



# RULE-MAKING ORDER

CR-103 (June 2004)  
(Implements RCW 34.05.360)

Agency: Washington State Department of Agriculture

- Permanent Rule
- Emergency Rule

**Effective date of rule:**

**Permanent Rules**

- 31 days after filing.
- Other (specify) \_\_\_\_\_ (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

**Effective date of rule:**

**Emergency Rules**

- Immediately upon filing.
- Later (specify) \_\_\_\_\_

**Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?**

- Yes
  - No
- If Yes, explain:

**Purpose:** This order clarifies sections regarding phenoxys, the term "restricted use" pesticide, the definition of "Home and Garden Use" pesticides, and modifies the April and May cut off dates for the application of Bromoxynil. There are also several housekeeping changes.

**Citation of existing rules affected by this order:**

Repealed: WAC 16-230-620, 16-230-862  
 Amended: Chapter 16-228 WAC, Chapter 16-230 WAC, Chapter 16-231 WAC, Chapter 16-232 WAC  
 Suspended:

**Statutory authority for adoption:** RCW 17.21, RCW 15.58 and RCW 34.05

**Other authority :**

**PERMANENT RULE ONLY (Including Expedited Rule Making)**

Adopted under notice filed as WSR 07-07-049 on March 13, 2007 (date).  
 Describe any changes other than editing from proposed to adopted version:

LM

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

Name: \_\_\_\_\_ phone ( ) \_\_\_\_\_  
 Address: \_\_\_\_\_ fax ( ) \_\_\_\_\_  
 e-mail \_\_\_\_\_

**EMERGENCY RULE ONLY**

Under RCW 34.05.350 the agency for good cause finds:

- That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.
- That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this finding:

**Date adopted:** May 9, 2007

**NAME (TYPE OR PRINT)**  
Valoria Loveland

**SIGNATURE**

**TITLE**  
Director

**CODE REVISER USE ONLY**

MAY 9 2007  
 8:10  
 07-11-041A

**Note: If any category is left blank, it will be calculated as zero.  
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.  
A section may be counted in more than one category.**

**The number of sections adopted in order to comply with:**

<b>Federal statute:</b>	New	_____	Amended	_____	Repealed	_____
<b>Federal rules or standards:</b>	New	_____	Amended	_____	Repealed	_____
<b>Recently enacted state statutes:</b>	New	_____	Amended	_____	Repealed	_____

**The number of sections adopted at the request of a nongovernmental entity:**

New	_____	Amended	<u>151</u>	Repealed	_____
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**The number of sections adopted in the agency's own initiative:**

New	<u>1</u>	Amended	<u>39</u>	Repealed	<u>2</u>
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**The number of sections adopted in order to clarify, streamline, or reform agency procedures:**

New	<u>152</u>	Amended	<u>152</u>	Repealed	_____
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**The number of sections adopted using:**

<b>Negotiated rule making:</b>	New	_____	Amended	_____	Repealed	_____
<b>Pilot rule making:</b>	New	_____	Amended	_____	Repealed	_____
<b>Other alternative rule making:</b>	New	<u>1</u>	Amended	<u>190</u>	Repealed	<u>2</u>

AMENDATORY SECTION (Amending WSR 03-22-029, filed 10/28/03, effective 11/28/03)

**WAC 16-228-1010** What are the definitions that apply to this chapter? The definitions in this section apply throughout this chapter, unless the context requires otherwise:

(1) "Agricultural commodity" means any plant, or part of a plant, or animal, or animal product, produced by a person (including farmers, ranchers, vineyardists, plant propagators, Christmas tree growers, aquaculturists, floriculturists, orchardists, foresters, or other comparable persons) primarily for sale, consumption, propagation, or other use by people or animals.

(2) "Authorized agent" is any individual who is authorized to act on behalf of a certified applicator for the purpose of purchasing pesticides.

(3) "Bait box" for rodenticides is a box constructed of durable metal, wood, plastic, or other treated material. It shall be designed to hold rodent bait securely, allow rodents to enter and leave, and prevent unauthorized individuals and nonpest domestic animals from gaining access to the bait. Baits placed in industrial, commercial or other areas that are accessible to the public shall be contained in tamper resistant bait boxes. Fragile materials are unacceptable.

(4) "Bait station" may be any location where baits are placed to allow target pests to gain access to the bait.

(5) "Blossoming plants" means:

(a) When there are five or more open blooms per square yard on average in a given field; or

(b) When there are one or more open blooms per tree or vine in an orchard or vineyard; or

(c) When there are five or more open weed blooms per square yard on average for the area being measured for groundcover in orchards or vineyards, fence lines, ditch banks, or field, vineyard or orchard edges. This definition shall not apply to plants that are not attractive to bees (e.g., lentils, hops, peas (*Pisum* sp.), pears (second bloom) and potatoes). For the purposes of this definition, "bloom" means a flower head, raceme or spike with one or more open flowers.

(6) "Bulk fertilizer" is a commercial fertilizer, agricultural mineral, or lime, distributed in nonpackaged form.

(7) "Certified applicator" means any individual who is licensed as a commercial pesticide applicator, commercial pesticide operator, public operator, private-commercial applicator, demonstration and research applicator, or certified private applicator, or any other individual who is certified by the director to use or supervise the use of any pesticide which is classified by the EPA as a restricted use pesticide or by the state

as restricted to use by certified applicators only.

(8) "Chemigation" means the application of any substance or combination of substances intended as a pesticide, plant or crop protectant or a system maintenance compound applied with irrigation water.

(9) "Commercial vineyard" means a parcel of land from which the grape crop is intended to be sold to a processor or for the commercial fresh market.

(10) A "complainant" is defined as a person who has requested an inspection of an area in which a pesticide violation is believed to have occurred.

~~((+10+))~~ (11) "Complete wood destroying organism inspection" means inspection for the purpose of determining evidence of infestation, damage, or conducive conditions as part of the transfer, exchange, or refinancing of any structure in Washington state. Complete wood destroying organism inspections must also include any wood destroying organism inspection that is conducted as the result of telephone solicitation by an inspector, pest control, or other business, even if the inspection would fall within the definition of a specific wood destroying organism inspection.

~~((+11+))~~ (12) "Controlled disposal site" means any place where solid or liquid waste is disposed of: Provided that the area has been designated as a disposal site for waste materials by the appropriate jurisdictional agency. The site must be fenced, barricaded or otherwise enclosed or attended by some person in charge to control the access of domestic animals, pets, and unauthorized persons.

~~((+12+))~~ (13) "Department" means the Washington state department of agriculture.

~~((+13+))~~ (14) "Diluent" means a material, liquid or solid, serving to dilute the pesticide product to the application rate for adequate coverage (such as water).

~~((+14+))~~ (15) "Director" means the director of the department or a duly authorized representative.

~~((+15+))~~ (16) "Dry pesticide" is any granular, pelleted, dust or wettable powder pesticide.

~~((+16+))~~ (17) "EPA" means the United States Environmental Protection Agency.

~~((+17+))~~ (18) "EPA restricted use pesticide" means any pesticide classified for restricted use by the administrator, EPA.

~~((+18+))~~ (19) "Fertilizer" as included in this chapter means any liquid or dry mixed fertilizer, fertilizer material, specialty fertilizer, agricultural mineral, or lime.

~~((+19+))~~ (20) "FIFRA" means the Federal Insecticide, Fungicide and Rodenticide Act as amended (61 stat. 163, 7 U.S.C. Sec. 136 et seq.).

~~((+20+))~~ (21) "Floor level" means the floor upon which people normally walk--not shelves, ledges, overhead beams, tops of stacked materials, surfaces of equipment, or similar places.

~~((+21+))~~ (22) "Food service establishment" means any fixed or mobile restaurant; coffee shop; cafeteria; short order cafe; luncheonette; grill; tearoom; sandwich shop; soda fountain; tavern;



bar; cocktail lounge; nightclub; roadside stand; industrial-feeding establishment; retail grocery; retail food market; retail meat market; retail bakery; private, public, or nonprofit organization routinely serving food; catering kitchen; commissary or similar place in which food or drink is prepared for sale or for service on the premises or elsewhere; and any other eating or drinking establishment or operation where food is served or provided for the public with or without charge.

~~((+22+))~~ (23) "Fumigant" means any substance or combination of substances that produce gas, fumes, vapors, or smoke, and is used to kill pests in some kind of enclosure.

~~((+23+))~~ (24) "High volatile esters" are phenoxy hormone-type herbicides with five or less carbon atoms in the ester group, such as, but not limited to, methyl, ethyl, isopropyl, n-butyl, isobutyl and n-pentyl.

(25) "Highly toxic pesticide" for the purpose of this chapter, means any pesticide that conforms to the criteria in 40 C.F.R. Sec. 156.10 for toxicity Category I due to oral, inhalation or dermal toxicity.

~~((+24+))~~ (26) "Landscape application" means an application by a certified applicator of any EPA registered pesticide to any exterior landscape plants found around residential property, commercial properties such as apartments or shopping centers, parks, golf courses, schools including nursery schools and licensed day cares, or cemeteries or similar areas. This definition shall not apply to: (a) Applications made by certified private applicators; (b) mosquito abatement, gypsy moth eradication, or similar wide-area pest control programs sponsored by governmental entities; and (c) commercial pesticide applicators making structural applications.

~~((+25+))~~ (27) "Low volatile esters" are phenoxy hormone-type herbicides with more than five carbon atoms in the ester group.

(28) "Person" is defined as any individual, partnership, association, corporation, or organized group of persons whether or not incorporated.

~~((+26+))~~ (29) A "person aggrieved" by a violation is defined as a person who has reasonable grounds to believe that he or she has been subjected to harm or an unreasonable risk by such a violation.

~~((+27+))~~ (30) "Pollen shedding corn" means that stage of growth when ten percent or more of the corn plants in any one quarter portion of the field are showing spike anthers.

~~((+28+))~~ (31) "Positive identification" means a photo identification document issued by a U.S. government agency or affiliated jurisdiction (states, tribes, territories). Acceptable photo identification documents are: A driver's license, a passport, a military ID card or an immigration green card. Exception: Nonphoto identification documents may be allowed for religious groups that prohibit members from having their picture taken. In this case, two forms of identification are required, one of which must be a government issued document with a signature (e.g., Social Security card). Other nonphoto identification must identify the holder by name and address (e.g., utility bill).

~~((29))~~ (32) "Private applicator" means a certified applicator who uses or is in direct supervision of the use of any pesticide classified by the EPA or the director as a restricted use pesticide for the purposes of producing any agricultural commodity and for any associated noncrop application on land owned or rented by the private applicator or the applicator's employer or if applied without compensation other than trading of personal services between producers of agricultural commodities on the land of another person.

~~((30))~~ (33) "Private-commercial applicator" means a certified applicator who uses or supervises the use of any pesticide classified by the EPA or the director as a restricted use pesticide for purposes other than the production of any agricultural commodity on lands owned or rented by the applicator or the applicator's employer.

~~((31))~~ (34) "Specific wood destroying organism inspection" means an inspection of a structure for purposes of identifying or verifying evidence of an infestation of wood destroying organisms prior to pest management activities.

~~((32))~~ (35) "State restricted use pesticide" means any pesticide determined to be a restricted use pesticide by the director under the authority of chapters 17.21 and 15.58 RCW.

~~((33))~~ (36) "Structural pest inspector" means any individual who performs the service of conducting a complete wood destroying organism inspection or a specific wood destroying organism inspection.

~~((34))~~ (37) "Unreasonable adverse effects on the environment" means any unreasonable risk to people or the environment taking into account the economic, social and environmental costs and benefits of the use of any pesticide, or as otherwise determined by the director.

~~((35))~~ (38) "Use restricted pesticide" means any pesticide determined by the director to need further state restrictions on use under the authority of chapters 17.21 and 15.58 RCW. This designation does not change federal or state restricted use classifications.

(39) "Waste pesticide" is any pesticide formulation which cannot be used according to label directions in Washington state because of cancellation or suspension of its federal or state registration, or deterioration of the product or its label, and any pesticide formulation whose active ingredients are not clearly identifiable because of label deterioration or because the pesticide is not stored in its original container.

AMENDATORY SECTION (Amending WSR 03-22-029, filed 10/28/03, effective 11/28/03)

WAC 16-228-1125 When can the department revoke or deny a

**license?** (1) The department retains the sole discretion to determine when an individual license should be revoked rather than suspended. Revocation of a license shall be an option for the department in those circumstances where:

- (a) The penalty schedule allows for revocation; and/or
- (b) One or more aggravating factors are present; and/or
- (c) The duration of the licensure action exceeds six months

In circumstances where the department determines revocation to be appropriate, the period of revocation shall be determined at the discretion of the department, but in no instance shall the revocation exceed five years.

(2) The department may deny an applicant a license when the applicant has committed a violation(s) of chapters 15.58 and 17.21 RCW and/or the rules adopted under those chapters. The duration of denial shall be determined based upon the penalty provisions of this chapter. In circumstances where the department determines denial to be appropriate, the period of denial shall not exceed five years.

(3) Nothing shall prevent the department from denying an applicant a license when the applicant has an outstanding civil penalty owed to the department from a previous violation(s).

(4) The department may, at its discretion, suspend a license without also seeking a civil penalty. Such circumstances include, but are not limited to, those incidents where a civil penalty is not available as an appropriate penalty pursuant to RCW 43.05.110. The appropriate period of suspension shall be determined from the penalty schedule.

AMENDATORY SECTION (Amending WSR 03-22-029, filed 10/28/03, effective 11/28/03)

**WAC 16-228-1200 What are the restrictions on pesticide distribution, transportation, application, storage and disposal?**

(1) No person shall handle, transport, store, display, apply, dispose of or distribute pesticides in such a manner as to endanger humans and their environment or to endanger food, feed, or any other product that may be transported, stored, displayed, or distributed with such pesticides. Toxicities of pesticides shall be considered in distribution, storage, handling, and merchandising practices.

(2) Highly toxic pesticides shall not be transported in the same compartment of the vehicle or other equipment together with clothes, food, feed, or any other material intended for consumption by humans or animals. Any vehicle or other equipment shall be inspected by the owner or authorized agent for contamination before reuse. In instances where leakage or spillage has occurred, the shipper of the pesticides shall be immediately notified for instructions concerning the best method to be employed for the



removal of the contamination. Vehicles or other equipment which have been contaminated shall not be returned to service until the contamination has been removed.

(3) Pesticide containers shall be secured during transit by use of side or end racks, bracing, chocks, tiedowns, or other means to prevent their sliding, falling, tipping, rolling, or falling off the vehicle with normal vehicle acceleration, deceleration, or change in direction.

(4) Valves shall be tightly closed and manhole covers shall be secured on cargo, portable and permanent tanks used for transporting, storage and application of pesticides, whether tanks are full or empty.

(5) Portable tanks shall be secured to prevent their sliding, falling, tipping, or rolling with normal vehicle acceleration, deceleration, or change in direction. Ends, sidewalls, or doors of van bodies shall not be relied upon for securement.

(6) Pesticides shall not be delivered to a pesticide consignee unless the consignee or authorized agent is present to accept delivery of the pesticides and signs a delivery slip or the pesticides are secured in a proper storage. Signed delivery slips shall be maintained as required by WAC 16-228-1300 for records.

(7) Pesticides shall not be stored and/or displayed over or adjacent to meat or vegetable cases, other human foods, animal feeds, or drugs, or in any manner that may result in contamination of food, feed, or clothing. Pesticides intended for sale or distribution shall only be stored and displayed within an enclosed area of a building or fence and shall not be displayed on sidewalks.

(8) Pesticide dealers shall not sell, offer for sale, or hold for sale highly toxic pesticides in the same department where food for human consumption is displayed or sold. The same "checkstand" or food packaging area may not be used for the distribution of highly toxic pesticides and food for human consumption.

(9) All pesticide incidents involving undesirable impacts on human health shall be reported to the Washington state department of health by the department.

(10) Pesticides in leaking, broken, corroded, or otherwise damaged containers shall not be displayed, offered for sale, or transported and shall be handled or disposed of in a manner that would not contaminate the environment or cause injury to humans and/or animals. Pesticides with obscured, illegible or damaged labels shall not be displayed or offered for sale.

(11) No person shall distribute or sell any pesticide unless it is in the registrant's or the manufacturer's unbroken, immediate container and the registered pesticide label is affixed to the container.

(12) A user of a pesticide may distribute a properly labelled pesticide to another user who is legally entitled to use that pesticide without obtaining a pesticide dealer's license if the exclusive purpose of distributing the pesticide is keeping it from becoming a hazardous waste as defined in chapter 70.105 RCW.

(13) The distribution and use of DDT and DDD shall be prohibited in this state except for uses allowed by the



Environmental Protection Agency or the Center for Disease Control of the United States Department of Health and Human Services.

AMENDATORY SECTION (Amending WSR 03-22-029, filed 10/28/03, effective 11/28/03)

**WAC 16-228-1231 What are state restricted use pesticides for distribution by licensed pesticide dealers and for use by certified applicators only?** (1) Pesticides defined by the following categories or active ingredients are hereby declared state restricted use pesticides and shall be distributed only by licensed pesticide dealers to certified applicators or to their duly authorized agents. The certified applicator must have a valid certification, license or permit to use or purchase the kind and quantity of such pesticide sold or delivered. These pesticides shall be used or applied only by certified applicators or persons under the direct supervision of a certified applicator, and only for those uses covered by the certified applicator's license category.

(a) Any EPA restricted use pesticide.

(b) All formulations ~~((, except for low volatile esters, of dicamba and))~~ of phenoxy hormone-type herbicides (e.g., 2,4-D, 2,4-DB, 2,4-DP (dichlorprop), MCPA, MCPB, MCPP (mecoprop)) ~~((,))~~ and dicamba when distributed in ((quantities larger than one gallon in)) counties located east of the crest of the Cascade Mountains ~~((,))~~

~~((c))~~ Low volatile ester formulations of dicamba and phenoxy hormone-type herbicides (e.g., 2,4-D, MCPA, MCPP) distributed in quantities of one gallon or larger in counties located east of the crest of the Cascade Mountains.

~~((d))~~ except as listed below:

(i) Salt formulations, including amine and sodium, distributed in quantities of one gallon or less;

(ii) Dry formulations of phenoxy hormone-type herbicides (e.g., 2,4-D, 2,4-DB, 2,4-DP (dichlorprop), MCPA, MCPB, MCPP (mecoprop)) and dicamba labeled and intended only for home and garden use or for turf.

(c) Strychnine and its salts.

~~((e))~~ (d) Aquatic pesticides. All pesticides formulations labeled for application onto or into water to control pests on or in water except as provided in subsection (2) of this section.

~~((f))~~ Pesticides containing the following active ingredients and their isomers are hereby declared state restricted use pesticides for the protection of ground water:

atrazine  
bromacil  
dcpa  
disulfoton  
diuron

hexazinone  
metolachlor  
metribuzin  
picloram  
prometon  
simazine  
tebuthiuron))

(2) Pesticides which are not classified as EPA restricted use pesticides and which are labeled and intended only for the following aquatic uses shall be exempt from the requirements of this section:

- (a) Swimming pools
- (b) Wholly impounded ornamental pools or fountains
- (c) Aquariums
- (d) Closed plumbing and sewage systems
- (e) Enclosed food processing systems
- (f) Air conditioners, humidifiers, and cooling towers
- (g) Industrial heat exchange, air washing and similar industrial systems
- (h) Disinfectants
- (i) Aquatic environments in states other than Washington
- (j) Animal pets
- (k) Use within wholly enclosed structures (with floors) or fumigation chambers.

Greenhouses are not considered as wholly enclosed structures for the purposes of this section

(1) Home and garden control of mosquito larvae.

(3) (~~Products listed in subsection (1)(f) of this section which are~~) Pesticides containing the following active ingredients and their isomers are declared state restricted use pesticides for the protection of ground water except when labeled and intended only for home and garden use ((are exempt from the requirements of this section)).

atrazine  
bromacil  
dcpa  
disulfoton  
diuron  
hexazinone  
metolachlor  
metribuzin  
picloram  
prometon  
simazine  
tebuthiuron

(4) (~~Dry formulations of dicamba, 2,4-D, MCPA, MCPP and other phenoxy hormone-type herbicides labeled and intended only for home and garden use or turf, are exempt from the requirements of this section:~~

(5)) Distribution of pesticides bearing combined labeling of uses onto or into water plus nonaquatic general uses, may be made by licensed pesticide dealers to noncertified applicators if the dealer indicates on the sales slip or invoice that the purchaser of

the pesticide agrees that it will not be applied into or onto water. If requested by the department, dealers shall furnish records on the sales of pesticides labeled for application onto or into water, whether sold for that use or not. Records shall include the name and address of the purchaser, the complete product name and ~~(/or)~~ EPA registration number of the pesticide and the amount purchased. Records shall be kept for seven years from the date of distribution.

~~((+6+))~~ (5) Certified applicators may designate authorized agent(s) for the purpose of purchasing or receiving restricted use pesticides by making previous arrangements with the pesticide dealer, or the authorized agent may provide written authorization by the certified applicator to the dealer at the time of purchase. At the time of purchase by an authorized agent the pesticide dealer shall require the certified applicator's name and license number and positive identification of the authorized agent.

~~((+7+))~~ (6) Pesticide dealers must positively identify unknown purchasers of restricted use pesticides. Positive identification may be annually at the time of verification of the certified applicator's license number or for each individual purchase if the applicator is unknown to the dealer. Dealers must verify the identification of unknown purchasers of restricted use pesticides for telephone or electronic purchases either by fax (photo identification) or at the time of delivery.

AMENDATORY SECTION (Amending WSR 03-05-033, filed 2/11/03, effective 3/14/03)

**WAC 16-228-1262** When are pesticides containing the active ingredient thiamethoxam ~~((restricted))~~ use restricted pesticides? Pesticides containing the active ingredient thiamethoxam are declared to be ~~((restricted))~~ use restricted pesticides when labeled for use on pome fruits, including apples and pears.

AMENDATORY SECTION (Amending WSR 03-22-029, filed 10/28/03, effective 11/28/03)

**WAC 16-228-1300** What are the recordkeeping requirements for pesticide dealers? Pesticide dealers shall keep and furnish records to the director immediately upon request on the distribution of any pesticide except those ~~((labeled only for))~~ determined by the department to be "home and garden use only" products. Records shall be kept for a period of seven years from the date of distribution. General use distribution requests shall

be limited to records necessary for investigations of suspected violations, damage complaints, inspections, monitoring distribution and use under provisions of special local needs registrations, emergency exemptions from federal registration and experimental use permits, and monitoring of any pesticide suspected of unreasonable adverse effects on the environment. The records shall contain the following information:

- (1) Full name and address of purchaser;
- (2) Full name and address of certified applicator (if different from subsection (1) of this section for restricted use pesticides);
- (3) Certified applicator's pesticide license number (for restricted use pesticides);
- (4) Full name of authorized agent for restricted use pesticides;
- (5) Brand and specific pesticide name and EPA registration number;
- (6) Number of pounds or gallons of the pesticide distributed;
- (7) Date of distribution;
- (8) Crop and/or site to which pesticide will be applied (for restricted use pesticides).

AMENDATORY SECTION (Amending WSR 03-22-029, filed 10/28/03, effective 11/28/03)

**WAC 16-228-1320 What are the recordkeeping requirements for pesticide applicators?** (1) Certified applicators and all persons applying pesticides to more than one acre of agricultural land in a calendar year including public entities engaged in roadside spraying, and all persons making landscape applications of pesticides to types of property listed in RCW 17.21.410 (1), (b), (c), (d) and (e) shall keep records for each application which shall include the following:

(a) The full name and full address of the person for whom the pesticide was applied.

(b) The address or exact location of the land where the pesticide was applied. If the application is made to one acre or more of agricultural land, the field must be located on the map on the adopted form. Location of agricultural land shall be made using section, township and range, geographical positioning system coordinates, or by irrigation block and farm unit numbers.

(c) The year, month, day and start and stop time the pesticide was applied.

(d) The product name used on the registered label and the United States Environmental Protection Agency registration number, if applicable, of the pesticide which was applied.

(e) The direction from which the wind is blowing and estimated velocity of the wind in miles per hour (mph) and the temperature in



degrees Fahrenheit at the time the pesticide was applied: Provided that this subsection (e) shall not apply to applications of baits in bait stations, pesticide applications within structures and drip or subsurface irrigation applications. Wind and temperature readings shall be obtained in close proximity to the application site.

(f) The total amount of pesticide applied such as pounds, gallons, ounces, etc.

(g) The amount of pesticide applied per acre or one thousand square feet or other appropriate measure.

(i) For PCO classification or residential ornamental applications, the amount shall be recorded to the nearest ounce of product or to the nearest gallon of liquid spray per site.

(ii) Fumigation records shall include the pounds of gas released per one thousand cubic feet of space, the temperature, and the duration of the exposure period.

(h) The concentration of pesticide that was applied. Liquid applications may be recorded as, but are not limited to, amount of product per one hundred gallons of liquid spray, gallons per acre of output volume, ppm, percent product in tank mix (e.g., 1%). For chemigation applications record "inches of water applied" or other appropriate measure.

(i) The pests to be controlled (for PCO classification only).

(j) Specific crop or site to which pesticide was applied.

(k) Apparatus license plate number.

(l) The licensed applicator's full name, certified pesticide applicator license number, complete address, telephone number, and the full name (~~and license number(s) if applicable~~) of the individual or individuals making the application.

(m) The number of acres or other appropriate measure to which the pesticide was applied.

(n) For commercial applications, the full name and complete address of the commercial firm.

(2) Application records shall be completed and available to the department the same day the pesticides were applied.

(3) Application records shall be kept for a period of seven years from the date of the application of the pesticide to which such records refer. The director shall, upon request in writing, be furnished with a copy of such records immediately by the licensee.

(4) Upon written request, the applicator shall provide the customer with a record of each application of pesticides to his/her land, for the current season, which shall contain the information listed in WAC 16-228-1320(1).

(5) Except as stated in subsection (6) of this section, the information required in subsection (1) of this section shall be provided upon request on the appropriate page of the pesticide record form (figures 1-8): Provided that computerized records may be maintained as long as the records can be produced in the form and format prescribed by the department.

(6) The department may allow by written permit the information required in subsection (1) of this section to be kept in a different form and format than that described in figures 1-8:

Provided that the following criteria are met:

(a) The pesticide application recordkeeping system is computerized;

(b) The pesticide application recordkeeping system contains all the information required by subsection (1) of this section, and can be produced in a form and format acceptable to the department.

(7) All apparatus shall be kept in good repair and only that apparatus capable of performing all functions necessary to ensure proper and thorough application of pesticides shall be used. Apparatus shall be cleaned so that no residue remains which may cause injury to land, humans, desirable plants and animals, from subsequent applications.

(8) On demand of the director, the applicator shall make immediately available for inspection the pesticides being applied and the apparatus used for the application: Provided that this inspection is made at the site of application or where the apparatus is located.

(9) The applicator shall make available necessary safety equipment in proper working order and advise employees on its use to meet the safety requirements of the pesticide label.

(10) Maintain a uniform mixture at all times in operating apparatus when applying pesticides.

(11) All containers used for ((prepared)) pesticide mixtures, other than those in an apparatus, shall have a label identifying the contents as a pesticide, the active ingredient, and appropriate ((cautions)) restrictions and precautions.

State of Washington  
 Department of Agriculture  
 Olympia, Washington 98504

**PESTICIDE APPLICATION RECORD (Version 1)**  
**NOTE:** This form must be completed same day as the application and it must be retained for 7 years (Ref. chapter 17.21 RCW)

1. Date of Application - Year: ..... Month: ..... Day: ..... Start Time: .....  
 Stop Time: .....

2. Name of person for whom the pesticide was applied: .....  
 Firm Name (if applicable): .....  
 Street Address: ..... City: ..... State: ..... Zip: .....

3. Licensed Applicator's Name (if different from #2 above): ..... License No.: .....  
 Firm Name (if applicable): ..... Tel No.: .....  
 Street Address: ..... City: ..... State: ..... Zip: .....

4. Name of person(s) who applied the pesticide (if different from #3 above): .....  
 License No(s). If applicable: .....

5. Application Crop or Site: .....

6. Total Area Treated (acre, sq. ft., etc.): .....

7. Was this application made as a result of a WSDA Permit?  No  Yes (If yes, give Permit No.) # .....

8. Pesticide Information (please list all information for each pesticide, including adjuvants (buffer, surfactant, etc.), in the tank mix):

a) Full Product Name	b) EPA Reg. No.	c) Total Amount of Pesticide Applied in Area Treated	d) Pesticide Applied/Acre (or other measure)	e) Concentration Applied
			/	
			/	
			/	
			/	

9. Address or exact location of application. NOTE: If the application is made to one acre or more of agricultural land, the field location must be shown on the map on page two of this form.

- 10. Wind direction and estimated velocity (mph) during the application: .....
- 11. Temperature during the application: .....
- 12. Apparatus license plate number (if applicable): .....
- 13.  Air                       Ground                       Chemigation
- 14. Miscellaneous Information:

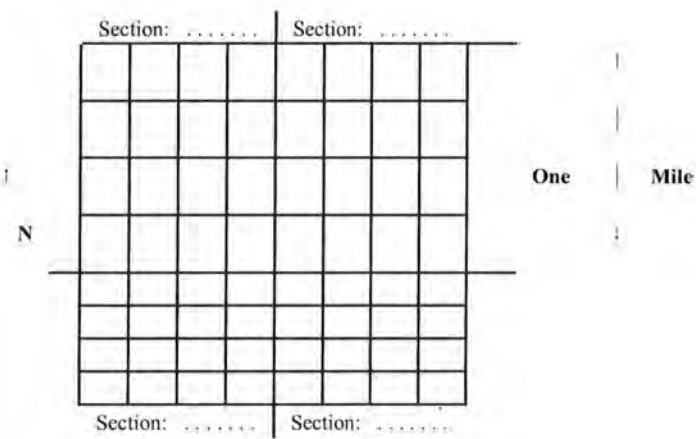
AGR 4226 (Rev. ((5/03)) 4/07)

**Location of Application:** If the application covers more than one township or range, please indicate the township & range for the top left section of the map only:

Township: ..... N  
 Range: E OR W (please indicate): .....  
 Section(s): .....  
 Block: ..... Farm Unit: .....  
 or GPS: .....  
 County: .....

**PLEASE NOTE:**

*The map is divided into 4 sections with each section divided into quarter-quarter sections. Please complete it by marking the appropriate section number(s) on the map and indicate as accurately as possible the location of the area treated.*



Miscellaneous Information:

**INSTRUCTIONS**

Pesticide Application Record (Version 1) AGR 4226 (Rev. ((5/03)) 4/07)

1. Date may be spelled out or indicated numerically. Time must be indicated as start and stop times.
2. Include first and last name.

#### INSTRUCTIONS

3. If the person's name is the same as No. 2, write "same" in the space for the licensed applicator's name and include the license number (if applicable) and telephone number.
4. Include first and last name(s).
5. Indicate type of land or site treated, not location.  
Examples: Wheat, apples, rights of way, lawn, trees and shrubs, crawl space, wall voids, etc.
6. May also be stated in terms such as linear feet, cubic feet, etc. (Specify the term to which the number refers.)  
If spot treatment, write spot treatment.
7. If the application was made under permit, but no permit number was issued, indicate the date the permit was issued.
8. a) Brand name found on the pesticide label including adjuvants (buffer, spreader, sticker, surfactant, ((dye;) etc.).  
b) This number is found on the pesticide container label. If the material is being applied under a federal experimental use permit and no EPA Reg. No. exists, list the federal experimental use permit number. If the material is a spray adjuvant (buffer, spreader, sticker, surfactant, etc.) write "adjuvant" in this space and add the state registration number.
- c) Indicate the amount of pesticide formulation (product) applied to the total area listed on line 6.
- d) Other measures may include amount/sq. ft., amount/cu. ft., amount/linear ft., etc.
- e) This may be listed in various ways, such as: Amount of product/100 gallons water, percent formulation in the tank mix (i.e., 1%), gallons per acre of output volume, ppm (or other measure), or inches of water applied (chemigation). Specify the term to which the number refers.
9. Agricultural land includes such areas as forest lands and range lands. It does not include transportation and utility rights of way.
10. Indicate the direction from which the wind is blowing. Measure wind velocity in mph. If the wind varies in direction and velocity during the application, indicate the range of variance (i.e., S-SW 3-7 mph). Wind readings shall be obtained in close proximity to the application site.
11. Indicate temperature in degrees Fahrenheit. (It may be indicated as the range encountered during application.) Temperature readings shall be obtained in close proximity to the application site.
12. This does not apply to private applicators or public agencies.
13. Check one.
14. Depth of application/inches of water (chemigation).



INSTRUCTIONS

15. This space is available for any additional information you may wish to include.

Form AGR 4226 (Rev. ((5/03)) 4/07) Pg. 2

State of Washington  
 Department of Agriculture  
 Olympia, Washington 98504

**PESTICIDE APPLICATION RECORD (Version 2)**

**NOTE:** Application information must be completed same day as the application and must be retained for seven years (Ref. chapter 17.21 RCW)

1. Name & Address of Person for Whom Pesticide was Applied				2. Applicator Name and Address (if different from # 1)				
3. Full, complete address or exact location of application (NOTE: If the application is made to one acre or more of agricultural land, the field location must be shown on the map on page two of this form)				4. Misc. Info:				
5. Date and Time of Application (Start and Stop)	6. Crop or Site Treated	7. Acres Treated (or other measure)	8. FULL PRODUCT NAME	9. EPA Registration Number	10. Amount of Product Applied		11. Concentration	12. Weather Conditions (wind direction, velocity, temperature). Apparatus License Plate No. and Name and License No. of person(s) who applied pesticide
					Rate per acre (or other measure)	Total Product Applied		
	<input type="checkbox"/> Air <input type="checkbox"/> Ground <input type="checkbox"/> Chemigation							
	<input type="checkbox"/> Air <input type="checkbox"/> Ground <input type="checkbox"/> Chemigation							
	<input type="checkbox"/> Air <input type="checkbox"/> Ground <input type="checkbox"/> Chemigation							
	<input type="checkbox"/> Air <input type="checkbox"/> Ground <input type="checkbox"/> Chemigation							

AGR 4235 (Rev. ((5/03)) 4/07)

**Location of Application** (If the application covers more than one township or range, please indicate the township & range for the top left section of the map only:

Township: ..... N      Section: ..... | Section: .....

Range: E OR W (please indicate) . . .

Section(s): . . . . .

Block: . . . . . Farm Unit: . . . . .

or GPS: . . . . .

County: . . . . .


INSTRUCTIONS

10. Rate per acre: Other measures may include amount/sq. ft., amount/linear ft., etc. Specify the term to which the number refers. Total product applied is the total product applied between start and stop times.

11. This may be listed in various ways, such as: Amount of product/100 gallons water, percent formulation in the tank mix (i.e., 1%), gallons per acre of output volume, ppm (or other measure), or inches of water applied (chemigation). Specify the term to which the number refers.

12. Weather conditions must include the direction from which the wind is blowing, measure velocity in mph. If the wind varies in direction and velocity during the application, indicate the range of variance (i.e., S-SW 3-7 mph). Temperature must also be indicated in degrees Fahrenheit and may be listed as the range encountered during the application. Wind and temperature readings shall be obtained in close proximity to the application site.

The apparatus license plate number does not apply to private applicators or public agencies.

Include first and last name(s) of person(s) who applied the pesticide. Include license number(s) if applicable.

State of Washington  
Department of Agriculture  
Olympia, Washington 98504

**PESTICIDE APPLICATION RECORD (Version 3)**

**NOTE:** This form must be completed same day as the application and it must be retained for 7 years (Ref. chapter 17.21 RCW)

1. Date of Application - Year: ..... Month: ..... Day(s): .....

2. Name of person for whom the pesticide was applied: .....

Firm Name (if applicable): .....

Street Address: ..... City: ..... State: ..... Zip: .....

3. Licensed Applicator's Name (if different from #2 above): ..... License No.: .....

Firm Name (if applicable): ..... Tel. No.: .....

Street Address: ..... City: ..... State: ..... Zip: .....

4.  Air  Ground  Chemigation

5. Application Crop or Site: .....

6. Total Area Treated (acre, sq. ft., etc.) .....

7. Was this application made as a result of a WSDA Permit?  No  Yes (If yes, give Permit No.) # .....

8. Pesticide Information (list all information for each pesticide including adjuvants in the tank mix):

a) Full Product Name	b) EPA Reg. No.	c) Total Amount of Pesticide Applied in Area Treated	d) Pesticide Applied/Acre (or other measure)	e) Concentration Applied	f) Depth of Application (Chemigation)
			/		
			/		
			/		
			/		
			/		

9. Address **or exact location** of application. NOTE: If the application is made to one acre or more of agricultural land, the field location must be shown on the map on page two of this form.





INSTRUCTIONS

Pesticide Application Record (Version 3) AGR 4236  
(Rev. ~~((5/03))~~ 4/07)

1. Date may be spelled out or indicated numerically.
2. Include first and last name.
3. If the person's name is the same as No. 2, write "same" in the space for the licensed applicator's name and include the license number (if applicable) and telephone number.
4. Check one.
5. Indicate type of land or site treated, not location.  
Examples: Wheat, apples, rights of way, lawn, trees and shrubs, crawl space, wall voids, etc.
6. May also be stated in terms such as linear feet or cubic feet. (Specify the term to which the number refers.) If spot treatment, write spot treatment.
7. If the application was made under permit, but no permit number was issued, indicate the date the permit was issued.
- 8.a) Brand name found on the pesticide label including adjuvants (buffer, spreader, sticker, surfactant, ~~((dye;))~~ etc.).
- b) This number is found on the pesticide container label. If the material is being applied under a federal experimental use permit and no EPA Reg. No. exists, list the federal experimental use permit number. If the material is a spray adjuvant (buffer, spreader, sticker, surfactant, etc.) write "adjuvant" in this space and add the state registration number.
- c) Indicate the amount of pesticide formulation (product/adjuvant) applied to the total area listed on line 6.
- d) Other measures may include amount/sq. ft., amount/cu. ft., amount/linear ft., etc.
- e) This may be listed in various ways, such as: Amount of product/100 gallons water, percent formulation in the tank mix (i.e., 1%), gallons per acre of output volume, ppm (or other measure), or inches of water applied (chemigation). Specify the term to which the number refers.
- f) Depth of application (chemigation).
9. Agricultural land includes such areas as forest lands and range lands. It does not include transportation and utility rights of way.
10. List the date of application.
11. Indicate first and last name(s).
12. List license number(s) if applicable.
13. This does not apply to private applicators or public agencies.

INSTRUCTIONS

14. Application start and stop times must be indicated. Indicate a.m. or p.m.

15. The total of all entries in this column should equal the total listed on line 6.

16. Indicate the direction from which the wind is blowing. Measure wind velocity in mph. If the wind varies in direction and velocity during the application, indicate the range of variance (i.e., S-SW 3-7 mph). Wind readings shall be obtained in close proximity to the application site.

17. Indicate temperature in degrees Fahrenheit. (It may be indicated as the range encountered during the application.) Temperature readings shall be obtained in close proximity to the application site.

State of Washington  
Department of Agriculture  
Olympia, Washington 98504

**PESTICIDE APPLICATION RECORD (Version 4)**

**NOTE:** This form must be completed same day as the application and it must be retained for 7 years (Ref. chapter 17.21 RCW)

A. Date of Application - Year: ..... Month: ..... Day: .....

B. Firm Name: ..... Telephone No.: .....  
Commercial Applicator's Name: ..... License No.: .....  
Street Address: ..... City: ..... State: ..... Zip: .....

C. Name of person(s) who applied the pesticide: .....  
License No(s): .....

D. Pesticide Information (list all information for each pesticide including spray adjuvants (buffer, surfactant, dye, etc.) in the tank mix):

<u>Full Product Name</u>	<u>EPA Reg. No.</u>	<u>Concentration</u>
		Amount: (Lbs., Qts., etc.) of brand per 100 gallons of tank mix. Amount and unit must be specified.

E. Application crop or site: ..... F. Apparatus License Plate No. ....

G. Record the following information for the specific conditions during each application:

	<u>CUSTOMER</u> (a) full name (b) complete address	<u>AMOUNT APPLIED</u> (gals. of mix)	<u>AREA TREATED</u> (sq. ft., etc.)	<u>START AND STOP TIME</u>	<u>TEMP</u> F°	<u>WIND DIR VEL</u> (mph)
1. a)						
b)						
2. a)						
b)						
3. a)						
b)						
4. a)						
b)						
5. a)						
b)						
6. a)						
b)						

7. a) \_\_\_\_\_  
 b) \_\_\_\_\_  
 8. a) \_\_\_\_\_  
 b) \_\_\_\_\_  
 9. a) \_\_\_\_\_  
 b) \_\_\_\_\_

AGR 4234 (Rev. ((5/03)) 4/07)

INSTRUCTIONS

Pesticide Application Record (Version 4) AGR 4234  
 (Rev. ((5/03)) 4/07)

This form may only be used for commercial residential ornamental and lawn applications. It may not be used to satisfy the application record requirements for agricultural employers.

- A. Date may be spelled out or indicated numerically.
- B. Include first and last name of the commercial applicator.
- C. Include first and last name(s).
- D. Product name: Brand name found on the pesticide label including adjuvants (buffer, spreader, sticker, surfactant, ((dye:)) etc.).
- E. Indicate type of land treated, not location. Examples: Rights of way, lawn, trees and shrubs, driveways, etc.
- F. List the number of the license plate affixed to the apparatus.
- G. Customer's name and application information should be listed on line A. Street address should be listed on line B, including city. Additional pages may be added for additional customers on the same day, so long as the information in A through F remains the same.

DAILY PESTICIDE APPLICATION RECORD (Version 5)  
 For Commercial Pest Control Operators Only

NOTE: This form must be completed same day as the application and retained for seven years (Ref. chapter 17.21 RCW)

A. FIRM NAME AND ADDRESS: ..... TELEPHONE NUMBER: .....  
 B. APPLICATOR NAME: ..... LICENSE NO. ....  
 C. PERSON MAKING APPLICATION: ..... LICENSE NO. ....  
 D. DATE: ..... E. APPARATUS LICENSE NO: .....

CUSTOMER (a) FULL NAME (b) FULL ADDRESS OR LOCATION OF APPLICATION (c) TARGET PEST	(a) EPA REG. NO./FULL PRODUCT NAME(S) (b) CONCENTRATION (c) TOTAL AMOUNT USED	(a) TIME (IN/OUT) (b) TEMP. (c) WIND DIR./ VELOCITY	APPLICATION SITE (C&C, SPOT, VOID, INJECTIONS, ETC.)	PESTICIDE APPLIED/ACRE OR OTHER MEASURE
1. a) _____ b) _____ c) _____	_____	_____	_____	/ _____
2. a) _____ b) _____ c) _____	_____	_____	_____	/ _____
3. a) _____ b) _____ c) _____	_____	_____	_____	/ _____
4. a) _____	_____	_____	_____	/ _____





agents must be listed by chemical name in descending order of composition with either individual or total percentage(s). If more than 3 functioning agents are present, only the 3 principal agents need to be listed;

(ii) The percentage of "Constituents ineffective as spray adjuvants," and

(iii) The total percentage of all ingredients which must equal 100%.

(d) Directions for use that must include a description of intended uses and recommended use rates.

(e) Precautionary statements adequate to protect people and the environment that shall include the following:

(i) The statement "Keep Out Of Reach Of Children."

(ii) A signal word (danger, warning or caution) and precautionary statements (including requirements for personal protective equipment, if applicable) consistent with product toxicity data; and

(iii) A statement prohibiting aquatic use, unless the registrant provides data to demonstrate that the proposed use will not cause unreasonable adverse effects to fish and aquatic invertebrates.

(f) An appropriate storage and disposal statement.

(g) The name and address of the registrant or manufacturer. If the registrant's name appears on the label and the registrant is not the manufacturer, then the name must be qualified by appropriate wording such as "Packaged for" or "Distributed by."

(h) The weight or measure of the contents.

(i) In situations where the department deems it appropriate, the use of alternative language and/or statements may be allowed or required.

(j) Optional information: The spray adjuvant label may also include an exemption from tolerance statement (if applicable), an unsulfonated residue (UR) value (if applicable), the Washington registration number and a label identification code (such as the revision date).

(4) Special local need (SLN) labels issued under section 24c of FIFRA must include the following:

(a) A federal or state Restricted Use Pesticide (RUP) designation statement (when applicable).

(b) The statement "FOR DISTRIBUTION AND USE ONLY WITHIN THE STATE OF WASHINGTON."

(c) The product brand name.

(d) The EPA and SLN registration numbers of the product.

(e) The statement: "It is a violation of federal law to use this product in a manner inconsistent with its labeling."

(f) The statement: "This labeling must be in the possession of the user at the time of application."

(g) One of the following statements:

(i) For agricultural use SLN labels the statement: "Follow all applicable directions, restrictions, worker protection standard requirements, and precautions on the EPA registered label"; or

(ii) For nonagricultural use SLN labels the statement: "Follow all applicable directions, restrictions, and precautions on the EPA registered label."

(h) Directions for use that must include the following: crop or site to be treated, pest(s) to be controlled, application rate and concentration, method of application, frequency and timing of application, and pre-harvest interval.

(i) All restriction or precaution statements (e.g. pollinator protection, herbicide drift, aquatic toxicity, chemigation, seed crop requirements) applicable to the use.

(j) An expiration date statement such as: "This label for (Product name) expires and must not be distributed or used in accordance with this SLN registration after December 31, (Fifth year)." Fifth year means the fifth year after issuance of the SLN label.

(k) The name and address of the SLN registrant.

(l) A label identification code (such as the revision date).

(m) Any other applicable information required by the EPA or the department.

(n) In situations where the department deems it appropriate, the use of alternative language and/or statements may be allowed or required.

(o) Optional information: The SLN label may also include a waiver of liability statement (if applicable). The waiver of liability statement must be consistent with EPA requirements.

(5) Labels for minimum risk pesticides exempted from federal registration under section 25(b) of FIFRA must include the following:

(a) The product brand name.

(b) The product function. The function(s) claimed must be consistent with product ingredients.

(c) An ingredient statement that shall include the following:

(i) "Active ingredients." These ingredients must be listed by name (in descending order of composition) with individual percentage(s). Only active ingredients listed in 40 CFR 152.25(g) are permitted;

(ii) "Inert ingredients" or "Other ingredients." These ingredients must be listed by name with the cumulative percentage of all inert ingredients stated on the label. Only inert ingredients on EPA Inerts List 4A (40 CFR 180.950) are permitted; and

(iii) The total percentage of all ingredients which must equal 100%.

(d) Directions for use that must include a description of intended uses and use rates. The label must not bear claims either to control or mitigate microorganisms that pose a threat to human health.

(e) Precautionary statements adequate to protect people and the environment that shall include the following:

(i) The statement "Keep Out Of Reach Of Children," and

(ii) A signal word (danger, warning or caution) and precautionary statements (including requirements for personal protective equipment, if applicable) consistent with product toxicity data.

(f) An appropriate storage and disposal statement.

(g) The name and address of the registrant or manufacturer.

If the registrant's name appears on the label and the registrant is not the manufacturer, then the name must be qualified by appropriate wording such as "Packaged for" or "Distributed by."

(h) The weight or measure of the contents.

(i) In situations where the department deems it appropriate, the use of alternative language and/or statements may be allowed or required.

(j) Optional information: The minimum risk pesticide label may also include the Washington registration number and a label identification code (such as the revision date).

AMENDATORY SECTION (Amending WSR 03-22-029, filed 10/28/03, effective 11/28/03)

**WAC 16-228-1410 What pesticides are considered home and garden use only pesticides?** For purposes of this section, "home and garden use only" means any pesticide determined by the department to be packaged ~~((and))~~, labeled ~~((solely for))~~ and marketed in a manner that clearly indicates the product is intended for personal use by the general public in and around a residence. In making this determination, the department ~~((shall))~~ will consider, but not be limited to, the following criteria:

- (a) Packaging;
- (b) Package size;
- (c) Label instructions;
- (d) Application method;
- (e) Equipment to be used;
- (f) Rates of application.

AMENDATORY SECTION (Amending WSR 03-22-029, filed 10/28/03, effective 11/28/03)

**WAC 16-228-1520 What are the requirements for the commercial applicator's financial responsibility insurance certificate (FRIC)?** (1) A commercial pesticide applicator's license shall not be issued until a ~~((properly executed))~~ financial responsibility insurance certificate is filed with the department which shall certify: (Forms to be supplied by the department).

- (a) Name of insured (identical to name on application form)
- (b) Address of insured
- (c) Policy number
- (d) Aircraft number(s) covered by the insurance (if applicable)
- (e) Effective period

(f) Amount of insurance. Minimum requirements are:

(i) Public liability (personal injury) fifty thousand dollars; and property damage fifty thousand dollars; or

(ii) Alternately providing both public liability (personal injury), and property damage liability coverage within the same limit, providing such policy is issued in an amount of not less than one hundred thousand dollars.

(iii) Amount of deductible (if applicable): Maximum deductible, five thousand for all applicators.

(g) List of any pesticides or group of pesticides not covered by the policy.

(h) Acknowledgement of provisions for ten days' prior written notice of cancellation or reduction of the insurance coverage.

(2) The department may waive the requirements of this section, wholly or in part, if a (~~properly executed~~) surety bond in a form prescribed by the director is offered as evidence of financial responsibility, as provided for in RCW 17.21.160 and 17.21.170.



AMENDATORY SECTION (Amending Order 1989, filed 10/19/88)

WAC 16-230-010 (~~Restricted use pesticides~~) What are the restrictions on insecticides used on blossoming alfalfa, clover and mint (~~--Area under order--~~)? ((1)) For the purposes of WAC 16-230-010 through 16-230-079, the following (~~agricultural~~) pesticides (~~are declared to be restricted use pesticides in all counties of the state of Washington~~) have additional statewide use restrictions when applied to blossoming alfalfa, clover and mint.

<u>COMMON CHEMICAL NAME</u>	<u>ALSO KNOWN AS*</u>
acephate	Orthene
azinphos-methyl	Guthion
carbaryl	Sevin
carbofuran	Furadan
<del>((carbophenothion</del>	<del>Frithion))</del>
chlorpyrifos	Lorsban
<del>((demeton</del>	<del>Systox))</del>
diazinon	
dimethoate	Cygon( <del>Rebelate</del> )
disulfoton	Di-Syston
endosulfan	Thiodan
<del>((fenthion</del>	<del>Baytex))</del>
fluvalinate	Spur
formetanate hydrochloride	Carzol
malathion	<del>((Cythion))</del> <u>Fyfanon</u>
methidathion	Supracide
methomyl	Lannate, Nudrin
methoxychlor	Marlate
methyl parathion	
<del>((mevinphos</del>	<del>Phosdrin))</del>
naled	Dibrom
oxamyl	Vydate
oxydemeton-methyl	Metasystox-R
<del>((parathion))</del>	
phorate	Thimet
phosmet	Imidan
trichlorfon	Dylox

\* This column is to be used only as a guide and may not include all brand or trade names under which these chemicals are distributed.

~~((2) Area under order. All counties of the state of Washington.))~~

AMENDATORY SECTION (Amending Order 1818, filed 4/10/84)

**WAC 16-230-015 ((Definition.)) What definitions apply to this section?** (1) The term "blossoming alfalfa, mint or clover" as used in WAC 16-230-010 through 16-230-083 shall ~~((be))~~ apply when there are five or more blooms per square yard on the average in a given field: Provided, That following the first cutting the bloom count shall be taken only on the current crop. For the purpose of this rule, a "bloom" on clover or alfalfa is defined as any alfalfa raceme or clover head containing one or more open flowers. A "bloom" on mint is defined as any head or spike with one or more open (florets) flowers.

(2) The time of sunrise and sunset shall be that of the official tables, U.S. Weather Bureau, Yakima, Washington.

AMENDATORY SECTION (Amending Order 1989, filed 10/19/88)

**WAC 16-230-030 What are the use restrictions for alfalfa and clover ~~((--Chemical restrictions.))~~ pesticide applications?** (1) The use or application of any formulation (except where the formulation is specified) of the following listed pesticides ~~((shall be))~~ is prohibited on blossoming alfalfa and clover crops within seven days to blossoming: Provided, That methidathion (Supracide) when used in Kittitas County on timothy hay mixed with alfalfa and/or clover shall only be prohibited within three days to blossoming. See WAC 16-230-076 and 16-230-078 for additional restrictions in certain areas of Walla Walla County.

- (a) Azinphos-methyl (Guthion)
- (b) Carbaryl (Sevin)
- (c) Carbofuran (Furadan)
- (d) Dimethoate (Cygon ~~((or Rebelate)))~~)
- (e) Methidathion (Supracide)

(2) The use or application of liquid formulations of chlorpyrifos (Lorsban), ~~((mevinphos (Phosdrin),))~~ wetttable powder formulations of naled (Dibrom), and liquid or wetttable powder formulations of malathion (Fyfanon) and phorate (Thimet) applied as sprays on blossoming alfalfa or clover crops is restricted to applications only within the period beginning at two hours prior to sunset and ending at midnight of the same day.

(3) The use or application of any formulation (except where the formulation is specified) of the following pesticides ~~((shall be))~~ is prohibited on blossoming alfalfa and clover crops:

- (a) Carbaryl (Sevin) see number (1) above
- (b) Diazinon
- (c) Fenthion (Baytex)
- (d) Malathion ~~((dust and))~~ (Fyfanon) ULV and dust
- (e) Methyl parathion
- (f) ~~((Mevinphos (Phosdrin) dust~~

- ~~(g))~~ Naled (Dibrom) dust
- ~~((h) Parathion~~
- ~~(i))~~ (g) Phosmet (Imidan)

(4) The use or application of the following listed pesticides or any formulation thereof (except where the formulation is specified) on blossoming alfalfa and clover crops is restricted to applications only within the period beginning at two hours prior to sunset and ending at two and one-half hours after sunrise the following morning: Provided, That methomyl (Lannate or Nudrin) shall only be applied to blossoming clover crops pursuant to this rule, and its application to blossoming alfalfa is further restricted to applications only within the period beginning at two hours prior to sunset and ending at midnight the same day: Provided further, That the application of the following ~~((restricted))~~ use restricted pesticides on blossoming alfalfa in Walla Walla County is further restricted to applications only within the period beginning at sunset and ending at two hours after midnight the following morning:

- (a) ~~((Carbophenothion (Trithion)~~
- ~~(b))~~ Formetanate hydrochloride (Carzol)
- ~~((c) Demethon (Systox)~~
- ~~(d))~~ (b) Naled (Dibrom) emulsifiable concentrate
- ~~((e))~~ (c) Disulfoton (Di-Syston)
- ~~((f))~~ (d) Endosulfan (Thiodan)
- ~~((g))~~ (e) Oxydemeton-methyl (Metasystox-R)
- ~~((h))~~ (f) Methomyl (Lannate or Nudrin)
- ~~((i))~~ (g) Methoxychlor (Marlate)
- ~~((j))~~ (h) Phorate (Thimet) granular
- ~~((k))~~ (i) Trichlorfon (Dylox)
- ~~((l))~~ (j) Oxamyl (Vydate)
- ~~((m))~~ (k) Fluvalinate (Spur)

AMENDATORY SECTION (Amending Order 1989, filed 10/19/88)

WAC 16-230-075 What are the restrictions for blossoming mint ~~((--Chemical restrictions--))~~ pesticide applications? The use or application of malathion dust on blossoming mint is prohibited. The use or application of malathion (Fyfanon) liquid, oxydemeton-methyl (Metasystox-R), and methomyl (Lannate or Nudrin) liquid on blossoming mint is restricted to applications only within the period beginning at two hours prior to sunset and ending at two and one-half hours after sunrise the following morning. The use or application of any formulation of acephate (Orthene) on blossoming mint is restricted to applications only within the period beginning at two and one-half hours prior to sunset and ending at midnight of the same day.

AMENDATORY SECTION (Amending Order 1989, filed 10/19/88)

**WAC 16-230-076** (~~((Pesticide use on blossoming alfalfa, clover and mint--))~~) What are the boundaries and restrictions for Area 1((-))?

(1) Area 1 description. South central Walla Walla County - all lands lying within a line starting at the junction of the Washington-Oregon border and the Rainville Road; thence north along the Rainville Road to the Frog Hollow Road; thence west along the Frog Hollow Road to the McDonald Road; thence north along the McDonald and Bridge Road to State Highway 12; thence west along Highway 12 to the Woodward Canyon Road; thence north and west along the Woodward Canyon Road to the northeast corner of Section 24, T7N, R33E; thence west along the section lines to the northwest corner of Section 23, T7N, R32E; thence south along the section lines to the Walla Walla River; thence southerly along the Walla Walla River to its intersection with the west section line of Section 7, T6N, R33E; thence south along the section lines to the Washington-Oregon border; thence east along the border to the point of beginning.

(2) Area 1 restrictions. In addition to the restrictions in WAC 16-230-030, the use or application of azinphos-methyl (Guthion), carbofuran (Furadan), phosmet (Imidan), chlorpyrifos (Lorsban), and methidathion (Supracide) on alfalfa and clover crops, (~~((shall be))~~) is prohibited after May 23 of each year, and the use or application of dimethoate (Cygon (~~((or Rebelate))~~)) on alfalfa and clover crops (~~((shall be))~~) is prohibited after May 30 of each year.

AMENDATORY SECTION (Amending Order 1989, filed 10/19/88)

**WAC 16-230-078** What are the boundaries and restrictions for Area 2((-))?

(1) Area 2 description. South central Walla Walla County - all lands lying within a line starting at the junction of the Rainville Road and the Washington-Oregon border; thence north to the Frog Hollow Road; thence east along the Frog Hollow Road to the Valley Chapel Road; thence south along the Valley Chapel Road to the Washington-Oregon border; thence west along the border to the point of beginning.

(2) Area 2 restrictions. In addition to the restrictions in WAC 16-230-030, the use or application of azinphos-methyl (Guthion), carbofuran (Furadan), phosmet (Imidan), chlorpyrifos (Lorsban), and methidathion (Supracide) on alfalfa and clover crops, (~~((shall be))~~) is prohibited after May 30 of each year, and the use or application of dimethoate (Cygon (~~((or Rebelate))~~)) on alfalfa and clover crops (~~((shall be))~~) is prohibited after June 6 of each year.



AMENDATORY SECTION (Amending Order 1971, filed 4/4/88)

**WAC 16-230-079** Can the department issue special permits ((-))?  
The department may issue a permit upon receipt of a written request to apply ((restricted)) use restricted pesticides listed in WAC 16-230-010 in variation of any restrictions listed in WAC 16-230-015, 16-230-030, and 16-230-075 through 16-230-078. The department ((shall)) will consider the hazard to pollinating insects before a permit is issued.

AMENDATORY SECTION (Amending Order 1819, filed 4/10/84)

**WAC 16-230-082** What are the use restrictions on pesticides used on pollen shedding corn ((--Restricted use pesticides--Area under order.))? (1) The term "pollen shedding corn" as used in WAC 16-230-082 through 16-230-088 shall be that stage of growth when ten percent or more of the corn plants in any one quarter portion of a field are showing spike anthers.

(2) The insecticides\* carbaryl (Sevin), diazinon, endosulfan (Thiodan), fenvalerate (Pydrin), malathion (Fyfanon), methomyl (Lannate or Nudrin), methyl parathion, parathion, and permethrin (Ambush or Pounce) are by this order declared to be ((restricted)) use restricted insecticides. Such insecticides are restricted in their use in Areas 1, 2 and 3 in eastern Washington. ((±))

(3) Area under order. Area 1 - Yakima County; Area 2 - Franklin, Adams and Grant counties; Area 3 - Area within Area 2 in Grant County.

\* Listed trade names are to be used as a guide and may not include all the trade or brand names under which the chemicals are distributed.

AMENDATORY SECTION (Amending Order 1819, filed 4/10/84)

**WAC 16-230-084** What are the restrictions in Areas 1 and 2 ((-))? (1) Area 1 description - Yakima County. This area includes all of the irrigable lands encompassed by a line beginning at the southwest corner of Section 18, T8N, R21E; thence north nine miles more or less to the southeast corner of Section 36, T10N, R20E; thence fifteen miles west more or less to the southwest corner of Section 34, T10N, R18E; thence north fifteen miles more or less to the northwest corner of Section 22, T12N, R18E; thence east four miles more or less to the Northern Pacific Railroad tracks; thence following the tracks southeast to the Oldenway Road; thence north along the Oldenway Road and section lines to the Yakima River; thence southeast along the Yakima River to Highway 22

north of Toppenish; thence north along Highway 22 to Highway 12 at Buena; thence southeasterly along Highway 12 to the southern section line of Section 31, T11N, R21E; thence south one-quarter mile more or less to the Yakima River; thence southeast along the Yakima River to the Sunnyside-Mabton Road; thence south one mile to the Boundary Road; thence southwest along the Boundary Road and the Yakima Indian reservation boundary to the northern section line of Section 22, T8N, R22E; thence west nine miles more or less to the point of beginning.

(2) Area 2 description - Franklin, Adams and Grant counties. This area includes all of the irrigable lands encompassed by a line beginning at Highway 12 and the Columbia River; thence north and west following the river the length of Franklin County and into Grant County to the junction of Grant-Douglas County line; thence north on Grant-Douglas County line to the fifth standard parallel north; thence east twenty-five miles more or less to Highway 17; thence southeast seventeen miles more or less on Highway 17 to Highway 90; thence east twelve miles more or less to Grant-Adams County line; thence south on county line twelve miles more or less to the southeast corner of Section 36, T17N, R30E (southeast corner of Grant County); thence south twelve miles more or less (in Adams County) along east boundary of Section 1, 12, 13, 24, 25, 36, T16N, R30E; thence south along east boundary of Sections 1, 12, 13, 24, 25, 36, T15N, R30E continuing south into Franklin County along east boundary of Section 1 and 12, T14N, R30E to southeast corner of said Section 12; thence west one mile to Highway 17 (Franklin County); thence south on Highway 17 seventeen miles more or less to junction with Highway 395; thence south on Highway 395 fifteen miles more or less to Highway 12; thence west and south four miles more or less to Columbia River to the point of beginning.

(3) Area 1 and 2 restrictions.

(a) On and after August 1 to October 1 of any given year, application of carbaryl (Sevin) (except Sevin XLR), (~~parathion~~) methyl parathion and malathion dust in any combination on pollen shedding corn is prohibited.

(b) On and after August 1 to August 15 of any given year, application of diazinon, fenvalerate (Pydrin), endosulfan (Thiodan), Sevin XLR, methomyl (Lannate or Nudrin), malathion liquid, and permethrin (Ambush or Pounce) on pollen shedding corn is prohibited between the hours of 7:00 a.m. and 2:00 p.m.

(c) On and after August 15 to September 1 of any given year, application of diazinon, fenvalerate (Pydrin), endosulfan (Thiodan), Sevin XLR, methomyl (Lannate or Nudrin), malathion (Fyfanon) liquid, and permethrin (Ambush or Pounce) on pollen shedding corn is prohibited between the hours of 8:30 a.m. and 3:30 p.m.

(d) On and after September 1 to October 1 of any given year, application of diazinon, fenvalerate (Pydrin), endosulfan (Thiodan), Sevin XLR, methomyl (Lannate or Nudrin), malathion (Fyfanon) liquid, and permethrin (Ambush or Pounce) on pollen shedding corn is prohibited between the hours of 10:00 a.m. and 4:00 p.m.

(e) The application of microencapsulated methyl parathion

shall be prohibited on all pollen shedding corn when properly marked honey bee apiaries occur within a six-mile radius of the pollen shedding corn to be treated.

AMENDATORY SECTION (Amending Order 1819, filed 4/10/84)

**WAC 16-230-086 What are the restrictions in Area 3((-))?** (1) Area 3 description - area within Area 2 in Grant County. This area includes all of the irrigable lands encompassed by a line beginning at the junction of West 645 wasteway and White Trail Road and proceeding east four miles more or less on White Trail Road to Winchester wasteway; thence southeast four miles more or less along Winchester wasteway to I-90; thence east on I-90 nine miles more or less to Potholes Reservoir; thence following the west shoreline southeast to the Frenchmen Hills wasteway; thence west along Frenchmen Hills wasteway fourteen miles more or less to its junction with West 645 wasteway; thence northwest and north fourteen miles more or less along West 645 wasteway to junction with White Trail Road, the point of beginning.

(2) Area 3 restriction. This area is unrestricted as to the use of carbaryl (Sevin), diazinon, endosulfan (Thiodan), fenvalerate (Pydrin), malathion (Fyfanon), methomyl (Lannate or Nudrin), methyl parathion(~~(, parathion)~~), and permethrin (Ambush or Pounce) on pollen shedding corn: Provided, That the application of microencapsulated methyl parathion shall be prohibited on all pollen shedding corn when properly marked honey bee apiaries occur within a six-mile radius of the pollen shedding corn to be treated.

AMENDATORY SECTION (Amending Order 1819, filed 4/10/84)

**WAC 16-230-088 May a permit((-)) be issued for a variance from restrictions?** Upon receipt of a written request and justification for a variance, the director of the Washington state department of agriculture may issue a permit granting a variance from restrictions pertaining to pollen shedding corn.

AMENDATORY SECTION (Amending Order 2081, filed 4/2/91, effective 5/3/91)

**WAC 16-230-150 ((Area)) What areas are under order((-- Restricted)) for use restricted desiccants and defoliants((--))?**

(1) Area under order: All counties located east of the crest of the Cascade Mountains.

(2) ((Restricted)) Use restricted desiccants and defoliants: The following desiccants and defoliants are declared to be ((restricted)) use restricted desiccants and defoliants in the area under order: Diquat; Paraquat; and Endothall.

(3) Additional restrictions ((shall)) apply for certain areas of Walla Walla County (see WAC 16-230-190).

AMENDATORY SECTION (Amending Order 2081, filed 4/2/91, effective 5/3/91)

**WAC 16-230-160 Desiccants and defoliants--Ground equipment--Nozzle and pressure requirements for the entire area under order.** The following requirements apply to the entire area under order as listed in WAC 16-230-150:

(1) Nozzle requirements - a minimum orifice diameter of .052 inches shall be used for application of all ((restricted)) use restricted desiccants and defoliants: Provided, That a RD-2 Raindrop nozzle shall be allowed.

(2) Pressure requirements - maximum pressure at the nozzles for all applications of ((restricted)) use restricted desiccants and defoliants shall be 30 psi.

(3) The Washington state department of agriculture may issue a permit upon receipt of a written request to apply ((restricted)) use restricted desiccants and defoliants within the area as described in WAC 16-230-150 with nozzles, nozzle type, drift control additives, and/or arrangements other than those allowed herein. The director will consider safety factors and the possible exposure to susceptible crops in the areas of proposed application before a permit will be issued.

(4) Diesel and other fuel oils are prohibited in all tank mixes with desiccants and defoliants.

AMENDATORY SECTION (Amending Order 2081, filed 4/2/91, effective 5/3/91)

**WAC 16-230-170 Desiccants and defoliants--Aerial equipment--Boom length, pressure, nozzle requirement, nozzle height of**



discharge and smoke device requirements for the entire area under order. The following requirements apply to the entire area under order as listed in WAC 16-230-150:

(1) Boom length restrictions:

(a) Fixed wing: The working boom length shall not exceed 3/4 of the distance from the center of aircraft to wing tip on each side of aircraft.

(b) Helicopters: The working boom length shall not exceed 6/7 of the distance from the center of rotor to rotor tip on each side of the aircraft for rotors 40 feet or under or 3/4 of the distance from the center of rotor to rotor tip on each side of the aircraft where the rotor exceeds 40 feet while applying ((restricted)) use restricted desiccants and defoliants.

(2) Pressure restrictions: Maximum pressure at the nozzles for all aerial applications of ((restricted)) use restricted desiccants and defoliants shall be 25 psi.

(3) Nozzle requirements for applications of ((restricted)) use restricted desiccants and defoliants:

(a) Fixed wing:

(i) Aircraft shall not be equipped with core plates or any device or mechanism which would cause a sheet, cone, fan or other dispersion of the discharged material. Nozzle orifices shall not be less than 0.094 inches: Provided, That the RD8-46 Raindrop® nozzles may be used with a minimum orifice diameter of 0.156 inches;

(ii) Nozzles shall be directed downward and backward 135 degrees from the direction of flight.

(b) Helicopter:

(i) Straight stream jet nozzles, without core plates, with a minimum orifice diameter of 0.063 inches;

(ii) Straight stream jet nozzles with a minimum orifice diameter of 0.125 inches with No. 46 core plates or larger;

(iii) RD8-46 Raindrop® nozzles may be used with a minimum orifice diameter of .075 inches;

(iv) Nozzles shall be directed downward and backward 135 degrees from the direction of flight for applications over 50 miles per hour and 90 degrees downward and backward for applications under 50 miles per hour.

(4) Height of discharge requirements by aircraft of ((restricted)) use restricted desiccants and defoliants: The nozzles must be closed while either descending onto or ascending from the target field, and also ascending or descending over an obstacle or obstruction within the target field that would alter the height of application more than ten feet.

(5) Smoke device requirements: All aircraft applying ((restricted)) use restricted desiccants and defoliants shall utilize a smoke device to determine wind directions and temperature inversion situations.

(6) The Washington state department of agriculture may issue a permit upon receipt of a written request to apply ((restricted)) use restricted desiccants and defoliants within the area under order as described in WAC 16-230-150 with nozzles, nozzle type,

drift control additives and/or arrangements other than those allowed herein. The director will consider safety factors and the possible exposure to susceptible crops in the areas of proposed application before a permit will be issued.

(7) Diesel and other fuel oils are prohibited in all tank mixes with desiccants and defoliant.

(8) Aerial applications of desiccants and defoliant are prohibited within a distance of one mile of the city limits of any incorporated city or town and the same distance from the center of any unincorporated city or town comprised of ten or more inhabited, closely grouped residences.

AMENDATORY SECTION (Amending Order 2081, filed 4/2/91, effective 5/3/91)

**WAC 16-230-180** (~~((Desiccants and defoliant--))~~) What are the weather and evening cutoff requirements((-)) for desiccants and defoliant? The following requirements apply to the entire area under order as listed in WAC 16-230-150:

(1) Weather conditions: (~~((Restricted))~~) Use restricted desiccants and defoliant shall not be applied when there is a temperature inversion, or if wind or weather conditions are such that damage could result to susceptible crops or ornamentals: Provided, That aircraft applications of Paraquat shall be prohibited until the temperature inversion ceiling at the site of application is 1,000 feet or greater. Aircraft must be equipped with thermometers to detect the height of the inversion.

(2) Evening cutoff: All applications of (~~((restricted))~~) use restricted desiccants and defoliant (~~((shall be))~~) are prohibited from three hours prior to sunset to one hour after sunrise the following morning: Provided, That ground applications in Area 2 of Walla Walla County may begin at sunrise: Provided further, That ground applications may be allowed at other times by obtaining a written permit from the department.

AMENDATORY SECTION (Amending Order 5071, filed 6/30/95, effective 7/31/95)

**WAC 16-230-190** What are the restrictions on the use of desiccants and defoliant in Walla Walla County((-))? The following restrictions shall apply in Walla Walla County:

(1) Area 1 description - town of Walla Walla and vicinity: This area includes all lands lying within the town of Walla Walla and vicinity beginning at the Washington-Oregon border and the west

section line of Section 15, T6N, R34E; thence north along section lines and McDonald Road approximately seven miles to the southwest corner of Section 3, T7N, R36E; thence east along section lines approximately twenty miles to the southeast corner of Section 1, T7N, R37E; thence south approximately seven miles to the Washington-Oregon border; thence west approximately fifteen miles to point of beginning.

(2) Area 1 restrictions:

During the period of February 15 through November 1 of any year, any aerial application of (~~restricted~~) use restricted desiccants and defoliant (~~shall~~) must have prior approval by obtaining a written permit from the Washington state department of agriculture.

(3) Area 2 description - southern portion of Walla Walla County: This area includes all lands lying within an area encompassed by a line beginning at the Washington-Oregon border and the west section line of Section 18, T6N, R33E; thence north along section lines approximately eight miles to the northwest corner of Section 7, T7N, R33E; thence west along section lines approximately nine miles to the southeast corner of Section 4, T7N, R34E; thence south along section lines approximately eight miles to the Washington-Oregon border; thence west along the border approximately nine miles to the point of beginning.

(4) Area 2 restrictions:

(a) Paraquat restrictions:

During the period of February 15 through November 1 of any year, any aerial application of Paraquat or any mixture containing Paraquat (~~shall~~) must have prior approval by obtaining a written permit from the Washington state department of agriculture.

(b) Diquat restrictions:

During the period of February 15 through November 1 of any year, any application of Diquat or any mixture containing Diquat is (~~hereby~~) restricted to ground apparatus only.

AMENDATORY SECTION (Amending Order 2073, filed 2/26/91, effective 3/29/91)

WAC 16-230-400 (~~Restricted use herbicides~~) What is the area under order for use restricted herbicides in Spokane County (~~Area under order~~)? (1) The area under order (~~shall~~) includes all lands lying within the borders of Spokane County. WAC 16-230-410 through 16-230-470 (~~shall apply~~) applies to the area under order.

(2) The distribution, use, and application of (~~restricted~~) use restricted herbicides in the area under order shall comply with rules relating to the use of pesticides in chapter 16-228 WAC, and rules relating to (~~restricted~~) use restricted herbicides in WAC 16-230-600 through 16-230-675.

AMENDATORY SECTION (Amending Order 2073, filed 2/26/91, effective 3/29/91)

**WAC 16-230-410 ((Restricted)) What are use herbicides((-)) in Spokane County((-))?** All formulations of ((~~Dicamba (Banvel) and all formulations of~~)) phenoxy hormone-type herbicides, ((~~including~~)) (e.g., 2,4-D ((and)), 2,4-DB, 2,4-DP (dichlorprop), MCPA ((are hereby declared to be restricted use herbicides)), MCPB, MCPP (mecoprop)) and dicamba are declared as use restricted herbicides except as listed below:

(1) Salt formulations, including amine and sodium, distributed in quantities of one gallon or less;

(2) Dry formulations of phenoxy hormone-type herbicides (e.g., 2,4-D, 2,4-DB, 2,4-DP (dichlorprop), MCPA, MCPB, MCPP (mecoprop)) and dicamba labeled and intended only for home and garden use or for turf.

AMENDATORY SECTION (Amending Order 1678, filed 2/20/80)

**WAC 16-230-420 What are the boundaries and restrictions for Area 2((-))?** (1) This area includes all lands lying within a boundary line starting at the intersection of state Highway 2 and Christianson Road; thence north two miles more or less to the northwest corner of Section 17, T25N, R41E; thence east five miles more or less to Hayford Road; thence north eight miles more or less to the northwest corner of Section 6, T26N, R41E; thence east ten miles more or less to the northeast corner of Section 3, T26N, R43E; thence south five miles more or less to the northeast corner of Section 34, T26N, R43E; thence east fourteen miles more or less to the Idaho-Washington border; thence south seven miles more or less to the common boundary line between T24N and 25N; thence west six miles more or less to Chapman Road; thence south one mile more or less along Chapman Road to the common boundary line between Sections 1 and 12, T24N, R44E; thence east thirteen miles more or less to the Cheney-Spokane Road; thence southwesterly along the Cheney-Spokane Road two miles more or less to the common boundary line between Sections 14 and 15, T24N, R42E; thence south one and one-half miles more or less to the southeast corner of Section 22, T24N, R42E; thence west one and one-half miles more or less to the Cheney-Spokane Highway; thence southerly one mile more or less along the Cheney-Spokane Highway to the common boundary line between Section 28 and 33, T24N, R42E; thence east six miles more or less to Interstate 90; thence southerly three miles more or less



to the intersection of Interstate 90 and Salnave Road; thence northwesterly along the Salnave Road three miles more or less to its intersection with the Medical Lake-Tyler Road; thence north four miles more or less to the intersection of Hallet and Richey Road; thence east one mile more or less along Hallet Road to the intersection of Hallet Road and Brooks Road; thence north three miles more or less on Brooks Road to the intersection of Brooks Road and Highway 2; thence east one mile more or less along Highway 2 to the point of beginning.

(2) Area 2 restrictions.

(a) On and after May 1 through October 15, ground applications of ((~~restricted~~)) use restricted herbicides shall be made with nozzles having a minimum orifice diameter of 0.036 inches.

(b) For roadside and right of way application drift reduction type systems such as directo-spray, raindrop or invert systems must be used.

(c) The use or application of low volatile ester formulations of ((~~restricted~~)) use restricted herbicides is prohibited from May 1 through October 15: Provided, That the department, upon written request, may issue a permit for the use of low volatile formulations for special weed control.

(d) The application of ((~~restricted~~)) use restricted herbicides is prohibited from three hours prior to sunset to sunrise the next day: Provided, That lawn and turf residential weed control, using nonvolatile formulations are exempt from the evening cutoff.

(e) The aerial application of ((~~restricted~~)) use restricted herbicides is prohibited within Area 2: Provided, That the department may issue a special permit, upon written request, for special weed control.

(f) ((~~Restricted~~)) Use restricted herbicides shall not be applied on or after May 1 through October 15 when the temperature is 85° or above at the point of application.

(g) Ground applications of ((~~restricted~~)) use restricted herbicides ((~~shall be~~)) are allowed when using No. 2RD or 2RA Raindrop nozzles: Provided, That the mean sustained wind velocity is fifteen miles per hour or less.

AMENDATORY SECTION (Amending Order 1678, filed 2/20/80)

**WAC 16-230-430 What are the boundaries and restrictions for Area 3 ((-))?** (1) An area within a distance of two-thirds of a mile of the city limits of incorporated cities and towns and the same distance from the center of any unincorporated town comprised of ten or more inhabited, closely grouped residences within Area 4 exclusive of Area 2.

(2) Area 3 restrictions ((~~+~~)).

(a) The aerial application of ((~~restricted~~)) use restricted

herbicides is prohibited within Area 3: Provided, That the department, upon written request, may issue a permit to allow aerial applications of nonvolatile formulations of ((restricted)) use restricted herbicides up to one-half mile of the city limits of incorporated towns and cities and up to one-half mile of the center of any unincorporated towns comprised of ten or more inhabited((f,t)) closely grouped residences.

(b) On and after May 1 through October 15, aerial applications shall be made using the danger area restrictions (see WAC 16-230-675).

(c) Ground applications of ((restricted)) use restricted herbicides shall be made with nozzles having a minimum orifice diameter of 0.031 inches.

(d) Ground applications of ((restricted)) use restricted herbicides shall be allowed when using No. 2RD or 2RA Raindrop nozzles: Provided, That the mean sustained wind velocity is fifteen miles per hour or less.

AMENDATORY SECTION (Amending Order 2073, filed 2/26/91, effective 3/29/91)

WAC 16-230-440 ((~~Restricted use herbicides--Spokane County--Area 4.~~)) What are the boundaries and restrictions for Area 4? (1) Area 4 description. All remaining lands in Spokane County not included in WAC 16-230-420 and 16-230-430.

(2) Area 4 restrictions.

(a) On and after May 1 through October 15, ground applications of ((restricted)) use restricted herbicides shall be made with nozzles having a minimum orifice diameter of 0.031 inches.

(b) On and after May 1 through October 15, aircraft applications of ((restricted)) use restricted herbicides shall be made using the caution area restrictions (see WAC 16-230-675).

(c) Ground applications of ((restricted)) use restricted herbicides shall be allowed when using No. 2RD or 2RA Raindrop nozzles: Provided, That the mean sustained wind velocity is fifteen miles per hour or less.

AMENDATORY SECTION (Amending Order 2073, filed 2/26/91, effective 3/29/91)

WAC 16-230-450 ((~~Restricted use herbicides--Spokane County--Farm operator to notify.~~)) What information does an aerial applicator need from the landowner? The landowner or person in charge of the farming operation shall notify the aerial applicator

he/she hires of any susceptible crops planted or to be planted bordering the field to which ((restricted)) use restricted herbicides are to be applied in the area under order (see WAC 16-230-400).

AMENDATORY SECTION (Amending Order 2073, filed 2/26/91, effective 3/29/91)

WAC 16-230-460 ((~~Restricted use herbicides--Spokane County--Commercial greenhouse notification.~~)) Does a commercial greenhouse need to be notified? The owners of commercial greenhouses located in the area under order shall be notified in person or by certified mail by aerial applicators and public operators at least forty-eight hours prior to the application of allowable ((restricted)) use restricted herbicides to be applied within one-half mile of the above greenhouses.

AMENDATORY SECTION (Amending Order 2073, filed 2/26/91, effective 3/29/91)

WAC 16-230-470 ((~~Restricted~~)) When is the application of use restricted herbicides ((--Spokane County--)) prohibited due to wind conditions((-))? The use or application of ((restricted)) use restricted herbicides shall be prohibited in the area under order when the mean sustained wind velocity is over twelve miles per hour throughout the year: Provided, That applications of ((restricted)) use restricted herbicides shall be allowed in winds up to and including twenty miles per hour when an approved ground apparatus is used and allowed by the label. Ground apparatus shall be approved by the department of agriculture. Approval ((shall)) will be based on research data.

AMENDATORY SECTION (Amending Order 1680, filed 2/20/80)

WAC 16-230-600 Can high volatile ester and dust formulations be used in Washington and what are the areas under order((-)) for use restricted herbicides? (1) The distribution, use and application of all high volatile ester and dust formulations of restricted use herbicides ((shall be)) are prohibited throughout the state.

(2) WAC 16-230-605 through 16-230-675 (~~shall~~) apply to all counties located east of the crest of the Cascade Mountains.

AMENDATORY SECTION (Amending Order 2073, filed 2/26/91, effective 3/29/91)

WAC 16-230-605 (~~(Specific)~~) Can additional county rules (~~(-- Eastern Washington.)~~) be applied to herbicides? The rules in WAC 16-230-600 through 16-230-675 shall not preclude any additional restrictions on the application of (~~(restricted)~~) use restricted herbicides provided for in the rules for specific counties located east of the Cascade Mountains.

AMENDATORY SECTION (Amending Order 2073, filed 2/26/91, effective 3/29/91)

WAC 16-230-610 (~~(Restricted)~~) What are use restricted herbicides (~~(and definitions--)~~) in Eastern Washington(~~(-)~~)? (~~(+)~~) All formulations of (~~(Dicamba (Banvel) and all formulations of)~~) phenoxy hormone-type herbicides (~~(including)~~) (e.g., 2,4-D (~~(and)~~), 2,4-DB, 2,4-DP (dichlorprop), MCPA (~~(are declared to be restricted use herbicides in all counties located east of the crest of the Cascade Mountains.~~

(2) ~~High and low volatile esters mean those formulations labeled as high and low volatile in Interpretation 17, Revision 1 of Title 7 under the Federal Insecticide, Fungicide, and Rodenticide Act. High volatile 2,4-D includes those esters with five or less carbon atoms, such as but not limited to methyl, ethyl, isopropyl, n-butyl, isobutyl, and n-pentyl.~~

(3) ~~Commercial vineyard means a parcel of land from which the grape crop is intended to be sold to a processor or for commercial fresh market), MCPB, MCPP (mecoprop)) and dicamba except as listed below are use restricted herbicides.~~

(1) Salt formulations, including amine and sodium, distributed in quantities of one gallon or less;

(2) Dry formulations of phenoxy hormone-type herbicides (e.g., 2,4-D, 2,4-DB, 2,4-DP (dichlorprop), MCPA, MCPB, MCPP (mecoprop)) and dicamba labeled and intended only for home and garden use or for turf.



AMENDATORY SECTION (Amending WSR 00-22-045, filed 10/26/00, effective 11/26/00)

WAC 16-230-615 (~~((Restricted use herbicides--Eastern Washington--))~~) What are the restrictions on sale and distribution((-) of use restricted phenoxy-hormone type herbicides and dicamba in Eastern Washington? (~~(Liquid formulations of restricted use herbicides distributed in quantities larger than one gallon in counties located east of the crest of the Cascade Mountains)~~) Phenoxy-hormone type herbicides and dicamba shall be sold and distributed only by licensed pesticide dealers to certified applicators or their duly authorized representatives except those listed in WAC 16-230-610 (1) and (2).

AMENDATORY SECTION (Amending Order 2073, filed 2/26/91, effective 3/29/91)

WAC 16-230-625 (~~((Restricted use herbicides--Eastern Washington--))~~) What are the restrictions on mixing and loading((-) use restricted herbicides? The mixing of ((restricted)) use restricted herbicides, the loading and decontamination of equipment used to apply ((restricted)) use restricted herbicides, and aircraft entering on to and exiting from landing sites shall be done in a manner as not to cause possible damage to susceptible crops.

AMENDATORY SECTION (Amending Order 1680, filed 2/20/80)

WAC 16-230-630 What are the restrictions for storage((-) of use restricted herbicides? ((Restricted)) Use restricted herbicides shall not be stored in areas where their use is prohibited unless they are in a sealed container (tight screw-type bungs, tightly closed lids or packages), and the outside of the containers not contaminated with the ((restricted)) use restricted herbicide.

AMENDATORY SECTION (Amending Order 1680, filed 2/20/80)

WAC 16-230-635 What are the restrictions on petroleum and vegetable oil((-type)) carriers((, emulsifiers,)) and ((spreader stickers.)) spray adjuvants? ((Oil-type)) Petroleum and vegetable oil carriers((, emulsifiers)) and ((spreader stickers)) spray adjuvants may be used when not in excess of one pint per acre: Provided, That oil-type carriers in excess of one pint per acre may be used with invert systems: Provided further, That invert systems may be used on aircraft by written permit only.

AMENDATORY SECTION (Amending Order 1965, filed 2/12/88)

WAC 16-230-640 ((Restricted)) Use restricted herbicides--Eastern Washington--Weather and temperature conditions. ((Restricted)) Use restricted herbicides shall not be applied on and after April 1 through October 31 of each year when there is a temperature inversion; or throughout the year if weather conditions are such that damage could result to adjacent and nearby towns, susceptible crops and plantings through physical drift or volatilization, or the temperature is 85°F. or above at the point of application: Provided, That application at the rate of fifty gallons or more per acre using nozzles having a minimum orifice diameter of .072 inches shall be exempt from the 85°F. temperature cutoff requirement: Provided further, That when using the invert system, applications may continue up to 95°F. with a maximum wind velocity of fifteen miles per hour and with water carrier at twelve or more gallons per acre.

AMENDATORY SECTION (Amending Order 1923, filed 4/6/87)

WAC 16-230-645 ((Restricted use herbicides--Eastern Washington--)) What is the evening cutoff((-)) for use restricted herbicides? On and after May 1 through October 31 of each year, the application of ((restricted)) use restricted herbicides ((shall be)) is prohibited daily from three hours prior to sunset to sunrise the following morning: Provided, That if there is a mean sustained legal wind velocity of not less than five miles per hour the application of ((restricted)) use restricted herbicides ((shall be)) is allowed in Areas 3 and 4 up to one hour prior to sunset in all counties as restricted by rule except Benton, Franklin, Yakima, and Walla Walla counties.

AMENDATORY SECTION (Amending Order 1923, filed 4/6/87)

WAC 16-230-650 Can a permit be issued for the application of certain use restricted ((use)) herbicides(~~(--Eastern Washington-- Application permit.)~~)? The Washington state department of agriculture may issue a permit, upon receipt of a written request, to mix, load and apply certain ((restricted)) use restricted herbicides for purposes of critical weed control when such activities are restricted by rule. The director may consider recommendations of the 2,4-D committee for the county in question: Provided, That the 2,4-D committee is kept current for each county.

AMENDATORY SECTION (Amending Order 1965, filed 2/12/88)

WAC 16-230-655 ((Restricted)) Use restricted herbicides-- Eastern Washington--Ground equipment pressure requirements. Pressure shall not exceed twenty-five pounds per square inch at the nozzles: Provided, That pressure up to fifty pounds per square inch at the nozzle may be used for equipment with handguns, up to ninety pounds per square inch at the nozzle manifold for an invert system: Provided further, That when using a LP 8002 nozzle instead of a regular 8004 or equivalent, the maximum pressure shall be fifteen pounds per square inch at the nozzle.

AMENDATORY SECTION (Amending Order 1680, filed 2/20/80)

WAC 16-230-660 ((Turning and low flying of)) Can an aircraft((-)) turn or fly low over cities and towns? Aircraft carrying ((restricted)) use restricted herbicides are prohibited from turning and/or low flying during spraying operations over cities and towns unless authorized by the city or town in question pursuant to an agreement for pesticide applications; 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.

AMENDATORY SECTION (Amending Order 1950, filed 9/1/87)

WAC 16-230-665 ((~~Restricted use herbicides--Eastern Washington--Aircraft~~)) What are the restrictions on aerial applications near vineyards(-)? Aerial application of ((~~restricted~~)) use restricted herbicides ((~~shall be~~)) is prohibited within one mile of any commercial vineyard: Provided, That the Washington state department of agriculture may approve written requests and issue permit for aerial application of ((~~restricted~~)) use restricted herbicides that may be applied to lands located one-half to one mile from commercial vineyards: Provided further, That no distance restrictions shall apply to aerial applications of ((~~restricted~~)) use restricted herbicides near vineyards during the grape dormant season if written permission of the vineyard owner/manager is obtained. EXCEPTIONS are found in Franklin and Grant County restrictions.

AMENDATORY SECTION (Amending Order 2073, filed 2/26/91, effective 3/29/91)

WAC 16-230-670 ((~~Restricted~~)) Use restricted herbicides--Eastern Washington--Aircraft boom length and pressure requirements. In all Areas 1 and 2, of all counties restricted by rule the working boom length on fixed wing aircraft shall not exceed 3/4 of the wing span and the working boom length on helicopters shall not exceed 6/7 of the total rotor length or 3/4 of the total rotor length where the rotor length exceeds forty feet.

Pressure for aerial equipment shall not exceed 25 psi at the nozzles: Provided, That helicopters shall be allowed to use up to 35 psi in Areas 3 and 4 of all counties restricted by rule: Provided further, That pressure up to 50 psi at the nozzle may be used with invert systems which are allowed by written permit only.

AMENDATORY SECTION (Amending Order 1950, filed 9/1/87)

WAC 16-230-673 ((~~Restricted~~)) Use restricted herbicides--Eastern Washington--Application through irrigation systems. ((~~Restricted~~)) Use restricted herbicides applied through irrigation systems ((~~shall be~~)) are subject to the same requirements as ground applications of ((~~restricted~~)) use restricted herbicides except for nozzle size and pressure requirements.



AMENDATORY SECTION (Amending Order 2073, filed 2/26/91, effective 3/29/91)

**WAC 16-230-675 ((Restricted)) Use restricted herbicides-- Eastern Washington--Minimum nozzle orifice and core plate sizes for aircraft application.** Minimum nozzle orifice and core plate sizes shall be as listed in the dormant season, caution, warning, and danger area restrictions.

(1) DORMANT SEASON AREA. (Dormant season only - refer to specific county regulations.)

(a) Fixed wing -

(i) Minimum nozzle orifice of 0.063 inches (no core plate). Nozzles shall be directed downward and backward 135 degrees or more from the direction of flight.

(ii) Minimum nozzle orifice of 0.075 inches (may use No. 45 or larger core plate) and nozzles shall be directed downward and backward 170 degrees or more from the direction of flight.

(b) Helicopter -

Minimum nozzle orifice of 0.047 inches (may use No. 45 or larger core plate) and nozzles shall be directed downward and backward 90 degrees or more from the direction of flight. Pressure over 35 psi is prohibited.

(2) CAUTION AREA.

(a) Fixed wing -

(i) Minimum nozzle orifice of 0.075 inches (no core plate). Nozzles shall be directed downward and backward 135 degrees or more from the direction of flight.

(ii) Minimum nozzle orifice of 0.125 inches (may use No. 45 or larger core plate). Nozzles shall be directed downward and backward 170 degrees or more from the direction of flight.

(b) Helicopter -

(i) Area 2 of all counties restricted by rule -

Minimum nozzle orifice of 0.063 inches (may use No. 46 or larger core plate). Nozzles shall be directed downward and backward 90 degrees or more from the direction of flight.

(ii) Areas 3 and 4 of all counties restricted by rule -

Minimum nozzle orifice of 0.063 inches (may use No. 45 or larger core plate). Nozzles shall be directed downward and backward 90 degrees or more from the direction of flight.

(3) WARNING AREA

(a) Fixed wing -

(i) Minimum nozzle orifice of 0.075 inches (no core plate). Nozzles shall be directed downward and backward 135 degrees or more from the direction of flight.

(ii) Minimum nozzle orifice of 0.125 inches (may use No. 46 or larger core plate in all counties under order except Franklin County and Benton County). Nozzles shall be directed downward and backward 170 degrees or more from the direction of flight: Provided, That RD8 nozzles with orifice size of 0.125 inches and No. 45 core plates may be used. Nozzles shall be directed downward and backward 170 degrees or more from direction of flight.

(iii) No flat fan nozzles shall be allowed.

(b) Helicopter -

(i) Minimum nozzle orifice of 0.047 inches for applications made under sixty miles per hour (no core plate) and minimum orifice of 0.063 for applications made over sixty miles per hour (no core plate). Nozzles shall be directed downward and backward 90 degrees or more from the direction of flight.

(ii) Minimum nozzle orifice of 0.125 inches (may use No. 46 or larger core plate in all counties under order except Franklin County and Benton County). Nozzles shall be directed downward and backward 90 degrees or more from the direction of flight: Provided, That RD8 nozzles with orifice size of 0.125 inches and No. 45 core plates may be used.

(iii) No flat fan nozzles shall be allowed.

(4) DANGER AREA

(a) Fixed wing - minimum nozzle or

(i) Minimum nozzle orifice of 0.075 inches (no core plate): Provided, That RD8 nozzles with orifice size of 0.125 inches and No. 46 core plates may be used. Nozzles shall be directed downward and backward 170 degrees or more from the direction of flight.

(ii) No flat fan nozzles shall be allowed.

(b) Helicopter -

(i) Minimum nozzle orifice of 0.063 inches (no core plate): Provided, That RD8 nozzles with orifice size of 0.125 inches and core plate No. 46 may be used. Nozzles shall be directed downward and backward 90 degrees or more from the direction of flight.

(ii) No flat fan nozzles shall be allowed.

AMENDATORY SECTION (Amending WSR 00-24-002, filed 11/22/00, effective 12/23/00)

WAC 16-230-800 (~~(Application of pesticides in)~~) What is the area under order for Benton County(~~(--Area under order--)~~)? The area under order (~~(shall)~~) includes:

All lands lying within the boundaries of Benton County.

AMENDATORY SECTION (Amending WSR 00-24-002, filed 11/22/00, effective 12/23/00)

WAC 16-230-810 What are the restrictions on the application of certain pesticides in Benton County(~~(--Restricted use pesticides--)~~)? For the purposes of WAC 16-230-800 through 16-230-870, the following pesticides are declared to be (~~(restricted)~~) use restricted pesticides:

(1) (~~(Restricted)~~) Use restricted herbicides:\*

- (a) Sulfonylurea herbicides (such as Glean, Telar, Finesse, Escort)
  - (b) Desiccants and defoliants (such as Paraquat, Diquat, Endothall)
  - (c) Glyphosate (such as Roundup, Landmaster)
  - (d) Phenoxy hormone-type herbicides (such as 2,4-D, 2,4-DB, 2,4-DP (dichloroprop), MCPA, MCPB, MCPP (mecoprop))
  - (e) Dicamba (such as Banvel)
  - (f) Bromoxynil (~~((such as Brominal, Buctril, Bronate))~~) except that the cutoff date of April 5 does not apply.
- (2) (~~Restricted~~) Use restricted insecticides:
- (a) (~~All~~) Aerial applications of category I insecticides with the signal words danger/poison on the label, except granular and pellet formulations;
  - (b) (~~Additionally, all~~) Aerial applications of category I insecticides, except granular and pellet formulations (~~(, are declared to be restricted use)~~) in Area 1 and Area 1A (~~(as described in WAC 16-230-835)~~).
- \*Listed trade names are to be used as a guide and may not include all the trade or brand names under which the chemicals are distributed.

AMENDATORY SECTION (Amending WSR 00-24-002, filed 11/22/00, effective 12/23/00)

WAC 16-230-813 (~~((Application of pesticides in Benton County-- Oil-type carriers.))~~) When are oil-type carriers prohibited in Benton County? On and after April 5 through October 31, oil-type carriers are prohibited for brush control: Provided, That oil-type carriers may be used in invert systems the entire year.

AMENDATORY SECTION (Amending WSR 00-24-002, filed 11/22/00, effective 12/23/00)

WAC 16-230-815 (~~((Application of pesticides in Benton County-- Paraquat and diquat.))~~) Can Paraquat and Diquat be applied by air in Benton County? Aerial application of Paraquat (~~(and)~~) or Diquat is prohibited in the entire area under order listed in WAC 16-230-800.

AMENDATORY SECTION (Amending WSR 00-24-002, filed 11/22/00, effective 12/23/00)

WAC 16-230-820 (~~((Application of pesticides in Benton County--Sulfonylurea herbicides.))~~) Can sulfonylurea herbicides be applied by air in Benton County? Application of sulfonylurea herbicides (such as Glean, Telar, Finesse, Escort) to fallow land or to land during the time between harvest and emergence above the furrows of the subsequent cereal grain crop is prohibited.

AMENDATORY SECTION (Amending WSR 00-24-002, filed 11/22/00, effective 12/23/00)

WAC 16-230-825 (~~((Application of pesticides))~~) What are the conditions applying to permits in Benton County(~~--Permits--~~)? The following conditions will apply to all permits issued under the authority of WAC 16-230-800 through 16-230-870.

(1) Application for a permit may be made to the Washington State Department of Agriculture, Compliance Branch, 21 N. First Avenue Suite 236, Yakima, Washington 98902. Applications may also be taken in person or by facsimile. Permits will not be granted by telephone.

(2) The department may make on-site monitoring of the application a condition of any permit. A representative of the department may condition, deny, or revoke a permit at any time, if the representative determines that the situation at the application site creates an unreasonable risk of drift. In determining whether the situation at the application site creates an unreasonable risk of drift, the representative may consider all relevant factors such as temperature, air inversions, time of day, burning restrictions, wind direction, wind velocity, topography, and type and condition of application equipment.

(3) No permit shall be issued to apply any pesticide unless that permit is consistent with existing department laws and rules.

AMENDATORY SECTION (Amending WSR 00-24-002, filed 11/22/00, effective 12/23/00)

WAC 16-230-830 (~~((Application of pesticides in Benton County--Emergency clause.))~~) Can use restricted pesticides be applied in an emergency? In the event of an emergency, as declared by the director, the department may issue permits for the use of (~~restricted~~) use restricted pesticides in variation of any restrictions contained in the area under order as defined in WAC



16-230-800. An emergency under this section may be declared if the director determines that the risk and amount of economic harm to any agriculture crop substantially outweighs the risk and amount of damage likely to occur if a variance permit is issued.

AMENDATORY SECTION (Amending WSR 00-24-002, filed 11/22/00, effective 12/23/00)

**WAC 16-230-835 ((Application of pesticides in Benton County--  
Area 1.)) What are the boundaries and restrictions for Area 1? (1)**

Area 1 description (North Horse Heaven Hills). An area including all lands lying within a boundary line beginning at the northwest corner of Section 31, T8N, R24E; thence east two miles along section lines to the northwest corner of Section 33, T8N, R24E; thence north one mile along section lines to the northwest corner of Section 28, T8N, R24E; thence east seven miles along section lines to the northwest corner of Section 27, T8N, R25E; thence north two miles along section lines to the northwest corner of Section 15, T8N, R25E; thence east eight miles along section lines to the northwest corner of Section 13, T8N, R26E; thence south two miles along section lines to the northwest corner of Section 25, T8N, R26E; thence east two miles along section lines to the northwest corner of Section 29, T8N, R27E; thence south one mile along section lines to the northwest corner of Section 32, T8N, R27E; thence east three miles along section lines to the northwest corner of Section 35, T8N, R27E; thence south one mile along section lines to the northwest corner of Section 2, T7N, R27E; thence east one mile along section lines to the northwest corner of Section 1, T8N, R27E; thence south two miles along section lines to the northwest corner of Section 13, T7N, R27E; thence east four miles along section lines to the northwest corner of Section 15, T7N, R28E; thence south one mile along section lines to the northwest corner of Section 22, T7N, R28E; thence east ten miles along section lines to the northwest corner of Section 20, T7N, R30E; thence south two miles along section lines to the northwest corner of Section 32, T7N, R30E; thence east seven miles along section lines to the Columbia River in Section 29, T7N, R31E; thence south approximately two miles along the Columbia River to the south section line of Section 5, T6N, R31E; thence west approximately eight miles along section lines to the southwest corner of Section 1, T6N, R29E; thence north two miles along section lines to the southwest corner of Section 25, T7N, R29E; thence west thirteen miles along section lines to the southeast corner of Section 27, T7N, R27E; thence north one mile along the section line to the northeast corner of Section 27, T7N, R27E; thence west one mile along the section line to the northwest corner of Section 27, T7N, R27E; thence north two miles along section lines to the northeast corner of Section 16, T7N, R27E; thence west

one mile along the section line to the southeast corner of Section 8, T7N, R27E; thence north one mile along the section line to the northeast corner of Section 8, T7N, R27E; thence west approximately twenty miles along section lines to the Benton-Yakima County line at the southwest corner of Section 6, T7N, R24E; thence north two miles along the county line to the point of beginning.

(2) Area 1 restrictions.

(a) Application by air of (~~restricted~~) use restricted pesticides as defined in WAC 16-230-810 is prohibited: Provided, That the department may issue written permits for application of insecticides not containing the signal words danger/poison on the label.

(b) The use or application of low volatile ester formulations of (~~restricted~~) use restricted herbicides (~~shall be~~) is prohibited on and after April 5 through October 31 of each year: Provided, That hormone sprays may be applied by aircraft to orchards for the prevention of fruit drop.

(c) On and after April 5 through October 31 of each year, all applications of (~~restricted~~) use restricted herbicides (~~shall be~~) are prohibited daily from three hours prior to sunset to sunrise the following morning: Provided, That applications of (~~restricted~~) use restricted herbicides (~~shall be~~) are exempt from the sunset restrictions when using an application rate of forty gallons of water carrier or greater per treated acre at twenty pounds of pressure or less at the nozzle: Provided further, That applications of granular and pellet formulations of the (~~restricted~~) use restricted herbicides (~~shall be~~) are exempt from the sunset restrictions: Provided further, That (~~persons licensed to perform~~) applications of (~~restricted~~) use restricted herbicides on small experimental plots for research purposes (~~shall be~~) are exempt from the sunset restrictions.

#### NEW SECTION

**WAC 16-230-836 What are the boundaries and restrictions in Area 1A?** (1) Area 1A description. All lands lying within a boundary line beginning at the northwest corner of Section 31, T8N, R24E; thence east two miles along section lines to the northwest corner of Section 33, T8N, R24E; thence north one mile along section lines to the northwest corner of Section 28, T8N, R24E; thence east seven miles along section lines to the northwest corner of Section 27, T8N, R25E; thence north two miles along section lines to the northwest corner of Section 15, T8N, R25E; thence east eight miles along section lines to the northwest corner of Section 13, T8N, R26E; thence south two miles along section lines to the northwest corner of Section 25, T8N, R26E; thence east two miles along section lines to the northwest corner of Section 29, T8N, R27E; thence south one mile along section lines to the northwest

corner of Section 32, T8N, R27E; thence east three miles along section lines to the northwest corner of Section 35, T8N, R27E; thence south one mile along section lines to the northwest corner of Section 2, T7N, R27E; thence east one mile along section lines to the northwest corner of Section 1, T8N, R27E; thence south two miles along section lines to the northwest corner of Section 13, T7N, R27E; thence east four miles along section lines to the northwest corner of Section 15, T7N, R28E; thence south one mile along section lines to the northwest corner of Section 22, T7N, R28E; thence east ten miles along section lines to the northwest corner of Section 20, T7N, R30E; thence south two miles along section lines to the northwest corner of Section 32, T7N, R30E; thence east seven miles along section lines to the Columbia River in Section 29, T7N, R31E; thence north approximately three miles to the Kennewick Irrigation District (K.I.D.) Division Four Canal in Section 8, T7N, R31E; thence westerly along the K.I.D. Division Four Canal to the intersection with the K.I.D. Main Irrigation Canal at the Amon Pumping Station located in Section 7, T8N, R29E; thence westerly along the K.I.D. Main Irrigation Canal to its intersection with the east section line of Section 14, T9N, R26E; thence south approximately one mile along the section line to the northwest corner of Section 25, T9N, R26E; thence northwest approximately one and four tenths miles diagonally across Section 23 to the northwest corner of Section 23, T9N, R26E; thence west two miles along section lines to the northwest corner of Section 21, T9N, R26E; thence southwest approximately one and four tenths miles diagonally across Section 20 to the northwest corner of Section 29, T9N, R26E; thence west one mile along section lines to the northwest corner of Section 30, T9N, R26E; thence south one mile along section lines to the northwest corner of Section 31, T9N, R26E; thence west two miles along section lines to the northwest corner of Section 35, T9N, R25E; thence southwest approximately one and four tenths miles diagonally across Section 34 to the northwest corner of Section 3, T8N, R25E; thence west one mile along section lines to the northwest corner of Section 4, T8N, R25E; thence southwest approximately one and four tenths miles diagonally across Section 5 to the northwest corner of Section 8, T8N, R25E; thence west one mile along section lines to the northwest corner of Section 7, T8N, R25E; thence south one mile along section lines to the northwest corner of Section 18, T8N, R25E; thence west two miles along section lines to the northwest corner of Section 14, T8N, R24E; thence south one mile along section lines to the northwest corner of Section 23, T8N, R24E; thence west four miles to the northwest corner of Section 19, T8N, R24E; thence south two miles along the county line to the point of beginning.

(2) Area 1A restrictions.

(a) Application by air of use restricted pesticides as defined in WAC 16-230-810 is prohibited: Provided, That the department may issue written permits for application of insecticides not containing the signal words danger/poison on the label.

(b) The use or application of low volatile ester formulations of use restricted herbicides is prohibited on and after April 5



through October 31 of each year: Provided, That phenoxy hormone-type sprays may be applied by aircraft to orchards for the prevention of fruit drop.

(c) On and after April 5 through October 31 of each year, applications of use restricted herbicides are prohibited daily from three hours prior to sunset until two hours after sunrise the following morning: Provided, That applications of use restricted herbicides are exempt from the sunset and sunrise restrictions when using an application rate of forty gallons of water carrier or greater per treated acre at twenty pounds of pressure or less at the nozzle: Provided further, That applications of granular and pellet formulations of the use restricted herbicides are exempt from the sunset and sunrise restrictions: Provided further, That applications of use restricted herbicides on small experimental plots for research purposes are exempt from the sunset and sunrise restrictions.

AMENDATORY SECTION (Amending WSR 00-24-002, filed 11/22/00, effective 12/23/00)

**WAC 16-230-840 ((Application of pesticides in Benton County-- Area 2.)) What are the boundaries and restrictions for Area 2? (1) Area 2 description. An area including all lands lying within a boundary line beginning at the northwest corner of Section 25, T10N, R26E; thence south approximately five miles along section lines to the intersection with the Kennewick Irrigation District (K.I.D.) main canal; thence easterly along the K.I.D. main canal to the Amon pumping station located in Section 7, T8N, R29E; thence southeasterly along the K.I.D. Division Four Canal to the Columbia River in Section 8, T7N, R31E; thence northwesterly along the Columbia River until its intersection with the United States Department of Energy Hanford Site south boundary line; thence west approximately one mile and south approximately two and one-half miles along the south boundary line to the southeast corner of Section 27, T10N, R28E; thence west seven miles along section lines to the southwest corner of Section 27, T10N, R27E; thence north one mile along the section line to the northwest corner of Section 27, T10N, R27E; thence west four miles along section lines to the point of beginning.**

(2) Area 2 restrictions.

(a) Application by air of ((restricted)) use restricted pesticides as defined in WAC 16-230-810 is prohibited.

(b) The use or application of low volatile ester formulations of ((restricted)) use restricted herbicides is prohibited: Provided, That hormone sprays may be applied by aircraft to orchards for the prevention of fruit drop.

(c) On and after April 5 through October 31 of each year, applications of ((restricted)) use restricted herbicides ((shall



be)) are prohibited daily from three hours prior to sunset until two hours after sunrise the following morning: Provided, That applications of ((~~restricted~~)) use restricted herbicides ((~~shall be~~)) are exempt from the sunset and sunrise restrictions when using an application rate of forty gallons of water carrier or greater per treated acre at twenty pounds of pressure or less at the nozzle: Provided further, That applications of granular and pellet formulations of the ((~~restricted~~)) use restricted herbicides ((~~shall be~~)) are exempt from the sunset and sunrise restrictions: Provided further, That ((~~persons licensed to perform~~)) applications of ((~~restricted~~)) use restricted herbicides on small experimental plots for research purposes ((~~shall be~~)) are exempt from the sunset and sunrise restrictions.

AMENDATORY SECTION (Amending WSR 00-24-002, filed 11/22/00, effective 12/23/00)

**WAC 16-230-845 ((~~Application of pesticides in Benton County-- Area 3.~~)) What are the boundaries and restrictions for Area 3? (1) Area 3 description.**

(a) Eastern Yakima Valley. An area including all lands lying within a boundary line beginning at the northwest corner of Section 19, T8N, R24E; thence east four miles along section lines to the southwest corner of Section 14, T8N, R24E; thence north one mile along the section line to the northwest corner of Section 14, T8N, R24E; thence east two miles along section lines to the southwest corner of Section 7, T8N, R25E; thence north one mile along the section line to the northwest corner of Section 7, T8N, R25E; thence east one mile along the section line to the southwest corner of Section 5, T8N, R25E; thence northeast approximately one and four-tenths of a mile diagonally across Section 5 to the northeast corner of Section 5, T8N, R25E; thence east one mile along the section line to the southwest corner of Section 34, T9N, R25E; thence northeast approximately one and four-tenths of a mile diagonally across Section 34 to the northeast corner of Section 34, T9N, R25E; thence east two miles along section lines to the southwest corner of Section 30, T9N, R26E; thence north one mile along the section line to the northwest corner of Section 30, T9N, R26E; thence east one mile along the section line to the southwest corner of Section 20, T9N, R26E; thence northeast approximately one and four-tenths of a mile diagonally across Section 20 to the northeast corner of Section 20, T9N, R26E; thence east two miles along section lines to the northwest corner of Section 23, T9N, R26E; thence southeast approximately one and four-tenths of a mile diagonally across Section 23 to the southeast corner of Section 23, T9N, R26E; thence north six miles along section lines to the northwest corner of Section 25, T10N, R26E; thence west four miles along section lines to the northwest corner of Section 29, T10N,

R26E; thence south one mile along the section line to the southwest corner of Section 29, T10N, R26E; thence west eleven miles along section lines to the southeast corner of Section 29, T10N, R24E; thence north one mile along the section line to the intersection with Anderson Road at the northeast corner of Section 29, T10N, R24E; thence west two miles along Anderson Road and section lines to the Benton-Yakima County line at the northwest corner of Section 30, T10N, R24E; thence south approximately eleven miles along the Benton-Yakima county line to the point of beginning.

(b) Cold Creek Area. An area including all lands lying within a boundary line beginning at the intersection of the Benton-Yakima County line and the Columbia River in Section 7, T13N, R24E; thence south approximately six and one-half miles along the Benton-Yakima County line to the southwest corner of Section 7, T12N, R24E; thence east five miles along section lines to the southeast corner of Section 11, T12N, R24E; thence north approximately seven miles along section lines to the Columbia River; thence west approximately five miles along the Columbia River to the point of beginning.

(c) Horse Heaven Hills southwest buffer zone. An area near Patterson starting at the southeast corner of Section 7, T5N, R26E following section lines north five miles to the northeast corner of Section 19, T6N, R26E; thence west two miles to the northwest corner of Section 24, T6N, R25E; thence south one-half mile along section line; thence west two miles to the common boundary of Sections 21 and 22, T6N, R25E; thence north one-half mile to the northeast corner of Section 21, T6N, R25E; thence west three miles to the northwest corner of Section 19, T6N, R25E; thence south three miles to the southwest corner of Section 31, T6N, R25E; thence east three miles to the southeast corner of Section 33, T6N, R25E; thence south three miles to the southeast corner of Section 16, T5N, R25E; thence west one mile to the northwest corner of Section 21, T5N, R25E; thence south one mile to the southwest corner of Section 21, T5N, R25E; thence east two miles to the southeast corner of Section 22, T5N, R25E; thence north one mile to the northeast corner of Section 22, T5N, R25E; thence east two miles to the southeast corner of Section 13, T5N, R25E; thence north one mile to the northeast corner of Section 13, T5N, R25E; thence east one mile to the point of origin.

(2) Area 3 restrictions.

(a) Application by air of ((restricted)) use restricted herbicides as defined in WAC 16-230-810 is prohibited.

(b) The use or application of low volatile ester formulations of ((restricted)) use restricted herbicides is prohibited: Provided, That hormone sprays may be applied by aircraft to orchards for the prevention of fruit drop.

(c) On and after April 5 through October 31 of each year, applications of ((restricted)) use restricted herbicides ((shall be)) are prohibited daily from three hours prior to sunset until two hours after sunrise the following morning: Provided, That applications of ((restricted)) use restricted herbicides ((shall be)) are exempt from the sunset and sunrise restrictions when using an application rate of forty gallons of water carrier or greater

per treated acre at twenty pounds of pressure or less at the nozzle: Provided further, That applications of granular and pellet formulations of the (~~restricted~~) use restricted herbicides (~~shall be~~) are exempt from the sunset and sunrise restrictions: Provided further, That (~~persons licensed to perform~~) applications of the (~~restricted~~) use restricted herbicides on small experimental plots for research purposes (~~shall be~~) are exempt from the sunset and sunrise restrictions.

AMENDATORY SECTION (Amending WSR 00-24-002, filed 11/22/00, effective 12/23/00)

**WAC 16-230-850 (~~Application of pesticides in Benton County-- Area 4.~~) What are the boundaries and restrictions for Area 4?** (1) Area 4 description.

(a) Tri-cities northwest buffer zone. An area including all lands lying within a boundary line beginning at the northwest corner of Section 25, T10N, R26E; thence north two miles along section lines to the northwest corner of Section 13, T10N, R26E; thence east one mile along the section line to the northeast corner of Section 13, T10N, R26E; thence north approximately one-half mile along the section line to the United States Department of Energy Hanford Site south boundary line; thence easterly approximately ten miles and south approximately two and one-half miles along the south boundary line to the south section line of Section 27, T10N, R28E; thence west approximately six and three-fourths miles along section lines to the southwest corner of Section 27, T10N, R27E; thence north one mile along the section line to the northwest corner of Section 27, T10N, R27E; thence west four miles along section lines to the point of beginning.

(b) Tri-cities northeast buffer zone. An area including all lands lying within a boundary line beginning at the intersection of the Esquatzel Diversion Channel drain and the Columbia River; thence east along the Esquatzel Channel to its intersection with Road 68; thence southeasterly approximately one mile along Road 68 to its intersection with Fraser Drive near the northeast corner of Section 24, T10N, R28E; thence south approximately four miles along section lines and portions of Fraser Drive and Dent Road to the southwest corner of Section 6, T9N, R29E; thence east approximately eight and one-half miles along section lines and a portion of Foster Wells Road to its intersection with the Bonneville Power Administration power line in Section 4, T9N, R30E; thence southeasterly approximately seven miles along the power line to its intersection with SR 124 in Section 32, T9N, R31E; thence easterly approximately two and one-half miles along SR 124 to the east section line of Section 34, T9N, R31E near the intersection of SR 124 and the Union Pacific Railroad; thence south approximately three miles along section lines to the southeast corner of Section



15, T8N, R31E; thence west approximately one-fourth mile along the section line to the Union Pacific Railroad; thence southerly approximately four and one-half miles along the railroad to its intersection with U.S. Highway 12 near the Boise Cascade paper mill; thence northwesterly along Highway 12 to its intersection with Interstate 182; thence westerly along I-182 to the west shoreline of the Columbia River; thence northerly approximately six and one-half miles along the Columbia River to the U.S. Department of Energy Hanford Site south boundary line in Section 14, T10N, R28E; thence east approximately one-half mile across the Columbia River to its east shoreline; thence northerly approximately one-half mile to the point of beginning.

(2) Area 4 restrictions.

(a) Application by air of (~~restricted~~) use restricted pesticides as defined in WAC 16-230-810 may be made by written permit only.

(b) The use or application of low volatile ester formulations of (~~restricted~~) use restricted herbicides is prohibited: Provided, That hormone sprays may be applied by aircraft to orchards for the prevention of fruit drop.

(c) On and after April 5 through October 31 of each year all applications of (~~restricted~~) use restricted herbicides (~~shall be~~) are prohibited daily from three hours prior to sunset until two hours after sunrise the following morning: Provided, That applications of (~~restricted~~) use restricted herbicides (~~shall be~~) are exempt from the sunset and sunrise restrictions when using an application rate of forty gallons of water carrier or greater per treated acre at twenty pounds of pressure or less at the nozzle: Provided further, That applications of granular and pellet formulations of the (~~restricted~~) use restricted herbicides (~~shall be~~) are exempt from the sunset and sunrise restrictions: Provided further, That (~~persons licensed to perform~~) applications of the (~~restricted~~) use restricted herbicides on small experimental plots for research purposes (~~shall be~~) are exempt from the sunset and sunrise restrictions.

AMENDATORY SECTION (Amending WSR 00-24-002, filed 11/22/00, effective 12/23/00)

**WAC 16-230-855 (~~Application of pesticides in Benton County-- Area 5.~~) What are the boundaries and restrictions for Area 5? (1) Area 5 description.**

(a) Cold Creek buffer zone. An area including all lands lying within a boundary line beginning at the southwest corner of Section 7, T12N, R24E; thence east five miles along section lines to the southeast corner of Section 11, T12N, R24E; thence north approximately seven miles along section lines to the Columbia River; thence easterly approximately two miles along the Columbia



River to the east section line of Section 6, T13N, R25E, near the Vernita Bridge; thence south approximately eight and one-half miles along section lines to the southeast corner of Section 18, T12N, R25E; thence west seven miles along section lines to the Benton-Yakima County line at the southwest corner of Section 18, T12N, R24E; thence north one mile along the county line to the point of beginning.

(b) Roza buffer zone. An area including all lands lying within a boundary line beginning at the northwest corner of Section 25, T10N, R26E; thence west four miles along section lines to the northwest corner of Section 29, T10N, R26E; thence south one mile along the section line to the southwest corner of Section 29, T10N, R26E; thence west eleven miles along section lines to the southeast corner of Section 29, T10N, R24E; thence north one mile along the section line to the intersection with Anderson Road at the northeast corner of Section 29, T10N, R24E; thence west two miles along Anderson Road and section lines to the Benton-Yakima County line at the northwest corner of Section 30, T10N, R24E; thence north two miles along the county line to the northwest corner of Section 18, T10N, R24E; thence east four miles along section lines to the northeast corner of Section 15, T10N, R24E; thence south one mile along the section line to the southeast corner of Section 15, T10, R24E; thence east seven miles along section lines to the southwest corner of Section 13, T10N, R25E; thence north one mile along the section line to the northwest corner of Section 13, T10N, R25E; thence east six miles along section lines to the northwest corner of Section 13, T10N, R26E; thence south two miles along section lines to the point of beginning.

(c) Horse Heaven Hill southwest buffer zone. An area including all lands lying within a boundary line beginning at the northwest corner of Section 13, T6N, R24E; thence south five miles along section lines to the southwest corner of Section 1, T5N, R24E; thence east three miles along the section lines to the northeast corner of Section 8, T5N, R25E; thence south one mile along the section line to the southeast corner of Section 8, T5N, R25E; thence west one mile along the section line to the southwest corner of Section 8, T5N, R25E; thence south approximately five miles to the Washington Oregon border; thence northeasterly along the Washington Oregon border until its intersection with the eastern section line of Section 8, T5N, R26E; thence north approximately six miles along section lines to the northeast corner of Section 17, T6N, R26E; thence west nine miles to the point of beginning.

(2) Area 5 restrictions.

(a) Application by air of (~~restricted~~) use restricted herbicides as defined by WAC 16-230-810 may be made by written permit only.

(b) The use or application of low volatile ester formulations of (~~restricted~~) use restricted herbicides (~~shall be~~) is prohibited on and after April 5 through October 31 of each year: Provided, That hormone sprays may be applied by aircraft to orchards for the prevention of fruit drop.

(c) On and after April 5 through October 31 of each year all

applications of ((~~restricted~~)) use restricted herbicides ((~~shall be~~)) are prohibited daily from three hours prior to sunset until two hours after sunrise the following morning: Provided, That applications of ((~~restricted~~)) use restricted herbicides ((~~shall be~~)) are exempt from the sunset and sunrise restrictions when using an application rate of forty gallons of water carrier or greater per treated acre at twenty pounds of pressure or less at the nozzle: Provided further, That applications of granular and pellet formulations of the ((~~restricted~~)) use restricted herbicides ((~~shall be~~)) are exempt from the sunset and sunrise restrictions: Provided further, That ((~~persons licensed to perform~~)) applications of the ((~~restricted~~)) use restricted herbicides on small experimental plots for research purposes ((~~shall be~~)) are exempt from the sunset and sunrise restrictions.

AMENDATORY SECTION (Amending WSR 00-24-002, filed 11/22/00, effective 12/23/00)

WAC 16-230-860 ((~~Application of pesticides in Benton County-- Area 6.~~)) What are the boundaries and restrictions for Area 6? (1) Area 6 description. All remaining lands in the area under order.

(2) Area 6 restrictions.

(a) The use or application of low volatile ester formulations of ((~~restricted~~)) use restricted herbicides ((~~shall be~~)) is prohibited on and after April 5 through October 31 of each year: Provided, That phenoxy hormone-type sprays may be applied by aircraft to orchards for the prevention of fruit drop.

(b) On and after April 5 through October 31 of each year all applications of ((~~restricted~~)) use restricted herbicides ((~~shall be~~)) are prohibited daily from three hours prior to sunset to sunrise the following morning: Provided, That applications of ((~~restricted~~)) use restricted herbicides ((~~shall be~~)) are exempt from the sunset restrictions when using an application rate of forty gallons of water carrier or greater per treated acre at twenty pounds of pressure or less at the nozzle: Provided further, That applications of granular and pellet formulations of the ((~~restricted~~)) use restricted herbicides ((~~shall be~~)) are exempt from the sunset restrictions: Provided further, That ((~~persons licensed to perform~~)) applications of ((~~restricted~~)) use restricted herbicides on small experimental plots for research purposes ((~~shall be~~)) are exempt from the sunset restrictions.

(c) On and after April 5 through October 31 of each year, aerial applications of ((~~restricted~~)) use restricted herbicides ((~~shall be~~)) are prohibited daily from three hours prior to sunset until two hours after sunrise the following morning.

AMENDATORY SECTION (Amending WSR 00-24-002, filed 11/22/00, effective 12/23/00)

**WAC 16-230-861** (~~(Application of pesticides in Benton County--~~  
~~Wind conditions--)~~ **What are the restrictions on applications due to**  
**wind conditions?** The use or application of all herbicides and  
class 1 and 2 insecticides are prohibited in the area under order  
listed in WAC 16-230-800 when the mean sustained wind velocity is  
over ten miles per hour throughout the year: Provided, That  
applications shall be allowed in higher velocity winds when an  
approved ground apparatus is used and allowed by the label. Ground  
apparatus shall be approved by the department prior to application.  
Approval shall be based on research data: Provided further, That  
applications of granular and pellet formulations of (~~restricted~~)  
use restricted pesticides defined in WAC 16-230-810 as well as  
applications made to structures (~~shall be~~) are exempt from the  
wind restrictions.

AMENDATORY SECTION (Amending WSR 00-24-002, filed 11/22/00, effective 12/23/00)

**WAC 16-230-863** **Application of pesticides in Benton County--**  
**(Restricted)** **Use restricted herbicides ground apparatus nozzle**  
**requirements.** Ground applications of (~~restricted~~) use restricted  
herbicides in the area under order listed in WAC 16-230-800 shall  
be made, throughout the year, using nozzles having a single orifice  
and minimum diameter of .052 inches or a LP 8002 nozzle. Pressure  
shall not exceed twenty-five pounds per square inch at the nozzle  
for .052 and other orifice openings and pressure shall not exceed  
fifteen pounds per square inch at the nozzle for LP 8002 or  
equivalent nozzle. Pressure up to fifty pounds per square inch at  
the nozzle may be used for equipment with handguns and up to ninety  
pounds per square inch at the nozzle manifold for an inert system:  
Provided, That the department may issue a permit for other nozzles  
and pressure combinations that are equal or better. Prior to  
issuing such permits, the request shall be reviewed by a scientific  
committee established by the director: Provided further, That when  
Glyphosate is the only (~~restricted~~) use restricted herbicide  
being used during an application for weed control in reduced  
tillage cropping any nozzles may be used that delivers at a minimum  
ten gallons of water carrier or greater per treated acre at a  
pressure not exceeding twenty-five pounds per square inch at the  
nozzle: Provided further, That Glyphosate applications using a  
.052 nozzle at twenty-five pounds of pressure or less at the  
nozzle, and a LP 8002 nozzle at fifteen pounds of pressure or less  
at the nozzle shall be exempt from the ten-gallon minimum volume:  
Provided further, That pressurized handsized household devices used  
to apply (~~restricted~~) use restricted herbicides, or any



equipment, device, or contrivance of which the person who is applying the pesticide is the source of power or energy in making such herbicide applications shall be exempt from nozzle requirements.

AMENDATORY SECTION (Amending WSR 00-24-002, filed 11/22/00, effective 12/23/00)

**WAC 16-230-864 Application of pesticides in Benton County--**  
**((Restricted)) Use restricted herbicides, aircraft boom length, pressure, and nozzle requirements.** The aerial application of ((restricted)) use restricted herbicides in the area under order listed in WAC 16-230-800 shall be made in accordance with the following requirements:

(1) The working boom length on fixed wing aircraft shall not exceed three-fourths of the wing span and the working boom length on a helicopter shall not exceed six-sevenths of the total rotor length where the rotor length exceeds forty feet.

(2) Pressure for aerial equipment shall not exceed twenty-five psi at the nozzles.

(3) Nozzles for aircraft:

(a) Fixed wing:

(i) Minimum nozzle orifice of .075 inches (no core plate) provided, that RD8 nozzles with orifice size of 0.125 inches and No. 46 core plates may be used. Nozzles shall be directed downward and backward one hundred seventy degrees or more from the direction of flight.

(ii) No flat fan nozzles shall be allowed.

(b) Helicopter:

(i) Minimum nozzle orifice of .063 inches (no core plate) provided, that RD8 nozzles with orifice size of .125 inches and core plate No. 46 may be used. Nozzles shall be directed downward and backward ninety degrees or more from the direction of flight.

(ii) No flat fan nozzles shall be allowed.

AMENDATORY SECTION (Amending WSR 00-24-002, filed 11/22/00, effective 12/23/00)

**WAC 16-230-866 Application of pesticides in Benton County--**  
**((Restricted)) Use restricted herbicides--Temperature conditions.** All phenoxy compounds and ((Banvel)) dicamba shall not be applied when the temperature is above eighty-five degrees F. or above at the point of application: Provided, That application at the rate of fifty gallons or more per acre using nozzles having a minimum



orifice diameter of .072 inches shall be exempt from the eighty-five degrees F. temperature requirement: Provided further, That when using the invert system, applications may continue up to ninety-five degrees F. with a maximum wind velocity of fifteen miles per hour and with water carrier at twelve or more gallons per acre.

AMENDATORY SECTION (Amending WSR 00-24-002, filed 11/22/00, effective 12/23/00)

WAC 16-230-868 (~~Application of pesticides in Benton County--Restricted use herbicide weather conditions.~~) What are the restrictions due to weather? ((Restricted)) Use restricted herbicides shall not be applied throughout the year in the entire area under order when there is a temperature inversion present or weather conditions are such that damage could result to adjacent and nearby towns, susceptible crops, and plantings through physical drift or volatilization: Provided, That applications of ((restricted)) use restricted herbicides (~~shall be~~) are exempt from the inversion requirements when using one hundred gallons or greater of water carrier per treated acre while using no greater than fifteen pounds of pressure per square inch at the nozzle.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 16-230-620

Low volatile.

WAC 16-230-862

Application of pesticides in Benton County--Area 1A.

AMENDATORY SECTION (Amending WSR 00-24-002, filed 11/22/00, effective 12/23/00)

WAC 16-231-100 ((Restricted)) What are the restrictions for pesticide use ((herbicides--)) in Franklin County((--Area under order.))? (1) The area under order ((shall)) includes all lands lying within the boundaries of Franklin County. WAC 16-231-110 through 16-231-183 ((shall apply)) applies to the area under order.

(2) The distribution, use, and application of ((restricted)) use ((herbicides)) restricted pesticides in the area under order shall comply with rules relating to the use of pesticides in chapter 16-228 WAC, and rules relating to ((restricted)) use restricted herbicides in WAC 16-230-600 through 16-230-680.

AMENDATORY SECTION (Amending WSR 00-24-002, filed 11/22/00, effective 12/23/00)

WAC 16-231-105 ((Restricted)) What are use restricted herbicides((-)) in Franklin County? All formulations of ((Dicamba (Banvel) and all formulations of)) phenoxy hormone-type herbicides ((including)) (e.g., 2,4-D, ((2,4,5-T and)) 2,4-DB, 2,4-DP (dichlorprop), MCPA ((in Areas 1, 1A, 2, 3, and 4 are by this order declared to be restricted use herbicides)), MCPB, MCPP (mecoprop)) and dicamba except as listed below:

(1) Salt formulations, including amine and sodium, distributed in quantities of one gallon or less;

(2) Dry formulations of phenoxy hormone-type herbicides (e.g., 2,4-D, 2,4-DB, 2,4-DP (dichlorprop), MCPA, MCPB, MCPP (mecoprop)) and dicamba labeled and intended only for home and garden use or for turf.

AMENDATORY SECTION (Amending WSR 03-11-097, filed 5/21/03, effective 6/21/03)

WAC 16-231-107 ((Application of)) What are use restricted pesticides in certain areas of Franklin County((--Restricted use pesticides.))? The following pesticides are declared to be ((restricted)) use restricted pesticides in Areas 2A, 4A, and 6:

(1) ((Restricted)) Use restricted herbicides\*:

- (a) Sulfonylurea herbicides (such as Glean, Telar, Finesse, Escort);
- (b) Desiccants and defoliants (such as Paraquat, Diquat, Endothall);
- (c) Glyphosate (such as Roundup, Landmaster);
- (d) Phenoxy hormone-type herbicides (such as 2,4-D, MCPA);
- (e) Dicamba (such as Banvel);
- (f) Bromoxynil (~~((such as Brominal, Buctril, Bronate))~~) except that the cutoff dates of April 5, April 15 and May 16 do not apply.

\* This is to be used only as a guide and may not include all brand or trade names under which these chemicals are distributed.

(2) (~~Restricted use insecticides~~)

All aerial applications of Category I insecticides with the signal words danger/poison on the label, except granular and pellet formulations.

AMENDATORY SECTION (Amending Order 1676, filed 2/20/80)

**WAC 16-231-110 When are oil-type carriers((-)) prohibited?**

On and after April 5 through October 31, oil-type carriers are prohibited for brush control: Provided, That oil-type carriers may be used in invert systems the entire year.

AMENDATORY SECTION (Amending WSR 00-24-002, filed 11/22/00, effective 12/23/00)

**WAC 16-231-115 (~~Restricted~~) What are the boundaries and restrictions for use restricted herbicides--Franklin County--Area 1((-))?** (1) Area 1 description.

(a) This area includes all lands lying within a boundary line starting at the northwest corner of Section 6, T14N, R28E; thence east along the Adams-Franklin County line thirteen miles more or less to the intersection with State Route 17; thence southeasterly along State Route 17, including the right of way, to the intersection with Highway 395 at the town of Mesa; thence southerly along Highway 395, including the right of way, seven miles more or less to the intersection with the common boundary between Sections 2 and 11, T11N, R30E at the town of Eltopia; thence east along the section line, one mile more or less to the northeast corner of Section 12, T11N, R30E; thence south along the section lines twelve miles more or less to the southeast corner of Section 1, T10N, R30E; thence west two miles along section lines to the southeast corner of Section 3, T9N, R30E; thence north one mile along section lines to the northeast corner of Section 3, T9N, R30E; thence west

along section lines three miles to the southeast corner of Section 31, T10N, R30E; thence north two miles along Highway 395 to the intersection with the Selph Landing Road near the northeast corner of Section 30, T10N, R30E; thence seven miles west along Selph Landing Road to the northwest corner of Section 30, T10N, R29E; thence north along section lines and portions of Fraser Drive until the intersection with Road 68, thence northwesterly along Road 68 until its intersection with the Esquatzel Channel; thence west along the Esquatzel Channel until its intersection with the Columbia River; thence northwesterly along the Columbia River to the Grant-Franklin County line at the north section line of Section 29, T14N, R27E; thence east along the Grant-Franklin County line four miles more or less to the northwest corner of Section 30, T14N, R28E; thence north along the Grant-Franklin County line four miles to the point of beginning.

(b) Also including Levey (Ice Harbor Dam area): This area includes all lands lying within a two-mile radius of Levey within Franklin County.

(2) Area 1 restrictions.

(a) The use or application of low volatile formulations of ((~~restricted~~)) use restricted herbicides is prohibited on and after April 5 through October 31 of each year: Provided, That low volatile ester formulations of 2,4-DB may be applied to alfalfa and red clover seed crops on and after November 1 through April 30 of the following year.

(b) On and after April 5 through October 31, ground applications of ((~~restricted~~)) use restricted herbicides shall be made using nozzles having a minimum orifice diameter of 0.052 inches: Provided, That applications of ((~~restricted~~)) use restricted herbicides on asparagus shall be made using nozzles having minimum nozzle orifice diameter of 0.072 inches.

(c) On and after April 5 through October 31, aircraft applications of ((~~restricted~~)) use restricted herbicides ((~~shall be~~)) are prohibited except by written permit issued by the department: Provided, That on and after November 1 through April 4 of the following year, aircraft applications of ((~~restricted~~)) use restricted herbicides ((~~shall be~~)) are allowed using the caution area restrictions (see WAC 16-230-675).

(d) On and after April 5 through October 31, aircraft applications of ((~~restricted~~)) use restricted herbicides ((~~shall be~~)) are prohibited within one mile of any commercial vineyard: Provided, That on and after April 5 through October 31, written requests to apply MCPA to peas and corn located one-half to one mile from commercial vineyards will be considered: Provided further, That on and after April 5 through April 30 written requests to apply 2,4 DB on alfalfa and red clover seed crops located one-half to one mile from commercial vineyards will be considered.



AMENDATORY SECTION (Amending Order 1965, filed 2/12/88)

**WAC 16-231-119 ((Restricted)) What are the boundaries and restrictions on use restricted herbicides--Franklin County--Area 1A((-))?**

(1) Area 1A description. This area includes all lands lying within a boundary line starting at the intersection of State Route 17 and the Adams-Franklin County line at the north section line of Section 5, T14N, R30E; thence east along the Adams-Franklin County line five miles more or less to the Burlington Northern Railroad; thence southeasterly along the railroad, including the right of way, four miles more or less to the intersection with Moon Road; thence southerly along Moon Road, including the right of way, two miles more or less to the intersection with State Route 260 at the southeast corner of Section 27, T14N, R31E; thence west along State Route 260, including the right of way, five miles more or less to the intersection with State Route 17; thence northwesterly along State Route 17, excluding the right of way, to the point of beginning.

(2) Area 1A restrictions.

(a) The use or application of low volatile formulations of ((restricted)) use restricted herbicides is prohibited on and after April 15 through October 31: Provided, That low volatile ester formulations of 2,4-DB may be applied to alfalfa and red clover seed crops on and after November 1 through April 30 of the following year.

(b) On and after April 15 through October 31, ground applications of ((restricted)) use restricted herbicides shall be made using nozzles having a minimum orifice diameter of 0.052 inches: Provided, That applications of ((restricted)) use restricted herbicides on asparagus shall be made using nozzles having minimum orifice diameter of 0.072 inches.

(c) On and after November 1 through April 14 of the following year, aircraft applications of ((restricted)) use restricted herbicides shall be made using the caution area restrictions (see WAC 16-230-675).

(d) On and after April 15 through October 31, aircraft applications of ((restricted)) use restricted herbicides shall be made using the danger area restrictions (see WAC 16-230-675).

AMENDATORY SECTION (Amending WSR 00-24-002, filed 11/22/00, effective 12/23/00)

**WAC 16-231-125 ((Restricted)) What are the boundaries and restrictions on use restricted herbicides--Franklin County--Area 2((-))?**

(1) Area 2 description. This area includes all of the lands lying inside a boundary line starting at the intersection of State Routes 17 and 260 located at the northwest corner of Section 36, T14N, R30E; thence east along State Route 260, excluding the

right of way, five miles more or less to the northeast corner of Section 34, T14N, R31E; thence south along the section lines fifteen miles more or less to the Eltopia and Eye Road; thence easterly along the Eltopia and Eye Road, including the right of way, to the Brass Road; thence easterly along the Brass Road, including the right of way, to the Bannenburg Road; thence southeasterly along the Bannenburg Road, including the right of way, to the northwest corner of Section 6, T10N, R33E; thence south along the section line one mile more or less to the Snake River; thence southwesterly along the Snake River to the east section line of Section 23, T9N, R31E; thence northerly along section lines approximately two miles until the intersection with the Pasco Kahlotus Road at the northeast corner of Section 11, T9N, R31E; thence west approximately five miles along section lines and a portion of the Pasco Kahlotus Road to the intersection of the southeast corner of Section 1, T9N, R30E; thence north along the section lines twelve miles more or less to the southeast corner of Section 1, T11N, R30E; thence west along the section line one mile more or less to Highway 395; thence northerly along Highway 395, excluding the right of way, seven miles more or less to its intersection with State Route 17 at the town of Mesa; thence northerly along State Route 17, excluding the right of way, seven miles more or less to the point of beginning, excluding lands in Franklin County within a two-mile radius of the town of Levey.

(2) Area 2 restrictions.

(a) The use or application of low volatile formulations of ((restricted)) use restricted herbicides is prohibited on and after April 5 through October 31 of each year.

(b) On and after April 5 through October 31, ground applications of ((restricted)) use restricted herbicides shall be made using nozzles having a minimum orifice diameter of 0.036 inches.

(c) On and after April 5 through October 31, aircraft applications of ((restricted)) use restricted herbicides ((shall be)) are prohibited except by written permit issued by the Washington state department of agriculture.

AMENDATORY SECTION (Amending Order 1973, filed 4/12/88)

**WAC 16-231-130 ((Restricted)) What are the boundaries and restrictions on use restricted herbicides--Franklin County--Area 3((-))?** (1) Area 3 description. (Dry land area south and east of Connell.) An area beginning at the northeast corner of Section 3, T14N, R33E and the Reeder Road; thence south along the Reeder Road to and along the Black Road to the Swanson Road; thence east and south along the Swanson Road to state Highway 260; thence southerly along state Highway 260 to the Munt Road; thence south along the Munt Road to the Largent Road; thence east along the Largent Road

to the Pasco-Kahlotus Highway to the Walker Road; thence southerly along the Walker Road to the Snake River; thence southerly along the Snake River to the east boundary line of Area 2; thence northerly along the east boundary line of Area 2 and Area 1A to the Franklin-Adams County line; thence east fifteen miles more or less along the county line to the point of beginning.

(2) Area 3 restrictions.

(a) The use or application of low volatile formulations of (~~restricted~~) use restricted herbicides (~~(shall be)~~) is prohibited on and after May 16 through October 31 of each year.

(b) On and after May 1 through October 31, ground applications of (~~restricted~~) use restricted herbicides shall be made using nozzles having a minimum orifice diameter of 0.036 inches.

(c) On and after May 1 through October 31, aircraft applications of (~~restricted~~) use restricted herbicides shall be made using the caution area restrictions (see WAC 16-230-675).

AMENDATORY SECTION (Amending Order 1676, filed 2/20/80)

**WAC 16-231-135 What are the boundaries and restrictions on use restricted herbicides in Area 4((~~-~~))?** (1) Area 4 description. (Dry land area.) All of the remaining lands in Franklin County lying east of Area 3.

(2) Area 4 restrictions.

(a) On and after May 1 through October 31, ground applications of (~~restricted~~) use restricted herbicides shall be made using nozzles having a minimum orifice diameter of 0.031 inches.

(b) On and after May 1 through October 31, aircraft applications of (~~restricted~~) use restricted herbicides shall be made using the caution area restrictions (see WAC 16-230-675).

AMENDATORY SECTION (Amending WSR 00-24-002, filed 11/22/00, effective 12/23/00)

**WAC 16-231-140 What are the restrictions on mixing or loading aircraft((~~-~~))?** The loading and/or mixing of (~~restricted~~) use restricted herbicides in Areas 1, 1A, 2, 3, and 4 is restricted to those formulations which may be applied in the area in which the airstrip is located.

AMENDATORY SECTION (Amending Order 1973, filed 4/12/88)

WAC 16-231-145 ((Restricted)) What are the wind restrictions for use restricted herbicides--Franklin County((--Wind conditions-))? The use or application of ((restricted)) use restricted herbicides shall be prohibited in Areas 1, 1A, 2, 3, and 4 when the mean sustained wind velocity is over twelve miles per hour throughout the year: Provided, That such applications shall be prohibited in Area 1 on and after April 1 through October 31 when the mean sustained wind velocity is over ten miles per hour: Provided further, That applications of ((restricted)) use restricted herbicides shall be allowed in winds up to and including twenty miles per hour when an approved hooded boom sprayer is used and allowed by the label. Hooded boom sprayers shall be approved by the department of agriculture. The department shall consider the recommendations of the pesticide advisory board 2,4-D ad hoc committee in determining the criteria of what constitutes an approved hooded boom sprayer. Approval shall be based on research data.

AMENDATORY SECTION (Amending WSR 00-24-002, filed 11/22/00, effective 12/23/00)

WAC 16-231-149 ((Restricted)) What are the boundaries and restrictions on use restricted herbicides--Franklin County--Area 2A((-))? (1) Area 2A description. An area including all lands lying in a boundary line beginning at the Columbia River and Interstate 182 near the east section line of Section 13, T9N, R28E; thence along Interstate 182 until its intersection with U.S. Highway 12; thence southeasterly along Highway 12 until its intersection with the Snake River in Section 35, T9N, R30E; thence southwesterly along the Snake River until its intersection with the Columbia River; thence northwesterly along the Columbia River to the point of beginning.

- (2) Area 2A restrictions.
  - (a) Application by air of ((restricted)) use restricted pesticides as defined in WAC 16-231-107 is prohibited.
  - (b) The use or application of low volatile ester formulations of ((restricted)) use restricted herbicides is prohibited: Provided, That hormone sprays may be applied by aircraft to orchards for the prevention of fruit drop.
  - (c) On and after April 5 through October 31 of each year, applications of ((restricted)) use restricted herbicides ((shall be)) are prohibited daily from three hours prior to sunset until two hours after sunrise the following morning: Provided, That applications of ((restricted)) use restricted herbicides ((shall be)) are exempt from the sunset and sunrise restrictions when using an application rate of forty gallons of water carrier or greater



per treated acre at twenty pounds of pressure or less at the nozzle: Provided further, That applications of granular and pellet formulations of the ((restricted)) use restricted herbicides ((shall be)) are exempt from the sunset and sunrise restrictions: Provided further, That ((persons licensed to perform)) applications of ((restricted)) use restricted herbicides on small experimental plots for research purposes ((shall be)) are exempt from the sunset and sunrise restrictions.

AMENDATORY SECTION (Amending WSR 00-24-002, filed 11/22/00, effective 12/23/00)

**WAC 16-231-153 ((Restricted)) What are the boundaries and restrictions on use restricted herbicides--Franklin County--Area 4A((-))?**

(1) Area 4A description. An area including all lands lying within a boundary line beginning at the intersection of the Esquatzel Diversion Channel drain and the Columbia River; thence east along the Esquatzel Channel to its intersection with Road 68; thence southeasterly approximately one mile along Road 68 to its intersection with Fraser Drive near the northeast corner of Section 24, T10N, R28E; thence south approximately four miles along section lines and portions of Fraser Drive and Dent Road to the southwest corner of Section 6, T9N, R29E; thence east approximately eight and one-half miles along section lines and a portion of Foster Wells Road to its intersection with the Bonneville Power Administration power line in Section 4, T9N, R30E; thence southeasterly along the power line until its intersection with the Snake River near the east line of Section 25, T9N, R30E; thence southwesterly along the Snake River until its intersection with U.S. Highway 12 in Section 35, T9N, R30E; thence northwesterly along Highway 12 until its intersection with Interstate 182; thence westerly along Interstate 182 until its intersection with the Columbia River along the east section line of Section 13, T9N, R28E; thence northerly along the Columbia River to the point of beginning.

(2) Area 4A restrictions.

(a) Application by air of ((restricted)) use restricted pesticides as defined in WAC 16-231-107 may be made by written permit only.

(b) The use or application of low volatile ester formulations of ((restricted)) use restricted herbicides is prohibited: Provided, That hormone sprays may be applied by aircraft to orchards for the prevention of fruit drop.

(c) On and after April 5 through October 31 of each year, all applications of ((restricted)) use restricted herbicides ((shall be)) are prohibited daily from three hours prior to sunset until two hours after sunrise the following morning: Provided, That applications of ((restricted)) use restricted herbicides ((shall be)) are exempt from the sunset and sunrise restrictions when using

an application rate of forty gallons of water carrier or greater per treated acre at twenty pounds of pressure or less at the nozzle: Provided further, That applications of granular and pellet formulations of the ((restricted)) use restricted herbicides ((shall be)) are exempt from the sunset and sunrise restrictions: Provided further, That ((persons licensed to perform)) applications of the ((restricted)) use restricted herbicides on small experimental plots for research purposes ((shall be)) are exempt from the sunset and sunrise restrictions.

AMENDATORY SECTION (Amending WSR 00-24-002, filed 11/22/00, effective 12/23/00)

**WAC 16-231-156 ((Restricted)) What are the boundaries and restrictions on use restricted herbicides--Franklin County--Area 6((-))?** (1) Area 6 description. An area including all lands lying within a boundary line beginning at the northwest corner of Section 30, T10N, R29E; thence east seven miles along Selph Landing Road until its intersection with Highway 395 near the northeast corner of Section 30, T10N, R30E; thence south two miles along Highway 395 to the southeast corner of Section 31, T10N, R30E; thence east three miles along section lines to the northeast corner of Section 3, T9N, R30E; thence south one mile along section lines to the southeast corner of Section 3, T9N, R30E; thence east seven miles along section lines and a portion of the Pasco-Kahlotus Road until its intersection with the Ice Harbor Dam Road at the northeast corner of Section 11, T9N, R31E; thence southerly approximately two miles along section lines until the intersection with the Snake River; thence southwesterly along the Snake River until its intersection with the Bonneville Power Administration power line in Section 25, T9N, R30E; thence northwesterly along the power line until its intersection with Foster Wells Road in Section 4, T9N, R30E; thence west approximately eight and one-half miles along section lines and portions of the Foster Wells Road to the southwest corner of Section 6, T9N, R29E; thence north along section lines approximately three miles to the point of beginning.

(2) Area 6 restrictions.

(a) The use or application of low volatile ester formulations of ((restricted)) use restricted herbicides ((shall be)) are prohibited on and after April 5 through October 31 of each year: Provided, That hormone sprays may be applied by aircraft to orchards for the prevention of fruit drop.

(b) On and after April 5 through October 31 of each year, all applications of ((restricted)) use restricted herbicides ((shall be)) are prohibited daily from three hours prior to sunset to sunrise the following morning: Provided, That applications of ((restricted)) use restricted herbicides ((shall be)) are exempt from the sunset restrictions when using an application rate of

forty gallons of water carrier or greater per treated acre at twenty pounds of pressure or less at the nozzle: Provided further, That applications of granular and pellet formulations of the ~~((restricted))~~ use restricted herbicides ~~((shall be))~~ are exempt from the sunset restrictions: Provided further, That ~~((persons licensed to perform))~~ applications of ~~((restricted))~~ use restricted herbicides on small experimental plots for research purposes ~~((shall be))~~ are exempt from the sunset restrictions.

(c) On and after April 5 through October 31 of each year, aerial applications of ~~((restricted))~~ use restricted herbicides ~~((shall be))~~ are prohibited daily from three hours prior to sunset until two hours after sunrise the following morning.

AMENDATORY SECTION (Amending WSR 00-24-002, filed 11/22/00, effective 12/23/00)

WAC 16-231-159 ~~((Application of pesticides in Franklin County--Areas 2A, 4A, and 6--Paraquat and diquat.))~~ Can Paraquat or Diquat be applied by air in Franklin County? Aerial application of Paraquat and Diquat is prohibited in Areas 2A, 4A, and 6.

AMENDATORY SECTION (Amending WSR 00-24-002, filed 11/22/00, effective 12/23/00)

WAC 16-231-162 ~~((Application of pesticides in Franklin County--Areas 2A, 4A, and 6--Sulfonylurea herbicides.))~~ Can sulfonylurea herbicides be applied in Franklin County? Application of sulfonylurea herbicides (such as Glean, Telar, Finesse, Escort) to fallow land or to land during the time between harvest and emergence above the furrows of the subsequent cereal grain crop is prohibited in Areas 2A, 4A, and 6.

AMENDATORY SECTION (Amending WSR 00-24-002, filed 11/22/00, effective 12/23/00)

WAC 16-231-165 ~~((Application of pesticides in Franklin County--Areas 2A, 4A, and 6--Permits.))~~ What are conditions applying to permits in Franklin County? The following conditions will apply to all permits issued in Areas 2A, 4A, and 6.

(1) Application for a permit may be made to the Washington

State Department of Agriculture, Compliance Branch, 21 N. 1st Avenue Suite 236, Yakima, Washington 98902. Applications may also be taken in person or by facsimile. Permits will not be granted by telephone.

(2) The department may make on-site monitoring of the application a condition of any permit. A representative of the department may condition, deny, or revoke a permit at any time, if the representative determines that the situation at the application site creates an unreasonable risk of drift. In determining whether the situation at the application site creates an unreasonable risk of drift, the representative may consider all relevant factors such as temperature, air inversions, time of day, burning restrictions, wind direction, wind velocity, topography, and type and condition of application equipment.

(3) No permit shall be issued to apply any pesticide unless that permit is consistent with existing department laws and rules.

AMENDATORY SECTION (Amending WSR 00-24-002, filed 11/22/00, effective 12/23/00)

WAC 16-231-168 ((~~Application of~~)) Can use restricted pesticides ((in Franklin County--Areas 2A, 4A, and 6--)) be applied in an emergency clause((-))? In the event of an emergency, as declared by the director, the department may issue permits for the use of ((~~restricted~~)) use restricted pesticides in variation of any restrictions contained in Areas 2A, 4A, and 6. An emergency under this section may be declared if the director determines that the risk and amount of economic harm to any agriculture crop substantially outweighs the risk and amount of damage likely to occur if a variance permit is issued.

AMENDATORY SECTION (Amending WSR 00-24-002, filed 11/22/00, effective 12/23/00)

WAC 16-231-171 ((~~Application of pesticides~~)) What are the restrictions on applications in Franklin County((-Areas 2A, 4A, and 6--)) due to wind ((conditions-))? The use or application of all herbicides and class 1 and 2 insecticides are prohibited in Areas 2A, 4A, and 6 when the mean sustained wind velocity is over ten miles per hour throughout the year: Provided, That applications shall be allowed in higher velocity winds when an approved ground apparatus is used. Ground apparatus shall be approved by the department prior to application. Approval shall be based on research data: Provided further, That applications of



granular and pellet formulations of (~~restricted~~) use restricted pesticides defined in WAC 16-231-107 as well as applications made to structures (~~shall be~~) are exempt from the wind restrictions.

AMENDATORY SECTION (Amending WSR 00-24-002, filed 11/22/00, effective 12/23/00)

**WAC 16-231-174 Application of pesticides in Franklin County-- Areas 2A, 4A, and 6--(~~Restricted~~) Use restricted herbicides ground apparatus nozzle requirements.** Ground applications of (~~restricted~~) use restricted herbicides in Areas 2A, 4A, and 6 shall be made, throughout the year, using nozzles having a single orifice and minimum diameter of .052 inches or a LP 8002 nozzle. Pressure shall not exceed twenty-five pounds per square inch at the nozzle for .052 and other orifice openings and pressure shall not exceed fifteen pounds per square inch at the nozzle for LP 8002 or equivalent nozzle. Pressure up to fifty pounds per square inch at the nozzle may be used for equipment with handguns and up to ninety pounds per square inch at the nozzle manifold for an inert system: Provided, That the department may issue a permit for other nozzles and pressure combinations that are equal or better. Prior to issuing such permits, the request shall be reviewed by a scientific committee established by the director: Provided further, That when Glyphosate is the only (~~restricted~~) use restricted herbicide being used during an application for weed control in reduced tillage cropping any nozzles may be used that delivers at a minimum ten gallons of water carrier or greater per treated acre at a pressure not exceeding twenty-five pounds per square inch at the nozzle: Provided further, That Glyphosate applications using a .052 nozzle at twenty-five pounds of pressure or less at the nozzle, and a LP 8002 nozzle at fifteen pounds of pressure or less at the nozzle shall be exempt from the ten-gallon minimum volume: Provided further, That pressurized handsized household devices used to apply (~~restricted~~) use restricted herbicides, or any equipment, device, or contrivance of which the person who is applying the pesticide is the source of power or energy in making such herbicide applications shall be exempt from nozzle requirements.

AMENDATORY SECTION (Amending WSR 00-24-002, filed 11/22/00, effective 12/23/00)

**WAC 16-231-177 Application of pesticides in Franklin County-- Areas 2A, 4A, and 6--(~~Restricted~~) Use restricted herbicides,**

aircraft boom length, pressure, and nozzle requirements. The aerial application of (~~restricted~~) use restricted herbicides in Areas 2A, 4A, and 6 shall be made in accordance with the following requirements:

(1) The working boom length on fixed wing aircraft shall not exceed three-fourths of the wing span and the working boom length on a helicopter shall not exceed six-sevenths of the total rotor length where the rotor length exceeds forty feet.

(2) Pressure for aerial equipment shall not exceed twenty-five psi at the nozzles.

(3) Nozzles for aircraft:

(a) Fixed wing:

(i) Minimum nozzle orifice of .075 inches (no core plate): Provided, That RD8 nozzles with orifice size of 0.125 inches and No. 46 core plates may be used. Nozzles shall be directed downward and backward one hundred seventy degrees or more from the direction of flight.

(ii) No flat fan nozzles shall be allowed.

(b) Helicopter:

(i) Minimum nozzle orifice of .063 inches (no core plate): Provided, That RD8 nozzles with orifice size of .125 inches and core plate No. 46 may be used. Nozzles shall be directed downward and backward ninety degrees or more from the direction of flight.

(ii) No flat fan nozzles shall be allowed.

AMENDATORY SECTION (Amending WSR 00-24-002, filed 11/22/00, effective 12/23/00)

WAC 16-231-180 (~~(Application)~~) What are the restrictions on applications of pesticides in Franklin County--Areas 2A, 4A, and 6--(~~Restricted~~) Use restricted herbicides(~~--~~) due to temperature conditions(~~-~~)? All phenoxy compounds and (~~Banvel shall~~) dicamba must not be applied when the temperature is above eighty-five degrees F. or above at the point of application: Provided, That application at the rate of fifty gallons or more per acre using nozzles having a minimum orifice diameter of .072 inches (~~shall be~~) is exempt from the eighty-five degrees F. temperature requirement: Provided further, That when using the invert system, applications may continue up to ninety-five degrees F. with a maximum wind velocity of fifteen miles per hour and with water carrier at twelve or more gallons per acre.

AMENDATORY SECTION (Amending WSR 00-24-002, filed 11/22/00, effective 12/23/00)

**WAC 16-231-183** What are the restrictions on application of pesticides in Franklin County(~~(--Restricted use herbicide)~~) due to weather conditions(~~(-)~~)? ((Restricted)) Use restricted herbicides shall not be applied throughout the year in the entire area under order when there is a temperature inversion present or weather conditions are such that damage could result to adjacent and nearby towns, susceptible crops, and plantings through physical drift or volatilization: Provided, That applications of (~~restricted~~) use restricted herbicides (~~(shall be)~~) are exempt from the inversion requirements when using one hundred gallons or greater of water carrier per treated acre while using no greater than fifteen pounds of pressure per square inch at the nozzle.

AMENDATORY SECTION (Amending Order 2073, filed 2/26/91, effective 3/29/91)

**WAC 16-231-200** (~~(Restricted use herbicides--Yakima County--Area under order.)~~) What are the restrictions for herbicide use in Yakima County? (1) The area under order (~~(shall)~~) includes all lands lying within the boundaries of Yakima County. WAC 16-231-205 through 16-231-235 (~~(shall apply)~~) applies to the area under order. (2) The distribution, use, and application of (~~restricted~~) use restricted herbicides in the area under order shall comply with rules relating to the use of pesticides in chapter 16-228 WAC, and rules relating to (~~restricted~~) use restricted herbicides in WAC 16-230-600 through 16-230-675.

AMENDATORY SECTION (Amending Order 2073, filed 2/26/91, effective 3/29/91)

**WAC 16-231-205** (~~(Restricted)~~) What are use restricted herbicides(~~(--)~~) in Yakima County(~~(-)~~)? All formulations of (~~(Dicamba (Banvel) and all formulations of)~~) phenoxy hormone-type herbicides (~~(including)~~) (e.g., 2,4-D ((and)), 2,4-DB, 2,4-DP (dichlorprop), MCPA ((are declared to be restricted use herbicides in the area under order as listed in WAC 16-231-200)), MCPB, MCPP (mecoprop)) and dicamba except as listed below:

- (1) Salt formulations, including amine and sodium, distributed in quantities of one gallon or less;
- (2) Dry formulations of phenoxy hormone-type herbicides (e.g., 2,4-D, 2,4-DB, 2,4-DP (dichlorprop), MCPA, MCPB, MCPP (mecoprop))

and dicamba labeled and intended only for home and garden use or for turf.

AMENDATORY SECTION (Amending Order 2073, filed 2/26/91, effective 3/29/91)

WAC 16-231-210 (~~Restricted use herbicides--Yakima County--Oil-type carriers.~~) When are oil-type carriers prohibited in Yakima County? On and after April 5 through October 31, oil-type carriers are prohibited in the area under order for brush control: Provided, That oil-type carriers may be used in invert systems the entire year.

AMENDATORY SECTION (Amending Order 1923, filed 4/6/87)

WAC 16-231-215 (~~Restricted use herbicides--Yakima County--Area 1.~~) What are the boundaries and restrictions for Area 1 in Yakima County? (1) Area 1 description. (An area south of the Yakima firing center including the upper and lower Yakima Valley.) An area starting at the Yakima-Benton County line and the northeast corner of Section 1, T11N, R23E; thence west along section lines seventeen miles more or less to the southeast corner of Section 31, T12N, R21E; thence north eight miles along section lines to the northeast corner of Section 30, T13N, R21E; thence west along section lines eleven miles to the Yakima River; thence northwesterly along the Yakima River four miles more or less to the junction of the Yakima and Naches Rivers; thence northwesterly along the Naches River for seven miles more or less to the northwest corner of Section 31, T14N, R18E; thence south one mile along the section line to the southwest corner of Section 31, T14N, R18E; thence west along section lines six miles to the northwest corner of Section 6, T13N, R17E; thence south twenty-four miles along section lines to the southwest corner of Section 31, T10N, R17E; thence east twenty-four miles along section lines to the southeast corner of Section 36, T10N, R20E; thence south six miles along section lines to the southwest corner of Section 31, T9N, R21E; thence east six miles along section lines to the northwest corner of Section 6, T8N, R22E; thence south six miles along section lines to the southwest corner of Section 31, T8N, R22E; thence east twelve miles along section lines to the Benton County line; thence north twenty-four miles to the point of beginning.

(2) Area 1 restrictions.

(a) The use or application of low volatile formulations of (~~restricted~~) use restricted herbicides is prohibited on and after



April 5 through October 31: Provided, That low volatile ester formulations of 2,4-DB may be applied to alfalfa and red clover seed crops at any time.

(b) On and after April 5 through October 31, ground applications of (~~restricted~~) use restricted herbicides shall be made using nozzles having a minimum orifice diameter of 0.052 inches: Provided, That applications of (~~restricted~~) use restricted herbicides on asparagus shall be made using nozzles having minimum nozzle orifice diameter of 0.072 inches.

(c) Aircraft applications of (~~restricted~~) use restricted herbicides (~~shall be~~) are allowed only on nonirrigated lands on and after November 1 through April 4 of the following year and shall be made using the caution area restrictions (see WAC 16-230-675). Aircraft applications of (~~restricted~~) use restricted herbicides (~~shall be~~) are prohibited on and after April 5 through October 31: Provided, That hormone sprays may be applied to orchards to prevent fruit drop: Provided further, That aircraft applications (~~shall be~~) are allowed by written permit issued by the Washington state department of agriculture in those dry land wheat growing areas east of Moxee and on the Rattlesnake Ridge and the area south of Horse Heaven Hills Ridge contained in Sections 25, 26, 27, 28, 32, 33, 34, 35 and 36, T8N, R23E up to within one mile of commercial grape plantings and to within one-quarter mile of other susceptible crops.

AMENDATORY SECTION (Amending Order 1675, filed 2/20/80)

**WAC 16-231-220 What are the boundaries and restrictions for Area 1A((-) in Yakima County?** (1) Area 1A description. (Tieton-Naches Area.) That portion of T14N, R17E and those portions of Sections 31, 32 and 33, T15N, R17E, lying southwest of the Naches-Selah Canal; and that portion of T14N, R16E, and those portions of Sections 35 and 36 lying southeast of the Tieton and Naches rivers.

(2) Area 1A restrictions. On and after April 15 through October 31, the use and application of low volatile formulations of (~~restricted~~) use restricted herbicides is prohibited. On and after April 15 through October 31, aircraft applications of (~~restricted~~) use restricted herbicides (~~shall be~~) are allowed using the warning area restrictions (see WAC 16-230-675) on dry land wheat up to within one-quarter mile of susceptible crops.

AMENDATORY SECTION (Amending Order 1965, filed 2/12/88)

WAC 16-231-225 (~~((Restricted use herbicides--Yakima County--Area 2.))~~) What are the boundaries and restrictions for Area 2 in Yakima County? (1) Area 2 descriptions. All remaining lands in Yakima County.

(2) Area 2 restrictions.

(a) The use or application of low volatile formulations of (~~restricted~~) use restricted herbicides is prohibited on and after April 5 through October 31.

(b) On and after April 5 through October 31, ground applications of (~~restricted~~) use restricted herbicides shall be made using nozzles having a minimum orifice diameter of 0.031 inches.

(c) On and after April 5 through October 31, aircraft applications of (~~restricted~~) use restricted herbicides shall be made using the warning area restrictions (see WAC 16-230-675).

AMENDATORY SECTION (Amending Order 1675, filed 2/20/80)

WAC 16-231-230 What are the restrictions on mixing ((and)) or loading((-)) for aircraft? The mixing and/or loading of (~~restricted~~) use restricted herbicides is limited to those formulations which may be applied in that area. The loading of aircraft is prohibited in any area where aerial application of (~~restricted~~) use restricted herbicides is prohibited.

AMENDATORY SECTION (Amending Order 2073, filed 2/26/91, effective 3/29/91)

WAC 16-231-235 (~~((Restricted use herbicides--Yakima County--Wind conditions.))~~) What are the restrictions due to wind conditions? The use or application of (~~restricted~~) use restricted herbicides (~~shall be~~) are prohibited in Areas 1, 1A and 2 when the mean sustained wind velocity is over twelve miles per hour throughout the year: Provided, That such application (~~shall be~~) are prohibited in Areas 1 and 1A on and after April 1 through October 31 when the mean sustained wind velocity is over ten miles per hour: Provided further, That applications of (~~restricted~~) use restricted herbicides (~~shall be~~) are allowed in winds up to and including twenty miles per hour when an approved ground apparatus is used. Ground apparatus shall be approved by the department of agriculture. Approval (~~shall~~) will be based on research data.

AMENDATORY SECTION (Amending Order 2073, filed 2/26/91, effective 3/29/91)

WAC 16-231-300 (~~Restricted use herbicides--Adams County--Area under order.~~) What are the restrictions for herbicide use in Adams County? (1) The area under order (~~shall~~) includes all lands lying within the boundaries of Adams County. WAC 16-231-305 through 16-231-340 (~~shall apply~~) applies to the area under order.

(2) The distribution, use, and application of (~~restricted~~) use restricted herbicides in the area under order (~~shall~~) must comply with rules relating to the use of pesticides in chapter 16-228 WAC, and rules relating to (~~restricted~~) use restricted herbicides in WAC 16-230-600 through 16-230-675.

AMENDATORY SECTION (Amending Order 2073, filed 2/26/91, effective 3/29/91)

WAC 16-231-305 (~~Restricted~~) What are use restricted herbicides(~~--~~) in Adams County(~~-~~)? All formulations of (~~Dicamba (Banvel) and all formulations of~~) phenoxy hormone-type herbicides (~~including~~) (e.g., 2,4-D (~~and~~), 2,4-DB, 2,4-DP (dichlorprop), MCPA (~~are declared to be restricted use herbicides in the area under order as listed in WAC 16-231-300~~), MCPB, MCPP (mecoprop) and dicamba except as listed below:

(1) Salt formulations, including amine and sodium, distributed in quantities of one gallon or less;

(2) Dry formulations of phenoxy hormone-type herbicides (e.g., 2,4-D, 2,4-DB, 2,4-DP (dichlorprop), MCPA, MCPB, MCPP (mecoprop)) and dicamba labeled and intended only for home and garden use or for turf.

AMENDATORY SECTION (Amending Order 2073, filed 2/26/91, effective 3/29/91)

WAC 16-231-310 (~~Restricted use herbicides--Adams County--Oil-type carriers.~~) When are oil-type carriers prohibited in Adams County? On and after May 16 through October 31, oil-type carriers are prohibited in the area under order for brush control: Provided, That oil-type carriers may be used in invert systems the

entire year.

AMENDATORY SECTION (Amending Order 1674, filed 2/20/80)

**WAC 16-231-315 What are the boundaries and restrictions for Area 1((-))?**

(1) Area 1 description. (Lands generally lying within the Columbia Basin irrigation project east of Warden and in the Othello area.) An area starting at the intersection of the East Low Canal and Grant-Adams County line in Section 18, T18N, R31E; thence southerly along the East Low Canal to the intersection of the East Low Canal and the Grant-Adams County line near the southwestern corner of Section 17, T17N, R31E; thence north six miles more or less to the point of beginning; and also all lands within a line starting at the intersection of the East Low Canal and the Grant-Adams County line near the corner of Section 6, T16N, R30E; thence southeasterly along the East Low Canal to the Adams-Franklin County line and the southwest corner of Section 31, T15N, R28E; thence north along the Grant-Adams County line beginning.

(2) Area 1 restrictions.

(a) The use or application of low volatile formulations of (~~restricted~~) use restricted herbicides is prohibited on and after April 15 through October 31: Provided, That low volatile ester formulations of 2,4-DB may be applied to alfalfa and red clover seed crops on and after November 1 through April 30 of the following year.

(b) On and after April 15 through October 31, ground applications of (~~restricted~~) use restricted herbicides shall be made using nozzles having a minimum orifice diameter of 0.052 inches: Provided, That applications of (~~restricted~~) use restricted herbicides on asparagus shall be made using nozzles having minimum nozzle orifice diameter of 0.072 inches.

(c) On and after November 1 through April 14 of the following year, aircraft applications of (~~restricted~~) use restricted herbicides shall be made using the caution area restrictions (see WAC 16-230-675).

(d) On and after April 15 through October 31, aircraft applications of (~~restricted~~) use restricted herbicides shall be made using the danger area restrictions (see WAC 16-230-675).

AMENDATORY SECTION (Amending Order 1674, filed 2/20/80)

**WAC 16-231-320 What are the boundaries and restrictions for Area 2((-))?**

(1) Area 2 description. (Buffer area east of Area 1.) Beginning at the Grant-Adams County line Section 6, T18N,



R31E; thence east six miles more or less along the Burlington Northern Railroad tracks to Kulm Road; thence south three miles more or less along Kulm Road to Franz Road; thence east one mile along Franz Road to Roxboro Road; thence south fourteen miles along the Roxboro Road to Cunningham Road; thence southeasterly one mile more or less along Cunningham Road to Lind-Hatton Road; thence southerly three miles more or less along Lind-Hatton Road to Roxboro Road; thence southerly three miles more or less to the Adams-Franklin County line; thence west seven miles more or less along Adams-Franklin County line to the East Low Canal; thence northwesterly along the East Low Canal to the Grant-Adams County line; thence east five miles more or less and three miles north more or less along the Grant-Adams County line to the East Low Canal; thence northeasterly along East Low Canal to the Grant-Adams County line; thence north two miles more or less along Grant-Adams County line to the point of beginning.

(2) Area 2 restrictions.

(a) On and after May 1 through October 31, the use or application of low volatile formulations of ((~~restricted~~)) use restricted herbicides ((~~shall be~~)) is prohibited.

(b) On and after May 1 through October 31, ground applications of ((~~restricted~~)) use restricted herbicides shall be made using nozzles having a minimum orifice diameter of 0.036 inches.

(c) On and after May 1 through October 31, aircraft applications of ((~~restricted~~)) use restricted herbicides shall be made using the warning area restrictions (see WAC 16-230-675).

#### AMENDATORY SECTION (Amending Order 1674, filed 2/20/80)

#### **WAC 16-231-325 What are the boundaries and restrictions for Area 3 ((-))?**

(1) Area 3 description. An area starting at the northwest corner of Section 6, T20N, R31E, on the Lincoln-Adams County line; thence east twenty-three miles more or less on the Davis Road to Paha-Packard Road; thence south seventeen miles more or less along the Paha-Packard Road to the intersection of Paha-Packard Road and SR 395; thence southwesterly twenty-six miles more or less along SR 395 to the Adams-Franklin County line; thence west one mile more or less along Muse Road to the Roxboro Road; thence northerly and westerly thirty-one miles more or less along the east and north boundary of Area 2 to the Grant-Adams County line; thence north twelve miles more or less along the Grant-Adams County line to the point of beginning.

(2) Area ((2)) 3 restrictions.

(a) On and after May 16 through October 31, the use and application of low volatile formulations of ((~~restricted~~)) use restricted herbicides ((~~shall be~~)) is prohibited.

(b) On and after May 1 through October 31, ground applications of ((~~restricted~~)) use restricted herbicides shall be made using

nozzles having a minimum orifice diameter of 0.031 inches.

(c) On and after May 1 through October 31, aircraft applications of (~~restricted~~) use restricted herbicides shall be made using the caution area restrictions (see WAC 16-230-675).

AMENDATORY SECTION (Amending Order 2073, filed 2/26/91, effective 3/29/91)

WAC 16-231-330 (~~Restricted use herbicides--Adams County--Area 4.~~) What are the boundaries and restrictions for Area 4? (1) Area 4 description. Outlying area east of Area 3.

(2) Area 4 restrictions. On and after May 16 through October 31, aircraft applications or (~~restricted~~) use restricted herbicides shall be made using caution area restrictions (see WAC 16-230-675).

AMENDATORY SECTION (Amending Order 1674, filed 2/20/80)

WAC 16-231-335 (~~Aerial~~) What are the restrictions on applications near vineyards(~~-~~)? Aerial applications of (~~restricted~~) use restricted herbicides (~~shall be~~) are prohibited within one mile of any commercial vineyard in the area under order: Provided, That aerial application of (~~restricted~~) use restricted herbicides to lands located within one-half mile to one mile from commercial vineyards shall be considered through written request to the Washington state department of agriculture.

AMENDATORY SECTION (Amending Order 2073, filed 2/26/91, effective 3/29/91)

WAC 16-231-340 (~~Restricted use herbicides--Adams County--Wind conditions.~~) What are the restrictions on applications due to wind conditions? (1) Area 1 and 2.

(a) The use or application of (~~restricted~~) use restricted herbicides shall be prohibited on and after April 16 through October 31 when the mean sustained wind velocity is over ten miles per hour.

(b) The use or application of (~~restricted~~) use restricted herbicides (~~shall be~~) is prohibited on and after November 1 through April 15 of the following year when the mean sustained wind

velocity is over twelve miles per hour: Provided, That application of allowable (~~(restricted)~~) use restricted herbicides (~~(shall be)~~) is exempt from these wind restrictions when applying fifty gallons or more per acre.

(2) Area 3 and 4. The use or application of (~~(restricted)~~) use restricted herbicides (~~(shall be)~~) is prohibited when the mean sustained wind velocity is over twelve miles per hour: Provided, That ground applications of (~~(restricted)~~) use restricted herbicides are allowed when using No. 2RD or 2RA Raindrop nozzles when the mean sustained wind velocity is fifteen miles per hour or less: Provided further, That application of allowable (~~(restricted)~~) use restricted herbicides (~~(shall be)~~) is exempt from these wind restrictions when applying fifty gallons or more per acre: And provided further, That applications of (~~(restricted)~~) use restricted herbicides (~~(shall be)~~) are allowed in winds up to and including twenty miles per hour when an approved ground apparatus is used. Ground apparatus shall be approved by the department of agriculture. Approval (~~(shall)~~) will be based on research data.

AMENDATORY SECTION (Amending Order 2073, filed 2/26/91, effective 3/29/91)

**WAC 16-231-400 (~~(Restricted)~~) Use restricted herbicides--Columbia County--Area under order.** (1) The area under order (~~(shall)~~) includes all lands lying within the boundaries of Columbia County. WAC 16-231-405 through 16-231-425 (~~(shall apply)~~) applies to the area under order.

(2) The distribution, use, and application of (~~(restricted)~~) use restricted herbicides in the area under order shall comply with rules relating to the use of pesticides in chapter 16-228 WAC, and rules relating to (~~(restricted)~~) use restricted herbicides in WAC 16-230-600 through 16-230-675.

AMENDATORY SECTION (Amending Order 2073, filed 2/26/91, effective 3/29/91)

**WAC 16-231-405 (~~(Restricted)~~) What are use restricted herbicides(~~(--)) in Columbia County(~~(-))~~?~~** All formulations of (~~(Dicamba (Banvel) and all formulations of)~~) phenoxy hormone-type herbicides (~~(including)~~) (e.g., 2,4-D (and), 2,4-DB, 2,4-DP (dichlorprop), MCPA (are declared to be restricted use herbicides in the area under order as listed in WAC 16-231-400), MCPB, MCPP (mecoprop) and dicamba except as listed below:

(1) Salt formulations, including amine and sodium, distributed in quantities of one gallon or less;

(2) Dry formulations of phenoxy hormone-type herbicides (e.g., 2,4-D, 2,4-DB, 2,4-DP (dichlorprop), MCPA, MCPB, MCPP (mecoprop)) and dicamba labeled and intended only for home and garden use or for turf.

AMENDATORY SECTION (Amending Order 2073, filed 2/26/91, effective 3/29/91)

WAC 16-231-410 ((Restricted use herbicides--Columbia County--Oil-type carriers.)) When are oil-type carriers prohibited in Columbia County? On and after May 1 through October 31, oil-type carriers are prohibited in the area under order for brush control: Provided, That oil-type carriers may be used in invert systems the entire year.

AMENDATORY SECTION (Amending Order 1849, filed 3/15/85)

WAC 16-231-413 What are the boundaries and restrictions for Area 1((-)) in Columbia County? (1) Area 1 description. That area within a distance of one-half mile of the city limits of Dayton.

(2) Area 1 restrictions. Aircraft applications of ((restricted)) use restricted herbicides are prohibited on and after April 5 through October 31: Provided, That upon written request to the Washington state department of agriculture, aircraft applications by permit shall be considered for purposes of critical weed control.

AMENDATORY SECTION (Amending Order 1673, filed 2/20/80)

WAC 16-231-415 What are the boundaries and restrictions for Area 2((-)) in Columbia County? (1) Area 2 description. (Huntsville, Dayton, Baileysburg, and vicinity.) Sections 1 through 12, T9N, R38E; Sections 24, 25, 26 and 30 through 36, T10N, R38E; Sections 19, 20 and 28 through 33, T10N, R39E; Sections 2 through 11, 15 through 17, 21 and 22 and that portion of Section 20 lying east of the Payne Hollow Road in T9N, R39E in Columbia County.

(2) Area 2 restrictions.



(a) The use or application of low volatile formulations of ~~((restricted))~~ use restricted herbicides ~~((shall be))~~ is prohibited on and after May 1 through October 31.

(b) On and after May 1 through October 31, ground applications of ~~((restricted))~~ use restricted herbicides shall be made using nozzles having a minimum orifice diameter of 0.036 inches. On and after November 1 through April 30, ground application shall be made using nozzles having a minimum orifice diameter of 0.031 inches.

(c) On and after May 1 through October 31, aircraft applications of ~~((restricted))~~ use restricted herbicides shall be made using the warning area restrictions (see WAC 16-230-675). On and after November 1 through April 30, aircraft applications of ~~((restricted))~~ use restricted herbicides shall be made using the caution area restrictions (see WAC 16-230-675).

AMENDATORY SECTION (Amending Order 2073, filed 2/26/91, effective 3/29/91)

~~WAC 16-231-420 ((Restricted use herbicides--Columbia County--Area 4.))~~ What are the boundaries and restrictions for Area 4 for Columbia County? (1) Area 4 description. This area includes all remaining lands in Columbia County not included in WAC 16-231-413 and 16-231-415.

(2) Area 4 restrictions.  
(a) On and after May 1 through October 31, ground applications of ~~((restricted))~~ use restricted herbicides shall be made using nozzles having a minimum orifice diameter of 0.031 inches.

(b) On and after May 1 through October 31, aircraft applications of ~~((restricted))~~ use restricted herbicides shall be made using the caution area restrictions (see WAC 16-230-675).

AMENDATORY SECTION (Amending Order 2073, filed 2/26/91, effective 3/29/91)

~~WAC 16-231-425 ((Restricted use herbicides--Columbia County--Wind conditions.))~~ What are the use restrictions due to wind conditions for Columbia County? The use or application of ~~((restricted))~~ use restricted herbicides ~~((shall be))~~ is prohibited in Area 2 and 4 when the mean sustained wind velocity is over twelve miles per hour throughout the year: Provided, That such application ~~((shall be))~~ is prohibited in Area 2 on and after May 1 through October 31 when the mean sustained wind velocity is over seven miles per hour: Provided further, That applications of ~~((restricted))~~ use restricted herbicides ~~((shall be))~~ are allowed

in winds up to and including twenty miles per hour when an approved ground apparatus is used and allowed by the label. Ground apparatus shall be approved by the department of agriculture. Approval shall be based on research data.

AMENDATORY SECTION (Amending Order 2073, filed 2/26/91, effective 3/29/91)

WAC 16-231-500 (~~((Restricted use herbicides--Whitman County--Area under order.))~~) What are restrictions for herbicide use in Whitman County? (1) The area under order (~~(shall)~~) includes all lands lying within the boundaries of Whitman County. WAC 16-231-505 through 16-231-530 (~~(shall apply)~~) applies to the area under order.

(2) The distribution, use, and application of (~~(restricted)~~) use restricted herbicides in the area under order shall comply with rules relating to the use of pesticides in chapter 16-228 WAC, and rules relating to (~~(restricted)~~) use restricted herbicides in WAC 16-230-600 through 16-230-675.

AMENDATORY SECTION (Amending Order 2073, filed 2/26/91, effective 3/29/91)

WAC 16-231-505 (~~((Restricted))~~) What are use restricted herbicides(~~(--))~~ in Whitman County(~~(-))~~? All formulations of (~~(Dicamba (Banvel) and all formulations of)~~) phenoxy hormone-type herbicides (~~(including)~~) (e.g., 2,4-D ((and)), 2,4-DB, 2,4-DP (dichlorprop), MCPA ((are declared to be restricted use herbicides in the area under order as listed in WAC 16-231-500)), MCPB, MCPP (mecoprop)) and dicamba except as listed below:

(1) Salt formulations, including amine and sodium, distributed in quantities of one gallon or less;

(2) Dry formulations of phenoxy hormone-type herbicides (e.g., 2,4-D, 2,4-DB, 2,4-DP (dichlorprop), MCPA, MCPB, MCPP (mecoprop)) and dicamba labeled and intended only for home and garden use or for turf.

AMENDATORY SECTION (Amending Order 2073, filed 2/26/91, effective 3/29/91)

**WAC 16-231-510 ((~~Restricted use herbicides~~)) What are the boundaries and restrictions for Whitman County--Area 1((-))?**

(1) Area 1 description. (Cities and/or towns and Pullman vicinity.) The areas within a distance of one mile of the city limits of any incorporated city or town and the same distance from the center of any unincorporated town comprised of ten or more inhabited, closely grouped residences within Whitman County: Provided, That the area under this section shall also include all of the lands in Section 28 through 33, T15N, R45E; Sections 25, 26, 27, 34, 35, and 36, T15N, R44E; Sections 4, 5, 6, 7, 8, 9, 16, 17, 18, 19, 20, and 21, T14N, R45E; Sections 1, 2, 3, 10, 11, 12, 13, 14, 15, 22, 23, and 24, T14N, R44E.

(2) Area 1 restrictions.  
(a) The use or application of low volatile ester formulations of ((~~restricted~~)) use restricted herbicides ((~~shall be~~)) is prohibited throughout the year: Provided, That the low volatile formulation of MCPA ((~~shall be~~)) is allowed on and after November 1 through April 15 of each year.

(b) On and after April 15 through October 31, ground applications of ((~~restricted~~)) use restricted herbicides shall be made using nozzles having a minimum orifice diameter of 0.036 inches.

(c) On and after April 15 through October 31, aircraft applications of ((~~restricted~~)) use restricted herbicides shall be made using the warning area restrictions (see WAC 16-230-675).

AMENDATORY SECTION (Amending Order 1672, filed 2/20/80)

**WAC 16-231-515 What are the boundaries and restrictions for Whitman County Area 3((-))?**

(1) Area 3 description. (Eastern portion of Whitman County.) An area east of a north-south line starting at the Whitman-Spokane County line and State Highway 195; thence southerly along Highway 195 to Colfax; thence southerly along County Roads No. 478 and No. 141 to the junction of County Roads No. 141 and No. 451; thence southerly on County Road No. 451 to County Road No. 143; thence southerly along County Road No. 143 to Almota and the Snake River.

(2) Area 3 restrictions.  
(a) On and after April 15 through October 31, ground applications of ((~~restricted~~)) use restricted herbicides shall be made using nozzles having a minimum orifice diameter of 0.031 inches.

(b) On and after April 15 through October 31, aircraft applications of ((~~restricted~~)) use restricted herbicides shall be made using the caution area restrictions (see WAC 16-230-675).

AMENDATORY SECTION (Amending Order 1672, filed 2/20/80)

WAC 16-231-520 What are the boundaries and restrictions for Whitman County Area 4((~~-~~))? (1) Area 4 description. (Outlying area west of Area 3.) All remaining lands in Whitman County west of Area 3.

(2) Area 4 restrictions.

(a) On and after May 1 through October 31, ground applications of ((~~restricted~~)) use restricted herbicides shall be made using nozzles having a minimum orifice diameter of 0.031 inches.

(b) On and after May 1 through October 31, aircraft applications of ((~~restricted~~)) use restricted herbicides shall be made using the caution area restrictions (see WAC 16-230-675).

AMENDATORY SECTION (Amending Order 2073, filed 2/26/91, effective 3/29/91)

WAC 16-231-525 ((~~Restricted~~)) What are the notification requirements of farm operators for use restricted herbicides((~~--~~)) in Whitman County((~~--Farm operator to notify.~~))? The landowner or person in charge of farming operations shall notify the aerial applicator he/she hires of any susceptible crops planted or to be planted bordering the field to which ((~~restricted~~)) use restricted herbicides are to be applied in the area under order.

AMENDATORY SECTION (Amending Order 2073, filed 2/26/91, effective 3/29/91)

WAC 16-231-530 ((~~Restricted use herbicides--Whitman County--Wind restrictions.~~)) What are restrictions due to wind conditions? (1) Areas 1 and 3.

(a) On and after April 15 through October 31, the use or application of ((~~restricted~~)) use restricted herbicides ((~~shall be~~)) is prohibited when the mean sustained wind velocity is over seven miles per hour.

(b) On and after November 1 through April 14 the following year, the use or application of ((~~restricted~~)) use restricted herbicides ((~~shall be~~)) is prohibited when the mean sustained wind velocity is over twelve miles per hour.



(2) Area 4. The use or application of (~~restricted~~) use restricted herbicides is prohibited when the mean sustained wind velocity is over twelve miles per hour: Provided, That ground applications of (~~restricted~~) use restricted herbicides are allowed when using No. 2RD or No. 2RA Raindrop nozzles when the mean sustained wind velocity is fifteen miles per hour or less and allowed by the label.

(3) All areas. Applications of (~~restricted~~) use restricted herbicides (~~shall be~~) are allowed in winds up to and including twenty miles per hour when an approved ground apparatus is used and allowed by the label. Ground apparatus shall be approved by the department of agriculture. Approval (~~shall~~) will be based on research data.

AMENDATORY SECTION (Amending Order 2073, filed 2/26/91, effective 3/29/91)

WAC 16-231-600 (~~(Restricted use herbicides--)~~) What are restrictions for herbicide use in Klickitat County(~~--Area under order--~~)? (1) The area under order (~~shall~~) includes all lands lying within the boundaries of Klickitat County. WAC 16-231-605 through 16-231-620 (~~shall apply~~) applies to the area under order.

(2) The distribution, use, and application of (~~restricted~~) use restricted herbicides in the area under order shall comply with rules relating to the use of pesticides in chapter 16-228 WAC, and rules relating to (~~restricted~~) use restricted herbicides in WAC 16-230-600 through 16-230-675.

AMENDATORY SECTION (Amending Order 2073, filed 2/26/91, effective 3/29/91)

WAC 16-231-605 (~~(Restricted)~~) What are use restricted herbicides(~~--~~) in Klickitat County(~~-~~)? All formulations of (~~Dicamba (Banvel) and all formulations of~~) phenoxy hormone-type herbicides (~~including~~) (e.g., 2,4-D (and), 2,4-DB, 2,4-DP (dichlorprop), MCPA (are declared to be restricted use herbicides in the area under order as listed in WAC 16-231-600), MCPB, MCPP (mecoprop) and dicamba except as listed below:

(1) Salt formulations, including amine and sodium, distributed in quantities of one gallon or less;

(2) Dry formulations of phenoxy hormone-type herbicides (e.g., 2,4-D, 2,4-DB, 2,4-DP (dichlorprop), MCPA, MCPB, MCPP (mecoprop)) and dicamba labeled and intended only for home and garden use or for turf.

AMENDATORY SECTION (Amending Order 2073, filed 2/26/91, effective 3/29/91)

WAC 16-231-610 (~~Restricted use herbicides--Klickitat County--~~) When are oil-type carriers(~~-~~) prohibited in Klickitat County? On and after May 1 through September 30, oil-type carriers are prohibited in the area under order for brush control: Provided, That oil-type carriers may be used in invert systems the entire year.

AMENDATORY SECTION (Amending Order 1849, filed 3/15/85)

WAC 16-231-613 What are the boundaries and restrictions for Area 2(~~-~~)? (1) Area 2 description. (Southeast corner of Klickitat County.) Sections 13, 14, 21, 22, 23, 24, 25, 26, 27, 28, 34, 35, 36, Township 5 north, Range 23 east; Sections 21, 22, south half of Section 23, Sections 26, 27, 28, 33, 34, west half of Section 35, Township 5 north, Range 22 east; Sections 1, 2, 11, 12, Township 4 north, Range 23 east.

(2) Area 2 restrictions.

(a) The use or application of low volatile formulations of (~~restricted~~) use restricted herbicides (~~(shall be)~~) is prohibited on and after April 15 through October 31: Provided, That upon written request to the Washington state department of agriculture, a permit may be issued for purposes of critical weed control.

(b) On and after April 15 through October 31, ground applications of (~~restricted~~) use restricted herbicides shall be made using nozzles having a minimum orifice diameter of 0.036 inches.

(c) On and after April 15 through October 31, aircraft applications of (~~restricted~~) use restricted herbicides shall be made using danger area restrictions (see WAC 16-230-675): Provided, That aircraft applications shall be prohibited within one mile of commercial vineyards and within one-half mile of other susceptible crops: Provided further, That upon written request to the Washington state department of agriculture, aircraft applications from one-half mile to one mile of commercial vineyards and within one-half mile of other susceptible crops by permit shall be considered for purposes of critical weed control. On and after November 1 through April 14 of the following year, aircraft applications shall be made using caution area restrictions (see WAC 16-230-675).

AMENDATORY SECTION (Amending Order 2073, filed 2/26/91, effective 3/29/91)

WAC 16-231-615 ((~~Restricted use herbicides--Klickitat County--~~)) What are the boundaries and restrictions for Area 3((-)) in Klickitat County? (1) Area 3 description. All remaining lands within the boundaries of Klickitat County not included in WAC 16-231-613.

(2) Area 3 restrictions.

(a) The use or application of low volatile formulations of ((~~restricted~~)) use restricted herbicides ((~~shall be~~)) is prohibited on and after May 1 through September 30 of each year: Provided, That on and after May 1 through May 14 of each year, low volatile formulations shall be considered through written request to the department of agriculture.

(b) On and after May 1 through September 30, ground applications of ((~~restricted~~)) use restricted herbicides shall be made with nozzles having a minimum orifice diameter of 0.031 inches.

(c) On and after May 1 through September 30, aircraft applications of ((~~restricted~~)) use restricted herbicides shall be made using the caution area restrictions (see WAC 16-230-675).

AMENDATORY SECTION (Amending Order 2073, filed 2/26/91, effective 3/29/91)

WAC 16-231-620 ((~~Restricted use herbicides--Klickitat County--~~)) What are restrictions due to wind conditions((-))? The use or application of ((~~restricted~~)) use restricted herbicides ((~~shall be~~)) is prohibited in the area under order when the mean sustained wind velocity is over twelve miles per hour throughout the year: Provided, That applications of ((~~restricted~~)) use restricted herbicides ((~~shall be~~)) are allowed in winds up to and including twenty miles per hour when an approved ground apparatus is used and allowed by the label. Ground apparatus shall be approved by the department of agriculture. Approval ((~~shall~~)) will be based on research data.

AMENDATORY SECTION (Amending Order 2073, filed 2/26/91, effective 3/29/91)

WAC 16-231-700 ((~~Restricted use herbicides--~~)) What are restrictions for herbicide use in Okanogan County((-Area under order-))? (1) The area under order ((~~shall~~)) includes all lands

lying within the boundaries of Okanogan County. WAC 16-231-705 through 16-231-725 (~~shall apply~~) applies to the area under order.

(2) The distribution, use, and application of (~~restricted~~) use restricted herbicides in the area under order shall comply with rules relating to the use of pesticides in chapter 16-228 WAC, and rules relating to (~~restricted~~) use restricted herbicides in WAC 16-230-600 through 16-230-675.

AMENDATORY SECTION (Amending Order 2073, filed 2/26/91, effective 3/29/91)

WAC 16-231-705 ((Restricted)) What are use restricted herbicides(~~--~~) in Okanogan County(~~-~~)? All formulations of (~~Dicamba (Banvel) and all formulations of~~) phenoxy hormone-type herbicides (~~including~~) (e.g., 2,4-D ((and)), 2,4-DB, 2,4-DP (dichlorprop), MCPA ((are declared to be restricted use herbicides in the area under order as listed in WAC 16-231-700)), MCPB, MCPP (mecoprop)) and dicamba except as listed below:

(1) Salt formulations, including amine and sodium, distributed in quantities of one gallon or less;

(2) Dry formulations of phenoxy hormone-type herbicides (e.g., 2,4-D, 2,4-DB, 2,4-DP (dichlorprop), MCPA, MCPB, MCPP (mecoprop)) and dicamba labeled and intended only for home and garden use or for turf.

AMENDATORY SECTION (Amending Order 1666, filed 2/20/80)

WAC 16-231-710 What are the boundaries and restrictions for Okanogan County Area 1(~~-~~)? (1) Area 1 description. (Okanogan County) An area starting at the intersection of the east boundary line of Section 24, T29N, R25E, and the Columbia River; thence north 19 miles more or less to the southwest corner of Section 7, T32N, R26E; thence east three miles to the southeast corner of Section 9; thence north two miles to the northeast corner of Section 4; thence east three miles more or less to the southeast corner of Section 36, T33N, R26E; thence north four miles to the southwest corner of Section 7, T33N, R27E; thence east two miles to the southeast corner of Section 8; thence north six miles to the northeast corner of Section 17, T34N, R27E; thence west eight miles to the northwest corner of Section 18, T34N, R26N; thence south four miles to the southwest corner of Section 31; thence west three miles to the northwest corner of Section 3, T33N, R25E; thence south four miles to the southwest corner of Section 22, T33N, R25E; thence west three miles to the northwest corner of Section 30;



thence south two miles to the southwest corner of Section 31; thence west two miles to the northwest corner of Section 2, T32N, R24E; thence south ten miles to the southwest corner of Section 23, T31N, R24E; thence west four miles to the northwest corner of Section 30; thence south seven 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.

(2) Area 1 restrictions.

(a) The use or application of low volatile formulations of (~~restricted~~) use restricted herbicides (~~shall be~~) is prohibited on and after April 15 through October 31 of each year.

(b) On and after April 15 through October 31, ground applications of (~~restricted~~) use restricted herbicides shall be made with nozzles having a minimum orifice diameter of 0.031 inches.

(c) On and after April 15 through October 31, aerial applications of (~~restricted~~) use restricted herbicides shall be made using caution area restrictions (see WAC 16-230-675).

AMENDATORY SECTION (Amending Order 2073, filed 2/26/91, effective 3/29/91)

WAC 16-231-715 (~~(Restricted use herbicides--)~~) What are the boundaries and restrictions for Okanogan County(~~--~~)Area 4(~~-~~)?

(1) Area 4 description. This area includes all remaining lands in Okanogan County not included in WAC 16-231-710.

(2) Area 4 restrictions. On and after May 1 through October 31, aerial applications of (~~restricted~~) use restricted herbicides shall be made using the caution area restrictions (see WAC 16-230-675).

AMENDATORY SECTION (Amending Order 2073, filed 2/26/91, effective 3/29/91)

WAC 16-231-720 (~~(Restricted use herbicides--Okanogan County--~~  
~~Wind conditions-)~~) What are the restrictions due to wind conditions?

The use or application of (~~restricted~~) use restricted herbicides (~~shall be~~) is prohibited in the area under order when the mean sustained wind velocity is over twelve miles per hour throughout the year: Provided, That applications of (~~restricted~~) use restricted herbicides (~~shall be~~) are allowed in winds up to and including twenty miles per hour when an approved ground apparatus is used and allowed by the label. Ground apparatus shall be approved by the department of agriculture.

Approval (~~shall~~) will be based on research data.

AMENDATORY SECTION (Amending Order 1666, filed 2/20/80)

**WAC 16-231-725** What are the restrictions on mixing or loading aircraft(~~(-)~~)? The loading and/or mixing of (~~restricted~~) use restricted herbicides is restricted to those formulations which may be applied in the area in which the airstrip is located.

AMENDATORY SECTION (Amending Order 2073, filed 2/26/91, effective 3/29/91)

**WAC 16-231-800** (~~(Restricted use herbicides--)~~) What are restrictions for herbicide use in Douglas and Chelan counties(~~-- Area under order.~~)? (1) The area under order (~~shall~~) includes all lands lying within the boundaries of Douglas and Chelan counties. WAC 16-231-805 through 16-231-840 (~~shall apply~~) applies to the area under order.

(2) The distribution, use, and application of (~~restricted~~) use restricted herbicides in the area under order shall comply with rules relating to the use of pesticides in chapter 16-228 WAC, and rules relating to (~~restricted~~) use restricted herbicides in WAC 16-230-600 through 16-230-675.

AMENDATORY SECTION (Amending Order 2073, filed 2/26/91, effective 3/29/91)

**WAC 16-231-805** (~~(Restricted)~~) What are use restricted herbicides(~~--~~) in Douglas and Chelan counties(~~(-)~~)? All formulations of (~~Dicamba (Banvel) and all formulations of~~) phenoxy hormone-type herbicides, (~~including~~) (e.g., 2,4-D (~~and~~), 2,4-DB, 2,4-DP (dichlorprop), MCPA (~~are declared to be restricted use herbicides in the area under order as listed in WAC 16-231-800~~), MCPB, MCPP (mecoprop)) and dicamba except as listed below:

(1) Salt formulations, including amine and sodium, distributed in quantities of one gallon or less;

(2) Dry formulations of phenoxy hormone-type herbicides (e.g., 2,4-D, 2,4-DB, 2,4-DP (dichlorprop), MCPA, MCPB, MCPP (mecoprop)) and dicamba labeled and intended only for home and garden use or

for turf.

AMENDATORY SECTION (Amending Order 1667, filed 2/20/80)

**WAC 16-231-810 What are the boundaries and restrictions for Area 1((-))?** (1) Area 1 description - Chelan County. An area starting at the southeast corner of Section 32, T21N, R22E; thence west one mile to the southwest corner of Section 32; thence north five miles more or less to the right of way of the Malaga Road; thence along and including the Malaga Road right of way to the city limits of Wenatchee; thence east to the Columbia River, and along the west bank of the Columbia River to the point of beginning.

(2) Area 1 description - Douglas County. An area on the east bank of the Columbia River, beginning at the southwest corner of Section 33, T21N, R22E; thence east one mile to the southeast corner of Section 33; thence north one mile to the southwest corner of Section 27; thence east one mile to the southeast corner of Section 27; thence north one mile to the southwest corner of Section 23, thence east one mile to the southeast corner of Section 23; thence north one mile to the northeast corner of Section 23; thence west one mile to the northwest corner of Section 23; thence north one mile to the northeast corner of Section 15; thence west one mile to the northwest corner of Section 15; thence north two miles to the northeast corner of Section 4; thence west one mile more or less to and including the right of way of State Road 28; thence northwest along the highway right of way to the east section line of Section 25, T22N, R21E; thence north five miles more or less to the northeast corner of Section 1, T22N, R21E; thence west eight miles more or less to the east bank of the Columbia River; thence southeasterly along the east bank of the Columbia River to the point of beginning.

(3) Area 1 restrictions.

(a) The use or application of low volatile formulations of ((restricted)) use restricted herbicides is prohibited on and after April 15 through October 31.

(b) On and after April 15 through October 31, ground applications of ((restricted)) use restricted herbicides shall be made using nozzles having a minimum orifice diameter of 0.036 inches.

(c) On and after April 15 through October 31, aerial applications of ((restricted)) use restricted herbicides shall be made using the danger area restrictions (see WAC 16-230-675).

AMENDATORY SECTION (Amending Order 1667, filed 2/20/80)

**WAC 16-231-815 What are the boundaries and restrictions for Area 2 ((-))?** (1) Area 2 description. (Buffer area -- a protective area around Azwell, Manson, and the mouth of the Moses-Coulee.)

(a) Chelan County - those areas lying within a one mile radius from the center of the towns of Azwell and Manson. Sections 13, 14, 15 and 16, T28N, R21E.

(b) Douglas County - (Moses-Coulee and Bridgeport area.) Section 1, 2, 3, 10, 11, 12, 13, 14, 24, 25, 26, 34, 35, and 36, N21N, R22E, and Sections 1, 2, 3, 4, 9, 10, 11, 12 and those portions of Sections 13, 14, 15 and 16, T20N, R22E.

(2) Area 2 restrictions.

(a) The use or application of low volatile formulations of ((restricted)) use restricted herbicides is prohibited on and after May 1 through October 31.

(b) On and after May 1 through October 31, ground applications of ((restricted)) use restricted herbicides shall be made using nozzles having a minimum orifice diameter of 0.036 inches.

(c) On and after May 1 through October 31, aircraft applications of ((restricted)) use restricted herbicides shall be made using the caution area restrictions (see WAC 16-230-675).

AMENDATORY SECTION (Amending Order 1667, filed 2/20/80)

**WAC 16-231-820 What are the boundaries and restrictions for Area 3 ((-))?** (1) Area 3 description. (Buffer area between Rock Island and Palisades.) An area starting at the northwest corner of Section 6, T22N, R22E; thence east along the township line twelve miles to the Douglas-Grant county line; thence southwesterly along the county line to the east boundary line of Area 2; thence north and west along the Area 2 boundary line to the Area 1 boundary line; thence northerly along the Area 1 boundary line to the point of beginning.

(2) Area 3 restrictions.

(a) The use or application of low volatile formulations of ((restricted)) use restricted herbicides is prohibited on and after May 1 through October 31.

(b) On and after May 1 through October 31, ground applications of ((restricted)) use restricted herbicides shall be made using nozzles having a minimum orifice diameter of 0.031 inches.

(c) On and after May 1 through October 31, aircraft applications of ((restricted)) use restricted herbicides shall be made using the caution area restrictions (see WAC 16-230-675).



AMENDATORY SECTION (Amending Order 2073, filed 2/26/91, effective 3/29/91)

WAC 16-231-825 ((~~Restricted use herbicides--Douglas and Chelan counties--~~)) What are the boundaries and restrictions for Area 4((-))? (1) Area 4 description. All remaining lands in Douglas County not included in WAC 16-231-810, 16-231-815 and 16-231-820.

(2) Area 4 restrictions. On and after May 1 through October 31, aircraft applications of ((restricted)) use restricted herbicides shall be made using the caution area restrictions (see WAC 16-230-675).

AMENDATORY SECTION (Amending Order 1667, filed 2/20/80)

WAC 16-231-830 What are the restrictions on mixing and loading aircraft((-))? The loading and/or mixing of ((restricted)) use restricted herbicides is restricted to those formulations which may be applied in the area in which the airstrip is located.

AMENDATORY SECTION (Amending Order 1667, filed 2/20/80)

WAC 16-231-835 What are restrictions for aerial applications near vineyards((-))? Aerial application of ((restricted)) use restricted herbicides ((~~shall be~~)) is prohibited within one mile of any commercial vineyard in the area under order: Provided, That aerial application of ((restricted)) use restricted herbicides to lands located within one-half mile to one mile from commercial vineyards ((~~shall~~)) will be considered through written request to the Washington state department of agriculture.

AMENDATORY SECTION (Amending Order 2073, filed 2/26/91, effective 3/29/91)

WAC 16-231-840 ((~~Restricted use herbicides--Douglas and Chelan counties--~~)) What are restrictions due to wind conditions((-))? The use or application of ((restricted)) use restricted herbicides ((~~shall be~~)) is prohibited in Areas 2, 3 and 4 when the mean sustained wind velocity is over twelve miles per hour throughout the year and in Area 1 when the mean sustained wind

velocity is over twelve miles per hour on and after November 1 through April 15 of the following year, and over seven miles per hour from April 16 through October 31: Provided, That applications of (~~restricted~~) use restricted herbicides (~~shall be~~) are allowed in winds up to and including twenty miles per hour when an approved ground apparatus is used and allowed by the label. Ground apparatus shall be approved by the department of agriculture. Approval (~~shall~~) will be based on research data.

AMENDATORY SECTION (Amending Order 2073, filed 2/26/91, effective 3/29/91)

WAC 16-231-900 (~~Restricted use herbicides--Grant County--Area under order.~~) What are restrictions for herbicide use in Grant County? (1) The area under order (~~shall~~) includes all lands lying within the boundaries of Grant County. WAC 16-231-905 through 16-231-935 (~~shall apply~~) applies to the area under order. (2) The distribution, use, and application of (~~restricted~~) use restricted herbicides in the area under order shall comply with rules relating to the use of pesticides in chapter 16-228 WAC, and rules relating to (~~restricted~~) use restricted herbicides in WAC 16-230-600 through 16-230-675.

AMENDATORY SECTION (Amending Order 2073, filed 2/26/91, effective 3/29/91)

WAC 16-231-905 (~~Restricted~~) What are use restricted herbicides(~~--~~) in Grant County(~~-~~)? All formulations of (~~Dicamba (Banvel) and all formulations of~~) phenoxy hormone-type herbicides (~~including~~) (e.g., 2,4-D (~~and~~), 2,4-DB, 2,4-DP (dichlorprop), MCPA (~~are declared to be restricted use herbicides in the area under order as listed in WAC 16-231-900~~), MCPB, MCPP (mecoprop)) and dicamba except as listed below:

(1) Salt formulations, including amine and sodium, distributed in quantities of one gallon or less;

(2) Dry formulations of phenoxy hormone-type herbicides (e.g., 2,4-D, 2,4-DB, 2,4-DP (dichlorprop), MCPA, MCPB, MCPP (mecoprop)) and dicamba labeled and intended only for home and garden use or for turf.

WAC 16-231-910 (~~(Restricted use herbicides--)~~) What are the boundaries and restrictions for Grant County(~~(--)~~)Area 1(~~(-)~~)? (1) Area 1 description. (Lands generally within the Columbia Basin irrigation project.) An area starting at the southwest corner of Section 21, T14N, R27E; thence east along the county line four miles more or less to the southeast corner of Section 24, T14N, R27E; thence north along the county line sixteen miles to the southwest corner of Section 31, T17N, R28E; thence east along the county line thirteen miles more or less to the East Low Canal; thence northerly and easterly along the East Low Canal to the Adams County line; thence north along the Grant-Adams County lines six miles more or less to the East Low Canal; thence northwesterly along the East Low Canal to the southeast boundary of Block 70; thence easterly, northerly, and westerly, encompassing Block 70, Soap Lake and Block 701, to the West Main Canal; thence southwesterly along the West Main Canal to the north boundary line of Unit 1, Block 73; thence westerly along the northern boundary line of Block 73 to the northwest corner of Unit 278; then due west to the Willow Springs Draw; thence down Willow Springs Draw to the Columbia River; thence southerly along the Columbia River to the south boundary line of Section 11, T15N, R23E; thence east along the crest of the Saddle Mountains approximately eighteen miles to the northwest boundary of the atomic energy reservation; thence southwesterly along the atomic energy reservation boundary to Highway 24; thence south and west along Highway 24 to Vernita Bridge; thence easterly along the Columbia River to the point of beginning.

(2) Area 1 restrictions.

(a) The use or application of low volatile formulations of (~~(restricted)~~) use restricted herbicides is prohibited on and after April 15 through October 31: Provided, That low volatile ester formulations of 2,4-DB may be applied to alfalfa and red clover seed crops on and after November 1 through April 30 of the following year.

(b) On and after April 15 through October 31, ground applications of (~~(restricted)~~) use restricted herbicides shall be made using nozzles having a minimum orifice diameter of 0.052 inches: Provided, That applications of (~~(restricted)~~) use restricted herbicides on asparagus shall be made using nozzles having minimum nozzle orifice diameter of 0.072 inches.

(c) On and after November 1 through April 14 of the following year, aircraft applications of (~~(restricted)~~) use restricted herbicides shall be made using the caution area restrictions (see WAC 16-230-675).

(d) On and after April 15 through October 31, aircraft applications of (~~(restricted)~~) use restricted herbicides shall be made using the danger area restrictions (see WAC 16-230-675).

(e) On and after April 15 through October 31, aircraft applications of (~~(restricted)~~) use restricted herbicides (~~(shall be)~~) are prohibited within one mile of any commercial vineyard:

Provided, That on and after April 15 through October 31, written requests to apply MCPA to peas and corn located one-half to one mile from commercial vineyards will be considered: Provided further, That on and after April 15 through April 30 written request to apply 2,4-DB on alfalfa and red clover seed crops located one-half to one mile from commercial vineyards will be considered.

AMENDATORY SECTION (Amending Order 1965, filed 2/12/88)

WAC 16-231-912 ((~~Restricted use herbicides~~)) What are the boundaries and restrictions for Grant County((~~Area 1A~~))?

(1) Area 1A description. Lands generally in the Mattawa area in the southwestern part of the county starting at the west end of the crest of Saddle Mountain at the Columbia River, south boundary line of Section 11, T15N, R23E; thence east along the crest of the Saddle Mountains approximately eighteen miles to the northwest boundary of the atomic energy reservation; thence southwesterly along the atomic energy reservation boundary to Highway 24; thence following Highway 24 to the Vernita Bridge at the Columbia River; thence northwesterly along the Columbia River to the point of beginning.

(2) Area 1A restrictions.

(a) The use or application of low volatile formulations of ~~((restricted))~~ use restricted herbicides is prohibited on and after April 5 through October 31: Provided, That low volatile ester formulations of 2,4-DB may be applied to alfalfa and red clover seed crops on and after November 1 through April 30 of the following year.

(b) On and after April 5 through October 31, ground applications of ~~((restricted))~~ use restricted herbicides shall be made using nozzles having a minimum orifice diameter of 0.052 inches: Provided, That applications of ~~((restricted))~~ use restricted herbicides on asparagus shall be made using nozzles having a minimum nozzle orifice diameter of 0.072 inches.

(c) On and after November 1 through April 4 of the following year, aircraft applications of ~~((restricted))~~ use restricted herbicides shall be made using the caution area restrictions (see WAC 16-230-675.)

(d) On and after April 5 through October 31, aircraft applications of ~~((restricted))~~ use restricted herbicides ~~((shall be))~~ are prohibited except by written permit issued by the Washington state department of agriculture.



AMENDATORY SECTION (Amending Order 1670, filed 2/20/80)

**WAC 16-231-915 What are the boundaries and restrictions for Grant County Area 2((-))?** (1) Area 2 description. (Buffer area.)

An area lying north and east of Area 1 starting at the junction of the Grant-Douglas County line and the Columbia River near Trinidad; thence north and easterly along the county line to the southwest corner of Section 35, T23N, R26E; thence east along section lines twelve miles to Grant County Road J/NW; thence south one mile along Grant County Road J/NW to the Burlington Northern Railroad tracks; thence east fourteen miles more or less to the Grant-Lincoln County line; thence south twenty-five miles more or less along the Grant-Lincoln and Grant-Adams County line to the northern boundary line of Area 1 (East Low Canal); thence northerly and westerly along the northern boundary line of Area 1 to the point of beginning; and also an area near Warden starting at the East Low Canal near the southeast corner of Section 13, T17N, R30E; thence westerly and southerly along the East Low Canal to the Grant-Adams County line near the corner of Section 32, T17N, R30E; thence east five miles and north three miles along the Grant-Adams County line to the point of beginning.

(2) Area 2 restrictions.

(a) On and after May 1 through October 31, the use or application of low volatile formulations of (~~restricted~~) use restricted herbicides (~~shall be~~) is prohibited.

(b) On and after May 1 through October 31, ground applications of (~~restricted~~) use restricted herbicides shall be made using nozzles having a minimum orifice diameter of 0.036 inches.

(c) On and after May 1 through October 31, aircraft applications of (~~restricted~~) use restricted herbicides shall be made using the warning area restrictions (see WAC 16-230-675).

AMENDATORY SECTION (Amending Order 1670, filed 2/20/80)

**WAC 16-231-920 What are the boundaries and restrictions for Grant County Area 3((-))?** (1) Area 3 description. (Outlying area.)

An area starting at the intersection of the Burlington Northern Railroad tracks near the northeast corner of Section 13, T22N, R30E; thence north nineteen miles more or less along the Grant County line to Highway 2; thence westerly along Highway 2 to the Douglas County line; thence southwesterly along the Douglas County line to the southwest corner of Section 35, T23N, R26E; thence east along section lines twelve miles to Grant County Road J/NW; thence south one mile along Grant County Road J/NW to the Burlington Northern Railroad tracks near Stratford; thence easterly along the Burlington Northern Railroad tracks fourteen miles more or less to the point of beginning.

(2) Area 3 restrictions.

(a) On and after May 16 through October 31, the use and application of low volatile formulations of ((restricted)) use restricted herbicides ((shall be)) is prohibited.

(b) On and after May 1 through October 31, ground applications of ((restricted)) use restricted herbicides shall be made using nozzles having a minimum orifice diameter of 0.031 inches.

(c) On and after May 1 through October 31, aircraft applications of ((restricted)) use restricted herbicides shall be made using the caution area restrictions (see WAC 16-230-675).

AMENDATORY SECTION (Amending Order 1670, filed 2/20/80)

**WAC 16-231-925 What are the boundaries and restrictions for Grant County Area 4((-))?** (1) Area 4 description. All remaining lands in Grant County lying north of Highway 2.

(2) Area 4 restrictions. On and after May 16 through October 31, aircraft applications of ((restricted)) use restricted herbicides shall be made using the caution area restrictions (see WAC 16-230-675).

AMENDATORY SECTION (Amending Order 1670, filed 2/20/80)

**WAC 16-231-930 What are the restrictions on ((airstrips-)) mixing and loading aircraft?** The loading and/or mixing of ((restricted)) use restricted herbicides is restricted to those formulations which may be applied in the area in which the airstrip is located.

AMENDATORY SECTION (Amending Order 2073, filed 2/26/91, effective 3/29/91)

**WAC 16-231-935 ((Restricted use herbicides--Grant County--)) What are restrictions due to wind conditions((-))?** The use or application of ((restricted)) use restricted herbicides ((shall be)) is prohibited in Areas 2, 3, and 4 when the mean sustained wind velocity is over twelve miles per hour throughout the year and in Area 1 and 1A when the mean sustained wind velocity is over twelve miles per hour on and after November 1 through March 31 of the following year, and over ten miles per hour from April 1 through October 31: Provided, That applications of allowable

~~((restricted))~~ use restricted herbicides (~~((shall be))~~) are exempt from these wind restrictions when applying fifty gallons or more per acre: Provided further, That applications of ~~((restricted))~~ use restricted herbicides (~~((shall be))~~) are allowed in winds up to and including twenty miles per hour when an approved ground apparatus is used and allowed by the label. Ground apparatus shall be approved by the department of agriculture. Approval (~~((shall))~~) will be based on research data.

AMENDATORY SECTION (Amending WSR 00-24-002, filed 11/22/00, effective 12/23/00)

WAC 16-232-001 (~~((Restricted use herbicides--))~~) What are restrictions for pesticide use in Walla Walla County (~~((--Area under order--))~~)? (1) The area under order (~~((shall))~~) includes all lands lying within the boundaries of Walla Walla County. WAC 16-232-005 through 16-232-077 (~~((shall apply))~~) applies to the area under order.

(2) The distribution, use, and application of (~~((restricted))~~) use restricted herbicides in the area under order shall comply with rules relating to the use of pesticides in chapter 16-228 WAC, and rules relating to (~~((restricted))~~) the use of use restricted herbicides in WAC 16-230-600 through 16-230-675.

AMENDATORY SECTION (Amending WSR 00-24-002, filed 11/22/00, effective 12/23/00)

WAC 16-232-005 (~~((Restricted))~~) What are use restricted herbicides (~~((--))~~) in Walla Walla County? All formulations of (~~((Dicamba (Banvel) and all formulations of))~~) phenoxy hormone-type herbicides, (~~((including))~~) (e.g., 2,4-D, ((2,4,5-T and)) 2,4-DB, 2,4-DP (dichlorprop), MCPA ((in areas 1, 2, 2A, 3, and 3A are by this order declared to be restricted use herbicides)), MCPB, MCPP (mecoprop)) and dicamba except as listed below:

(1) Salt formulations, including amine and sodium, distributed in quantities of one gallon or less;

(2) Dry formulations of phenoxy hormone-type herbicides (e.g., 2,4-D, 2,4-DB, 2,4-DP (dichlorprop), MCPA, MCPB, MCPP (mecoprop)) and dicamba labeled and intended only for home and garden use or for turf.

AMENDATORY SECTION (Amending WSR 00-24-002, filed 11/22/00, effective 12/23/00)

WAC 16-232-007 (~~((Application of pesticides in))~~) What are restricted use pesticides in certain areas of Walla Walla County (~~((--Restricted use pesticides--))~~)? The following pesticides are declared to be (~~((restricted))~~) use restricted pesticides in areas 2B, 4, and 6:



(1) (~~Restricted~~) Use restricted herbicides\*:

(a) Sulfonylurea herbicides (such as Glean, Telar, Finesse, Escort);

(b) Desiccants and defoliants (such as Paraquat, Diquat, Endothall);

(c) Glyphosate (such as Roundup, Landmaster);

(d) Phenoxy hormone-type herbicides (such as 2,4-D, MCPA);

(e) Dicamba (such as Banvel);

(f) Bromoxynil (~~(such as Brominal, Buctril, Bronate)~~) except that the cutoff dates of April 5, April 15 and May 15 do not apply.

\*This is to be used only as a guide and may not include all brand or trade names under which these chemicals are distributed.

(2) (~~Restricted use insecticides~~) All aerial applications of Category I insecticides with the signal words danger/poison on the label, except granular and pellet formulations.

AMENDATORY SECTION (Amending WSR 00-24-002, filed 11/22/00, effective 12/23/00)

WAC 16-232-010 (~~Restricted~~) What are the boundaries and restrictions on use restricted herbicides--Walla Walla County--Area 1((-))? (1) Area 1 description. (Columbia River Buffer area.) An area starting at the intersection of the common boundary line between Sections 14 and 15, T6N, R32E and the Washington-Oregon state line; thence north along the section lines ten miles more or less to the southeast corner of Section 22, T8N, R32E; thence east along the section lines two miles to the southeast corner of Section 24, T8N, R32E; thence north along the section lines five miles more or less to the intersection with the Northern Pacific Railroad; thence northeasterly seven miles more or less along the railroad, including the right of way, to the intersection with State Route 124 and C.M. Rice Road at the northeast corner of Section 2, T9N, R33E; thence northerly along C.M. Rice Road, including the right of way, to the Snake River; thence southwesterly along the Snake River to a point near the east section line of Section 23 T9N, R31E; thence south approximately twelve miles to the Walla Walla River; thence west along the Walla Walla River until its intersection with the Columbia River and the Walla Walla-Benton County line; thence southwesterly along the Columbia River approximately three and one-half miles to the intersection of the Washington-Oregon state line; thence east along the Washington-Oregon state line to the point of beginning.

(2) Area 1 restrictions.

(a) The use or application of low volatile ester formulations of (~~restricted~~) use restricted herbicides is prohibited on and after April 5 through October 31.

(b) On and after April 5 through October 31, ground applications of (~~restricted~~) use restricted herbicides shall be made using nozzles having a minimum orifice diameter of .052 inches

or a LP8002 or equivalent nozzle.

(c) On and after April 5 through October 31, aerial applications (~~shall be~~) of use restricted herbicides are prohibited except by written permit issued by the department.

AMENDATORY SECTION (Amending Order 1989, filed 10/19/88)

**WAC 16-232-015 ((Restricted)) What are the boundaries and restrictions on use restricted herbicides--Walla Walla County--Area 2((-))?**

(1) Area 2 description. (Walla Walla and vicinity, Dixie, Waitsburg, and Prescott areas.) Those areas lying within a one mile radius from the center of the town of Dixie and within one mile of the city limits of the towns of Waitsburg and Prescott and an area starting at the intersection of the common boundary line between Sections 15 and 16, T6N, R36E and the Washington-Oregon state line; thence north along the section line one mile more or less to the southwest corner of Section 3, T6N, R36E; thence east along the section lines two miles to the southeast corner of Section 2, T6N, R36E; thence north along the section lines three miles to the southwest corner of Section 24, T7N, R36E; thence east along the section line one mile to the southeast corner of Section 24, T7N, R36E; thence north along the section line one mile to the southwest corner of Section 18, T7N, R37E; thence east along the section line one mile to the southeast corner of Section 18, T7N, R37E; thence north along the section line one mile to the northeast corner of Section 18, T7N, R37E; thence west along the section lines nine miles to the northwest corner of Section 14, T7N, R35E; thence south along the section line one mile to the northeast corner of Section 22, T7N, R35E; thence west along the section line one mile to the northwest corner of Section 22, T7N, R35E; thence south along the section lines one mile more or less to State Route 12; thence westerly along State Route 12, including the right of way, three miles more or less to the intersection with Detour Road; thence southwesterly along Detour Road, including the right of way, one-half mile more or less to the intersection with Forest Road; thence south along Forest Road, including the right of way, one mile more or less to the intersection with Frog Hollow Road at the southwest corner of Section 6, T6N, R35E; thence east along Frog Hollow Road, including the right of way, one mile more or less to the intersection with Locher Road; thence south along Locher Road, including the right of way, one mile more or less to the Washington-Oregon state line; thence east along the state line eight miles more or less to the point of beginning.

- (2) Area 2 restrictions.
  - (a) The use or application of low volatile formulations of (~~restricted~~) use restricted herbicides is prohibited on and after April 15 through October 31.
  - (b) On and after April 15 through October 31, ground

applications of ((restricted)) use restricted herbicides shall be made using nozzles having a minimum orifice diameter of 0.031 inches.

(c) On and after November 1 through April 14 of the following year, aircraft applications of ((restricted)) use restricted herbicides shall be made using the caution area restrictions (see WAC 16-230-675). Aircraft applications shall be prohibited on and after April 15 through October 31: Provided, That:

(i) The aerial application of MCPA shall be allowed using warning area restrictions (see WAC 16-230-675).

(ii) Aerial applications of nonvolatile formulations of ((restricted)) use restricted herbicides from one-half to one mile of the center of the town of Dixie and from the city limits of Waitsburg, Prescott and Walla Walla shall be considered through written request to the Washington state department of agriculture.

(iii) Those portions of the city of Walla Walla which fall within Sections 13, 14, 22, 23 and 24, T7N, R35E of Walla Walla County ((shall)) are not ((be)) considered as part of the city limits of Walla Walla for purposes of issuing permits by the department for aerial application of nonvolatile formulations of restricted use pesticides.

(d) Restrictions on the use of airstrips. The loading and/or mixing of ((restricted)) use restricted herbicides is prohibited on any airstrip, airfield or any location within Area 2: Provided, That the municipal airport located northeast of Walla Walla shall not be subject to this provision.

AMENDATORY SECTION (Amending Order 1965, filed 2/12/88)

**WAC 16-232-020 ((Restricted)) What are the boundaries and restrictions on use restricted herbicides--Walla Walla County--Area 2A((-))?**

(1) Area 2A description. (Buffer area surrounding Dixie and Walla Walla.) An area, excluding a one mile radius from the center of the town of Dixie, starting at the intersection of the common boundary line between Sections 14 and 15, T6N, R32E and the Washington-Oregon state line; thence north along the section lines six miles more or less to the northwest corner of Section 14, T7N, R32E; thence east along the section lines ten miles to the southwest corner of Section 9, T7N, R34E; thence north along the section line one mile to the northwest corner of Section 9, T7N, R34E; thence east along the section lines two miles to the southwest corner of Section 2, T7N, R34E; thence north along the section line one mile to the northwest corner of Section 2, T7N, R34E; thence east along the section lines two miles to the southwest corner of Section 31, T8N, R35E; thence north along the section lines six miles to the northwest corner of Section 6, T8N, R35E; thence east along the section lines and the Columbia-Walla Walla County line twenty-four miles to the northeast corner of



Section 1, T8N, R38E; thence south along the Columbia-Walla Walla County line fourteen miles more or less to the Washington-Oregon state line; thence west along the state line fifteen miles to the common boundary line between Sections 15 and 16, T6N, R36E; thence north along the section line one mile more or less to the northwest corner of Section 10, T6N, R38E; thence east along the section lines two miles to the southwest corner of Section 1, T6N, R36E; thence north along the section lines three miles to the northwest corner of Section 25, T7N, R36E; thence east along the section line one mile to the southwest corner of Section 19, T7N, R37E; thence north along the section line one mile to the northwest corner of Section 19, T7N, R37E; thence east along the section line one mile to the northeast corner of Section 19, T7N, R37E; thence north along the section line one mile to the southwest corner of Section 8, T7N, R37E; thence west along the section lines nine miles to the northeast corner of Section 15, T7N, R35E; thence south along the section line one mile to the southeast corner of Section 15, T7N, R35E; thence west along the section line one mile to the southwest corner of Section 15, T7N, R35E; thence south along the section lines one mile more or less to State Route 12; thence westerly along State Route 12, excluding the right of way, three miles more or less to the intersection with Detour Road; thence southwesterly along Detour Road, excluding the right of way, one-half mile more or less to the intersection with Forest Road; thence south along Forest Road, excluding the right of way, one mile more or less to the intersection with Frog Hollow Road at the southwest corner of Section 6, T6N, R35E; thence east along Frog Hollow Road, excluding the right of way, one mile more or less to the intersection with Locher Road; thence south along Locher Road, excluding the right of way, one mile more or less to the Washington-Oregon state line; thence west along the state line fifteen miles more or less to the point of beginning.

(2) Area 2A restrictions.

(a) The use or application of low volatile formulations of ((~~restricted~~)) use restricted herbicides is prohibited on and after April 15 through October 31: Provided, That 2,4-DB ((~~shall be~~)) is allowed on alfalfa seed crops at any time.

(b) On and after April 15 through October 31, ground applications of ((~~restricted~~)) use restricted herbicides shall be made using nozzles having a minimum orifice diameter of 0.031 inches.

(c) On and after April 15 through October 31, aircraft applications of ((~~restricted~~)) use restricted herbicides shall be made using the caution area restrictions (see WAC 16-230-675).



AMENDATORY SECTION (Amending Order 1965, filed 2/12/88)

**WAC 16-232-025 ((Restricted)) What are the boundaries and restrictions on use restricted herbicides--Walla Walla County--Area 3((-))?** (1) Area 3 description. All of the remaining lands within the border of Walla Walla County.

(2) Area 3 restrictions.

(a) The use and application of low volatile formulations of ((restricted)) use restricted herbicides ((shall be)) is prohibited on and after May 15 through October 31.

(b) On and after May 15 through October 31, ground applications of ((restricted)) use restricted herbicides shall be made using nozzles having a minimum orifice diameter of 0.031 inches.

(c) On and after May 15 through October 31, aircraft applications of ((restricted)) use restricted herbicides shall be made using the caution area restrictions (see WAC 16-230-675).

AMENDATORY SECTION (Amending Order 1965, filed 2/12/88)

**WAC 16-232-027 ((Restricted)) What are the boundaries and restrictions on use restricted herbicides--Walla Walla County--Area 3A((-))?** (1) Area 3A description. An area beginning at the southwest corner of Section 11, T7N, R32E; thence east along the section lines six miles more or less to the intersection with the Touchet North Road at the southeast corner of Section 10, T7N, R33E; thence northerly along the Touchet North Road, including the right of way, to the intersection with State Route 124; thence west one-half mile more or less along State Route 124, excluding the right of way, to the intersection with the Northern Pacific Railroad at the northwest corner of Section 1, T9N, R33E; thence southwesterly seven miles more or less along the railroad, excluding the right of way, to the intersection with the common boundary line between Section 25, T9N, R32E and Section 30, T9N, R33E; thence south along the section lines five miles more or less to the northeast corner of Section 25, T8N, R32E; thence west along the section lines two miles to the northwest corner of Section 26, T8N, R32E; thence south along the section lines four miles to the point of beginning.

(2) Area 3A restrictions.

(a) The use and application of low volatile formulations of ((restricted)) use restricted herbicides ((shall be)) is prohibited on and after April 15 through October 31.

(b) On and after April 15 through October 31, ground applications of ((restricted)) use restricted herbicides shall be made using nozzles having a minimum orifice diameter of 0.031 inches.

(c) On and after April 15 through October 31, aircraft

applications of ((restricted)) use restricted herbicides shall be made using the caution area restrictions (see WAC 16-230-675).

AMENDATORY SECTION (Amending Order 1665, filed 2/20/80)

WAC 16-232-030 What are the restrictions on aerial applications near vineyards((-))? Aerial applications of ((restricted)) use restricted herbicides ((~~shall be~~)) are prohibited within one mile of any commercial vineyard: Provided, That aerial application of ((restricted)) use restricted herbicides to lands located within one-half to one mile from commercial vineyards ((~~shall~~)) will be considered through written request of the Washington state department of agriculture.

AMENDATORY SECTION (Amending Order 1973, filed 4/12/88)

WAC 16-232-035 ((Restricted)) What are the restrictions on use restricted herbicides((-)) in Walla Walla County((-)) due to wind conditions((-))? The use or application of ((restricted)) use restricted herbicides ((~~shall be~~)) is prohibited in Areas 1, 2, 2A, 3, and 3A when the mean sustained wind velocity is over twelve miles per hour throughout the year: Provided, That such applications ((~~shall be~~)) are prohibited in Areas 1 and 2 on and after April 1 through October 31 when the mean sustained wind velocity is over seven miles per hour: Provided further, That applications of ((restricted)) use restricted herbicides ((~~shall be~~)) are allowed in winds up to and including twenty miles per hour when allowed by the label and when an approved hooded boom sprayer is used. Hooded boom sprayers shall be approved by the department of agriculture. The department ((~~shall~~)) will consider the recommendations of the pesticide advisory board 2,4-D ad hoc committee in determining the criteria of what constitutes an approved hooded boom sprayer. Approval ((~~shall~~)) will be based on research data.

AMENDATORY SECTION (Amending WSR 00-24-002, filed 11/22/00, effective 12/23/00)

WAC 16-232-041 ((Restricted)) What are the boundaries and restrictions on use restricted herbicides--Walla Walla County--Area

**2B((~))?** (1) Area 2B description. An area including all lands lying within a boundary line beginning at the intersection of the Union Pacific Railroad and U.S. Highway 12 in Section 10, T7N, R31E; thence southerly along Highway 12 approximately three miles until its intersection with the Walla Walla River; thence west along the Walla Walla River until its intersection with the Columbia River and the Walla Walla-Benton County line; thence northwesterly along the Columbia River approximately ten miles until its intersection with the Snake River; thence northeasterly along the Snake River until its intersection with Highway 12 in Section 35, T9N, R30E; thence southeasterly along Highway 12 to the point of beginning.

(2) Area 2B restrictions.

(a) Application by air of ((restricted)) use restricted pesticides as defined in WAC 16-232-007 is prohibited.

(b) The use or application of low volatile ester formulations of ((restricted)) use restricted herbicides is prohibited: Provided, That hormone sprays may be applied by aircraft to orchards for the prevention of fruit drop.

(c) On and after April 5 through October 31 of each year, applications of ((restricted)) use restricted herbicides ((shall be)) are prohibited daily from three hours prior to sunset until two hours after sunrise the following morning: Provided, That applications of ((restricted)) use restricted herbicides ((shall be)) are exempt from the sunset and sunrise restrictions when using an application rate of forty gallons of water carrier or greater per treated acre at twenty pounds of pressure or less at the nozzle: Provided further, That applications of granular and pellet formulations of the ((restricted)) use restricted herbicides ((shall be)) are exempt from the sunset and sunrise restrictions: Provided further, That ((persons licensed to perform)) applications of ((restricted)) use restricted herbicides on small experimental plots for research purposes ((shall be)) are exempt from the sunset and sunrise restrictions.

AMENDATORY SECTION (Amending WSR 00-24-002, filed 11/22/00, effective 12/23/00)

**WAC 16-232-044 ((Restricted)) What are the boundaries and restrictions on use restricted herbicides--Walla Walla County--Area**

**4((~))?** (1) Area 4 description. An area including all lands lying within a boundary line beginning at the intersection of the Snake River and the Bonneville Power Administration power line near the east section line of Section 25, T9N, R30E; thence southeasterly along the Bonneville Power Administration power line until its intersection with SR 124 in Section 32, T9N, R31E; thence approximately two and one-half miles along SR 124 to the east section line of Section 34, T9N, R31E; thence south approximately

three miles along section lines to the southeast corner of Section 15, T8N, R31E; thence west approximately one-fourth mile along the section line to the Union Pacific Railroad; thence southerly approximately four and one-half miles along the railroad until its intersection with U.S. Highway 12 near the Boise Cascade paper mill; thence northwesterly along Highway 12 to the point of its intersection with the Snake River in Section 35, T9N, R30E; thence northeasterly along the Snake River to the point of beginning.

(2) Area 4 restrictions.

(a) Application by air of (~~restricted~~) use restricted pesticides as defined in WAC 16-232-007 may be made by written permit only.

(b) The use or application of low volatile ester formulations of (~~restricted~~) use restricted herbicides is prohibited: Provided, That hormone sprays may be applied by aircraft to orchards for the prevention of fruit drop.

(c) On and after April 5 through October 31 of each year, all applications of (~~restricted~~) use restricted herbicides shall be prohibited daily from three hours prior to sunset until two hours after sunrise the following morning: Provided, That applications of (~~restricted~~) use restricted herbicides (~~shall be~~) are exempt from the sunset and sunrise restrictions when using an application rate of forty gallons of water carrier or greater per treated acre at twenty pounds of pressure or less at the nozzle: Provided further, That applications of granular and pellet formulations of the (~~restricted~~) use restricted herbicides (~~shall be~~) are exempt from the sunset and sunrise restrictions: Provided further, That (~~persons licensed to perform~~) applications of the (~~restricted~~) use restricted herbicides on small experimental plots for research purposes (~~shall be~~) are exempt from the sunset and sunrise restrictions.

AMENDATORY SECTION (Amending WSR 00-24-002, filed 11/22/00, effective 12/23/00)

**WAC 16-232-047** (~~Restricted~~) What are the boundaries and restrictions on use restricted herbicides--Walla Walla County--Area 6(~~-~~)?

(1) Area 6 description. An area including all lands lying within a boundary line beginning at the Snake River and the east section line of Section 23, T9N, R31E; thence south approximately twelve miles along section lines to the Walla Walla River; thence west along the Walla Walla River until its intersection with the Columbia River and the Walla Walla-Benton County line; thence northwesterly along the Columbia River approximately two miles to the southern section line of Section 8, T7N, R31E; thence east approximately two miles along the section line until its intersection with U.S. Highway 12 in Section 10, T7N, R31E; thence northwesterly along U.S. Highway 12, approximately three-quarters



of a mile until its intersection with the Union Pacific Railroad; thence northerly approximately four miles along the railroad until its intersection with the southern section line in Section 15, T8N, R31E; thence east approximately one-quarter mile along the section line to the southeast corner of Section 15, T8N, R31E; thence north approximately three miles until its intersection with SR 124; thence west along SR 124 approximately two and one-half miles until its intersection with the Bonneville Power Administration power line in Section 32, T9N, R31E; thence northwesterly along the power line until its intersection with the Snake River in Section 25, T9N, R30E; thence northeasterly along the Snake River to the point of beginning.

(2) Area 6 restrictions.

(a) The use or application of low volatile ester formulations of ~~((restricted))~~ use restricted herbicides shall be prohibited on and after April 5 through October 31 of each year: Provided, That hormone sprays may be applied by aircraft to orchards for the prevention of fruit drop.

(b) On and after April 5 through October 31 of each year, all applications of ~~((restricted))~~ use restricted herbicides ~~((shall be))~~ are prohibited daily from three hours prior to sunset to sunrise the following morning: Provided, That applications of ~~((restricted))~~ use restricted herbicides ~~((shall be))~~ are exempt from the sunset restrictions when using an application rate of forty gallons of water carrier or greater per treated acre at twenty pounds of pressure or less at the nozzle: Provided further, That applications of granular and pellet formulations of the ~~((restricted))~~ use restricted herbicides ~~((shall be))~~ are exempt from the sunset restrictions: Provided further, That ~~((persons licensed to perform))~~ applications of ~~((restricted))~~ use restricted herbicides on small experimental plots for research purposes ~~((shall be))~~ are exempt from the sunset restrictions.

(c) On and after April 5 through October 31 of each year, aerial applications of ~~((restricted))~~ use restricted herbicides ~~((shall be))~~ are prohibited daily from three hours prior to sunset until two hours after sunrise the following morning.

AMENDATORY SECTION (Amending WSR 00-24-002, filed 11/22/00, effective 12/23/00)

WAC 16-232-050 ~~((Application of pesticides in Walla Walla County--Areas 2B, 4, and 6--))~~ When are oil-type carriers~~((--))~~ prohibited in Walla Walla County? On and after April 5 through October 31, oil-type carriers are prohibited for brush control in areas 2B, 4, and 6: Provided, That oil-type carriers may be used in invert systems the entire year.

AMENDATORY SECTION (Amending WSR 00-24-002, filed 11/22/00, effective 12/23/00)

WAC 16-232-053 (~~(Application of pesticides)~~) Can Paraquat or Diquat be applied by air in Walla Walla County(~~--Areas 2B, 4, and 6--Paraquat and diquat.~~)? Aerial application of Paraquat and Diquat is prohibited in areas 2B, 4, and 6.

AMENDATORY SECTION (Amending WSR 00-24-002, filed 11/22/00, effective 12/23/00)

WAC 16-232-056 (~~(Application of pesticides)~~) Can sulfonylurea herbicides be applied in Walla Walla County(~~--Areas 2B, 4, and 6--Sulfonylurea herbicides.~~)? Application of sulfonylurea herbicides (such as Glean, Telar, Finesse, Escort) to fallow land or to land during the time between harvest and emergence above the furrows of the subsequent cereal grain crop is prohibited in areas 2B, 4, and 6.

AMENDATORY SECTION (Amending WSR 00-24-002, filed 11/22/00, effective 12/23/00)

WAC 16-232-059 (~~(Application of pesticides in Walla Walla County--Areas 2B, 4, and 6--)~~) What are the conditions applying to permits(~~(-)~~) in Walla Walla County? The following conditions will apply to all permits issued in areas 2B, 4, and 6.

(1) Application for a permit may be made to the Washington State Department of Agriculture, Compliance Branch, 21 N. 1st Avenue Suite 236 Yakima, Washington 98902. Applications may also be taken in person or by facsimile. Permits will not be granted by telephone.

(2) The department may make on-site monitoring of the application a condition of any permit. A representative of the department may condition, deny, or revoke a permit at any time, if the representative determines that the situation at the application site creates an unreasonable risk of drift. In determining whether the situation at the application site creates an unreasonable risk of drift, the representative may consider all relevant factors such as temperature, air inversions, time of day, burning restrictions, wind direction, wind velocity, topography, and type and condition of application equipment.

(3) No permit (~~(shall)~~) will be issued to apply any pesticide unless that permit is consistent with existing department laws and rules.

AMENDATORY SECTION (Amending WSR 00-24-002, filed 11/22/00, effective 12/23/00)

WAC 16-232-062 (~~(Application of pesticides in Walla Walla County--Areas 2B, 4, and 6--Emergency clause.)~~) Can use restricted pesticides be applied in an emergency? In the event of an emergency, as declared by the director, the department may issue permits for the use of (~~restricted~~) use restricted pesticides in variation of any restrictions contained in areas 2B, 4, and 6. An emergency under this section may be declared if the director determines that the risk and amount of economic harm to any agriculture crop substantially outweighs the risk and amount of damage likely to occur if a variance permit is issued.

AMENDATORY SECTION (Amending WSR 00-24-002, filed 11/22/00, effective 12/23/00)

WAC 16-232-065 (~~(Application of pesticides)~~) What are the restrictions on applications in Walla Walla County(~~--Areas 2B, 4, and 6--Wind conditions.~~) due to wind? The use or application of all herbicides and class 1 and 2 insecticides are prohibited in areas 2B, 4, and 6 when the mean sustained wind velocity is over ten miles per hour throughout the year: Provided, That applications (~~(shall be)~~) are allowed in higher velocity winds when an approved ground apparatus is used and allowed by the label. Ground apparatus shall be approved by the department prior to application. Approval shall be based on research data: Provided further, That applications of granular and pellet formulations of (~~restricted~~) use restricted pesticides defined in WAC 16-232-007 as well as applications made to structures (~~(shall be)~~) are exempt from the wind restrictions.

AMENDATORY SECTION (Amending WSR 00-24-002, filed 11/22/00, effective 12/23/00)

WAC 16-232-068 Application of pesticides in Walla Walla County--Areas 2B, 4, and 6--((Restricted)) Use restricted herbicides ground apparatus nozzle requirements. Ground applications of restricted use herbicides in areas 2B, 4, and 6

shall be made, throughout the year, using nozzles having a single orifice and minimum diameter of .052 inches or a LP 8002 nozzle. Pressure shall not exceed twenty-five pounds per square inch at the nozzle for .052 and other orifice openings and pressure shall not exceed fifteen pounds per square inch at the nozzle for LP 8002 or equivalent nozzle. Pressure up to fifty pounds per square inch at the nozzle may be used for equipment with handguns and up to ninety pounds per square inch at the nozzle manifold for an inert system: Provided, That the department may issue a permit for other nozzles and pressure combinations that are equal or better. Prior to issuing such permits, the request shall be reviewed by a scientific committee established by the director: Provided further, That when Glyphosate is the only restricted use herbicide being used during an application for weed control in reduced tillage cropping any nozzles may be used that delivers at a minimum ten gallons of water carrier or greater per treated acre at a pressure not exceeding twenty-five pounds per square inch at the nozzle: Provided further, That Glyphosate applications using a .052 nozzle at twenty-five pounds of pressure or less at the nozzle, and a LP 8002 nozzle at fifteen pounds of pressure or less at the nozzle shall be exempt from the ten-gallon minimum volume: Provided further, That pressurized handsized household devices used to apply restricted use herbicides, or any equipment, device, or contrivance of which the person who is applying the pesticide is the source of power or energy in making such herbicide applications shall be exempt from nozzle requirements.

AMENDATORY SECTION (Amending WSR 00-24-002, filed 11/22/00, effective 12/23/00)

**WAC 16-232-071 Application of pesticides in Walla Walla County--Areas 2B, 4, and 6--((Restricted)) Use restricted herbicides, aircraft boom length, pressure, and nozzle requirements.** The aerial application of restricted use herbicides in areas 2B, 4, and 6 shall be made in accordance with the following requirements:

(1) The working boom length on fixed wing aircraft shall not exceed three-fourths of the wing span and the working boom length on a helicopter shall not exceed six-sevenths of the total rotor length where the rotor length exceeds forty feet.

(2) Pressure for aerial equipment shall not exceed twenty-five psi at the nozzles.

(3) Nozzles for aircraft:

(a) Fixed wing:

(i) Minimum nozzle orifice of .075 inches (no core plate): Provided, That RD8 nozzles with orifice size of 0.125 inches and No. 46 core plates may be used. Nozzles shall be directed downward and backward one hundred seventy degrees or more from the direction



of flight.

(ii) No flat fan nozzles shall be allowed.

(b) Helicopter:

(i) Minimum nozzle orifice of .063 inches (no core plate):  
Provided, That RD8 nozzles with orifice size of .125 inches and core plate No. 46 may be used. Nozzles shall be directed downward and backward ninety degrees or more from the direction of flight.

(ii) No flat fan nozzles (~~shall be~~) are allowed.

AMENDATORY SECTION (Amending WSR 00-24-002, filed 11/22/00, effective 12/23/00)

WAC 16-232-074 (~~(Application of pesticides)~~) What are the restrictions on applications in Walla Walla County (~~--Areas 2B, 4, and 6--Restricted use herbicides--~~) due to temperature (~~conditions~~)? All phenoxy compounds and (~~Banvel~~) dicamba shall not be applied when the temperature is above eighty-five degrees F. or above at the point of application: Provided, That application at the rate of fifty gallons or more per acre using nozzles having a minimum orifice diameter of .072 inches (~~shall be~~) is exempt from the eighty-five degrees F. temperature requirement: Provided further, That when using the invert system, applications may continue up to ninety-five degrees F. with a maximum wind velocity of fifteen miles per hour and with water carrier at twelve or more gallons per acre.

AMENDATORY SECTION (Amending WSR 00-24-002, filed 11/22/00, effective 12/23/00)

WAC 16-232-077 What are the restrictions on applications of pesticides in Walla Walla County (~~--Restricted use herbicide~~) due to weather conditions (~~--~~)? (~~Restricted~~) Use restricted herbicides shall not be applied throughout the year in the entire area under order when there is a temperature inversion present or weather conditions are such that damage could result to adjacent and nearby towns, susceptible crops, and plantings through physical drift or volatilization: Provided, That applications of (~~restricted~~) use restricted herbicides shall be exempt from the inversion requirements when using one hundred gallons or greater of water carrier per treated acre while using no greater than fifteen pounds of pressure per square inch at the nozzle.

AMENDATORY SECTION (Amending Order 2073, filed 2/26/91, effective 3/29/91)

WAC 16-232-100 (~~((Restricted use herbicides--))~~) What are restrictions for herbicide use in Lincoln County(~~--Area under order--~~)? (1) The area under order (~~(shall)~~) includes all lands lying within the boundaries of Lincoln County. WAC 16-232-105 through 16-232-120 (~~(shall apply)~~) applies to the area under order. (2) The distribution, use, and application of (~~(restricted)~~) use restricted herbicides in the area under order shall comply with rules relating to the use of pesticides in chapter 16-228 WAC, and rules relating to (~~(restricted)~~) use restricted herbicides in WAC 16-230-600 through 16-230-675.

AMENDATORY SECTION (Amending Order 2073, filed 2/26/91, effective 3/29/91)

WAC 16-232-105 (~~((Restricted))~~) What are use restricted herbicides(~~--~~) in Lincoln County(~~--~~)? All formulations of (~~(Dicamba (Banvel) and all formulations of)~~) phenoxy hormone-type herbicides (~~(including)~~) (e.g., 2,4-D ((and)), 2,4-DB, 2,4-DP (dichlorprop), MCPA ((are declared to be restricted use herbicides in the area under order as listed in WAC 16-232-100)), MCPB, MCPP (mecoprop)) and dicamba except as listed below:

(1) Salt formulations, including amine and sodium, distributed in quantities of one gallon or less;

(2) Dry formulations of phenoxy hormone-type herbicides (e.g., 2,4-D, 2,4-DB, 2,4-DP (dichlorprop), MCPA, MCPB, MCPP (mecoprop)) and dicamba labeled and intended only for home and garden use or for turf.

AMENDATORY SECTION (Amending Order 2073, filed 2/26/91, effective 3/29/91)

WAC 16-232-110 (~~((Restricted use herbicides--Lincoln County--Oil-type carriers--))~~) When are oil-type carriers prohibited in Lincoln County? On and after May 15 through October 31, oil-type carriers are prohibited in the area under order for brush control: Provided, That oil-type carriers may be used in invert systems the entire year.

AMENDATORY SECTION (Amending Order 1669, filed 2/20/80)

**WAC 16-232-115 What are the boundaries and restrictions for Area 3 ((-))?**

(1) Area 3 description. (Southwestern Lincoln County.) Beginning at the Grant-Lincoln County line and state Highway 2; thence northeasterly two and one-half miles more or less along state Highway 2 to the Almira South Road; thence south seven miles more or less along the Almira South Road to the Monson Road; thence east six miles more or less along the Monson Road to state Highway 21; thence south twenty-seven miles more or less along state Highway 21 to the Lincoln-Adams County line; thence west thirteen and one-half miles more or less along the common boundary line between Lincoln and Adams counties to the Grant County line; thence north twenty-nine and one-half miles more or less along the common boundary line between Grant County and Lincoln County to the point of beginning.

(2) Area 3 restrictions.

(a) The use or application of low volatile formulations of ((restricted)) use restricted herbicides shall be prohibited on and after May 16 through October 31 of each year.

(b) On and after May 16 through October 31 of each year, ground applications of ((restricted)) use restricted herbicides shall be made using nozzles having a minimum orifice diameter of 0.031 inches.

(c) On and after May 16 through October 31, aircraft applications of ((restricted)) use restricted herbicides shall be made using the caution area restrictions (see WAC 16-230-675).

AMENDATORY SECTION (Amending Order 2073, filed 2/26/91, effective 3/29/91)

**WAC 16-232-120 (~~((Restricted use herbicides--Lincoln County--Area 4.))~~) What are the boundaries and restrictions for Area 4?**

(1) Area 4 description. All remaining lands in Lincoln County not included in WAC 16-232-115.

(2) Area 4 restrictions. On and after May 16 through October 31, aircraft applications of ((restricted)) use restricted herbicides shall be made using the caution area restrictions (see WAC 16-230-675).

AMENDATORY SECTION (Amending Order 2073, filed 2/26/91, effective 3/29/91)

WAC 16-232-200 ((~~Restricted~~)) What are the restrictions for use restricted herbicides--Garfield County(~~--Area under order--~~)?

(1) The area under order (~~shall~~) includes all lands lying within the boundaries of Garfield County. WAC 16-232-205 through 16-232-225 (~~shall apply~~) applies to the area under order.

(2) The distribution, use, and application of (~~restricted~~) use restricted herbicides in the area under order shall comply with rules relating to the use of pesticides in chapter 16-228 WAC, and rules relating to (~~restricted~~) use restricted herbicides in WAC 16-230-600 through 16-230-675.

AMENDATORY SECTION (Amending Order 2073, filed 2/26/91, effective 3/29/91)

WAC 16-232-205 ((~~Restricted~~)) What are use restricted herbicides(~~--~~) in Garfield County(~~-~~)? All formulations of (~~Dicamba (Banvel) and all formulations of~~) phenoxy hormone-type herbicides (~~including~~) (e.g., 2,4-D (~~and~~), 2,4-DB, 2,4-DP (~~dichlorprop~~), MCPA (~~are declared to be restricted use herbicides in the area under order as listed in WAC 16-232-200~~), MCPB, MCPP (~~mecoprop~~)) and dicamba except as listed below:

(1) Salt formulations, including amine and sodium, distributed in quantities of one gallon or less;

(2) Dry formulations of phenoxy hormone-type herbicides (e.g., 2,4-D, 2,4-DB, 2,4-DP (~~dichlorprop~~), MCPA, MCPB, MCPP (~~mecoprop~~)) and dicamba labeled and intended only for home and garden use or for turf.

AMENDATORY SECTION (Amending Order 1671, filed 2/20/80)

WAC 16-232-210 What are the boundaries and restrictions for Area 2(~~-~~)?

(1) Area 2 description. The city of Pomeroy and those sections and partial sections lying within one mile east, one mile south and one mile west of the city limits of Pomeroy.

(2) Area 2 restrictions.

(a) On and after May 1 through October 31, ground applications shall be made using nozzles having a minimum orifice diameter of 0.031 inches.

(b) Aerial applications of (~~restricted~~) use restricted herbicides (~~shall be~~) are prohibited.



AMENDATORY SECTION (Amending Order 1671, filed 2/20/80)

**WAC 16-232-215** What are the boundaries and restrictions for Area 3((-))? (1) Area 3 description. An area starting at the intersection of the Snake River and the west boundary of Section 18, T14N, R43E; thence south to and along the Lambie Grade Road to and along the Casey Creek Road to the southeast corner of Section 8, T13N, R43E; thence east along section lines one and one-half miles more or less to the Snake River; thence northwesterly along the Snake River to the point of beginning.

(2) Area 3 restrictions.

(a) The use and application of low volatile formulations of ((restricted)) use restricted herbicides ((shall be)) is prohibited on and after April 16 through August 31.

(b) On and after April 16 through October 31, ground applications of ((restricted)) use restricted herbicides shall be made using nozzles having a minimum orifice diameter of 0.031 inches.

(c) On and after April 16 through October 31, aerial applications of ((restricted)) use restricted herbicides shall be made using the caution area restrictions (see WAC 16-230-675).

AMENDATORY SECTION (Amending Order 2073, filed 2/26/91, effective 3/29/91)

**WAC 16-232-220** ((Restricted)) What are the boundaries and restrictions for use restricted herbicides--Garfield County--Area 4((-))? (1) Area 4 description. This area includes all remaining lands in Garfield County not included in WAC 16-232-210 and 16-232-215.

(2) Area 4 restrictions.

(a) On and after May 1 through October 31, ground applications of ((restricted)) use restricted herbicides shall be made using nozzles having a minimum orifice diameter of 0.031 inches.

(b) On and after May 1 through October 31, aircraft applications of ((restricted)) use restricted herbicides shall be made using the caution area restrictions (see WAC 16-230-675).

AMENDATORY SECTION (Amending Order 2073, filed 2/26/91, effective 3/29/91)

**WAC 16-232-225** ((Restricted)) What are the restrictions on applications of use restricted herbicides((-)) in Garfield County((-)) due to wind conditions((-))? The use or application

of ~~((restricted))~~ use restricted herbicides ~~((shall be))~~ are prohibited in Areas 2, 3, and 4 when the mean sustained wind velocity is over twelve miles per hour throughout the year: Provided, That such applications ~~((shall be))~~ are prohibited in Areas 2 and 3 on and after May 1 through October 31 when the mean sustained wind velocity is over seven miles per hour: Provided further, That applications of ~~((restricted))~~ use restricted herbicides ~~((shall be))~~ are allowed in winds up to and including twenty miles per hour when an approved ground apparatus is used and allowed by the label. Ground apparatus shall be approved by the department of agriculture. Approval ~~((shall))~~ will be based on research data.

AMENDATORY SECTION (Amending Order 2073, filed 2/26/91, effective 3/29/91)

WAC 16-232-300 ~~((Restricted))~~ What are the restrictions for use restricted herbicides~~((--))~~ in Kittitas County~~((--Area under order--))~~? (1) The area under order ~~((shall))~~ includes all lands lying within the boundaries of Kittitas County. WAC 16-232-305 through 16-232-315 ~~((shall apply))~~ applies to the area under order.

(2) The distribution, use, and application of ~~((restricted))~~ use restricted herbicides in the area under order shall comply with rules relating to the use of pesticides in chapter 16-228 WAC, and rules relating to ~~((restricted))~~ use restricted herbicides in WAC 16-230-600 through 16-230-675.

AMENDATORY SECTION (Amending Order 2073, filed 2/26/91, effective 3/29/91)

WAC 16-232-305 ~~((Restricted))~~ What are use restricted herbicides~~((--))~~ in Kittitas County~~((--))~~? All formulations ~~((of Dicamba (Banvel) and all formulations of))~~ phenoxy hormone-type herbicides ~~((including))~~ (e.g., 2,4-D ((and)), 2,4-DB, 2,4-DP (dichlorprop), MCPA ((are declared to be restricted use herbicides in the area under order as listed in WAC 16-232-300)), MCPB, MCPP (mecoprop)) and dicamba except as listed below:

(1) Salt formulations, including amine and sodium, distributed in quantities of one gallon or less;

(2) Dry formulations of phenoxy hormone-type herbicides (e.g., 2,4-D, 2,4-DB, 2,4-DP (dichlorprop), MCPA, MCPB, MCPP (mecoprop)) and dicamba labeled and intended only for home and garden use or for turf.

AMENDATORY SECTION (Amending Order 1754, filed 3/31/82)

**WAC 16-232-310 What are the boundaries and restrictions for Area 1((-))?**

(1) Area 1 description. An area starting at the intersection of Canyon Road and Thrall Road on the south line of Section 30, T17 N, R19E, thence east along Thrall Road three and one-half miles more or less to Billeter Road; thence south approximately one-half mile; thence east approximately one and one-half miles to Wilson Road; thence south on Wilson Road for one-half mile to intersection of Fourth Parallel Road; thence east on Fourth Parallel Road for approximately three-fourths mile to Anderson Road; thence south on Anderson Road for one-half mile more or less to E. Kern Road; thence east on E. Kern Road for approximately one-half mile; thence south approximately one and one-half miles to the north boundary of Section 18, T16, R20; thence west for two and one-half miles to intersection of I82; thence northwest for approximately three miles to the northeast corner of Section 5, T16, R19; thence west for two miles more or less to the Canyon Road; thence north for one mile more or less on the Canyon Road to the point of beginning.

(2) Area 1 restrictions.

(a) On and after April 15 through October 31, aircraft applications of ((restricted)) use restricted herbicides shall be made using danger area restrictions (see WAC 16-230-675). On and after April 15 through October 31, aircraft applications are prohibited within 500 feet of all orchards: Provided, That aircraft applications may be allowed when written permission is received from the owner of the orchard.

(b) The use or application of low volatile formulations of ((restricted)) use restricted herbicides is prohibited on and after April 15 through October 31 of each year on all lands within 500 feet of all orchards: Provided, That low volatile ester formulations may be used when written permission is received from the owner of the orchard.

(c) On and after April 15 through October 31, ground applications of ((restricted)) use restricted herbicides shall be made using nozzles having a minimum orifice diameter of 0.036 inches on all lands within 500 feet of all orchards.

AMENDATORY SECTION (Amending Order 2073, filed 2/26/91, effective 3/29/91)

**WAC 16-232-315 ((Restricted)) What are the restrictions on applications of use restricted herbicides((-)) in Kittitas County((-)) due to wind conditions((-))?**

The use or application of ((restricted)) use restricted herbicides ((shall-be)) is prohibited in Area 1 when the mean sustained wind velocity is over twelve miles on and after April 15 through October 31: Provided,

That applications of allowable (~~restricted~~) use restricted herbicides (~~shall be~~) are exempt from these wind restrictions when applying fifty gallons or more per acre: Provided further, That applications of (~~restricted~~) use restricted herbicides (~~shall be~~) are allowed in winds up to and including twenty miles per hour when an approved ground apparatus is used and allowed by the label. Ground apparatus shall be approved by the department of agriculture. Approval (~~shall~~) will be based on research data.