



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

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Memorandum

To: Board of Pesticides Control
From: Alexander Peacock, Director
Subject: Container Disposal Concerns

January 14, 2026

Background

Recently, inspection staff have been alerted to the improper disposal of pesticide containers, including the burying and burning of containers. Staff are considering options to prevent this activity in the future, including potential rulemaking.



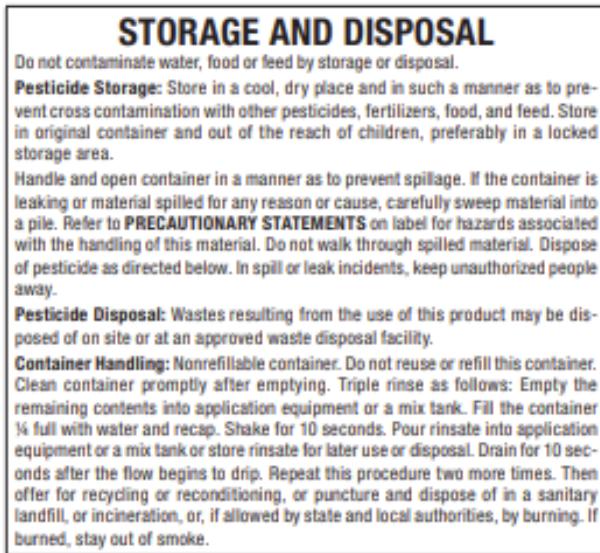
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Container storage and disposal are dictated by the pesticide label. Commonly, disposal requirements include triple rinsing and offering the container for recycling or slashing the container so that it may no longer be used and properly landfilled.

Below is an example of container disposal language on a label:



Burning containers and solid waste is not permitted in Maine, as per MRS Title 12 CONSERVATION, §9324. PROHIBITED ACTS and Department of Environmental Protection Chapter 102: Open Burning.

BPC Pesticide Storage and Disposal:

Chapter 20: SPECIAL PROVISIONS

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.

Conclusion:

BPC staff are seeking Board input regarding action steps to prevent further improper disposal of pesticide containers, which may lead to adverse effects on the environment and human health.

One option would be to incorporate a restriction on burning or burying pesticide containers to strengthen enforceability by the BPC.

Another option may be to deploy a container return monitoring program, working with the Ag Container Recycling Council (ACRC) to design and implement a program that monitors returned containers. This would include inspecting and possibly laboratory analysis of container residues to determine compliance with the label-required container rinsing.

Update for December 19, 2025:

Upon presentation of these concerns to the Board at the November 21, 2025, meeting, additional stakeholder input was requested. Staff met with Mark Hudson, Executive Director of ACRC, Frank Leavitt, Licensed Restricted Use Pesticide Dealer for Nutrien Ag Solutions, and Bradley Mitchell of Syngenta.

These and other stakeholders have been invited to the meeting on December 19, 2025, to discuss strategies for promoting proper container disposal through increased education and enhanced inspection. ACRC is providing the BPC with posters, pamphlets, and educational materials regarding proper rinsing and recycling of pesticide containers.

Update for January 14, 2026:

Additional activities to deter the improper disposal of pesticide containers include the following.

Enhanced container inspection when conducting routine use inspections and certified applicator record checks. Updating of inspection forms to document compliance with the storage and disposal section of pesticide labels.

Possible BPC internship to provide for increased outreach and education, and the potential for documenting storage and disposal activities.

Staff have engaged with Chief Forest Ranger, Robby Gross, to discuss greater collaboration when improper open burning is discovered. BPC staff will collaborate with Forest Ranger staff to educate agricultural producers on proper storage and disposal practices. These activities will also

include engagement with municipal fire wardens at their annual meeting to educate them on the risks of burning pesticide containers, so they may provide additional education to residents who apply for open burn permits.