

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. 1078
Emergency rules
relating to (Name of rules or description of subject matter)

REGULATIONS PERTAINING TO THE USE OF HERBICIDES
IN COLUMBIA COUNTY.

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

pursuant to Notice No. 1044 ^① filed with the code reviser
on 12/18/68 ^② were regularly adopted as permanent rules of this
(date)
agency at Olympia, Wash. on 2/15/68 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 3/20/68. ^③

(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.

Dated this 15th day of February 1968.

STATE OF WASHINGTON
FILED
FEB 16 1968
CODE REVISER'S OFFICE
DOCKET # 1970 FILE # 19

AGRICULTURE
(AGENCY)
Donald J. Johnson
By _____
Assistant Supervisor
Title Grain & Chemical Division

- ① NOTICE NUMBER AS APPEARS ON THE COPY OF NOTICE RETURNED TO YOU BY REVISER'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 REVISER'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.

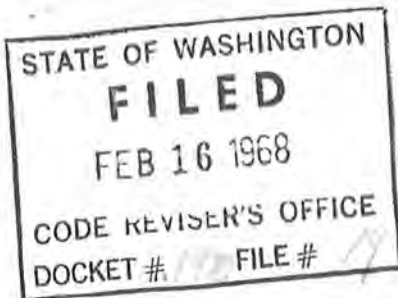
STATE OF WASHINGTON
DEPARTMENT OF AGRICULTURE
OLYMPIA

ORDER NO. 1078

(Supersedes Order No. 1003)

EFFECTIVE March 20, 1968

REGULATIONS PERTAINING TO THE USE OF HERBICIDES IN
COLUMBIA COUNTY



I, Donald W. Moos, Director of Agriculture of the State of Washington, by virtue of the authority vested in me under Chapters 15.57 and 17.21 RCW, after due notice and public hearing held at Dayton, Washington, on January 15, 1968, as provided under Chapters 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, Prohibited Formulations, and Definitions.

AREA UNDER ORDER: All the lands within the borders of Columbia County.

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

PROHIBITED FORMULATIONS: High volatile ester formulations and all dust formulations of all restricted use herbicides are prohibited in the area under order.

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. (HUNTSVILLE, DAYTON, BAILEYSBURG, AND VICINITY). Sections 1 through 12, Township 9 North, Range 38 East; Sections 24, 25, 26, and 31 through 36, T10N, R38E; Sections 19, 20, and 28 through 33, T10N, R39E; Sections 2 through 11, 15 through 17, 21, and 22, and that portion of Section 20 lying east of the Payne Hollow Road in T9N, R39E in Columbia County.

AREA 1. (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 solubilized acid formulations; Provided, That low volatile esters may be used from November 1 to May 1.

From May 1 to November 1 the application of restricted use herbicides is prohibited from sunset to 4:00 A.M.

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 May 1. From May 1 to November 1 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 from November 1 to May 1 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, with core plates removed, and directed downward and backward 90 degrees or more from the direction of flight; Provided, That core plates may be used when nozzles are directed downward or backward 135 degrees or more from the direction of flight. From May 1 to November 1 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 and backward more than 90 degrees from the direction of flight; Provided, That core plates may be used when nozzles are directed downward or backward 135 degrees or more from the direction of flight.

REGULATION 3. AREA 2. (REMAINING PORTION OF COLUMBIA COUNTY). This area includes all lands in Columbia County except for that area described in Area 1 of this Order.

AREA 2. (RESTRICTIONS). The use or application by ground or aircraft equipment of restricted use herbicides is restricted to the liquid forms of the amine, sodium, or solubilized acid formulations, and low volatile ester formulations.

Ground applications from May 1 to November 1 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. Pressure for ground equipment must not exceed 35 pounds per square inch at the nozzles.

Aircraft applications from May 1 to November 1 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, with core plates removed, and directed downward and backward 90 degrees or more from the direction of flight; Provided, That core plates may be used when nozzles are directed downward or backward 135 degrees or more from the direction of flight.

REGULATION 4. AIRCRAFT RESTRICTIONS. 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 residences, 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 residence, windbreak, orchard, or susceptible crop is involved.

REGULATION 5. DISPOSAL OF RESTRICTED USE HERBICIDES AND CONTAINERS. Restricted use herbicides or emptied containers thereof shall not be dumped or abandoned or allowed to remain at any place where plants of value are likely to be injured. Equipment used for restricted use herbicides shall not be stored or allowed to remain at any place where susceptible crops might be affected.

REGULATION 6. 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 10 miles per hour from any direction from November 1 to May 1, and over 7 miles per hour from May 1 to November 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, etc.) are such that damage could result to adjacent and nearby towns, susceptible crops, and plantings through physical drift or volatilization.

REGULATION 7. EXPERIMENTAL PERMITS. The Director of Agriculture may approve written requests to apply certain restricted use herbicides for experimental purposes in the restricted areas under Order.

REGULATION 8. RESTRICTIONS ON THE SALE OF CERTAIN FORMULATIONS OF RESTRICTED USE HERBICIDES. The sale of low volatile ester liquid formulations of restricted use herbicides in containers of less than one gallon is prohibited in the entire area under Order.

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



DONALD W. MOOS
Director of Agriculture
State of Washington

Signed at Olympia, Washington

Date: February 15, 1968