

TRANSMITTAL OF RULES ADOPTED

FROM: AGRICULTURE
(Name of Agency)

TO: CODE REVISER
LEGISLATIVE BLDG (Southwest Corner, Ground Floor)
Olympia 98501

The enclosed Permanent rules , being order No. 1289
Emergency rules
relating to (Name of rules or description of subject matter)

the use of herbicides in Grant County.

(ALTERNATIVE A. Use only for adoption of permanent rules)

pursuant to Notice No. 3829 ^① filed with the code reviser
on 1/23/73 ^② were regularly adopted as permanent rules of this
(date)
agency at Olympia, WA. on 1/31/73 and are herewith
(place) (date)
filed in the office of the code reviser pursuant to chapter 34.04
RCW. The effective date of such rules shall be 3/15/73 ^③

(ALTERNATIVE B. Use only for adoption of emergency rules)

pursuant to its finding that the immediate adoption of
these rules is necessary for the preservation of the public
health, safety, or general welfare and that observance of the
requirements of notice and opportunity to present views on
the proposed action would be contrary to the public interest,
were regularly adopted as emergency rules of this agency at
_____ on _____ and are herewith filed in
(place) (date)
the office of the code reviser pursuant to chapter 34.04 RCW.

The undersigned hereby certifies that the requirements of chapter
34.04 RCW and of the Open Public Meetings Act of 1971, chapter
42.30 RCW (1971 ex.s. c 250) have been fulfilled.

Dated this 31st day of January 1973.

STATE OF WASHINGTON
FILED
JAN 31 1973
CODE REVISER'S OFFICE
DOCKET # 4588 FILE # 25

AGRICULTURE
(AGENCY)
Stewart Bledsoe
By STEWART BLEDSOE
DIRECTOR
Title _____

① NOTICE NUMBER AS APPEARS ON THE COPY OF NOTICE RETURNED TO YOU BY RE-
VISER'S OFFICE (IF PROCEEDINGS WERE CONTINUED, USE NO. OF LAST NOTICE)
② STAMPED DATE AS APPEARS ON THE COPY OF NOTICE RETURNED TO YOU BY REVIS-
ER'S OFFICE (IF PROCEEDINGS WERE CONTINUED, USE DATE OF LAST NOTICE)
③ UNLESS A LATER DATE IS SPECIFIED IN THIS ORDER OR IS PRESCRIBED
IN ANOTHER STATUTE, RULES ARE EFFECTIVE 30 DAYS AFTER FILING:
RCW 34.04.040. LEAVE THIS SPACE BLANK EXCEPT IN SUCH SPECIAL CASES.

STATE OF WASHINGTON
DEPARTMENT OF AGRICULTURE
OLYMPIA

ORDER NO. 1289
(Supersedes Order No. 1241)

EFFECTIVE MARCH 15, 1973

REGULATIONS PERTAINING TO THE USE OF HERBICIDES IN GRANT COUNTY

I, Stewart Bledsoe, Director of Agriculture of the state of Washington, by virtue of the authority vested in me under Chapters 15.58 and 17.21 RCW, after due notice and public hearing held at Ephrata, Washington on January 12, 1973, as provided under Chapters 42.32 and 34.04 RCW, do hereby promulgate the following regulations relating to the use of phenoxy hormone-type herbicides.

REGULATION 1. AREA UNDER ORDER, RESTRICTED USE HERBICIDES, PROHIBITED FORMULATIONS, AND DEFINITIONS.

AREA UNDER ORDER: All lands lying within the borders of Grant County.

RESTRICTED USE HERBICIDES: All formulations of Dicamba (Banvel) and all formulations of phenoxy hormone-type herbicides including 2,4-D, 2,4,5-T and MCPA are by this Order declared to be restricted use herbicides.

PROHIBITED FORMULATIONS: The use of dust formulations of restricted use herbicides is prohibited in the entire area under Order.

DEFINITION: SPECIFIED DATE. Specified date as referred to in this Order is that date to be determined by the State Department of Agriculture in consultation with local authorities and shall be as near as is possible to the date of bud break of fruit being grown in Grant County. Notification of this date, after which such operations that are applicable are so restricted, shall be made by mailing a notice to each of the known commercial applicators working in the area and an announcement to the local newspapers, radio stations, and County Extension Offices.

DEFINITION: HIGH VOLATILE AND LOW VOLATILE ESTERS. High volatile and low volatile esters are those formulations labeled as high volatile and low volatile in Interpretation 17, Revision 1 of Title 7 under the Federal Insecticide, Fungicide and Rodenticide Act.

REGULATION 2. AREA 1. (LANDS GENERALLY WITHIN THE COLUMBIA BASIN IRRIGATION PROJECT). An area starting at the southwest corner of Section 21, T14N, R27E; thence east along the county line four miles more or less to the southeast corner of Section 24, T14N, R27E; thence north along the county line 16 miles to the southwest corner of Section 31, T17N, R28E; thence east along the county line 13 miles more or less to the East Low Canal; thence northerly and easterly along the East Low Canal to the Adams County line; thence north along the Grant-Adams county line six miles more or less to the East Low Canal; thence northwesterly along the East Low Canal to the southeast boundary of Block 70; thence easterly, northerly, and westerly, encompassing Block 70, Soap Lake, and Block 701, to the West Main Canal; thence southwesterly along the West Main Canal to the north boundary line of Unit 1, Block 73; thence westerly along the northern boundary line of Block 73 to the northwest corner of Unit 278; then due west to the Willow Springs Draw; thence down Willow Springs Draw to the Columbia River; thence southerly and easterly along the Columbia River to the point of beginning

AREA 1. (RESTRICTIONS). The use or application of restricted use herbicides is restricted to the liquid forms of amine, sodium, or solubilized acid formulations: PROVIDED, That low volatile ester formulations of 2,4-DB may be applied to alfalfa and red clover seed crops from November 1 to May 1 of the following year; and PROVIDED FURTHER, That other low volatile esters may be applied from November 1 to the specified date of the following year by ground equipment only.

Ground applications shall be made using nozzles having a minimum orifice diameter of 0.036 inches (approximately 12 gallons per acre): PROVIDED, That ground applications of low volatile formulations (other than 2,4-DB), allowed from November 1 to the specified date of the following year, shall be made with ground equipment using nozzles having a minimum orifice diameter of 0.052 inches (approximately 20 gallons per acre).

Aircraft applications of restricted use herbicides shall be allowed only from November 1 to the specified date of the following year and shall be made with a 3-gallon alternative (see Regulation 5). Aircraft applications of restricted use herbicides from the specified date to November 1 shall be prohibited.

REGULATION 3. AREA 2. (BUFFER AREA). An area lying north and east of Area 1 starting at the junction of the Grant-Douglas county line and the Columbia River near Trinidad; thence northeasterly along the county line to State Highway 2; thence easterly along State Highway 2 to Coulee City and the Pinto Ridge Road; thence southerly along the Pinto Ridge Road to the 31/NE Road; thence east along the 31/NE Road to the R/NE Road; thence south along the R/NE Road to the city limits of Wilson Creek; thence south one mile more or less along the eastern edge of the city limits of Wilson Creek to the Burlington Northern Railroad tracks; thence easterly along the Burlington Northern Railroad tracks to the Grant-Lincoln county line; thence south along the Grant-Lincoln and Grant Adams county line; thence 25 miles more or less to the northern boundary line of Area 1 (East Low Canal); thence northerly and westerly along the northern boundary line of Area 1 to the point of beginning; and also an area near Warden starting at the East Low Canal near the southeast corner of Section 13, T17N, R30E; thence westerly and southerly along the East Low Canal to the Grant-Adams county line near the corner of Section 32, T17N, R30E; thence east five miles and north three miles along the Grant-Adams county line to the point of beginning.

AREA 2. (RESTRICTIONS). From May 1 to November 1 of each year, the use or application of high volatile formulations of restricted use herbicides shall be prohibited. From May 15 to November 1 of each year, the use or application of low volatile formulations of restricted use herbicides shall be prohibited.

From May 1 to November 1, ground applications shall be made using nozzles having a minimum orifice diameter of 0.036 inches (approximately 12 gallons per acre).

From May 1 to November 1, aircraft applications shall be made with a 3-gallon alternative (see Regulation 5).

REGULATION 4. AREA 3. (OUTLYING AREA). An area starting at the intersection of the Burlington Northern Railroad tracks near the northeast corner of Section 13, T22N, R30E; thence north 19 miles more or less to Highway 2, thence westerly along Highway 2 to Coulee City and the Pinto Ridge Road; thence southerly along the Pinto Ridge Road to the 31/NE Road; thence east along the 31/NE Road to the R/NE Road; thence south along the R/NE Road to the city limits of Wilson Creek; thence south one mile more or less along the eastern edge of the city limits of Wilson Creek to the Burlington Northern Railroad tracks; thence easterly along the Burlington Northern Railroad tracks to the Grant-Lincoln county line which is the point of beginning.

AREA 3. (RESTRICTIONS). The use or application of high volatile formulations of restricted use herbicides shall be prohibited from May 15 to November 1 of each year.

From May 15 to November 1, ground applications shall be made using nozzles having a minimum orifice diameter of 0.031 inches (approximately 8 gallons per acre).

From May 15 to November 1, aircraft applications shall be made with a 2-gallon alternative (see Regulation 5).

REGULATION 5. AIRCRAFT NOZZLE REQUIREMENTS FOR APPROXIMATE GALLONS PER ACRE.

2-GALLON ALTERNATIVES

1. Fixed Wing -

- (a) Minimum nozzle orifice 0.063 inches (less core plate).
Minimum of one operating nozzle per each 18 inches of effective swath width. Nozzles directed downward and backward 135 degrees or more from direction of flight.
- (b) Minimum nozzle orifice 0.094 inches (may use No. 45 or larger core).
Minimum of one operating nozzle per each 18 inches of effective swath width. Nozzles directed downward and backward 170 degrees or more from direction of flight.

2. Rotorcraft-Helicopter -

- (a) Minimum nozzle orifice 0.047 inches (less core plate).
Minimum of one operating nozzle per each 18 inches of effective swath width. Nozzles directed downward and backward 90 degrees or more from direction of flight.
- (b) Minimum nozzle orifice 0.075 inches (may use No. 45 or larger core).
Minimum of one operating nozzle per each 20 inches of effective swath width. Nozzles directed downward and backward 90 degrees or more from direction of flight.
- (c) Minimum nozzle orifice 0.094 inches (may use No. 45 or larger core).
Minimum of one operating nozzle per each 24 inches of effective swath width. Nozzles directed downward and backward 90 degrees or more from direction of flight.

3-GALLON ALTERNATIVES

3. Fixed Wing -

- (a) Minimum nozzle orifice 0.075 inches (less core plate).
Minimum of one operating nozzle per each 14 inches of effective swath width. Nozzles directed downward and backward 170 degrees or more from direction of flight.
- (b) Minimum nozzle orifice 0.094 inches (less core plate).
Minimum of one operating nozzle per each 20 inches of effective swath width. Nozzles directed downward and backward 135 degrees or more from direction of flight.

4. Rotorcraft-Helicopter -

- (a) Minimum nozzle orifice 0.063 inches (less core plate).
Minimum of one operating nozzle per each 16 inches of effective swath width.
Nozzles directed downward and backward 90 degrees or more from direction of flight.
- (b) Minimum nozzle orifice 0.075 inches (less core plate).
Minimum of one operating nozzle per each 20 inches of effective swath width.
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- (c) Minimum nozzle orifice 0.094 inches (may use No. 45 or larger core).
Minimum of one operating nozzle per each 16 inches of effective swath width.
Nozzles directed downward and backward 90 degrees or more from direction of flight.
Use recognized drift reducing system or additive.
- (d) Minimum nozzle orifice 0.125 inches (may use No. 45 or larger core).
Minimum of one operating nozzle per each 24 inches of effective swath width.
Nozzles directed downward and backward 90 degrees or more from direction of flight.
Use recognized drift reducing system or additive:

PROVIDED, That any person who has an aircraft which cannot be equipped to effectively comply with these specifications shall obtain a permit from the Department for variations prior to applications of restricted use herbicides.

REGULATION 6. RESTRICTIONS ON AIRSTRIPS. The loading and/or mixing of restricted use herbicides is restricted to those formulations which may be applied in the area in which the airstrip is located.

REGULATION 7. RESTRICTIONS ON AIRCRAFT. Aircraft carrying restricted use herbicides are prohibited from turning and/or low flying, during spraying operations, over cities and towns unless authorized by the city or town in question pursuant to an agreement for pesticide applications; or over residences, windbreaks, orchards, or susceptible crops belonging to any person other than the owner of the property being treated, except by permission of the person whose residence, windbreak, orchard, or susceptible crop is involved.

REGULATION 8. WIND AND WEATHER CONDITIONS. The application of restricted use herbicides by ground or aerial equipment shall be prohibited when the mean sustained wind velocity is over 10 miles per hour during restricted dates for each area: PROVIDED, That the 7 miles per hour wind velocity restriction shall apply to Area 1 from budbreak to November 1. Even though wind velocity is within the limits allowable for spraying, restricted use herbicides shall not be applied from May 1 to November 1 when the temperature is 85 degrees F. or above at the point of application, if there is a temperature inversion, or if other weather conditions are such that damage could result to adjacent and nearby towns, susceptible crops and plantings through physical drift or volatilization: PROVIDED, That applications at the rate of 50 gallons or more per acre shall be exempt from the 85 degree F. temperature cut-off requirement.

REGULATION 9. SPECIAL RESTRICTED USE HERBICIDES PERMITS. The Washington State Department of Agriculture may approve written requests to apply restricted use herbicides for purposes of critical weed control in the restricted areas under order. Such requests shall contain information verifying the safety of the proposed application.

REGULATION 10. RESTRICTED EVENING APPLICATIONS. The application of allowable formulations of restricted use herbicides shall be prohibited daily from two hours prior to sunset to sunrise the following morning in Areas 1 and 2, from the specified date to November 1: PROVIDED, That approved drift reducing systems shall be allowed from daylight to sunset: and PROVIDED FURTHER, That in Area 3 the applications of allowable formulations of restricted use herbicides shall be prohibited daily from sunset to daylight the following morning from the specified date to November 1.

REGULATION 11. MAXIMUM PRESSURE FOR EQUIPMENT. INVERT AND FOAM SYSTEM RESTRICTIONS. Pressure for aerial and ground equipment, applying restricted use herbicides shall not exceed 35 pounds per square inch at the nozzles: PROVIDED, That pressures up to 55 pounds per square inch at the nozzle may be used when necessary for applying restricted use herbicides by drift reducing systems such as invert and foam systems and for ground equipment with hand guns. The necessary nozzle design for drift reducing systems shall be allowed only when maintaining orifice diameter requirements.

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



STEWART BLEDSOE
Director of Agriculture
State of Washington

Signed at Olympia, WA.

DATE: January 31, 1973

STATE OF WASHINGTON
DEPARTMENT OF AGRICULTURE
OLYMPIA

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EFFECTIVE MARCH 15, 1973

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Director of Agriculture
State of Washington

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REGULATION 3. AREA 2. (BUFFER AREA). An area lying north and east of Area 1 starting at the junction of the Grant-Douglas county line and the Columbia River near Trinidad; thence northeasterly along the county line to State Highway 2; thence easterly along State Highway 2 to Coulee City and the Pinto Ridge Road; thence southerly along the Pinto Ridge Road to the 31/NE Road; thence east along the 31/NE Road to the R/NE Road; thence south along the R/NE Road to the city limits of Wilson Creek; thence south one mile more or less along the eastern edge of the city limits of Wilson Creek to the Burlington Northern Railroad tracks; thence easterly along the Burlington Northern Railroad tracks to the Grant-Lincoln county line; thence south along the Grant-Lincoln and Grant Adams county line; thence 25 miles more or less to the northern boundary line of Area 1 (East Low Canal); thence northerly and westerly along the northern boundary line of Area 1 to the point of beginning; and also an area near Warden starting at the East Low Canal near the southeast corner of Section 13, T17N, R30E; thence westerly and southerly along the East Low Canal to the Grant-Adams county line near the corner of Section 32, T17N, R30E; thence east five miles and north three miles along the Grant-Adams county line to the point of beginning.

AREA 2. (RESTRICTIONS). From May 1 to November 1 of each year, the use or application of high volatile formulations of restricted use herbicides shall be prohibited. From May 15 to November 1 of each year, the use or application of low volatile formulations of restricted use herbicides shall be prohibited.

From May 1 to November 1, ground applications shall be made using nozzles having a minimum orifice diameter of 0.036 inches (approximately 12 gallons per acre).

From May 1 to November 1, aircraft applications shall be made with a 3-gallon alternative (see Regulation 5).

REGULATION 4. AREA 3. (OUTLYING AREA). An area starting at the intersection of the Burlington Northern Railroad tracks near the northeast corner of Section 13, T22N, R30E; thence north 19 miles more or less to Highway 2, thence westerly along Highway 2 to Coulee City and the Pinto Ridge Road; thence southerly along the Pinto Ridge Road to the 31/NE Road; thence east along the 31/NE Road to the R/NE Road; thence south along the R/NE Road to the city limits of Wilson Creek; thence south one mile more or less along the eastern edge of the city limits of Wilson Creek to the Burlington Northern Railroad tracks; thence easterly along the Burlington Northern Railroad tracks to the Grant-Lincoln county line which is the point of beginning.

AREA 3. (RESTRICTIONS). The use or application of high volatile formulations of restricted use herbicides shall be prohibited from May 15 to November 1 of each year.

From May 15 to November 1, ground applications shall be made using nozzles having a minimum orifice diameter of 0.031 inches (approximately 8 gallons per acre).

From May 15 to November 1, aircraft applications shall be made with a 2-gallon alternative (see Regulation 5).

REGULATION 5. AIRCRAFT NOZZLE REQUIREMENTS FOR APPROXIMATE GALLONS PER ACRE

2-GALLON ALTERNATIVES

1. Fixed Wing -

- (a) Minimum nozzle orifice 0.063 inches (less core plate).
Minimum of one operating nozzle per each 18 inches of effective swath width. Nozzles directed downward and backward 135 degrees or more from direction of flight.
- (b) Minimum nozzle orifice 0.094 inches (may use No. 45 or larger core).
Minimum of one operating nozzle per each 18 inches of effective swath width. Nozzles directed downward and backward 170 degrees or more from direction of flight.

2. Rotorcraft-Helicopter -

- (a) Minimum nozzle orifice 0.047 inches (less core plate).
Minimum of one operating nozzle per each 18 inches of effective swath width. Nozzles directed downward and backward 90 degrees or more from direction of flight.
- (b) Minimum nozzle orifice 0.075 inches (may use No. 45 or larger core).
Minimum of one operating nozzle per each 20 inches of effective swath width. Nozzles directed downward and backward 90 degrees or more from direction of flight.
- (c) Minimum nozzle orifice 0.094 inches (may use No. 45 or larger core).
Minimum of one operating nozzle per each 24 inches of effective swath width. Nozzles directed downward and backward 90 degrees or more from direction of flight.

3-GALLON ALTERNATIVES

3. Fixed Wing -

- (a) Minimum nozzle orifice 0.075 inches (less core plate).
Minimum of one operating nozzle per each 14 inches of effective swath width. Nozzles directed downward and backward 170 degrees or more from direction of flight.
- (b) Minimum nozzle orifice 0.094 inches (less core plate).
Minimum of one operating nozzle per each 20 inches of effective swath width. Nozzles directed downward and backward 135 degrees or more from direction of flight.

4. Rotorcraft-Helicopter -

- (a) Minimum nozzle orifice 0.063 inches (less core plate).
Minimum of one operating nozzle per each 16 inches of effective swath width.
Nozzles directed downward and backward 90 degrees or more from direction of flight.
- (b) Minimum nozzle orifice 0.075 inches (less core plate).
Minimum of one operating nozzle per each 20 inches of effective swath width.
Nozzles directed downward and backward 90 degrees or more from direction of flight.
- (c) Minimum nozzle orifice 0.094 inches (may use No. 45 or larger core).
Minimum of one operating nozzle per each 16 inches of effective swath width.
Nozzles directed downward and backward 90 degrees or more from direction of flight.
Use recognized drift reducing system or additive.
- (d) Minimum nozzle orifice 0.125 inches (may use No. 45 or larger core).
Minimum of one operating nozzle per each 24 inches of effective swath width.
Nozzles directed downward and backward 90 degrees or more from direction of flight.
Use recognized drift reducing system or additive.

PROVIDED, That any person who has an aircraft which cannot be equipped to effectively comply with these specifications shall obtain a permit from the Department for variations prior to applications of restricted use herbicides.

REGULATION 6. RESTRICTIONS ON AIRSTRIPS. The loading and/or mixing of restricted use herbicides is restricted to those formulations which may be applied in the area in which the airstrip is located.

REGULATION 7. RESTRICTIONS ON AIRCRAFT. Aircraft carrying restricted use herbicides are prohibited from turning and/or low flying, during spraying operations, over cities and towns unless authorized by the city or town in question pursuant to an agreement for pesticide applications; or over residences, windbreaks, orchards, or susceptible crops belonging to any person other than the owner of the property being treated, except by permission of the person whose residence, windbreak, orchard, or susceptible crop is involved.

REGULATION 8. WIND AND WEATHER CONDITIONS. The application of restricted use herbicides by ground or aerial equipment shall be prohibited when the mean sustained wind velocity is over 10 miles per hour during restricted dates for each area: PROVIDED, That the 7 miles per hour wind velocity restriction shall apply to Area 1 from budbreak to November 1. Even though wind velocity is within the limits allowable for spraying, restricted use herbicides shall not be applied from May 1 to November 1 when the temperature is 85 degrees F. or above at the point of application, if there is a temperature inversion, or if other weather conditions are such that damage could result to adjacent and nearby towns, susceptible crops and plantings through physical drift or volatilization: PROVIDED, That applications at the rate of 50 gallons or more per acre shall be exempt from the 85 degree F. temperature cut-off requirement.

REGULATION 9. SPECIAL RESTRICTED USE HERBICIDES PERMITS. The Washington State Department of Agriculture may approve written requests to apply restricted use herbicides for purposes of critical weed control in the restricted areas under order. Such requests shall contain information verifying the safety of the proposed application.

REGULATION 10. RESTRICTED EVENING APPLICATIONS. The application of allowable formulations of restricted use herbicides shall be prohibited daily from two hours prior to sunset to sunrise the following morning in Areas 1 and 2, from the specified date to November 1: PROVIDED, That approved drift reducing systems shall be allowed from daylight to sunset: and PROVIDED FURTHER, That in Area 3 the applications of allowable formulations of restricted use herbicides shall be prohibited daily from sunset to daylight the following morning from the specified date to November 1.

REGULATION 11. MAXIMUM PRESSURE FOR EQUIPMENT. INVERT AND FOAM SYSTEM RESTRICTIONS. Pressure for aerial and ground equipment, applying restricted use herbicides shall not exceed 35 pounds per square inch at the nozzles: PROVIDED, That pressures up to 55 pounds per square inch at the nozzle may be used when necessary for applying restricted use herbicides by drift reducing systems such as invert and foam systems and for ground equipment with hand guns. The necessary nozzle design for drift reducing systems shall be allowed only when maintaining orifice diameter requirements.

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



STEWART BLEDSOE
Director of Agriculture
State of Washington

Signed at Olympia, WA.

DATE: January 31, 1973

STATE OF WASHINGTON
DEPARTMENT OF AGRICULTURE
OLYMPIA

ORDER NO. 1289
(Supersedes Order No. 1241)

EFFECTIVE MARCH 15, 1973

REGULATIONS PERTAINING TO THE USE OF HERBICIDES IN GRANT COUNTY

I, Stewart Bledsoe, Director of Agriculture of the state of Washington, by virtue of the authority vested in me under Chapters 15.58 and 17.21 RCW, after due notice and public hearing held at Ephrata, Washington on January 12, 1973, as provided under Chapters 42.32 and 34.04 RCW, do hereby promulgate the following regulations relating to the use of phenoxy hormone-type herbicides.

REGULATION 1. AREA UNDER ORDER, RESTRICTED USE HERBICIDES, PROHIBITED FORMULATIONS, AND DEFINITIONS.

AREA UNDER ORDER: All lands lying within the borders of Grant County.

RESTRICTED USE HERBICIDES: All formulations of Dicamba (Banvel) and all formulations of phenoxy hormone-type herbicides including 2,4-D, 2,4,5-T and MCPA are by this Order declared to be restricted use herbicides.

PROHIBITED FORMULATIONS: The use of dust formulations of restricted use herbicides is prohibited in the entire area under Order.

DEFINITION: SPECIFIED DATE. Specified date as referred to in this Order is that date to be determined by the State Department of Agriculture in consultation with local authorities and shall be as near as is possible to the date of bud break of fruit being grown in Grant County. Notification of this date, after which such operations that are applicable are so restricted, shall be made by mailing a notice to each of the known commercial applicators working in the area and an announcement to the local newspapers, radio stations, and County Extension Offices.

DEFINITION: HIGH VOLATILE AND LOW VOLATILE ESTERS. High volatile and low volatile esters are those formulations labeled as high volatile and low volatile in Interpretation 17, Revision 1 of Title 7 under the Federal Insecticide, Fungicide and Rodenticide Act.

REGULATION 2. AREA 1. (LANDS GENERALLY WITHIN THE COLUMBIA BASIN IRRIGATION PROJECT). An area starting at the southwest corner of Section 21, T14N, R27E; thence east along the county line four miles more or less to the southeast corner of Section 24, T14N, R27E; thence north along the county line 16 miles to the southwest corner of Section 31, T17N, R28E; thence east along the county line 13 miles more or less to the East Low Canal; thence northerly and easterly along the East Low Canal to the Adams County line; thence north along the Grant-Adams county line six miles more or less to the East Low Canal; thence northwesterly along the East Low Canal to the southeast boundary of Block 70; thence easterly, northerly, and westerly, encompassing Block 70, Soap Lake, and Block 701, to the West Main Canal; thence southwesterly along the West Main Canal to the north boundary line of Unit 1, Block 73; thence westerly along the northern boundary line of Block 73 to the northwest corner of Unit 278; then due west to the Willow Springs Draw; thence down Willow Springs Draw to the Columbia River; thence southerly and easterly along the Columbia River to the point of beginning

AREA 1. (RESTRICTIONS). The use or application of restricted use herbicides is restricted to the liquid forms of amine, sodium, or solubilized acid formulations: PROVIDED, That low volatile ester formulations of 2,4-DB may be applied to alfalfa and red clover seed crops from November 1 to May 1 of the following year; and PROVIDED FURTHER, That other low volatile esters may be applied from November 1 to the specified date of the following year by ground equipment only.

Ground applications shall be made using nozzles having a minimum orifice diameter of 0.036 inches (approximately 12 gallons per acre): PROVIDED, That ground applications of low volatile formulations (other than 2,4-DB), allowed from November 1 to the specified date of the following year, shall be made with ground equipment using nozzles having a minimum orifice diameter of 0.052 inches (approximately 20 gallons per acre).

Aircraft applications of restricted use herbicides shall be allowed only from November 1 to the specified date of the following year and shall be made with a 3-gallon alternative (see Regulation 5). Aircraft applications of restricted use herbicides from the specified date to November 1 shall be prohibited.

REGULATION 3. AREA 2. (BUFFER AREA). An area lying north and east of Area 1 starting at the junction of the Grant-Douglas county line and the Columbia River near Trinidad; thence northeasterly along the county line to State Highway 2; thence easterly along State Highway 2 to Coulee City and the Pinto Ridge Road; thence southerly along the Pinto Ridge Road to the 31/NE Road; thence east along the 31/NE Road to the R/NE Road; thence south along the R/NE Road to the city limits of Wilson Creek; thence south one mile more or less along the eastern edge of the city limits of Wilson Creek to the Burlington Northern Railroad tracks; thence easterly along the Burlington Northern Railroad tracks to the Grant-Lincoln county line; thence south along the Grant-Lincoln and Grant Adams county line; thence 25 miles more or less to the northern boundary line of Area 1 (East Low Canal); thence northerly and westerly along the northern boundary line of Area 1 to the point of beginning; and also an area near Warden starting at the East Low Canal near the southeast corner of Section 13, T17N, R30E; thence westerly and southerly along the East Low Canal to the Grant-Adams county line near the corner of Section 32, T17N, R30E; thence east five miles and north three miles along the Grant-Adams county line to the point of beginning.

AREA 2. (RESTRICTIONS). From May 1 to November 1 of each year, the use or application of high volatile formulations of restricted use herbicides shall be prohibited. From May 15 to November 1 of each year, the use or application of low volatile formulations of restricted use herbicides shall be prohibited.

From May 1 to November 1, ground applications shall be made using nozzles having a minimum orifice diameter of 0.036 inches (approximately 12 gallons per acre).

From May 1 to November 1, aircraft applications shall be made with a 3-gallon alternative (see Regulation 5).

REGULATION 4. AREA 3. (OUTLYING AREA). An area starting at the intersection of the Burlington Northern Railroad tracks near the northeast corner of Section 13, T22N, R30E; thence north 19 miles more or less to Highway 2, thence westerly along Highway 2 to Coulee City and the Pinto Ridge Road; thence southerly along the Pinto Ridge Road to the 31/NE Road; thence east along the 31/NE Road to the R/NE Road; thence south along the R/NE Road to the city limits of Wilson Creek; thence south one mile more or less along the eastern edge of the city limits of Wilson Creek to the Burlington Northern Railroad tracks; thence easterly along the Burlington Northern Railroad tracks to the Grant-Lincoln county line which is the point of beginning.

AREA 3. (RESTRICTIONS). The use or application of high volatile formulations of restricted use herbicides shall be prohibited from May 15 to November 1 of each year.

From May 15 to November 1, ground applications shall be made using nozzles having a minimum orifice diameter of 0.031 inches (approximately 8 gallons per acre).

From May 15 to November 1, aircraft applications shall be made with a 2-gallon alternative (see Regulation 5).

REGULATION 5. AIRCRAFT NOZZLE REQUIREMENTS FOR APPROXIMATE GALLONS PER ACRE

2-GALLON ALTERNATIVES

1. Fixed Wing -

- (a) Minimum nozzle orifice 0.063 inches (less core plate).
Minimum of one operating nozzle per each 18 inches of effective swath width. Nozzles directed downward and backward 135 degrees or more from direction of flight.
- (b) Minimum nozzle orifice 0.094 inches (may use No. 45 or larger core).
Minimum of one operating nozzle per each 18 inches of effective swath width. Nozzles directed downward and backward 170 degrees or more from direction of flight.

2. Rotorcraft-Helicopter -

- (a) Minimum nozzle orifice 0.047 inches (less core plate).
Minimum of one operating nozzle per each 18 inches of effective swath width. Nozzles directed downward and backward 90 degrees or more from direction of flight.
- (b) Minimum nozzle orifice 0.075 inches (may use No. 45 or larger core).
Minimum of one operating nozzle per each 20 inches of effective swath width. Nozzles directed downward and backward 90 degrees or more from direction of flight.
- (c) Minimum nozzle orifice 0.094 inches (may use No. 45 or larger core).
Minimum of one operating nozzle per each 24 inches of effective swath width. Nozzles directed downward and backward 90 degrees or more from direction of flight.

3-GALLON ALTERNATIVES

3. Fixed Wing -

- (a) Minimum nozzle orifice 0.075 inches (less core plate).
Minimum of one operating nozzle per each 14 inches of effective swath width. Nozzles directed downward and backward 170 degrees or more from direction of flight.
- (b) Minimum nozzle orifice 0.094 inches (less core plate).
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- (a) Minimum nozzle orifice 0.063 inches (less core plate).
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- (b) Minimum nozzle orifice 0.075 inches (less core plate).
Minimum of one operating nozzle per each 20 inches of effective swath width.
Nozzles directed downward and backward 90 degrees or more from direction of flight.
- (c) Minimum nozzle orifice 0.094 inches (may use No. 45 or larger core).
Minimum of one operating nozzle per each 16 inches of effective swath width.
Nozzles directed downward and backward 90 degrees or more from direction of flight.
Use recognized drift reducing system or additive.
- (d) Minimum nozzle orifice 0.125 inches (may use No. 45 or larger core).
Minimum of one operating nozzle per each 24 inches of effective swath width.
Nozzles directed downward and backward 90 degrees or more from direction of flight.
Use recognized drift reducing system or additive:

PROVIDED, That any person who has an aircraft which cannot be equipped to effectively comply with these specifications shall obtain a permit from the Department for variations prior to applications of restricted use herbicides.

REGULATION 6. RESTRICTIONS ON AIRSTRIPS. The loading and/or mixing of restricted use herbicides is restricted to those formulations which may be applied in the area in which the airstrip is located.

REGULATION 7. RESTRICTIONS ON AIRCRAFT. Aircraft carrying restricted use herbicides are prohibited from turning and/or low flying, during spraying operations, over cities and towns unless authorized by the city or town in question pursuant to an agreement for pesticide applications; or over residences, windbreaks, orchards, or susceptible crops belonging to any person other than the owner of the property being treated, except by permission of the person whose residence, windbreak, orchard, or susceptible crop is involved.

REGULATION 8. WIND AND WEATHER CONDITIONS. The application of restricted use herbicides by ground or aerial equipment shall be prohibited when the mean sustained wind velocity is over 10 miles per hour during restricted dates for each area: PROVIDED, That the 7 miles per hour wind velocity restriction shall apply to Area 1 from budbreak to November 1. Even though wind velocity is within the limits allowable for spraying, restricted use herbicides shall not be applied from May 1 to November 1 when the temperature is 85 degrees F. or above at the point of application, if there is a temperature inversion, or if other weather conditions are such that damage could result to adjacent and nearby towns, susceptible crops and plantings through physical drift or volatilization: PROVIDED, That applications at the rate of 50 gallons or more per acre shall be exempt from the 85 degree F. temperature cut-off requirement.

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REGULATION 11. MAXIMUM PRESSURE FOR EQUIPMENT. INVERT AND FOAM SYSTEM RESTRICTIONS. Pressure for aerial and ground equipment, applying restricted use herbicides shall not exceed 35 pounds per square inch at the nozzles: PROVIDED, That pressures up to 55 pounds per square inch at the nozzle may be used when necessary for applying restricted use herbicides by drift reducing systems such as invert and foam systems and for ground equipment with hand guns. The necessary nozzle design for drift reducing systems shall be allowed only when maintaining orifice diameter requirements.

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



STEWART BLEDSOE
Director of Agriculture
State of Washington

Signed at Olympia, WA.

DATE: January 31, 1973