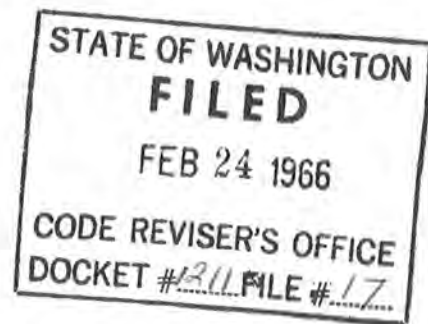


STATE OF WASHINGTON
DEPARTMENT OF AGRICULTURE
OLYMPIA

ORDER NO. 1006
(Supersedes Order No. 934)

EFFECTIVE MARCH 10, 1966

REGULATIONS PERTAINING TO THE USE OF HERBICIDES IN
FRANKLIN COUNTY



I, Donald W. Moos, Director of Agriculture of the State of Washington, by virtue of the authority vested in me under Chapters 17.21 and 15.57 RCW, after due notice and public hearing held at Kennewick, Washington, on December 14, 1965, as provided under Chapters 42.32 and 34.04 RCW, do hereby promulgate the following regulations relating to the use of growth regulating herbicides.

REGULATION 1. Area Under Order, Restricted Use Herbicides, Prohibited Formulations, and Definitions.

AREA UNDER ORDER: All the lands within the borders of Franklin County.

RESTRICTED USE HERBICIDES: All formulations of 2,4-D, 2,4,5-T, and MCP are by this order declared to be restricted use herbicides.

PROHIBITED FORMULATIONS: The use of dust formulations of restricted use herbicides are prohibited in the entire area under order. The use of all oil type carriers, emulsifiers and spreader stickers are also prohibited: PROVIDED, That oil type emulsifiers and spreader stickers may be used when not in excess of one pint per acre; and from November 1 to April 1 of the following year, oil type carriers may be used for brush control.

DEFINITION: SPECIFIED DATE. Specified date as referred to in this order is that date to be determined by the State Department of Agriculture in consultation with local authorities and shall be as near as possible to the date of bud break of grapes being grown in Franklin County and/or adjacent counties. Notification of this date, after which such operations that are applicable are so restricted, shall be made by mailing a notice to each of the known commercial applicators working in the area and an announcement to the local newspapers, radio stations, and county extension offices.

DEFINITION: HIGH VOLATILE AND LOW VOLATILE ESTERS. High volatile and low volatile esters are those formulations labeled as high volatile and low volatile in Interpretation 17, Revision 1 of Title 7 under the Federal Insecticide, Fungicide and Rodenticide Act.

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REGULATION 2. AREA 1. (Pasco and lands along the Columbia River north and west of Pasco.) This area includes the lands within Sections 1 and 12, Township 9 North, Range 28 East; Sections 3 through 9, 13 through 18, 20 through 28, T.9N., R.29E.; Sections 1, 12, 13, 24, 25, and 36, T.10N., R.28E.; Sections 6, 7, 8, 15 through 22, 27 through 34, T.10N., R.29E.; and all lands within the Pasco city limits and including the Pasco airport located north of the city of Pasco, Washington, all lying within Franklin County.

AREA 1. (RESTRICTIONS) The use or application by ground equipment of the herbicides known as 2,4-D, 2,4,5-T, and MCP is restricted to the liquid forms of the amine and sodium or solubilized acid formulations: PROVIDED, That the low volatile esters may be used from November 1 to the specified date. The application of the permitted formulations shall be by ground equipment only.

REGULATION 3. GROUND APPLICATION RESTRICTIONS: Ground applications in Area 1 shall be made with a minimum of 10 gallons of water per acre, and ground equipment must be equipped with nozzles having a minimum orifice diameter of 0.036 inches. Pressure for ground rigs must not exceed 35 pounds per square inch at the nozzles. No application is to be made on vegetation at a height greater than 4 feet above the ground level.

REGULATION 4. AREA 2 (BUFFER AREA). This area includes all the lands in Franklin County lying west and south of a line starting at the northwest corner of Section 5, Township 14 North, Range 31 East; thence southeasterly along the Northern Pacific Railroad tracks to the Moor Road and the Northwest corner of Section 23, T.14N., R.31E.; thence south 17 1/2 miles along the Moor Road and the section lines to the Eltopia and Eye Road; thence easterly along the Eltopia and Eye Road to the Brass Road; thence easterly along the Brass Road to the Bannenburg Road; thence southeasterly along the Bannenburg Road to the Northwest corner of Section 6, T.10N., R.33E.; thence south along the section line to the Snake River; and excluding those lands designated as Area 1 in Regulation 2 of this Order.

AREA 2. (RESTRICTIONS) The use or application, by ground or aircraft equipment, of the herbicides known as 2,4-D, 2,4,5-T, and MCP is restricted to the liquid forms of the amine and sodium or solubilized acid formulations: PROVIDED, That the low volatile esters may be used from November 1 to May 15.

Ground application shall be made with a minimum of 8 gallons of water per acre, and ground equipment must be equipped with nozzles having a minimum orifice diameter of 0.031 inches. Pressure for ground rigs must not exceed 35 pounds per square inch at the nozzles.

Aircraft applications shall be made with a minimum of 3 gallons of water per acre, and aircraft must be equipped with nozzles having a minimum orifice diameter of 0.125 inches and directed downward or backward 90 degrees or more from the direction of flight.

REGULATION 5. RESTRICTIONS ON THE USE OF AIRSTRIPS. The loading and/or mixing of the restricted use herbicides in aircraft or ground equipment for use or application is prohibited on any airstrip, airfield, or on any location other than the property being treated within the area described in Regulation 2.

Aircraft carrying restricted use herbicides are prohibited from turning and/or low flying over towns and cities, or farmsteads, windbreaks, orchards, or susceptible crops belonging to any persons other than the owner of the property being treated, EXCEPT by permission of the person whose farmstead, windbreak, orchard, or susceptible crop is involved, within the area under regulation. Turning and/or low flying over Area 1 is also prohibited when loaded with restricted use herbicides, or prior to thoroughly cleaning equipment following the use of these herbicides.

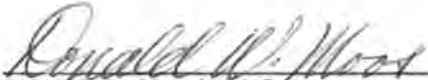
REGULATION 6. DISPOSAL OF RESTRICTED USE HERBICIDES AND THEIR CONTAINERS. Restricted use herbicides or emptied containers shall not be dumped or abandoned or allowed to remain at any place where plants of value are likely to be injured by the vapor or by water flowing through or over the material. Equipment used for restricted use herbicides shall not be stored or allowed to remain at any place where susceptible crops might be affected.

REGULATION 7. WIND AND WEATHER CONDITIONS. Spraying of herbicides permitted as set forth in this order by ground or aerial equipment shall not be allowed when the mean sustained wind velocity is over 10 miles per hour from any direction from November 1 to May 15, and over 7 miles per hour from May 15 to November 1: PROVIDED, That the 7 miles per hour wind velocity restriction shall apply to Area 1 at all times. Even though wind velocity is within the limits allowable for spraying, restricted use herbicides shall not be applied if other weather conditions are such that damage could result to adjacent and nearby towns, susceptible crops and plantings through physical drift or volatilization in the entire area under Order.

REGULATION 8. RESTRICTIONS ON THE SALE OF CERTAIN FORMULATIONS OF RESTRICTED USE HERBICIDES. The sale of high and low volatile ester liquid formulations of restricted use herbicides in containers of less than one gallon is prohibited in the entire area under Order; PROVIDED, That containers of one gallon of high volatile ester liquid formulations may be sold only with the maintenance of a ledger as provided in statewide Order No. 998, Regulation 14, b.

REGULATION 9. EXPERIMENTAL PERMITS. The Washington State Department of Agriculture may approve written requests to apply certain restricted use herbicides for experimental purposes in the restricted areas under Order.

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


DONALD W. MOOS
Director of Agriculture
State of Washington

Signed at Olympia, Washington

Date: Feb 24 1966