

FORM OF ORDER AND TRANSMITTAL BY AGENCY HAVING SINGLE HEAD

State of Washington

Department of Agriculture
(agency name)

Administrative Order No. 1965

(1) I, C. Alan Pettibone, director of

do promulgate and adopt at (place)

the annexed rules relating to:
Restrictions on the use of restricted use herbicides in Chapters WAC 16-230, WAC 16-231, and WAC 16-232.

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

This action is taken pursuant to Notice No. WSR 88-01-128 filed with the code reviser on 12/23/87. These rules shall take effect:
[X] 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, 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:

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:

[X] (a) This rule is promulgated pursuant to RCW 15.58 and 17.21 RCW 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 February 12 1988
STATE OF WASHINGTON
FILED
FEB 12 1988

By [Signature] 1988
Deputy Director
Title

CODE REVISER'S OFFICE
WSR 88-05-033

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

WAC 16-231-015 RESTRICTED USE HERBICIDES--BENTON COUNTY--AREA 1.

## (1) Area 1 description.

(a) (Prosser to Finley and ((vicinity)) the atomic energy commission reservation.) ((This--area--includes--all--lands--in--Sections--1--through--12,--and--15--through--19,--T8N,--R24E;--Sections--5,--6--and--7,--T8N,--R25E;--all--of--T9N,--R24E;--Sections--1--through--34,--T9N,--R25E;--Sections--1--through--24,--T9N,--R26E;--all--of--T9N,--R27E;--that--portion--of--T10N,--R27E--and--R28E--and--T8N,--R28E,--lying--south--of--the--Yakima--River,--and--that--portion--of--T8N,--R28E,--lying--north--of--the--Burlington--Northern--Railroad--tracks;--Sections--29--through--36,--T9N,--R29E;--Sections--1--through--6,--10--through--13,--and--those--portions--of--Sections--7,--8,--9,--14,--15,--23,--and--24,--T8N,--R29E,--lying--north--and--east--of--the--K.I.D.--Canal;--Sections--4--through--10,--14--through--20,--35,--36,--and--those--portions--of--29,--30,--32,--33--and--34,--T8N,--R30E--lying--north--and--east--of--the--K.I.D.--Canal,--and--the--Atomic--Energy--Commission--reservation\*)) Beginning at the Yakima-Benton County line and the southwest corner of Section 19, T8N, R24E; thence east one mile along section lines to the southeast corner of Section 19, T8N, R24E; thence north one mile along section lines to the northeast corner of Section 19, T8N, R24E; thence east seven miles along section lines to the southeast corner of Section 17, T8N, R25E; thence north three miles along section lines to the northeast corner of Section 5, T8N, R25E; thence east two miles along section lines to the southeast corner of Section 34, T9N, R25E; thence north one mile along section lines to the northeast corner of Section 34, T9N, R25E; thence east two miles along section lines to the southeast corner of Section 25, T9N, R25E; thence north one mile along section lines to the northeast corner of Section 25, T9N, R25E; thence east six miles along section lines to the southeast corner of Section 24, T9N, R26E; thence south two miles along section lines to the southwest corner of Section 31, T9N, R27E; thence east five and one-half miles more or less along section lines to the K.I.D. Canal; thence southeasterly along the K.I.D. Canal to its confluence with Columbia River; thence northwesterly along the Columbia River to the Yakima-Benton County line; thence south one mile more or less along section lines to the southwest corner of Section 18, T13N, R24E; thence east three miles along section lines to the southeast corner of Section 16, T13N, R24E; thence south one mile along section lines to the southwest corner of Section 22, T13N, R24E; thence east one-half mile to the Atomic Energy Commission west boundary line; thence easterly and southerly along the Atomic Energy Commission boundary line to the Yakima River; thence southerly along the Yakima River to the south boundary of Section 31, T10N, R27E; thence west eighteen and one-half miles more or less along section lines to the Yakima-Benton County line; thence south along Yakima-Benton County line to the point of origin.

(b) An area near Patterson starting at the southeast corner of Section 7, T5N, R26E following section lines north ((eight)) five miles to the northeast corner of Section ((6)) 19, T6N, R26E; thence west ((one)) two miles to the northwest corner of Section ((6)) 24, T6N, ((R26E)) R25E; thence south ((three--miles--to--the--southwest--corner--of--Section--10,--T6N,--R26E)) one-half mile along section lines; thence west ((six)) two miles to the common boundary of Section 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 southwest corner of Section 15, 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 one mile north to the northeast corner of Section 13, T5N, R25E; thence east one mile to the point of origin.

## (2) Area 1 restrictions.

(a) The use or application of low volatile ester formulations of restricted use herbicides is prohibited.

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

(c) Aircraft applications of restricted use herbicides are prohibited: PROVIDED, That hormone sprays may be applied by aircraft to orchards for the prevention of fruit drop.

(d) The loading and/or mixing of restricted use herbicides is prohibited on any airstrip, airfield, or any location within Area 1, and turning and/or low flying over Area 1 is also prohibited when loaded with restricted use herbicides or prior to cleaning equipment following use of these herbicides.

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

WAC 16-231-020 RESTRICTED USE HERBICIDES--BENTON COUNTY--AREA 2.

(1) Area 2 description.

(a) (Buffer zone surrounding Prosser, Benton City, Kiona and Kennewick areas.) (~~Section 19 through 36, T10N, R24E, R25E and R26E; those portions of Sections 30 and 31, T10N, R27E, lying west of the Yakima River; Sections 13, 14, and 20 through 36, T8N, R24E; Sections 7 through 4, 8 through 12, 15 through 22, T8N, R25E; Sections 35 and 36, T9N, R25E; Sections 1 through 12, T8N, R26E; Sections 25 through 36, T9N, R26E; Sections 1 through 16, Sections 21 through 25, and Section 36, T8N, R27E; Sections 1, 2, 11, and 12, T7N, R28E; that portion of T8N, R28E lying south of the Burlington Northern Railroad tracks; Sections 1 through 12, T7N, R29E; Sections 15 through 22, Sections 25 through 36 and those portions of Sections 7, 8, 9, 14, 15, 23 and 24 lying south and west of the K.F.D. Canal, T8N, R29E; Sections 1 through 12, T7N, R30E; Sections 31 and those portions of Sections 29, 30, 32, 33 and 34 lying south and west of the K.F.D. Canal, T8N, R30E; and those portions of Sections 5 through 8, T7N, R31E, lying in Benton County)~~ This area includes all lands lying within a boundary beginning at Yakima-Benton County line and the southern boundary line of Area 1, northwest corner of Section 30, T8N, R24E; thence easterly along the southern boundary line of Area 1 to the Columbia River; thence south along the Columbia River to the southeast corner of Section 20, T7N, R31E; thence west seven and one-half miles along section lines and Kirk Road; thence south one-half mile more or less along Nine Canyon Road; thence west five and one-half miles more or less along Beck Road; thence north one-half mile along section lines to the southeast corner of Section 19, T7N, R29E; thence west along section lines eight miles to the southwest corner of Section 24, T7N, R27E; thence north along section lines four miles to the intersection with Sellards Road at the northwest corner of Section 1, T7N, R27E; thence west along Sellards Road and section lines twenty-three miles more or less to the Yakima-Benton County line; thence north to the point of beginning.

(b) (~~Also including an area beginning at the boundary of (Yakima and Benton counties in Benton County at the northwest corner of) Section 19, T13N, R24E; thence east three miles to the northeast corner of Section 21, T13N, R24E; thence south one mile to the southeast corner of Section 21, T13N, R24E; thence east one mile to the northeast corner of Section 27, T13N, R24E; thence south four miles to the southeast corner of Section 10, T12N, R24E; thence west to the southwest corner (Yakima-Benton County line) of Section 7, T12N, R24E; thence north to the point of beginning~~) Also including an area lying within a boundary beginning at the northwest corner of Section 19, T13N, R24E; thence east along the section lines three miles to the northeast corner of Section 21, T13N, R24E; thence south along the

section line one mile to the southeast corner of Section 21, T13N, R24E; thence east along the section line one-half mile more or less to the Atomic Energy Commission Reservation west boundary line; thence southeasterly along the reservation boundary line to the Yakima River; thence southerly along the Yakima River two miles more or less to the south section line of Section 31, T10N, R27E; thence west along section lines nineteen miles more or less to the Yakima-Benton County line; thence north along the county line to the point of beginning.

(c) ((An area near Patterson bordering Area 1,--A two-mile border around Area 1 beginning at the southwest corner of--Section--10,--T5N, R26E;--thence following section lines north ten miles to the northeast corner of Section 28,--T7N,--R26E; thence five miles west to the--northwest--corner of Section 26,--T7N,--R25E; thence south three miles to the southwest corner of Section 2,--T6N,--R25E; thence west six miles to the northwest corner of Section 11,--T6N,--R24E; thence south seven miles to the southwest corner of Section 11,--T5N,--R24E; thence two--miles--east to--the--northwest--corner of Section 18,--T5N,--R25E; thence four miles south to the southwest corner of Section 31,--T5N,--R25E;--thence--east along--section lines to the Columbia River; thence northeasterly along the shore of Blalock Island to the--point--of--origin)) A one mile buffer zone bordering Area 1 near Paterson. Includes all sections adjacent to Area 1 and Sections 14 and 15, T6N, R25E, Section 32, T5N, R25E, and all of Blalock and Coyote Islands not included in Area 1.

(2) Area 2 restrictions.

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

(b) On and after April ((†)) 5 through October 31, ground applications of restricted use 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 herbicides shall be prohibited except by written permit issued by the Washington state department of agriculture. Aircraft applications shall be prohibited within one mile of commercial vineyards and within one-quarter mile of other susceptible crops. On and after November 1 through March 31 of the following year, aircraft applications shall be made using caution area restrictions (see WAC 16-230-675).

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

WAC 16-231-115 RESTRICTED USE 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 ((section lines nineteen miles to the Burlington Northern Railroad tracks; thence southeasterly approximately--four--miles--to--Moon Road;--thence--south two miles to State Highway 260; thence west along State Highway 260 approximately five miles to its--intersection--with State--Highway--17;--thence south along State Highway 17 approximately seven miles to its intersection with Highway 395; thence--south--along Highway--395 approximately seven miles to the southwest corner of Section 1,--T11N,--R30E; thence east one mile more or less to the northeast corner of Section 12,--T11N,--R30E; thence south fifteen miles--more--or less--along the section lines to the junction of the east section line of Section 25,--T9N,--R30E, and the Snake--River;--thence--southwesterly along--the--Snake--River--to--its--confluence with the Columbia River; thence following the Columbia River--westerly--and--northerly--to--the north--section--line--of Section 28,--T14N,--R27E; thence east along the Grant County line four miles more or less to the northeast--corner--of Section--25,--T14N,--R27E;--thence north along the Grant County border four miles to the point of origin)) 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 fifteen miles more or less to the Snake River; thence southwesterly along the Snake River to its confluence 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) ((Levey)): 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 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 herbicides shall be made using nozzles having a minimum orifice diameter of 0.052 inches: PROVIDED, That applications of restricted use 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 herbicides shall be 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 herbicides shall be 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 herbicides shall be 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.

#### NEW SECTION

WAC 16-231-119 RESTRICTED USE 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 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 herbicides shall be made using nozzles having a minimum orifice diameter of 0.052 inches: PROVIDED, That applications of restricted use 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 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 herbicides shall be made using the danger area restrictions (see WAC 16-230-675).

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

WAC 16-231-125 RESTRICTED USE HERBICIDES--FRANKLIN COUNTY--AREA 2. (1) Area 2 description. This area includes all of the lands ((in Franklin County lying west and south of a line starting at the northwest corner of Section 36, T14N, R30E; thence east along the Hendricks Road five miles more or less to the northeast corner of Section 34, T14N, R31E; thence south fifteen miles more or less 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, T10N, R33E; thence south along the section line to the Snake River; thence southwesterly along the Snake River to the east section line of Section 25, T9N, R30E; thence north fifteen miles more or less along the section lines to the northeast corner of Section 12, T11N, R30E; thence west one mile more or less to State Highway 17; thence northerly along State Highway 17 fourteen miles more or less to the northwest corner of Section 36, T14N, R30E--excluding lands in Franklin County within a two-mile radius of the town of Levey)) 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 25, T9N, R30E; thence north along the section lines fifteen 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 herbicides is prohibited on and after April ((4)) 5 through October 31 of each year.

(b) On and after April ((4)) 5 through October 31, ground applications of restricted use 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 herbicides shall be prohibited except by written permit issued by the Washington state department of agriculture.

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

WAC 16-231-225 RESTRICTED USE HERBICIDES--YAKIMA COUNTY--AREA 2.

(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 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 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 herbicides shall be made using the warning area restrictions (see WAC 16-230-675).

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

WAC 16-231-912 RESTRICTED USE HERBICIDES--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 herbicides is prohibited on and after April ((†)) 5 through October 31: PROVIDED, That low volatile ester formulations of 2,4-D9 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 herbicides shall be made using nozzles having a minimum orifice diameter of 0.052 inches: PROVIDED, That applications of restricted use 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 ((~~March-31~~)) April 4 of the following year, aircraft applications of restricted use 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 herbicides shall be prohibited except by written permit issued by the Washington state department of agriculture.

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

WAC 16-232-010 RESTRICTED USE HERBICIDES--WALLA WALLA COUNTY--  
 AREA 1. (1) Area 1 description. (Columbia River Buffer area.) An area starting at the intersection of the ((Northern-Pacific-Railroad and the Washington-Oregon state line, Section 15, T6N, R32E; thence north to the northeast corner of Section 15, T7N, R32E; thence east to the intersection of Section 10, T7N, R33E; thence 14 sections north with a portion of the north-to-south boundary being the Touchet River Road to its intersection with State Route 124; thence west approximately one-half mile to the intersection of State Route 124 and G.M. Rice Road; thence northerly along G.M. Rice Road to the Snake River; thence southwesterly along the Snake River to the Columbia River; thence southerly along the Columbia River to the Washington-Oregon state line; thence east)) 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 the Columbia River; thence southerly along the Columbia River to the Washington-Oregon state line; thence east along the state line nine miles more or less to the point of beginning.

(2) Area 1 restrictions.

(a) The use or application of low volatile ester formulations of restricted use herbicides is prohibited on and after April ((4)) 5 through October 31.

(b) On and after April ((4)) 5 through October 31, ground applications of restricted use herbicides shall be made using nozzles having a minimum orifice diameter of ((0.034)) .052 inches or a LP8002 or equivalent nozzle.

(c) On and after April ((4)) 5 through October 31, aerial applications shall be prohibited except by written permit issued by the department.

AMENDATORY SECTION (Amending Order 1665, filed 2/20/80)

WAC 16-232-015 RESTRICTED USE 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 ((Washington-Oregon state line and the southeast corner of Section 16, T6N, R36E; thence north one mile more or less to the southwest corner of Section 3, T6N, R36E; thence east two miles to the southeast corner of Section 2, T6N, R36E; thence north three miles to the southwest corner of Section 24, T7N, R36E; thence east one mile to the southeast corner of Section 24, T7N, R36E; thence north one mile to the southwest corner of Section 18, T7N, R37E; thence east one mile to the southeast corner of Section 18, T7N, R37E; thence north one mile to the northeast corner of Section 18, T7N, R37E; thence west nine miles to the northwest corner of Section 14, T7N, R35E; thence south one mile to the northwest corner of Section 23, T7N, R35E; thence west one mile to the northwest corner of Section 22, T7N, R35E; thence south to State Road 410; thence westerly along State Road 410 to the York Road and south along the York and Saver Road to the Frog Hollow Road; thence east along the Frog Hollow Road to the Locker



~~Road; thence south along the Locker Road to the Washington-Oregon state line; thence east along the state line) 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 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 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 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 the aerial application of MCPA shall be allowed using warning area restrictions (see WAC 16-230-675): PROVIDED FURTHER, That aerial applications of nonvolatile formulations of restricted use 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.

(d) Restrictions on the use of airstrips. The loading and/or mixing of restricted use 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 1665, filed 2/20/80)

WAC 16-232-020 RESTRICTED USE HERBICIDES--WALLA WALLA COUNTY--  
 AREA 2A. (1) Area 2A description. (Buffer area surrounding Dixie and Walla Walla.) An area ((starting at the intersection of the Northern Pacific Railroad and the Washington-Oregon state line, T6N, R32E; thence north six miles more or less to the northwest corner of Section 14, T7N, R32E; thence east ten miles more or less to the southwest corner of Section 9, T7N, R34E; thence north one mile to the northwest

corner of Section 9, T7N, R34E; thence east two miles to the southwest corner of Section 2, T7N, R34E; thence north one mile to the northwest corner of Section 2, T7N, R34E; thence east two miles to the southwest corner of Section 31, T8N, R35E; thence north six miles to the northwest corner of Section 6, T8N, R35E; thence east twenty-four miles to and along the Columbia-Walla-Walla county line to the northeast corner of Section 1, T8N, R38E; thence south fourteen miles more or less to the Washington-Oregon state line and west), 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 herbicides is prohibited on and after April 15 through October 31: PROVIDED, That 2,4-DB shall be allowed on alfalfa seed crops at any time.

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

AMENDATORY SECTION (Amending Order 1665, filed 2/20/80)

WAC 16-232-025 RESTRICTED USE 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 herbicides shall be prohibited on and after May 15  
 through October 31.

(b) On and after May 15 through October 31, ground applications  
 of restricted use herbicides shall be made using nozzles having a min-  
 imum orifice diameter of 0.031 inches.

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

NEW SECTION

WAC 16-232-027 RESTRICTED USE 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 inter-  
 section 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 Sec-  
 tion 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 Sec-  
 tion 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 herbicides shall be prohibited on and after April 15  
 through October 31.

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

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

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

WAC 16-232-038 RESTRICTED USE HERBICIDES--APPLICATION RECORDS--  
 WALLA WALLA COUNTY. (1) Private pesticide applicators (those persons  
 certified by the Washington state department of agriculture in the  
 private pesticide applicator category) shall keep records for each  
 application of restricted use herbicides in Areas 1 ((and)), 2, and 3A  
 of Walla Walla County. Application records shall include the follow-  
 ing information:

(a) Applicator's name, address and name of the individual making  
 the application;

(b) The address or location of the land where the chemical was  
 applied;

- (c) The year, month, day, and time the chemical was applied;
  - (d) The trade name and/or common name of the chemical applied, and/or EPA registration number for that product;
  - (e) The direction and estimated velocity of the wind and temperature at the time the chemical was applied;
  - (f) The amount and concentration (pounds or gallons per acre and percentage of active ingredient and/or concentration per one hundred gallons) of the chemical used;
  - (g) Specific crop or site to which the chemical was applied.
- (2) Application records shall be completed and available to the department the same day the chemicals were applied.
- (3) Application records shall be kept for a period of three years from the date of application of the chemical to which such records refer. The director shall, upon request in writing, be furnished with a copy of such records forthwith by the licensee.

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

WAC 16-230-640 RESTRICTED USE HERBICIDES--EASTERN WASHINGTON--WEATHER AND TEMPERATURE CONDITIONS. Restricted use 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 (~~by-use-of-handgun-spray-equipment-only~~) 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 (~~fifteen~~) twelve or more gallons per acre.

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

WAC 16-230-655 RESTRICTED USE 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.