



STATE OF MAINE
DEPARTMENT OF AGRICULTURE, CONSERVATION & FORESTRY
BOARD OF PESTICIDES CONTROL
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Memorandum

To: Board of Pesticides Control

From: John Pietroski | Manager of Pesticide Programs | Maine Board of Pesticides Control

Subject: Status of Commercial Category 7 in Chapter 31

Date: February 16, 2023

Staff are asking the Board to consider the following options for categories, 7C1, 7C2, and 7C3 described in this memo.

The Code of Federal Regulations (CFR) Title 40, § 171.103 Standards for Certification of Commercial Applicators lists the federal categories and specific standards of competency for each category of commercial applicators. Certification Category 7 - *Industrial, Institutional, and Structural Pest Control* requires applicators to demonstrate a practical knowledge of industrial, institutional, and structural pests, including recognizing those pests and signs of their presence, their habitats, their life cycles, biology, and behavior as it may be relevant to problem identification and control. Applicators must also demonstrate practical knowledge of types of formulations appropriate for control of industrial, institutional and structural pests, and methods of application that avoid contamination of food, minimize damage to and contamination of areas treated, minimize acute and chronic exposure of people and pets, and minimize environmental impacts of outdoor applications.

The BPC has divided category 7 into the following subcategories:

- 7A Structural General Pest Control
- 7B Structural Fumigation
- 7C1 Disinfectant and Biocide Treatments
- 7C2 Swimming Pool & Spa

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- 7C3 Mold Remediation & Water Damage Restoration
- 7D Wood Preserving
- 7E Biting Fly & Other Arthropod Vectors
- 7F Termite Pests

The original category, 7C “Disinfectant and Biocide” was divided into three options. The division was due to the diverse subject matter. The pulp and paper/water treatment/sewer treatment industries, swimming pool companies, and mold remediation companies were each given their own subcategory.

Here is the definition from Chapter 31: CERTIFICATION AND LICENSING PROVISIONS/COMMERCIAL APPLICATORS

7C. Disinfectant and Biocide

1. **Disinfectant and Biocide Treatments** - This subcategory includes commercial applicators using or supervising the use of pesticides to treat water in manufacturing, industrial cooling towers, public drinking water treatment plants, sewers, and air conditioning systems.
2. **Swimming Pool & Spa** - This subcategory includes commercial applicators using or supervising the use of pesticides to treat water in swimming pools and spas.
3. **Mold Remediation** - This subcategory includes commercial applicators using or supervising the use of pesticides to treat mold or microbial growth problems

Covid 19 resulted in companies doing disinfectant work with powered application equipment. Staff identified 7C3 - Mold Remediation & Water Damage Restoration as the closest, but imperfect fit for obtaining certification and licensure to conduct this work.

In addition, restaurants, schools, and other facilities that are closed by the Department of Health and Human Services’ Health Inspection Program due to infestations from pests such as rodents and coach roaches, must be disinfected before being allowed to reopen. The category needed to conduct this work is 7C3. When the public and business owners are seeking a company to do this work, the sub-category descriptions are a hinderance.

To better address the diversity of potential applications and to alleviate confusion, staff would like the Board to consider the following reorganizations of category 7C.

1. Change the titles for the three sub-categories to:
 - a. 7C1 – Biocide and water treatments
 - b. 7C2 – Swimming Pool and Spa (NO CHANGE)

- c. 7C3 – Disinfectant, mold remediation, and water damage restoration
- d. Eliminate the subcategories and create one certification category titled 7C-Biocide, disinfectant and mold

The manual used for all three sub-categories is “Microbial Pest Control”. Kerry Bernard edited this manual in 2022. The manual was written to cover all three sub-categories. One 50 question exam which would address all of the prior sub-categories.

In 2022 we had the following certified applicators:

7C1 Disinfectant and Biocide	36
7C2 Swimming Pool and Spa	4
7C3 Mold Remediation	66

Also, in 2022 we gave the following number of exams:

Disinfect and Microbial-7C1	Fail	2
Disinfect and Microbial-7C1	Pass	2
Mold & Water Damage Remediation-7C3	Fail	7
Mold & Water Damage Remediation-7C3	Pass	4

The work required would be to re-write the description and competency standards from the prior sub-categories in Chapter 31: CERTIFICATION AND LICENSING PROVISIONS/COMMERCIAL APPLICATORS. The new documentation will need to pay particular attention to the competency standards in (CFR) Title 40, § 171.103. Depending on the decision by the board, a new exam may have to be written.