

**Chapter 514: REGULATIONS CONCERNING THE USE OF AQUATIC PESTICIDES**

**SUMMARY:** This regulation defines the criteria for the use of aquatic pesticides within the State of Maine.

- 1. Definition.** An aquatic pesticide is any substance (including biological agents) applied in, on or over the waters of the State or in such a way as to enter those waters for the purpose of inhibiting the growth or controlling the existence of any plant or animal in those waters.
- 2. Criteria for Approving a License to Use Aquatic Pesticides**
  - A.** Except as provided in 38 M.R.S.A. Section 362-A, no permit for aquatic pesticide use will be issued for a pesticide which is not registered for the intended use by the United States Environmental Protection Agency and the Maine Department of Agriculture.
  - B.** No permit for aquatic pesticide use will be issued unless the applicant or agent for the applicant is certified and licensed in aquatic pest control by the Maine Board of Pesticides Control.
  - C.** A permit for aquatic pesticide use will be issued only if the applicant provides adequate protection for non-target species.
  - D.** A permit for aquatic pesticide use will be issued only if the applicant can demonstrate a significant need to control the target species and that pesticide control offers the only reasonable and effective means to achieve control of the target species. Demonstration of significant need may include, but not be limited to, health risk, economic hardship, or loss of use.
  - E.** In addition to paragraphs (A) through (D), any discharge of aquatic pesticides, alone or in combination with all other discharges, shall meet all other applicable requirements of Maine's waste discharge laws including, but not limited to, the provisions of 38 M.R.S.A. Sections 464 and 465.

**AUTHORITY:** 38 M.R.S.A. Section 343-A

**EFFECTIVE DATE:** July 5, 1981

**Amended:** January 29, 1989

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