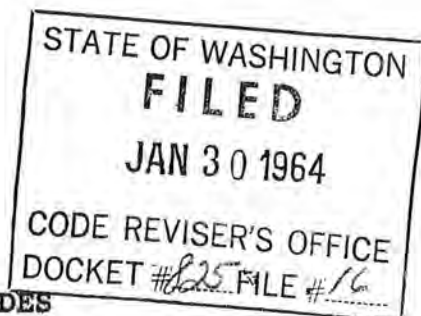


STATE OF WASHINGTON
DEPARTMENT OF AGRICULTURE
OLYMPIA

ORDER NO. 938

(Supersedes Order No. 909)

Effective March 1, 1964



REGULATIONS PERTAINING TO THE USE OF HERBICIDES
IN DOUGLAS, CHELAN, AND GRANT COUNTIES

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 Quincy, Washington on November 20, 1963 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 lands lying within the borders of Douglas, Chelan, and Grant Counties.

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: The use of dust formulations of restricted use herbicides are prohibited in the entire area under order.

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 is possible to the date of bud break of fruit being grown in Douglas 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.

Regulation 2. Area 1. All of Township 21 North, Range 21 East lying in Chelan County. All of Township 21 North, Range 23 East lying in Douglas and Grant Counties.

Area 1. (Restrictions) The use or application of all liquid formulations of 2,4-D, 2,4,5-T, and MCP known as high volatile esters, and all other formulations are prohibited, except the liquid forms of the amine, sodium salt and solubilized acid formulations, and those ester formulations labeled as low volatile may be applied.

Regulation 3. Area 2. (Eastmont Area) Sections 7 through 25 and those portions of Sections 26 and 27, Township 22 North, Range 21 East; Sections 11 through 14, Township 22 North, Range 20 East lying in Douglas County.

(Moses-Coulee Area) Sections 4, 5, 8, 9, 15, 16, 17, 20 through 23, 27, 28, 29, 32, and 33, Township 21 North, Range 22 East lying in Chelan and Douglas Counties.

Area 2. (Restrictions) The use or application of all liquid formulations of 2,4-D, 2,4,5-T, and MCP known as high volatile esters, and all other formulations are prohibited, except the liquid forms of the amine, sodium salt and solubilized acid formulations, may be applied by ground equipment only. Aircraft application of restricted use herbicides is prohibited in this area.

Area 2. (Restrictions on use of airstrips) Loading and/or mixing of the restricted use herbicides in aircraft for use and application is prohibited within Area 2. Turning and/or low flying over this area is likewise prohibited when loaded with restricted use herbicides or prior to thorough cleaning of the equipment following the use of restricted use herbicides.

Regulation 4. Area 3. (Buffer area) Sections 1, 2, 3, 10 through 14, 24, 25, 26, 34, 35, and 36, Township 21 North, Range 22 East and Sections 1 through 4, 9 through 12 and those portions of 13, 14, 15, and 16, Township 20 North, Range 22 East lying in Douglas County; Sections 6, 7, 18, 19, 30, and 31, Township 21 North, Range 22 East lying in Chelan County; Sections 4 through 9, 16 through 21, 28 through 33, Township 20 North, Range 23 East lying in Grant County.

Area 3. (Restrictions) The use or application of all liquid formulations of 2,4-D, 2,4,5-T, and MCP known as high volatile esters, and all other formulations are prohibited, except the liquid forms of the amine, sodium salt and solubilized acid formulations may be used: Provided, that low volatile ester formulations may also be used from November 1 to the specified date of the following year.

Regulation 5. (Restrictions for Areas 1, 2, and 3 by ground rigs) 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. Pressure for ground rigs must not exceed 35 pounds per square inch at the nozzles.

Regulation 6. (Aircraft Restrictions) Aircraft applications in Areas 1 and 3 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. Nozzles must be directed downward or backward 90 degrees or more from the direction of flight.

Regulation 7. Area 4. This area includes all the lands in Grant County which are within the Columbia Basin Irrigation Project lying north and west of Highway 7, starting at the Columbia River on the south, thence northeast along Highway 7 to the city limits of Ephrata. This area shall not include the lands already described in areas 1 and 3 lying in Grant County.

Area 4. (Restrictions) The use or application of all liquid formulations of 2,4-D, 2,4,5-T, and MCP known as high volatile esters, and all other formulations are prohibited, except the liquid forms of the amine, sodium salt and solubilized acid formulations may be applied.

Area 4. (Aircraft restrictions) Aircraft applications in this area 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. Nozzles must be directed downward or backward 90 degrees or more from the direction of flight.

Area 4. (Ground restrictions) 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.


Regulation 8. Loading and/or mixing of the restricted use herbicides in aircraft in areas 1, 3, and 4 is restricted to the herbicides permitted in each area, except that the loading and/or mixing of those ester formulations labeled as low volatile be allowed on Crater Canyon Airport, west of Quincy.

Regulation 9. Aircraft carrying restricted use herbicides are prohibited from turning and/or low flying over cities, towns, 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 areas under regulation.

Regulation 10. Disposal of Restricted Use Herbicides and Their Containers: Restricted use herbicides or their 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 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 11. 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.

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 30, 1964