



STATE OF MAINE  
DEPARTMENT OF AGRICULTURE, CONSERVATION & FORESTRY  
BOARD OF PESTICIDES CONTROL  
28 STATE HOUSE STATION  
AUGUSTA, MAINE 04333

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JANET T. MILLS  
GOVERNOR

AMANDA E. BEAL  
COMMISSIONER

**Memorandum**

To: Board of Pesticides Control

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

Subject: Reciprocity for the State of Maine Certification and Training Plan, Section 11.

Date: December 2, 2022

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***Introduction***

The State of Maine Plan includes a section on reciprocity. This section must explain the circumstances under which the Maine State Plan will or will not reciprocally certify applicators based in whole or in part on their holding of a valid current certification issued by another State, Tribe or Federal agency. *SECTION 11 RECIPROCITY* of the Maine State Plan details reciprocity.

*Chapter 31: CERTIFICATION AND LICENSING PROVISIONS/COMMERCIAL APPLICATORS, Section 6, B,* allows staff to issue a limited term reciprocal license. The rule reads, ‘*Nonresident licenses. When the staff determines that a pest management emergency exists which necessitates the use of aerial application and for which there are not sufficient qualified Maine licensees, it may issue a license without examination to nonresidents who are licensed or certified by another state or the Federal Government substantially in accordance with the provisions of this chapter. Nonresident licenses issued pursuant to this section are effective until December 31 of the year in which they are issued.*’

If there is an emergency and the BPC decides to grant reciprocity, an applicator’s current license will need to be evaluated for the following criteria.

1. The license is valid for the state in which it was awarded.
2. The applicator is in good standing with the state where the license was awarded.
3. The competency standards meet or exceed the State of Maine standards for the specific category as outlined in Chapter 31: CERTIFICATION AND LICENSING PROVISIONS/COMMERCIAL APPLICATORS.
4. The certified applicators’ reciprocal license is only valid for the calendar year.
5. The applicator is 18 years old or older.

MEGAN PATTERSON, DIRECTOR  
90 BLOSSOM LANE, DEERING BUILDING



PHONE: (207) 287-2731  
WWW.THINKFIRSTSPRAYLAST.ORG

6. The applicator has the appropriate insurance coverage.
7. The specific need for their services is immediate as determined by the BPC, thus not allowing the applicator time to follow the proper procedures for licensure in Maine.
8. The applicator must abide by all laws and rules of the State of Maine.
9. The applicator will be required to file all of the appropriate reports as required by the BPC.
10. The applicator must pay appropriate licensing fees.
11. The applicator will be provided a copy of the written regulations manual.

The points highlighted are not in rule.

The staff is asking for your input and recommendations before submitting the plan to the EPA.