

FORM OF ORDER AND TRANSMITTAL BY AGENCY HAVING SINGLE HEAD

State of Washington

Department of Agriculture

(agency name)

Administrative Order No. 1890

(1) I, C. Alan Pettibone, director of Washington State Department of Agriculture

do promulgate and adopt at Olympia, WA (place)

the annexed rules relating to:

WAC 16-230-079 Special Permit.

(2) ALTERNATIVE A. Use only for Adoption of Permanent Rules.

This action is taken pursuant to Notice No. filed with the code reviser on These rules shall take effect: [] thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2). [] at a later date, such date being

(2) ALTERNATIVE B. Use only for Adoption of Emergency Rules.

I, C. Alan Pettibone, find that an emergency exists and that this order 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 public interest. A statement of the facts constituting the emergency is:

The hay crop in the Ellensburg area is heavily infested with insects. The Washington State University has determined that certain insecticides can be safely used under less restrictive timing requirements allowed under the present rules. This permit provision would allow the department to permit control measures on a case-by-case basis while still providing protection to beneficial bees.

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

(3) Pursuant to the requirements of RCW 34.04.026 that "every agency shall incorporate the most specific, but in no case omit all, of the following language alternatives when adopting or amending rules" fill in statement (a), (b), or (c) as appropriate:

[] (a) This rule is promulgated pursuant to RCW 15.58 and 17.21 and is intended to administratively implement that statute. [] (b) This rule is promulgated pursuant to RCW which directs that the

(agency) has authority to implement the provisions of (name of act or RCW citation)

[] (c) This rule is promulgated under the general rule-making authority of the (agency) as authorized in RCW

(4) The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

(5) This order, after being first recorded in the order register of this agency, is herewith transmitted to the Code Reviser for filing pursuant to chapter 34.04 RCW and chapter 1-12 WAC.

APPROVED AND ADOPTED June 11 19 86

STATE OF WASHINGTON FILED

JUN 11 1986

By C. Alan Pettibone

Director Title

[Form CR-7: Rev. 7/23/82]

CODE REVISER'S OFFICE WSR 86-13-032

NEW SECTION

WAC 16-230-079 SPECIAL PERMITS. The department may issue a permit upon receipt of a written request to apply restricted use pesticides listed in WAC 16-230-010 in variance of any restrictions listed in WAC 16-230-015, 16-230-030, and 16-230-075 through 16-230-078. The department shall consider the hazard to pollinating insects before a permit is issued.