



PREPROPOSAL STATEMENT OF INQUIRY

CR-101 (June 2004)
(Implements RCW 34.05.310)
Do NOT use for expedited rule making

Agency: Washington State Department of Agriculture

Subject of possible rule making: These sections of the following rules related to the nozzle requirements for air and ground pesticide applications may be amended. WAC, 16-230-010 through 088, 150 through 190, 400 through 470, 600 through 675, 800 through 868; WAC 16-231-100 through 183, 200 through 235, 300 through 340, 400 through 425, 500 through 530, 600 through 620, 700 through 725, 800 through 840, 900 through 935; and WAC 16-232-001 through 077, 100 through 120, 200 through 225, and 300 through 315.

Statutes authorizing the agency to adopt rules on this subject: RCW 15.58 and RCW 17.21

Reasons why rules on this subject may be needed and what they might accomplish:

Since the adoption date of the current rules there have been significant technological advances in nozzles for both aerial and ground apparatus. As a result, current nozzle requirements are significantly out dated. Potentially, this new technology will allow for greater drift protection and ease of selection by users. While present rules allow a user to apply for a permit to use the newer technology nozzles, this process creates additional work by the pesticide applicator and WSDA.

Amending the rules to incorporate this newer technology, where appropriate, should aid in the reduction of drift, reduce the need for a permit, and allow easier nozzle selection by pesticide users.

General housekeeping to correct minor typographical mistakes in some area descriptions.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:

No other state or federal agency regulates this subject.

Process for developing new rule (check all that apply):

- Negotiated rule making
- Pilot rule making
- Agency study

Other (describe) WSDA will develop an advisory committee from key stakeholders and convene meetings to discuss the pros and cons associated with possible changes related to nozzles. At the conclusion of these stakeholder meetings, WSDA will make a final decision on whether to proceed further with the rule making process.

How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:

(List names, addresses, telephone, fax numbers, and e-mail of persons to contact; describe meetings, other exchanges of information, etc.)

Send written comments to:

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DATE

7/2/07

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