

STATE OF WASHINGTON
DEPARTMENT OF AGRICULTURE
OLYMPIA

ORDER NO. 874

Supersedes Order No. 830

Effective 1/2/62

STATE OF WASHINGTON
FILED

DEC 4 1961

CODE REVISER'S OFFICE
DOCKET # 419 FILE # 13

A REGULATION RELATING TO THE USE OF CHEMICALS AND
CHEMICALLY TREATED MATERIALS IN GARFIELD COUNTY

I, Joe Dwyer, Director of Agriculture of the State of Washington, by virtue of the authority vested in me under Chapter 17.21 RCW and Chapter 249, Laws of 1961, after due notice and public hearing held at Pomeroy, Washington on October 18, 1961 (Pursuant to 42.32.010 RCW and 34.04.020 RCW), do hereby establish the following Order:

Regulation 1. Area Under Order. All lands lying within the boundaries of Garfield County.

Regulation 2. Type of Herbicides Prohibited. The use or application of the herbicides known as 2,4-D, 2,4,5-T and M.C.P. of the ester type or any formulation thereof with any other herbicides, chemicals, oils, salts or water on any crops, shrubs or lands except those ester formulations labeled as low volatile as authorized under the Federal Insecticide, Fungicide and Rodenticide Act, is prohibited in the area described in Regulation 1 of this order.

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 3. Restricts Certain Application Techniques. Aircraft application 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 is prohibited between the dates of March 1 and September 1 each year within the following described area of Garfield County: that portion of Sections 3, 9, 10, 15 and 16 lying north of the Lower Deadman Road and east of State Highway No. 295 and that portion of Sections 2 and 11 lying north and west of School House Ridge, Township 13 North, Range 40 East; Sections 23, 24, 25, 26 and 35, Township 14 North, Range 40 East; that portion of Sections 15 through 23, 25 through 30, 35 and 36, Township 14 North, Range 41 East; that portion of Sections 13, 14, 23, 27, 28, 29 and 30 and Sections 24, 25, 26 and 31 through 36, Township 14 North, Range 42 East; Sections 1, 2 and 3, Township 13 North, Range 42 East; excluding therefrom any and all portions of the above defined area that constitutes part of the Deadman Creek Watershed.

That portion of Township 14 North, Range 43 East lying north and east of Casey Creek Road; Sections 3, 4, 5, 6, 8, 9, 10, 14 through 16, 21 through 28, 35, 36 and that portion of Section 7 lying north and east of the Kirby Mayview Road, Township 13 North, Range 43 East; Sections 29 through 33, Township 13 North, Range 44 East; Sections 2 through 6 and 11, Township 12 North, Range 44 East.

Regulation 4. Herbicides of any formulations whatever shall not be used or applied either by aircraft or ground equipment 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 herbicide, method of application, condition of surrounding crops, weather conditions, nature of terrain, temperature or any other circumstances, present risk of injury to crops or other valuable vegetation.

Regulation 5. Specification for Application Equipment. Aircraft carrying 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 are prohibited from releasing such herbicides while operating within one mile of incorporated cities except in Section 25, Township 12 North, Range 41 East and Sections 29 and 30, Township 12 North, Range 42 East. Aircraft application in the above sections shall not be made when wind direction, velocity and weather conditions or other circumstances present risk of injury to crops or other valuable vegetation.

Regulation 5 con't.

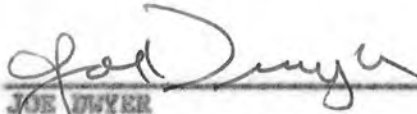
Aircraft carrying the above described herbicides are prohibited from turning or low flying over cities or towns, farmsteads, windbreaks, orchards or cultivated crops belonging to any person other than the owner of the property being treated except by permission of the person whose farmstead, windbreak, orchard or cultivated crops is involved within the area under regulation. This prohibition shall also apply insofar as turning or low flying over the area described in Regulation 3, except that this restriction shall not be construed to prevent those allowable September to March applications under Regulation 3.

Ground equipment when used within the area described in Garfield County shall use a total per acre application of not less than 5 gallons including diluent, a pressure of not to exceed 35 pounds per square inch at the nozzle and shall not operate when the wind velocity is over 5 miles per hour and shall use precautions in regard to other weather conditions and relationship to susceptible crops.

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 incorporated towns within the area described in Regulation 1 of this order, except that the air field lying approximately one mile north and east of the city center, city of Pomeroy, may be used as long as the traffic pattern of aircraft being used for application of herbicides does not cause the aircraft to fly over the town in violation of Regulation 5.

Injurious herbicides or empty containers thereof shall not be dumped or abandoned or stored 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.

This order will remain in effect until superseded or amended.



JOE DWYER
Director of Agriculture
State of Washington

Dated at Olympia, Washington
