

State of Washington

Department of Agriculture

(agency name)

Administrative Order No. 2009

(1) I, C. Alan Pettibone, director of Washington State Department of Agriculture

do promulgate and adopt at Olympia, WA (place)

the annexed rules relating to:

The use of the herbicide Harmony in eastern Washington in Chapter 16-228 WAC.

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

This action is taken pursuant to Notice No. filed with the code reviser on These rules shall take effect: 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, C. Alan Pettibone, 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:

Due to apparent off-target movement of harmony and effects observed by the department in several areas of eastern Washington, the department finds its necessary to restrict the application of harmony.

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:

(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.

APPROVED AND ADOPTED June 2 19 89

By C. Alan Pettibone

Director

Title

STATE OF WASHINGTON FILED

JUN 2 1989

CODE REVISER'S OFFICE

89-12-046

NEW SECTION

WAC 16-228-650 Application of Harmony in Eastern Washington-- Restricted Use Herbicides. For the purposes of WAC 16-228-660 and WAC 16-228-670, all formulations of Methyl 3-[[[(4-methoxy-6-methyl-1,3,5-triazin-2-yl)-amino] carbonyl] amino] sulfonyl]-2-thiophene carboxylate (Harmony) are hereby declared to be restricted use pesticides.

NEW SECTION

WAC 16-228-660 Application of Harmony in Eastern Washington-- Area Under Order. The area under order shall include all lands lying east of the crest of the Cascade Mountains.

NEW SECTION

WAC 16-228-670 Application of Harmony in Eastern Washington-- Restrictions. (1) All aerial applications of restricted use herbicides as listed in WAC 16-228-650 shall be prohibited in the entire area under order as defined in WAC 16-228-660.

(2) All ground applications of restricted use herbicides as listed in WAC 16-228-650 shall be made using a minimum orifice diameter of 0.052 inches and a maximum nozzle pressure of thirty pounds per square inch in the area under order as defined in WAC 16-228-660.