



Emergency Waiver for Restricted Pesticide/Herbicide Use

Basis for Emergency Waiver Request

According to Title II, Ogunquit Municipal Code, Health, Safety and Welfare, Chapter 11 “Pesticide and Herbicide Usages”, the Code Enforcement Officer can grant an emergency waiver to use an otherwise restricted pesticide or herbicide if he/she finds there is an immediate threat to human health, environmental quality or an immediate threat of substantial property loss or damage. The emergency waiver application should clearly state why the waiver is necessary to address one of the above stated reasons.

TITLE II OGUNQUIT MUNICIPAL CODE HEALTH, SAFETY & WELFARE CHAPTER 11 Pesticide/Herbicide Usages

The 1105 Emergency waiver if an emergency situation warrants the use of non-exempt pesticides, the Code Enforcement Officer may grant a thirty (30) day temporary waiver. The waiver may be extended to a six (6) month total period. Waiver approval shall be subject to the use of the least toxic material available to address the given emergency. The presence of weeds or common fungal diseases in the usual course of turf maintenance shall not constitute an emergency. (a) Waiver determination shall be based on the following criteria: 1105.1 The pest situation presents a) an immediate threat to human health or environmental quality, or b) an immediate threat of substantial property damage or loss; 1105.2 Viable alternatives consistent with this article do not exist. The Select Board shall request the Conservation Commission to review any waiver requests made under this section, and to recommend a course of action.

S 1471- X. State Policy; public and private initiatives to minimize reliance on pesticides

It is the policy of the State to work to find ways to use minimum amount of pesticides needed to effectively control targeted pests in all areas of application. The agencies of State involved in the regulation or use of pesticides shall promote the principles and the implementation of integrated pest management and other science-based technology to minimize reliance on pesticides while recognizing that outbreaks of disease, insects and other pests will necessitate fluctuations in pesticide use. These agencies, in corporation with private interest groups, shall work to educate pesticide users and interest groups, shall work to educate pesticide users and the general public in the proper use of pesticides and to determine other actions needed to accomplish the state policy



Application for Emergency Waiver for Restricted Pesticide/Herbicide Use

A property owner may apply for an emergency waiver to use a restricted pesticide/herbicide, or state licensed pesticide/herbicide applicator may apply for a waiver on the owner's behalf.

The owner or applicator must submit a completed emergency waiver application to the Code Enforcement Officer. After the application is received, the Select Board shall request the Conservation Commission to review the emergency waiver request (Section 1105 of Chapter 11) and recommend a course of action.

Date Received: _____

Emergency Waiver No.: _____

Property Owner: _____

Map & Lot Number: _____

Street Address: _____

Phone: _____

Pesticide/Herbicide to be used, concentration and mixture proposed and application method. List EPA Registration Number (s) if registered.

Provide the following information about the pesticide(s)/herbicide(s) proposed to be used:

- Has the EPA/ECOTOX website been consulted/reviewed by the applicator?
- How toxic is it to marine life or terrestrial organisms?

- What is the "half-life" of the proposed product
- Is the proposed pesticide to be used the “least toxic effective product available”, and will it be used in the “least amount in order to be effective”?

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Describe the Area or Vegetation to be treated (area in square feet, number, location, species, distance from the closest waterbody), include photograph if available.

Size of area to be treated _____ Square footage _____ Distance to waterbody _____

Number of proposed treatments _____ Treatment interval _____

Proposed Date(s) _____

Pest or situation to be treated

Describe the Basis (Reason) for the Emergency Waiver – Immediate Threat to Human Health, Environment Quality or property damage or loss

Describe the proposed approach and measures to be taken to limit any potential adverse impacts to the biological, environment and ecosystems fate. Are effective precautions to be employed? What is the potential for "drift or transport" into "non - target" areas, living areas, etc.? Have all abutters been notified of proposed treatment(s)?

Signatures Required After Review of the Application

Applicant:

Date:

Home Owner:

If Applicator is licensed by Maine Pesticide Control Board, License No. _____

Email Address: _____

Mailing Address: _____

Phone: _____