

STATE OF WASHINGTON
DEPARTMENT OF AGRICULTURE
OLYMPIA

ORDER NO. 1007
(Supersedes Order No. 933)

EFFECTIVE MARCH 10, 1966

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REGULATIONS PERTAINING TO THE USE OF HERBICIDES IN BENTON 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, 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 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 MCP are by this order declared to be restricted use herbicides.

PROHIBITED FORMULATIONS: Use of high volatile ester formulations and 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 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 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 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. (THE CITY OF KENNEWICK AND VICINITY).

This area includes all 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, T.8N., R.29E.; 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, T.8N., R.30E.

AREA 1. (RESTRICTIONS). The use or application of the herbicides known as 2,4-D, 2,4,5-T, and MCP 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.

REGULATION 3. AREA 2. (PROSSER, BENTON CITY, AND KIONA AREA). This area includes all lands in Sections 1 through 12, and 15 through 19, T.8N., R.24E.; Sections 5, 6, and 7, T.8N., R.25E.; all of T.9N., R.24E.; Sections 1 through 34, T.9N., R.25E.; Sections 1 through 24, T.9N., R.26E.; all of T.9N., R.27E.; those portions of Sections 29, 30, 31, and 32, T.10N., R.28E., lying south of the Yakima River; that portion of T.9N., R.28E., lying south of the Yakima River; and that portion of T.8N., R.28E., lying north of the Northern Pacific Railroad tracks.

AREA 2. (RESTRICTIONS). The use or application of the herbicides known as 2,4-D, 2,4,5-T, and MCP 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 4. 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 5. 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, T.8N., R.24E.; Sections 1 through 4, 8 through 12, 15 through 22, T.8N., R.25E.; Sections 1 through 12, T.8N., R.26E.; Sections 25 through 36, T.9N., R.26E.; Sections 1 through 16, 21 through 25, and 36, T.8N., R.27E.; Sections 1, 2, 11, and 12, T.7N., R.28E.; all of T.8N., R.28E.; that portion of T.8N., R.28E., lying south of the Northern Pacific Railroad tracks, Sections 1 through 12, T.7N., R.29E.; 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, T.8N., R.29E.; Sections 1 through 12, T.7N., R.30E.; Sections 31 and those portions of 29, 30, 32, 33, and 34 lying south and west of the K.I.D. Canal, T.8N., R.30E.; and those portions of Sections 5 through 8, T.7N., R.31E., 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 MCP is restricted to the liquid forms of the amine and sodium or solu-

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 from November 1 to the specified date of the following year. From the specified date to November 1 of each year, ground applications 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 a minimum orifice diameter of 0.125 inches, directed downward or backward 90 degrees or more from the direction of flight, from November 1 to the specified date of the following year. From the specified date to 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, directed downward or backward 90 degrees or more from the direction of flight.

REGULATION 6. 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 MCP 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 a minimum orifice diameter of 0.125 inches, and directed downward or backward 90 degrees or more from the direction of flight.

REGULATION 7. 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 areas 1 and 2 described in Regulation 2 and 3 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 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 person 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.


REGULATION 8. 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 9. 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 7 miles per hour from any direction. 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.

REGULATION 10. RESTRICTIONS ON THE SALE OF CERTAIN FORMULATIONS OF RESTRICTED USE HERBICIDES. The sale of high and low volatile ester 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 11. 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; PROVIDED, That these written requests must be signed by two members of the 2,4-D Committee for the Benton County Association of Wheat Growers, and one member of the 2,4-D Committee for the Grape Industry.

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


DONALD W. MOOS
Director of Agriculture
State of Washington

Signed at Olympia, Washington

Date: Feb. 24, 1966