

Order 900 is being superseded by
Order No. 933. (See Docket No. 80
File No. 15)

DEPT. OF AGRICULTURE

STATE OF WASHINGTON
DEPARTMENT OF AGRICULTURE
OLYMPIA

ORDER NO. 900

(Supersedes Order No. 880)

Effective March 2, 1963

STATE OF WASHINGTON
FILED

JAN 31 1963

CODE REVISER'S OFFICE
DOCKET # 24 FILE # 14

REGULATIONS PERTAINING TO THE USE OF HERBICIDES IN BENTON COUNTY

I, JOE DWYER, Director of Agriculture of the State of Washington, by virtue of the authority vested in me under Chapter 17.21 RCW, after due notice and public hearing held at Kennewick, Washington November 8, 1962 as provided under Chapter 42.32 and 34.04 RCW do promulgate the following regulations relating to the use of growth regulating herbicides.

Regulation 1. Area Under Order, Restricted use Herbicides, and Definitions.

Area Under Order: All of Benton County except that portion lying within the boundaries of the Hanford Project.

Restricted use Herbicides: All formulations of 2,4-D, 2,4,5-T, and M.C.P. are by this Order declared to be restricted use herbicides.

Definition: Specified Date. Specified date as referred to in this Order is that date that is to be determined by the State Department of Agriculture in consultation with local authorities and shall be as near as is possible to the date of bud break of grapes being grown in Benton 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 wheat growers and to each of the known commercial applicators working in the area and an announcement to the local newspaper, radio station and County Extension Offices.

Definition: High Volatile Esters. High Volatile esters are those formulations labeled as high volatile in Interpretation 17, Revision 1 of Title 7 under the Federal Insecticide, Fungicide and Rodenticide Act.

Regulation 2. Herbicides prohibited in area under order. All liquid formulations of 2,4-D, 2,4,5-T and M.C.P. known as high volatile esters, all dust formulations of 2,4-D, 2,4,5-T, and M.C.P., and all other formulations are prohibited except the liquid forms of the amine, sodium and solubilized acid formulations, and those ester formulations labeled as low volatile. Also prohibited are all oil type carriers, emulsifiers, and spreader stickers: Provided, That oil type emulsifiers and spreader stickers may be used when not in excess of 1 pint per acre and from November 1 to April 1 oil type carriers may be used for brush control.

Regulation 3. Area 1. (The city of Kennewick and vicinity). This area includes all of the lands in sections 29 through 36, Township 9 North, Range 29, East; Sections 1 through 6, 10 through 13 and those portions of Sections 7, 8, 9, 14, 15, 23 and 24 lying north and east of the K.I.D. Canal, Township 8 North, Range 29 East, Sections 4 through 10, 14 through 28, 35, 36 and those portions of 29, 30, 32, 33 and 34 lying north and east of the K.I.D. Canal, Township 8 North, Range 30 East.

Area 1. (Restrictions) The use or application of the herbicides known as 2,4-D, 2,4,5-T and M.C.P. or any formulation thereof is restricted to the amine and sodium or solubilized acid formulations, by ground equipment only, on any crops, shrubs, or lands. The use or application of the above described herbicides is prohibited from the specified date each spring until November 1 of the same year: Provided, That the lands within the present corporate city limits of the City of Kennewick and that area north of West Metaline Place and east of North Volland Street and that area north of Highway 410 are excluded from this time restriction.

The use of the amine form of the above described herbicides impregnated in a wax block and employed solely for the control of weeds in grass, shall be permitted at any time.

Regulation 4. Area 2. (Prosser, Benton City, and Kiona Area). This area includes all lands in Sections 1 through 12, and 15 through 19, Township 8 North, Range 24 East; Sections 5, 6, and 7, Township 8 North, Range 25 East; All of Township 9 North, Range 24 East; Sections 1 through 34, Township 9 North, Range 25 East; Sections 1 through 24, Township 9 North, Range 26 East; And all of Township 9 North, Range 27 East.

Area 2. (Restrictions) The use or application of the herbicides known as 2,4-D, 2,4,5-T, and M.C.P. or any formulation thereof is restricted to the liquid form of the amine and sodium or solubilized acid formulations on any crops, shrubs, or lands by ground equipment only: Provided, That low volatile esters may be used from November 1 to the specified date of the following year.

Regulation 5. Ground Equipment Restrictions, Areas 1 and 2. In areas 1 and 2, a minimum of 10 gallons of water as carrier per acre must be used. Spray 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.

Regulation 6. Area 3. (Buffer zone surrounding Prosser, Benton City, Kiona and Kennewick areas). Sections 19 through 36, Township 10, North, Range 24 through 27 East; Sections 13, 14 and 20 through 36, Township 8 North, Range 24 East; Sections 1 through 4, 8 through 12, 15 through 22, Township 8 North, Range 25 East; Sections 1 through 12, Township 8 North, Range 26 East; Sections 25 through 36, Township 9 North, Range 26 East; Sections 1 through 16, 21 through 25 and 36 Township 8 North, Range 27 East; Sections 1, 2, 11 and 12, Township 7 North, Range 28 East; All of Township 8 North, Range 28 East; Those portions of Townships 8 and 9 North, Range 28 East, lying south and west of the Yakima River; Sections 1 through 12, Township 7 North, Range 29 East; Sections 15 through 22, 25 through 36 and those portions of sections 7, 8, 9, 14, 15, 23 and 24 lying south and west of the K.I.D. Canal, Township 8 North, Range 29 East; Sections 1 through 12, Township 7 North, Range 30 East; Sections 31 and those portions of 29, 30, 32, 33, and 34 lying south and west of the K.I.D. Canal, Township 8 North, Range 30 East; and those portions of sections 5 through 8, Township 7 North, Range 31 East lying in Benton County.

Area 3. (Restrictions) The use or application by ground or aircraft equipment, of the herbicides known as 2,4-D, 2,4,5-T and M.C.P. is restricted to the liquid forms of the amine and sodium or solubilized acid formulations: Provided, That low volatile esters may be used from November 1 to the specified date of the following year.

Ground applications 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, between November 1 and the specified date of the following year. Between the specified date and November 1 of each year, ground application 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.

Aircraft applications shall be made with a minimum of 3 gallons of water per acre and aircraft must be equipped with nozzles having minimum orifice diameter of 0.125 inches, with core plates removed, and directed downward or backward 90 degrees or more from the direction of flight, between November 1 and the specified date of the following year. Between the specified date and November 1 of each year, aircraft application shall be made with a minimum of 5 gallons of water per acre and aircraft must be equipped with nozzles having a minimum orifice diameter of 0.156 inches, with core plates removed, and directed downward or backward 90 degrees or more from the direction of flight.

Regulation 7. Area 4. (The remainder of Benton County including the area north of the buffer zone and the Horse Heaven Hills).

Area 4. (Restrictions). The use or application by ground or aircraft equipment of the herbicides known as 2,4-D 2,4,5-T and M.C.P. is restricted to the liquid forms of

the amine, sodium or solubilized acid formulations, and those ester formulations labeled as low volatile.

Ground application shall be made with a minimum of 8 gallons per acre. Spray 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 application shall be made with a minimum of 3 gallons of water per acre and aircraft must be equipped with nozzles having minimum orifice diameter of 0.125 inches, with core plates removed, and directed downward or backward 90 degrees or more from the direction of flight.

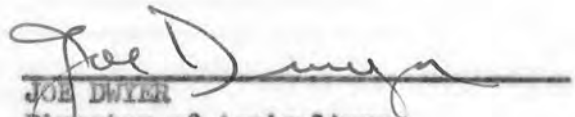
Regulation 8. Restrictions on the Use of Airstrips. The loading and/or mixing of the herbicides known as 2,4-D, 2,4,5-T and M.C.P. or any formulations thereof with any other herbicides or chemicals for use and application is prohibited on any airstrip, airfield or any location within areas 1 and 2 described in Regulations 3 and 4 and turning and/or low flying over areas 1 and 2 is also prohibited when loaded with these herbicides, or prior to thoroughly cleaning equipment following use of these herbicides.

Aircraft carrying herbicides as described in the above paragraph are prohibited from turning and/or low flying over farmsteads, windbreaks, orchards or cultivated crops belonging to any person other than the owner of the property being treated, except by permission of the person whose farmstead, windbreak, orchard or cultivated crop is involved, within the area under regulation.

Regulation 9. 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 10. 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 prevailing wind velocity is over 7 miles per hour in any direction. The foregoing wind conditions under which spraying is allowed shall be uneffective if other weather conditions are such that damage could result to adjacent and nearby towns, susceptible crops and plantings through physical drift or volatilization, even though wind velocity is within the limits allowable for spraying.

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


 JOE DWYER
 Director of Agriculture
 State of Washington

Signed at Olympia, Washington
 Date: January 31, 1963