

(Effective February 3, 2020)

WAC 296-307-10915 Entry restrictions associated with pesticide applications—40 C.F.R., Sec. 170.405. (1) Outdoor production pesticide applications.

(a) During any outdoor production pesticide application, the agricultural employer must not allow or direct any worker or other person, other than an appropriately trained and equipped handler involved in the application, to enter or to remain in the treated area or an application exclusion zone (AEZ) that is within the boundaries of the establishment until the application is complete.

(b) A summary of outdoor production application exclusion zones (AEZ) can be found in Table 1 and is defined as follows:

(i) The application exclusion zone is the area that extends one hundred feet horizontally from the application equipment in all directions during application when the pesticide is applied by any of the following methods:

(A) Aerially.

(B) Air blast application.

(C) As a spray using a spray quality (droplet spectrum) of smaller than medium (volume median diameter of less than 294 microns).

(D) As a fumigant, smoke, mist, or fog.

(ii) The application exclusion zone is the area that extends twenty-five feet horizontally from the application equipment in all directions during application when the pesticide is applied not as in (a)(i)(A) through (D) of this subsection and is sprayed from a height of greater than twelve inches from the planting medium using a spray quality (droplet spectrum) of medium or larger (volume median diameter of 294 microns or greater).

(iii) There is no application exclusion zone when the pesticide is applied in a manner other than those covered in (a)(i) and (ii) of this subsection.

(c) During any outdoor production pesticide application, the agricultural employer must not allow or direct any worker or other person, other than an appropriately trained and equipped handler involved in the application, to enter or to remain in the treated area or an application exclusion zone that is within the boundaries of the establishment until the application is complete.

(d) After the application is complete, the area subject to the labeling-specified restricted-entry interval and the postapplication entry restrictions specified in WAC 296-307-10920 is the treated area.

Table 1

Entry Restrictions* - During Outdoor Production Pesticide Application (AEZ)

Note: This applies to the area within the boundaries of the establishment, outside establishment boundaries, the handler must suspend application long enough to ensure no contact with any persons within the AEZ (see WAC 296-307-11215 (1) and (2)). Subsection (1)(b) and (c) of this section. During pesticide application and after application is complete, pesticide labeling-specified restricted-entry intervals and post-application restrictions apply to the treated area.

<p>*During pesticides being applied: (WAC 296-307-10915)</p>	<p>Prohibit workers and any persons, other than appropriately trained and equipped handlers, from being in the AEZ:</p>
<p>(A) Aerially (B) Air blast application (C) As a spray using a spray quality (droplet spectrum) of smaller than medium (volume median diameter of less than 294 microns) (D) As a fumigant, smoke, mist, fog, or aerosol</p>	<p>Area that extends 100 feet horizontally in all directions from the application equipment until after the application is complete.</p>

*During pesticides being applied: (WAC 296-307-10915)	Prohibit workers and any persons, other than appropriately trained and equipped handlers, from being in the AEZ:
Not applied as (A), (B), (C), or (D) above and: - From a height of greater than 12 inches from the planting medium; and - As a spray using a medium or larger spray quality droplet spectrum of volume median diameter of 294 microns or greater.	Area that extends 25 feet horizontally in all directions from the application equipment until after the application is complete.
- Otherwise - No AEZ	Follow applicable label directions for restricted-entry intervals.

(2) Enclosed space production pesticide applications.

(a) During any enclosed space production pesticide application described in column 1 of Table 2 under (d) of this subsection, the agricultural employer must not allow or direct any worker or other person, other than an appropriately trained and equipped handler involved in the application, to enter or to remain in the application exclusion zone (AEZ) area specified in column 2 of Table 2 under (d) of this subsection during the application and until the time specified in column 3 of Table 2 under (d) of this subsection has expired.

(b) After the time specified in column 3 of Table 2 under (d) of this subsection has expired, the area subject to the labeling-specified restricted-entry interval and the postapplication entry restrictions specified in WAC 296-307-10920 is the area specified in column 4 of Table 2 under (d) of this subsection.

(c) When column 3 of Table 2 under (d) of this subsection specifies that ventilation criteria must be met, ventilation must continue until the air concentration is measured to be equal to or less than the inhalation exposure level required by the labeling. If no inhalation exposure level is listed on the labeling, ventilation must continue until after one of the following conditions is met:

(i) Ten air exchanges are completed.

(ii) Two hours of ventilation using fans or other mechanical ventilating systems.

(iii) Four hours of ventilation using vents, windows, or other passive ventilation.

(iv) Eleven hours with no ventilation followed by one hour of mechanical ventilation.

(v) Eleven hours with no ventilation followed by two hours of passive ventilation.

(vi) Twenty-four hours with no ventilation.

(d) The following table applies to (a), (b), and (c) of this subsection.

Table 2

Entry Restrictions During Enclosed Space Production Pesticide Applications

1. When a pesticide is applied:	2. Prohibit workers and any persons, other than appropriately trained and equipped handlers, from being in the AEZ:	3. Until:	4. After the expiration of time specified in column 3, the area subject to the restricted-entry interval is:
(a) As a fumigant.	Entire enclosed space plus any adjacent structure or area that cannot be sealed off from the treated area.	The ventilation criteria of subsection (2)(c) of this section are met.	No postapplication entry restrictions required by WAC 296-307-10920 after criteria in column 3 are met.

(b) As a: (i) Smoke; or (ii) Mist; or (iii) Fog; or (iv) Spray using a spray quality (droplet spectrum) of smaller than medium (volume median diameter of less than 294 microns).	Entire enclosed space.	The ventilation criteria of subsection (2)(c) of this section are met.	Entire enclosed space.
(c) Not as in (a) or (b) above, the pesticide product label requires a respirator during application.	Entire enclosed space.	The ventilation criteria of subsection (2)(c) of this section are met.	Treated area.
(d) Not as in (a), (b), or (c), above and: (i) From a height of greater than 12 inches from the planting medium; or (ii) As a spray using a spray quality (droplet spectrum) of medium or larger (volume median diameter of 294 microns or greater).	Treated area plus 25 feet in all directions of the treated area, but not outside the enclosed space.	Application is complete.	Treated area.
(e) Otherwise.	Treated area.	Follow any applicable label restrictions for reentry.	Otherwise no AEZ.

[Statutory Authority: RCW 49.17.040, 49.17.050, 49.17.280 and chapter 49.17 RCW. WSR 19-21-169, § 296-307-10915, filed 10/22/19, effective 2/3/20.]