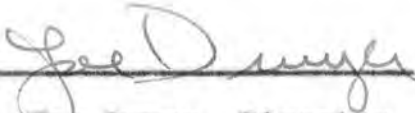


Order 828 superseded by Order 875. See File

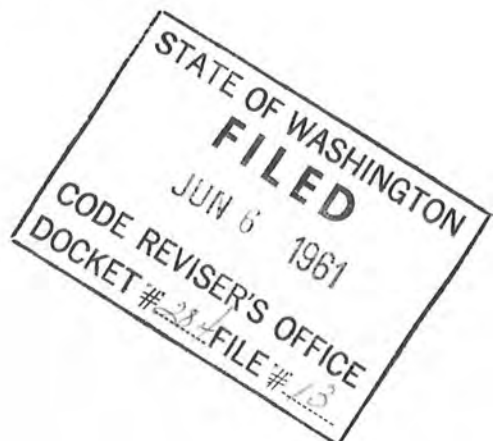
13, Docket 430, filed 12/4/61.

ORDER NUMBER 828 previously in effect, pursuant to a law repealed by the 1961 Legislature and pertaining to the use of agricultural pesticides, sprays and chemically treated materials in Spokane County is hereby adopted as an emergency order pursuant to those laws which shall become effective June 8, 1961; specifically Chapter 249, Laws of 1961 and which replace the laws under which this order previously existed. This is necessary for the immediate preservation of the economic health and general welfare. It is necessary that the order become effective immediately to provide the transition of the old and new laws in that Chapter 249 does not allow time for the usual hearing procedures for this order to become effective prior to the dates that the agricultural sprays will be applied.

I hereby certify that the attached order is a true and correct copy of that order adopted by the Department of Agriculture.


Joe Dwyer, Director.

Dated this 8th day of June, 1961.



16-230
C. Anderson

STATE OF WASHINGTON
DEPARTMENT OF AGRICULTURE
OLYMPIA

ORDER NO. 828

Supersedes Order No. 808

Effective March 10, 1961

A Regulation Relating to the Use of Chemicals and
Chemically Treated Materials in Spokane County

I, Joe Dwyer, Director of Agriculture, State of Washington, after public notice and hearing held at Spokane, Washington on October 28, 1960, by virtue of authority vested in me under Chapter 61, Session Laws of 1951, as amended by Chapter 261, Session Laws of 1953, Revised Code of Washington Chapter 17.20, do hereby amend Order No. 808 to read as follows:

Regulation 1. Area Under Order

That portion of Spokane County south of the 6th Standard Parallel.

Regulation 2. Area of Restricted Use

In those portions of Townships 23 and 24 North, Range 41 East, within the area bounded by the Murphy Road north and west of the city of Cheney, to the junction with Granite Lake Road, south and west along Granite Lake Road to its junction with Salnave Road, west on Salnave Road to its junction with Graham Road, south on Graham Road to its junction with SH 10/395, east and north along State Highway 10/395 to the city of Cheney. Those portions of Townships 22 and 23 North, Ranges 41 and 42 East that are within the boundaries of the Turnbull Migratory Waterfowl Refuge.

Regulation 3. Application Techniques Defined

Aircraft application of the herbicides known as 2,4-D, 2,4,5-T and M.C.P. of the ester type with any other herbicides, chemicals, oils, salts or water on any crops, shrubs or lands is prohibited in the areas defined in Regulation 2, except those ester formulations authorized under the Federal Insecticide, Fungicide and Redenticide Act which are labeled as low volatile.

With ground equipment for use and/or application of herbicides in the areas defined in Regulation 2, the total per acre application shall not be less than 5 gallons including diluent, and at a pressure not to exceed 35 lbs. per square inch at the nozzle and with a wind velocity of not over 5 miles per hour and using precautions in regard to weather conditions and relation to susceptible crops.

Regulation 4. Type of Herbicides Prohibited

In the area defined in Regulation 1 and excepting that area defined in Regulation 2 of this order, the use and application of the herbicides known as 2,4-D, 2,4,5-T and M.C.P. or any formulations thereof with any other herbicides, chemicals, oils, salts or water on any crops, shrubs or lands, except the amine or sodium salt formulations or those ester formulations labeled as low volatile under the Federal Insecticide, Fungicide and Rodenticide Act, is prohibited. Dust formulations of any and all of the materials or chemicals referred to in the above paragraphs are prohibited in the entire area under order (Regulation 1).

Regulation 5. Specifications for Application Equipment

Aircraft application of the herbicides known as 2,4-D, 2,4,5-T and M.C.P. of the amine, sodium salt or ester type or any formulation thereof with any other herbicides, chemicals, oils, salts or water is prohibited within one mile of the city limits of incorporated cities and towns within the area described in Regulation 1 of this order.

Aircraft carrying herbicides or prior to thoroughly cleaning equipment following use of these chemicals are prohibited from turning and/or low flying over cities and towns, farmsteads, windbreaks or cultivated row crops belonging to any person other than the owner of the property being treated, except by permission from the person whose farmstead, windbreak, cultivated crops or other valuable vegetation are involved within the area under regulation.

With ground equipment used within one mile of the city limits of any incorporated city or town within this order under regulation, the total per acre application shall not be less than 7 1/2 gallons, including diluent, and at a pressure of not to exceed 35 lbs. per square inch at the nozzle and with a wind velocity of not over 5 miles per hour, and using precautions in regard to weather conditions and relation to susceptible crops or valuable vegetation.

Regulation 6.

The loading and/or mixing of the herbicides known as 2,4-D, 2,4,5-T and M.C.P. or any formulation thereof with any other herbicides, chemicals, oils, salts or water in aircraft for use and application is prohibited on any air strip, air field or any location within one mile of any incorporated city or town within the area described in Regulation 1 of this order.

Injurious herbicides or emptied containers thereof shall not be dumped or abandoned or allowed to remain at any place where plants of value are likely to be injured by the vapor or by water flowing through or over the material. Equipment used for injurious herbicides shall be cleaned so that no injurious residue remains before being used for any purpose whereby such residue might come in contact with susceptible crops or before being stored in any place where susceptible crops might be affected.

Regulation 7.

No herbicides shall be used under circumstances where injury is likely to result to plants of value on property other than the property to be treated, either through drift of the herbicide during the application or through subsequent movement of vapor or contaminated dust in the wind, nor at any time when the form of the herbicide, method of application, condition of surrounding crops, weather conditions or other circumstances present exceptional risk of injury to crops.

This order will remain in effect until superseded or amended.

/s/ JOE DWYER

Joe Dwyer
Director of Agriculture
State of Washington

Dated at Olympia, Washington
February 8, 1961