

FORM OF ORDER AND TRANSMITTAL BY AGENCY HAVING SINGLE HEAD

State of Washington

Department of Agriculture

(agency name)

Administrative Order No. 1818

(1) I, M. Keith Ellis, director of the Department of Agriculture

do promulgate and adopt at Olympia, Washington (place)

the annexed rules relating to:

amending WAC 16-230-010 through 16-230-078

(2) ALTERNATIVE A. Use only for Adoption of Permanent Rules.

This action is taken pursuant to Notice No. 84-05-066 filed with the code reviser on Feb. 22, 1984. These rules shall take effect: [X] thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2). [] at a later date, such date being

(2) ALTERNATIVE B. Use only for Adoption of Emergency Rules.

I, find that an emergency exists and that this order 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 public interest. A statement of the facts constituting the emergency is:

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

(3) Pursuant to the requirements of RCW 34.04.026 that "every agency shall incorporate the most specific, but in no case omit all, of the following language alternatives when adopting or amending rules" fill in statement (a), (b), or (c) as appropriate:

[X] (a) This rule is promulgated pursuant to RCW 17.21 and 15.58 and is intended to administratively implement that statute.

[] (b) This rule is promulgated pursuant to RCW which directs that the

(agency)

has authority to implement the provisions of

(name of act or RCW citation)

[] (c) This rule is promulgated under the general rule-making authority of the

(agency)

as authorized in RCW

(4) The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

(5) This order, after being first recorded in the order register of this agency, is herewith transmitted to the Code Reviser for filing pursuant to chapter 34.04 RCW and chapter 1-12 WAC.

STATE OF WASHINGTON APPROVED AND ADOPTED FILED

April 10

19 84

By

Deputy Director Title

APR 10 1984

CODE REVISER'S OFFICE WSR 84-09-012

AMENDATORY SECTION (Amending Order 1041, filed 2/15/67)

WAC 16-230-010 RESTRICTED USE PESTICIDES ON BLOSSOMING ALFALFA, CLOVER AND MINT--AREA UNDER ORDER.

(1) The following agricultural pesticides are ((by this order)) declared to be restricted use pesticides in all counties of the state of Washington: ((Abate, Aldrin, Banol, Baytex, BHC (Benzene Hexachloride), Bidrin, Bomyl, Chlordane, Diazinon, Dibrom, Dieldrin, Dilan, Dimethoate (Cygon), Di-Syston, DDT, Dejav, Demeton (Systox), Dylox, Endrin, EPN, Ethion, Ethyl-Methyl Guthion, Heptachlor, Imidan, Lindane, Malathion, Menazon, Metacide, Metasystox R, Methoxychlor, Methyl Parathion, Methyl Trithion, NPD, Parathion, Perthane, Phorate, Phosdrin, Phosphamidon, Phostex, PDE (Rhothane or DDD), FEPP, Thiocon, Thiodan, Toxaphene, Trithion, Vapona and Zeetran))

COMMON CHEMICAL NAME

ALSO KNOWN AS*

| | |
|----------------------------------|------------------------|
| <u>acephate</u> | <u>Orthene</u> |
| <u>azinphos-methyl</u> | <u>Guthion</u> |
| <u>carbaryl</u> | <u>Sevin</u> |
| <u>carbofuran</u> | <u>Furadan</u> |
| <u>carbophenothion</u> | <u>Trithion</u> |
| <u>chlorpyrifos</u> | <u>Lorsban</u> |
| <u>demeton</u> | <u>Systox</u> |
| <u>diazinon</u> | |
| <u>dimethoate</u> | <u>Cygon, Rebelate</u> |
| <u>disulfoton</u> | <u>Di-Syston</u> |
| <u>endosulfan</u> | <u>Thiodan</u> |
| <u>fenthion</u> | <u>Baytex</u> |
| <u>formetanate hydrochloride</u> | <u>Carzol</u> |
| <u>malathion</u> | <u>Cythion</u> |
| <u>methidathion</u> | <u>Supracide</u> |
| <u>methomyl</u> | <u>Lannate, Nudrin</u> |
| <u>methoxychlor</u> | <u>Marlate</u> |
| <u>methyl parathion</u> | |
| <u>mevinphos</u> | <u>Phosdrin</u> |
| <u>naled</u> | <u>Dibrom</u> |
| <u>oxamyl</u> | <u>Vydate</u> |
| <u>oxydemeton-methyl</u> | <u>Metasystox-R</u> |
| <u>parathion</u> | |
| <u>phorate</u> | <u>Thimet</u> |
| <u>phosmet</u> | <u>Imidan</u> |
| <u>trichlorfon</u> | <u>Dylox</u> |

* This column is to be used only as a guide and may not include all brand or trade names under which these chemicals are distributed.

(2) Area under order. All counties of the state of Washington.

AMENDATORY SECTION (Amending Order 1041, filed 2/15/67)

WAC 16-230-015 DEFINITION.

(1) The term "blossoming alfalfa, mint or clover" as used in ~~((this order))~~ WAC 16-230-010 through WAC 16-230-083 shall be when there are five or more blooms per square yard on the average in a given field: PROVIDED, That following the first cutting the bloom count shall be taken only on the current crop. For the purpose of this ~~((regulation))~~ rule, a "bloom" on clover or alfalfa is defined as any ~~((clover head or))~~ alfalfa raceme or clover head containing one or more open flowers. A "bloom" on mint is defined as any head or spike with one or more open (florets) flowers.

(2) The time of sunrise and sunset shall be that of the official tables, U.S. Weather Bureau, Yakima, Washington.

AMENDATORY SECTION (Amending Order 1041, filed 2/15/67)

WAC 16-230-030 ((USE CHEMICALS--TIME WHEN)) ALFALFA AND CLOVER--CHEMICAL RESTRICTIONS. (1) The use or application of any formulation (except where the formulation is specified) of the following listed pesticides ~~((or any formulation thereof))~~ shall be prohibited on blossoming alfalfa and clover crops within seven days to blossoming. See WAC 16-230-076 and WAC 16-230-078 for additional restrictions in certain areas of Walla Walla county. ~~((is restricted to applications only within the period beginning at two hours prior to sunset and ending at two and one-half hours after sunrise the following morning: PROVIDED, That Endrin, Abate, and DDT plus Toxaphene may only be applied to blossoming clover crops pursuant to this regulation and their application to blossoming alfalfa shall be made pursuant to WAC 16-230-050~~

- (a) Abate
- (b) DDT
- (c) Delnav
- (d) Demeton (System)
- (e) Dibrom (Emulsifiable Concentrate)
- (f) Dieldrin (Granular)
- (g) Ditan
- (h) Di System
- (i) Dylor (Trichlorphen)
- (j) Endrin
- (k) Ethion
- (l) Heptachlor (Granular)
- (m) Menazon
- (n) Metasystox R (Methyl Demeton)
- (o) Methoxychlor
- (p) NPD
- (q) Perthane
- (r) Phorate (Thimet-Granular)
- (s) Phosdrin (Mevinphos) (Liquid)
- (t) Phostex
- (u) TDE (Rhothane or DDD)
- (v) TEPP
- (w) Thiocton

- (x) Thiodan (Endosulfan)
- (y) Toxaphene
- (z) Trithion (Carbophenothion))
- (a) Azinphos-methyl (Guthion)
- (b) Carbaryl (Sevin)
- (c) Carbofuran (Furadan)
- (d) Dimethoate (Cygon or Rebelate)
- (e) Methidathion (Supracide)

(2) The use or application of liquid formulations of chlorpyrifos (Lorsban), mevinphos (Phosdrin), wettable powder formulations of naled (Dibrom), and liquid or wettable powder formulations of malathion and phorate (Thimet) applied as sprays on blossoming alfalfa or clover crops is restricted to applications only within the period beginning at two hours prior to sunset and ending at midnight of the same day.

(3) The use or application of any formulation (except where the formulation is specified) of the following pesticides shall be prohibited on blossoming alfalfa and clover crops:

- (a) Carbaryl (Sevin) see number (1) above
- (b) Diazinon
- (c) Fenthion (Baytex)
- (d) Malathion dust & ULV
- (e) Methyl parathion
- (f) Mevinphos (Phosdrin) dust
- (g) Naled (Dibrom) dust
- (h) Parathion
- (i) Phosmet (Imidan)

(4) The use or application of the following listed pesticides or any formulation thereof (except where the formulation is specified) on blossoming alfalfa and clover crops is restricted to applications only within the period beginning at two hours prior to sunset and ending at two and one-half hours after sunrise the following morning: PROVIDED, That methomyl (Lannate or Nudrin) shall only be applied to blossoming clover crops pursuant to this rule, and its application to blossoming alfalfa is further restricted to applications only within the period beginning at two hours prior to sunset and ending at midnight the same day: PROVIDED FURTHER, That the application of the following restricted use pesticides on blossoming alfalfa in Walla Walla county is further restricted to applications only within the period beginning at sunset and ending at two hours after midnight the following morning:

- (a) Carbophenothion (Trithion)
- (b) Formetanate hydrochloride (Carzol)
- (c) Demeton (Systox)
- (d) Naled (Dibrom) emulsifiable concentrate
- (e) Disulfoton (Di-Syston)
- (f) Endosulfan (Thiodan)
- (g) Oxydemeton-methyl (Metasystox-R)
- (h) Methomyl (Lannate or Nudrin)
- (i) Methoxychlor (Marlate)
- (j) Phorate (Thimet) granular
- (k) Trichlorfon (Dylox)
- (l) Oxamyl (Vydate)

AMENDATORY SECTION (Amending Order 1041, filed 2/15/67)

WAC 16-230-075 ((MALATHION, PHOSDRIN AND TEPP--TIME WHEN))
BLOSSOMING MINT--CHEMICAL RESTRICTIONS.

The use or application of ((the pesticides known as)) malathion dust, ((Phosdrin (mevinphos), and TEPP)) on blossoming mint ((crops)) is ((restricted)) prohibited. The use or application of malathion liquid, oxydemeton-methyl (Metasystox-R), and methomyl (Lannate or Nudrin) liquid on blossoming mint is restricted to applications only within the period beginning at two hours prior to sunset and ending at two and one-half hours after sunrise the following morning. The use or application of any formulation of acephate (Orthene) on blossoming mint is restricted to applications only within the period beginning at two and one-half hours prior to sunset and ending at midnight of the same day ((~~PROVIDED, That this time restriction shall apply to TEPP only if the federal registration allowing the use of Kethane on mint is reinstated~~)).

NEW SECTION

WAC 16-230-076 AREA 1. (1) Area 1 description. South central Walla Walla county - all lands lying within a line starting at the junction of the Washington-Oregon border and the Rainville Road; thence north along the Rainville Road to the Frog Hollow Road; thence west along the Frog Hollow Road to the McDonald Road; thence north along the McDonald and Bridge Road to State Highway 12; thence west along Highway 12 to the Woodward Canyon Road; thence north and west along the Woodward Canyon Road to the northeast corner of Section 24, T7N, R33E; thence west along the section lines to the northwest corner of Section 23, T7N, R32E; thence south along the section lines to the Walla Walla river; thence southerly along the Walla Walla river to its intersection with the west section line of Section 7, T6N, R33E; thence south along the section lines to the Washington-Oregon border; thence east along the border to the point of beginning.

(2) Area 1 restrictions. In addition to the restrictions in WAC 16-230-030, the use or application of azinphos-methyl (Guthion), carbofuran (Furadan), and methidathion (Supracide) on alfalfa and clover crops, shall be prohibited after May 23 of each year, and the use or application of dimethoate (Cygon or Rebelate) on alfalfa and clover crops shall be prohibited after May 30 of each year.

NEW SECTION

WAC 16-230-078 AREA 2. (1) Area 2 description.

South central Walla Walla county - All lands lying within a line starting at the junction of the Rainville Road and the Washington-Oregon border; thence north to the Frog Hollow Road; thence east along the Frog Hollow Road to the Valley Chapel Road; thence south along the Valley Chapel Road to the Washington-Oregon border; thence west along the border to the point of beginning.

(2) Area 2 restrictions. In addition to the restrictions in WAC 16-230-030, the use or application of azinphos-methyl (Guthion), carbofuran (Furadan), and methidathion (Supracide) on alfalfa and clover crops, shall be prohibited after May 30 of each year, and the use or application of dimethoate (Cygon or Rebelate) on alfalfa and clover crops shall be prohibited after June 6 of each year.

REPEALER

The following sections of the Washington Administrative Code are hereby repealed:

WAC 16-230-001 PROMULGATION.

WAC 16-230-020 NONUSE ON BLOSSOMING ALFALFA AND CLOVER CROPS.

WAC 16-230-040 SPRAY CHEMICALS--TIME WHEN.

WAC 16-230-050 ENDRIN SPRAY OR DUST--TIME WHEN.

WAC 16-230-060 DIELDRIN SEVIN-SPRAY OR DUST--TIME WHEN.

WAC 16-230-080 TIME OF SUNRISE AND SUNSET.

WAC 16-230-085 AIRCRAFT CARRYING RESTRICTED USE PESTICIDES-- PERMISSION REQUIRED.

WAC 16-230-090 RESTRICTIONS IN CERTAIN AREAS.