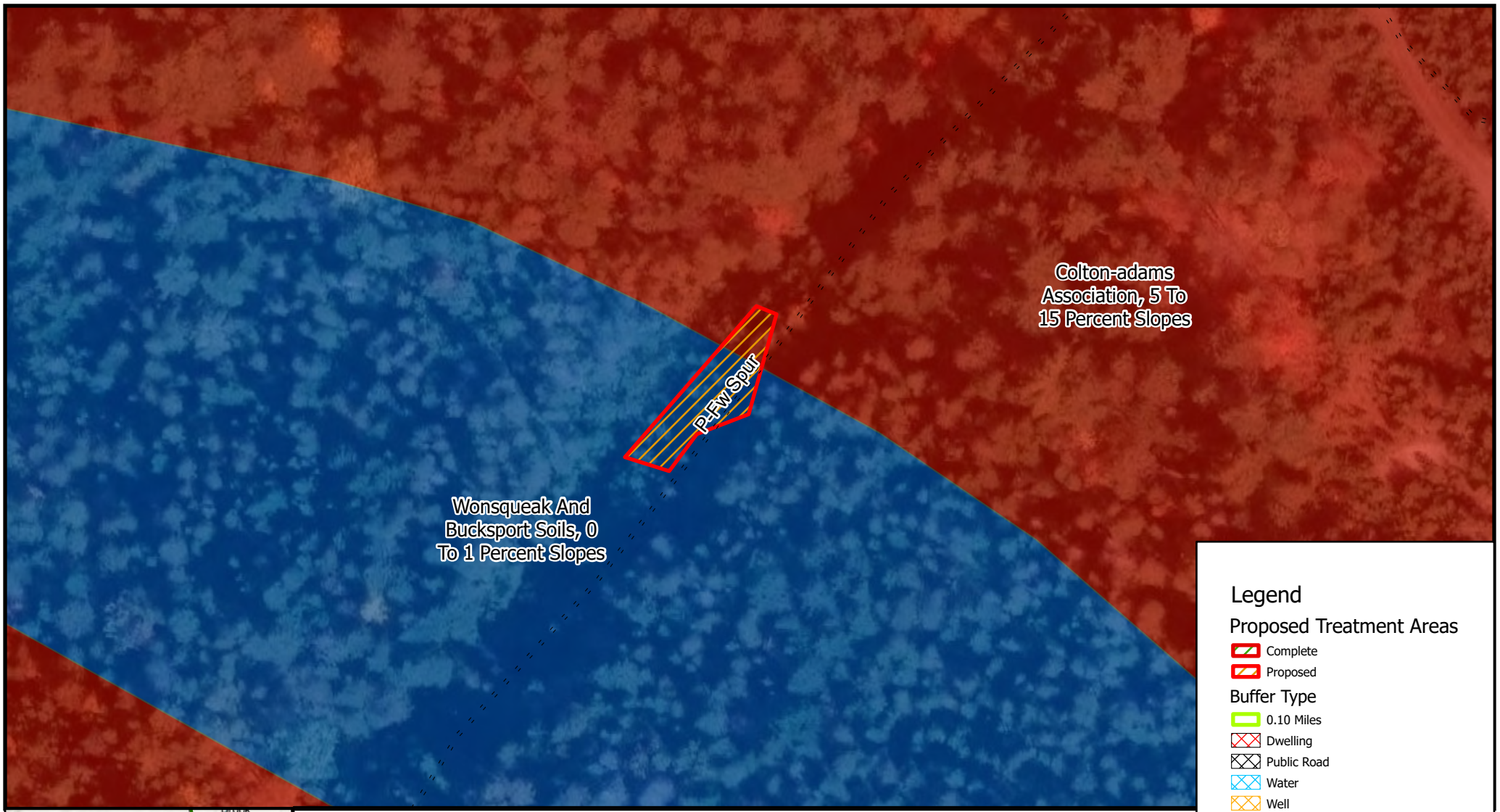
N

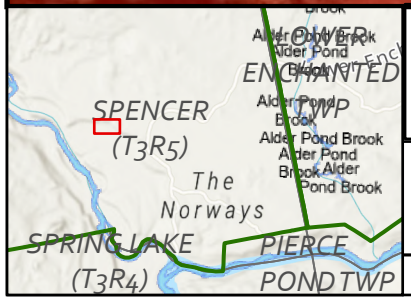
Coordinate System: NAD 1983 UTM Zone 19N

## Legend

### Buffer Type

- 0.10 Miles
- Dwelling
- Public Road
- Water
- Well




# Pesticide Treatment Plan

## Spencer - Phragmites - 0.05 acres

AMERICAN FOREST MANAGEMENT

0 45 90 Feet

N

Coordinate System: NAD 1983 UTM Zone 19N

### Legend

**Proposed Treatment Areas**
- Complete
- Proposed

**Buffer Type**
- 0.10 Miles
- Dwelling
- Public Road
- Water
- Well

**Soil Drainage Class**
- EXCESSIVELY DRAINED
- SOMEWHAT EXCESSIVELY DRAINED
- WELL DRAINED
- MODERATELY WELL DRAINED
- SOMEWHAT POORLY DRAINED
- POORLY DRAINED
- VERY POORLY DRAINED

6b

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

August 5, 2026

Arbor Armor
Derek Legasse
30 Abbey Lane
Holden, ME 04429

**RE: Variance permit for CMR 01-026 Chapter 29, Arbor Armor**

Greetings,

The Board of Pesticides Control has considered your application for a variance from Chapter 29 for the Northeast Harbor Swim Club, 44 Manchester Rd., Mount Desert. The variance is approved, provided that all products to be used are currently registered in the State of Maine or were registered at the time of purchase and that any application is made above the high-water line.

The Board authorizes the issuance of two-year permits for Chapter 29. Therefore, this permit is valid until December 31, 2027, as long as applications are consistent with the information provided on the variance request. Please notify the Board in advance of changes, particularly if you plan to use a different product from those listed.

Please bear in mind that your permit is based upon your company adhering to the precautions listed in Section X of your Chapter 29 variance request. The utmost caution should be taken when applying adjacent to open water, including curtailing operations if rain is in the forecast during the 24-hour period after the application.

I will alert the Board at its next meeting that the variance permit has been issued. If you have any questions concerning this matter, please feel free to contact me at 287-2731.

Sincerely,

Alexander Peacock
Director

ALEXANDER PEACOCK, DIRECTOR
90 BLOSSOM LANE, DEERING BUILDING

PHONE: (207) 287-2731
THINKFIRSTSPRAYLAST.ORG

**BOARD OF PESTICIDES CONTROL**
**APPLICATION FOR VARIANCE PERMIT**
**(Pursuant to Chapter 22 of the Board's Regulations)**

I. Derek Legasse (207) 949-4308
Name Telephone Number

Arbor Armor
Company Name

30 Abbey Ln Holden ME 04429
Address City State Zip

II. Derek Legasse CMA-5803
Master Applicator License Number

30 Abbey Ln Holden ME 04429
Address City State Zip

III. Area(s) where pesticide will be applied:
Along embankment, between buildings at the Northeast Harbor Swim Club (44 Manchester Rd, Mount Desert, ME 04662). Approximately 2000 sq. ft.

IV. Pesticide(s) to be applied:
~~Round-Up Pro~~
LESCO Prosecutor Pro EPA Reg. No. 524-536-10404

V. Purpose of pesticide application:
Invasive Knotweed has taken over between 2 buildings to be renovated. This Knotweed has had time to establish in an area that is to be planted with shrubs and plants during renovation of buildings. The idea is to clean up the area so native plants can be installed.

VI. Approximate dates of spray application:
As soon as possible

VII. Application Equipment:

Backpack pump sprayer

VIII. Standard(s) to be varied from:

Close to shoreline.

IX. Reason for variance:

Close to shoreline, want to make sure that application was noted and allowed.

X. Method to assure equivalent protection:

Cianbro Corporation (who is lead contractor on site) has installed a temporary sea wall which ensures no contact with the ocean water. There is approximately a 100 foot buffer from area to treated to the temporary sea wall, which will remain in place until June 2027.

Signed: Derek M. Legasse Date: 7/24/2026

Return completed form to: **Board of Pesticides Control, 28 State House Station, Augusta, ME 04333-0028**

**OR E-mail to: pesticides@state.me.us**

OTICE

APE