

# THE COMMONWEALTH OF MASSACHUSETTS

EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS



## Department of Agricultural Resources

251 Causeway Street, Suite 500, Boston, MA 02114  
617-626-1700 fax: 617-626-1850 www.mass.gov/agr



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### UPON ISSUANCE OF A CERTIFICATION THAT PUBLIC HEALTH REQUIRES WAIVER/SHORTENING OF THIS REQUIREMENT

#### **APPLICATION OF PESTICIDES FOR THE CONTROL OF EASTERN EQUINE ENCEPHALITIS virus (EEEv)**

WHEREAS, the Massachusetts Department of Agricultural Resources ("MDAR") has received a "Certification of a Public Health Hazard That Requires Pesticide Application To Protect Public Health" from Eastern Equine Encephalitis virus (EEEv), signed by the Commissioner of the Massachusetts Department of Public Health (DPH) and;

WHEREAS, the State Reclamation and Mosquito Control Board in collaboration with DPH has determined that adulticide spraying will be necessary in order to suppress infected mosquitoes and has voted to authorize such; and

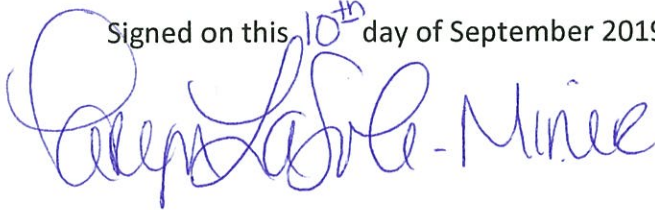
WHEREAS, M.G.L. c. 132B, Section 6C(c)(1) establishes that "whenever pesticides are to be sprayed, released, deposited or applied outdoors at a school, child care center or school age child care program, the school administration, child care center operator or school age child care program operator shall ensure that employees, pupils or supervised children and their parents or guardians receive standard written notification, as defined in section 2, at least two working days before pesticides are sprayed, released, deposited or applied, provided that such spraying, release, deposit or application of pesticides shall not commence prior to the approximate dates set forth on the standard written notification, and shall not conclude more than 72 hours after such approximate dates."

WHEREAS, M.G.L. c. 132B, Section 2, defines "Standard written notification" to include the following information: "the approximate dates on which the spraying, release, deposit or application of a pesticide shall commence and conclude; the specific location of the anticipated application; the product name and type of each pesticide to be used; a department-approved fact sheet and United States Environmental Protection Agency registration number for each pesticide; a description of the purpose of the pesticide application; and a department-approved statement describing ways to minimize exposure, and precautions to be taken, especially for sensitive individuals such as children, the elderly, pregnant women and those with health problems."

WHEREAS, due to the emergency nature of the planned spray activities, the Department has determined that "standard written notification" shall be given through the following: the Department's website; public service radio; and television announcements.

THEREFORE, the Massachusetts Department of Agricultural Resources (MDAR) hereby declares, an emergency situation requiring immediate application of pesticides, will expedite the notification process through the use of the Department's website, public service radio, and television announcements, providing the public with twenty-four hour notification by the Executive Office of Energy and Environmental Affairs (EOEEA). This notification will satisfy the notification requirement.

Signed on this 10<sup>th</sup> day of September 2019.

A handwritten signature in blue ink, appearing to read "Taryn LaScola-Miner". The signature is fluid and cursive, with the first name "Taryn" being the most prominent part.

Taryn LaScola-Miner  
MDAR Designee, Department of Agricultural Resources