

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. 1240
Emergency rules
relating to (Name of rules or description of subject matter)

Regulations pertaining to the use of herbicides in
Okanogan, Douglas, and Chelan Counties.

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

pursuant to Notice No. 3391 ① filed with the code reviser
on 3/14/72 ② were regularly adopted as permanent rules of this
(date)
agency at Olympia, Wa. on 4/13/72 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 5/14/72 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 13th day of April 19 72.

STATE OF WASH. GTON
FILED
APR 13 1972
CODE REVISER'S OFFICE
D KET # 402 FILE # 25

AGRICULTURE
(AGENCY)
Cameron S. Adams
By
CAMERON S. ADAMS
Title Acting Director

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. 1240
(Supersedes Order No. 1039)

EFFECTIVE MAY 14, 1972

REGULATIONS PERTAINING TO THE USE OF HERBICIDES IN
OKANOGAN, DOUGLAS, AND CHELAN COUNTIES

I, Cameron S. Adams, Acting 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 Okanogan, Washington on April 4, 1972, 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 the lands lying within the boundaries of Okanogan, Douglas, and Chelan Counties.

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.

PROHIBITED FORMULATIONS: The use of dust formulations of any and all restricted use herbicides is prohibited in the entire area under order.

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.

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 the counties under order. 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 wheat growers and to each of the known commercial applicators working in the area and an announcement to the local newspapers, radio stations, and County Extension Offices.

REGULATION 2. AREA 1. OKANOGAN COUNTY. An area starting at the intersection of the east boundary line of Sec. 24, T29N, R25E, and the Columbia River; thence north 19 miles more or less to the southwest corner of Sec. 7, T32N, R26E; thence east 3 miles to the southeast corner of Sec. 9; thence north 2 miles to the northeast corner of Sec. 4; thence east 3 miles more or less to the southeast corner of Sec. 36, T33N, R26E; thence north 4 miles to the southwest corner of Sec. 7, T33N, R27E; thence east 2 miles to the southeast corner of Sec. 8; thence north 6 miles to the northeast corner of Sec. 17, T34N, R27E; thence west 8 miles to the northwest corner of Sec. 18, T34N, R26E; thence south 4 miles to the southwest corner of Sec. 31; thence west 3 miles to the northwest corner of Sec. 3, T33N, R25E; thence south 4 miles to the southwest corner of Sec. 22, T33N, R25E; thence west 3 miles to the northwest corner of Sec. 30; thence south 2 miles to the southwest corner of Sec. 31; thence west 2 miles to the northwest corner of Sec. 2, T32N, R24E; thence south 10 miles to the southwest corner of Sec. 23, T31N, R24E; thence west 4 miles to the northwest corner of Sec. 30; thence south 7 miles more or less to the north bank of the Columbia River; thence easterly along the north bank of the Columbia River to the point of beginning.

DOUGLAS COUNTY. An area starting at the intersection of the east boundary of Sec. 23, T29N, R25E, and the Columbia River; thence south to the southeast corner of Sec. 23, T29N, R25E; thence west 2 miles to the southwest corner of Sec. 22; thence north 1 mile to the northwest corner of Sec. 22; thence west 1 mile to the southwest corner of Sec. 16; thence north 4 miles to the northwest corner of Sec. 33, T30N, R25E; thence west 3 miles to the southwest corner of Sec. 25, T30N, R24E; thence south 1 mile to the southeast corner of Sec. 35, T30N, R24E; thence west 2 miles more or less to the Central Ferry Road; thence southerly along the Central Ferry Road and southwesterly along the county road to the old Bonita Ferry Landing lying within Sec. 31, T29N, R24E; thence easterly along the southern bank of the Columbia River to the point of beginning.

CHELAN COUNTY. Those areas lying within a one mile radius from the center of the towns of Azwell and Manson.

AREA 1. (RESTRICTIONS). The use or application of restricted use herbicides is restricted to the liquid forms of the amine and sodium or solubilized acid formations: PROVIDED, That low volatile esters may be used from November 1 to the specified date of the following year. Ground and aerial applications shall be in accordance with regulations 4 and 6.

REGULATION 3. AREA 2. SECONDARY BUFFER ZONE. Sections 1, 2, 11, and 12, and those portions of Sections 3 and 10 lying East of the Central Ferry Road, T29N, R24E; Sections 5, 6, 7, and 8, T29N, R25E; Section 36, T30N, R24E; and Sections 31 and 32, T30N, R25E all lying in Douglas County.

AREA 2. (RESTRICTIONS). The use or application of restricted use herbicides is restricted to the liquid forms of the amine, sodium or solubilized acid and low volatile formulations: PROVIDED, That high volatile esters may be used from November 1 to the specified date of the following year. Ground and aerial applications shall be in accordance with regulations 4 and 6.

REGULATION 4. Ground applications of restricted use herbicides in Areas 1 and 2 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 equipment must not exceed 35 pounds per square inch at the nozzles.

REGULATION 5. INVERT AND FOAM SYSTEM RESTRICTIONS. Pressure for aerial and ground equipment, applying restricted use herbicides through invert and foam systems and ground equipment with hand guns, shall not exceed 55 pounds per square inch at the nozzles.

REGULATION 6. Aerial applications of restricted use herbicides in Areas 1 and 2 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, and directed downward or backward 90 degrees or more from the direction of flight.

REGULATION 7. The application of restricted use herbicides is prohibited from two hours prior to sunset to 4 a.m. in Areas 1 and 2 from the specified date to November 1 of the same year.

REGULATION 8. SPECIAL RESTRICTED USE HERBICIDE PERMITS. The Washington State Department of Agriculture may approve written requests to apply certain 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 9. RESTRICTIONS ON AIRCRAFT. Loading and/or mixing of restricted use herbicides in aircraft is prohibited on any airstrip, airfield, or on any location within one mile of any city or town within the area under Order: PROVIDED, That the airstrips at Okanogan and Brewster may be used for this purpose.

Aircraft carrying restricted use herbicides are prohibited from turning and/or low flying over towns and cities, or 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, within the Area under regulation.

REGULATION 10. WIND AND WEATHER CONDITIONS. Application of restricted use herbicides by ground or aerial equipment shall not be allowed when the mean sustained wind velocity is over 7 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.

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



CAMERON S. ADAMS
Acting Director of Agriculture
State of Washington

Signed at Olympia, WA

Date: April 13, 1972