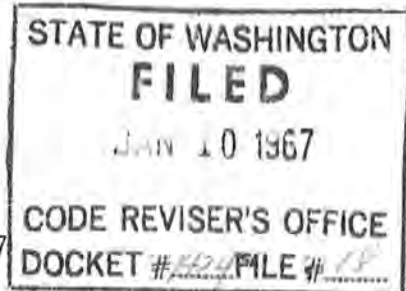


STATE OF WASHINGTON  
DEPARTMENT OF AGRICULTURE  
OLYMPIA

ORDER NO. 1038

(SUPERSEDES ORDER NO. 906)

EFFECTIVE February 15, 1967



REGULATIONS PERTAINING TO THE USE OF HERBICIDES IN  
GARFIELD COUNTY

I, Donald W. Moos, Director of Agriculture of the State of Washington, by virtue of the authority vested in me under Chapters 15.57 and 17.21 RCW after due notice and a public hearing held at Pomeroy, Washington on December 13, 1966, as provided under Chapters 42.32 and 34.04 RCW, do promulgate the following regulations relating to the use of growth regulating herbicides.

REGULATION 1. Area Under Order, Restricted Use Herbicides, Definitions, Prohibited Formulations, and Restrictions on Evening Applications.

AREA UNDER ORDER: All lands within the boundaries of Garfield County.

RESTRICTED USE HERBICIDES: All formulations of phenoxy hormone-type herbicides including 2,4-D, 2,4,5-T and MCP are by this order declared to be restricted use herbicides.

DEFINITION: High Volatile Esters. High volatile esters are those formulations labeled as high volatile in Interpretation 17, Revision 1 of Title 7 under the Federal Insecticide, Fungicide and Rodenticide Act.

PROHIBITED FORMULATIONS; The high volatile liquid and dust formulations of all restricted use herbicides are prohibited within the boundaries of Garfield County.

RESTRICTIONS ON EVENING APPLICATIONS: From April 15 to September 1, the application of restricted use herbicides is prohibited from two hours prior to sunset to 4:00 a.m. in Area 1.

REGULATION 2. AREA 1. All lands within the following described area of northern Garfield County: That portion of Sections 3, 9, 10, 15, and 16 lying north of the lower Deadman Road and east of State Highway #295 and that portion of Sec. 2 and 11 lying north and west of School House Ridge, T13N, R40E; Sec. 23, 24, 25, 26 and 35, T14N, R40E; that portion of Sec. 15 through 23, 25 through 30, 35 and 36, T14N, R41E; that portion of Sec. 13, 14, 23, 27, 28, 29 and 30 and Sec. 24, 25, 26 and 31 through 36, T14N, R42E; Sec. 1, 2, and 3, T13N, R42E; excluding therefrom any and all portions of the

above defined area that constitutes part of the Deadman Creek Watershed. That portion of T14N, R43E lying north and east of Casey Creek Road; Sec. 3, 4, 5, 6, 8, 9, 14, 15, 16, 21 through 28, 35, 36, and that portion of Sec. 7 lying northeast of the Kirby Mayview Road, T13N, R43E; Sec. 29 through 33, T13N, R44E; Sec. 2 through 6 and 11, T12N, R44E.

AREA 1. (RESTRICTIONS) AREA OF RESTRICTED AERIAL APPLICATION. Aerial application and the application of low volatile formulations of restricted use herbicides is prohibited from April 15 to September 1.

REGULATION 3. AREA 2. The area within a distance of 1 mile of the city limits of Pomeroy.

AREA 2. (RESTRICTIONS) Aerial application of all restricted use herbicides is prohibited within area 2: Provided, That aircraft may apply restricted use herbicides, not prohibited by this order, on all lands in Sec. 25, T12N, R41E and Sec. 29 and 30, T12N, R42E, lying north of the city of Pomeroy.

REGULATION 4. GROUND EQUIPMENT RESTRICTIONS IN AREAS 1 AND 2. Ground applications shall be made with a minimum of 8 gallons of water per acre and ground equipment must be equipped with nozzles having a minimum orifice diameter of 0.031 inches. Pressure for ground rigs must not exceed 35 pounds per square inch at the nozzles.

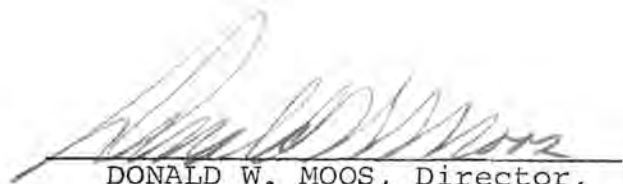
REGULATION 5. AERIAL EQUIPMENT RESTRICTIONS. Aerial applications shall be made with a minimum of 3 gallons of water per acre and aircraft must be equipped with nozzles having a minimum orifice diameter of 0.125 inches, with core plates removed, and directed downward or backward 90 degrees or more from the direction of flight; PROVIDED, That core plates may be used when nozzles are directed downward and backward more than 135 degrees from the direction of flight, in sections 25, 29 and 30 lying north of Pomeroy as described in area 2.

RESTRICTIONS ON AIRCRAFT: Aircraft carrying restricted use herbicides are prohibited from turning and/or low flying over towns and cities, or farmsteads, windbreaks, orchards, or susceptible crops belonging to any persons other than the owner of the property being treated, except by permission of the person whose farmstead, windbreak, orchard, or susceptible crops is involved, within the area under regulation.

REGULATION 7. DISPOSAL OF RESTRICTED USE HERBICIDES AND THEIR CONTAINERS. Restricted use herbicides or their emptied containers shall not be dumped or abandoned or allowed to remain at any place where plants of value are likely to be injured by vapor or by water flowing through or over the material. Equipment used for restricted use herbicides shall not be stored or allowed to remain at any place where susceptible crops might be affected.

REGULATION 8. WIND AND WEATHER CONDITIONS. The application of restricted use herbicides from April 15 to September 1 by ground or aerial equipment shall not be allowed when the prevailing wind velocity is over seven miles per hour from any direction; PROVIDED, That from September 1 to April 15 the application of restricted use herbicides by ground or aerial equipment shall not be allowed when the prevailing wind velocity is over ten miles per hour from any direction. Even though wind velocity is within the limits allowable for spraying, restricted use herbicides shall not be applied if other weather conditions are such that damage could result to adjacent and nearby towns, susceptible crops and plantings through physical drift or volatilization in the entire area under order.

I hereby certify that the foregoing is a true and correct copy of the regulations promulgated by the Department of Agriculture.



DONALD W. MOOS, Director,  
Department of Agriculture  
State of Washington

Signed at Olympia, Washington

Date: \_\_\_\_\_