

TRANSMITTAL OF RULES ADOPTED

FROM: AGRICULTURE  
(Name of Agency)

TO: CODE REVISER  
LEGISLATIVE BLDG (Southwest Corner, Ground Floor)  
Olympia 98501

The enclosed Permanent rules  , being order No. 1233  
Emergency rules   
relating to (Name of rules or description of subject matter)

Regulations governing the use and application of  
phenoxy-hormone-type herbicides in Klickitat County.

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

pursuant to Notice No. 3365<sup>①</sup> filed with the code reviser  
on 2/15/72<sup>②</sup> were regularly adopted as permanent rules of this  
(date)  
agency at Olympia, Wa. on 3/24/72 and are herewith  
(place) (date)  
filed in the office of the code reviser pursuant to chapter 34.04  
RCW. The effective date of such rules shall be 4/24/72.<sup>③</sup>

(ALTERNATIVE B. Use only for adoption of emergency rules)

pursuant to its finding that the immediate adoption of  
these rules is necessary for the preservation of the public  
health, safety, or general welfare and that observance of the  
requirements of notice and opportunity to present views on  
the proposed action would be contrary to the public interest,  
were regularly adopted as emergency rules of this agency at  
\_\_\_\_\_ on \_\_\_\_\_ and are herewith filed in  
(place) (date)  
the office of the code reviser pursuant to chapter 34.04 RCW.

The undersigned hereby certifies that the requirements of chapter  
34.04 RCW and of the Open Public Meetings Act of 1971, chapter  
42.30 RCW (1971 ex.s. c 250) have been fulfilled.

Dated this 24th day of March 1972.

STATE OF WASH. NGTON  
**FILED**  
MAR 24 1972  
CODE REVISER'S OFFICE  
D KET.#4007 FILE # 24

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

- ① NOTICE NUMBER AS APPEARS ON THE COPY OF NOTICE RETURNED TO YOU BY RE-  
VISER'S OFFICE (IF PROCEEDINGS WERE CONTINUED, USE NO. OF LAST NOTICE)
- ② STAMPED DATE AS APPEARS ON THE COPY OF NOTICE RETURNED TO YOU BY REVIS-  
ER'S OFFICE (IF PROCEEDINGS WERE CONTINUED, USE DATE OF LAST NOTICE)
- ③ UNLESS A LATER DATE IS SPECIFIED IN THIS ORDER OR IS PRESCRIBED  
IN ANOTHER STATUTE, RULES ARE EFFECTIVE 30 DAYS AFTER FILING:  
RCW 34.04.040. LEAVE THIS SPACE BLANK EXCEPT IN SUCH SPECIAL CASES.

STATE OF WASHINGTON  
DEPARTMENT OF AGRICULTURE  
OLYMPIA

ORDER NO. 1233

EFFECTIVE APRIL 24, 1972

REGULATIONS PERTAINING TO THE USE OF HERBICIDES IN KLICKITAT COUNTY

I, Cameron S. Adams, Acting Director of Agriculture of the state of Washington, by virtue of the authority vested in me under Chapters 17.21 and 15.58 RCW, after due notice and public hearing held at Goldendale, Washington, March 8, 1972, 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 Definition.

AREA UNDER ORDER: All lands within the boundaries of Klickitat County

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

PROHIBITED FORMULATIONS: Use of all 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 1 pint per acre; and, from October 1 to May 1 of the following year, oil-type carriers may be used for brush control.

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.

REGULATION 2. Area 1. (Bickleton and surrounding area.) This area includes all lands in Townships 19, 20, 21 and 22, Ranges 5 and 6.

AREA 1. (RESTRICTIONS) The use or application by ground or aerial equipment of restricted use herbicides is restricted to the liquid forms of the amine, sodium, or solubilized acid formulations, and those ester formulations labeled as low volatile; PROVIDED, That high volatile formulations may only be applied from October 1 to May 1 of each year or by permit from May 1 to May 15 (refer to Regulation 7).

REGULATION 3. Area 2. (All remaining lands within the boundaries of Klickitat County.)

AREA 2. (RESTRICTIONS) The use or application by ground or aerial equipment of restricted use herbicides is restricted to the liquid forms of the amine, sodium, or solubilized acid formulations, and those ester formulations labeled as low volatile: PROVIDED, That high volatile formulations may only be applied from October 1 to May 1 of each year.

REGULATION 4. AERIAL AND GROUND EQUIPMENT RESTRICTIONS, AREAS 1 AND 2. Ground application shall be made with a minimum of 8 gallons per acre from May 1 to October 1. Spray equipment must be equipped with nozzles having a minimum orifice diameter of 0.031 inches.

Aircraft applications shall be made with a minimum of 3 gallons of water per acre, and aircraft shall be equipped with nozzles having a minimum orifice diameter of 0.125 inches, directed downward and backward more than 90 degrees from the direction of flight, from May 1 to October 1 of each year.

Pressure for aerial and ground equipment must not exceed 35 pounds per square inch at the nozzles: PROVIDED, That equipment applying restricted use herbicides through invert or foam systems and ground equipment with hand guns may use a pressure not to exceed 55 pounds per square inch at the nozzle.

REGULATION 5. RESTRICTIONS ON AIRCRAFT. Aircraft carrying restricted use 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 over residences, 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 residence, windbreak, orchard, or susceptible crop is involved.

REGULATION 6. WIND AND WEATHER CONDITIONS. Spraying of restricted use herbicides 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 October 1 to May 1, and over 7 miles per hour from May 1 to October 1. Even though wind velocity is within the limits allowable for spraying, restricted use herbicides shall not be applied if other weather conditions (examples--temperature inversion, high temperature) are such that damage could result to adjacent and nearby towns, susceptible crops and plantings through physical drift or volatilization.

REGULATION 7. SPECIAL RESTRICTED USE HERBICIDE PERMITS. The Washington State Department of Agriculture may approve written requests to apply certain restricted use herbicides for purposes of critical weed control in Area 2 and for forest and range land weed control in the area under order. The Director will consider recommendations of the 2,4-D Committee for Klickitat County.

REGULATION 8. RESTRICTED EVENING APPLICATIONS IN THE AREA UNDER ORDER. The application of allowable volatile formulations of restricted use herbicides shall be prohibited daily from two hours prior to sunset to daylight the following morning from May 1 to October 1.

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

*Cameron S. Adams*  
by  
CAMERON S. ADAMS  
Acting Director of Agriculture  
State of Washington *Paul Dick*

Signed at Olympia, Washington

Date: 3/24/72