Document Control No.: OW-D-	Date Last Revised: 11/15/04	Approved By: Green Procurement Team
Document Title: Waiver Application Form		

Exhibit II

Waiver Application Form

Date: March 4, 2005

The Clark County Purchasing Policy requires that goods and/or services be procured that reduce impacts to human health and the environment. When procuring through direct buy, Central Stores, quote, bid or RFP, purchasers shall review the Green Purchasing List for guidance as to which specific product criteria is approved for such a purchase. For those product types listed, only those products which meet the criteria on the Green Purchasing List may be purchased. If a specific product is sought that does not meet the criteria on the Green Purchasing List, a waiver from the Green Team may be sought by completing this Waiver Form. Please attach additional sheets, if needed, to provide detailed information.

Name of Requested Product: Renovate 3 Herbicide

Estimated quantity of the proposed purchase: 5 Gallons

Contact Person: Ron Hendrickson **Extension:** 7726

☐ **Emergency:** Such purchases are allowed when it is necessary to respond to an emergency which endangers public health or safety. In such cases, the department director shall submit this form to the Green Team within two business days following the emergency.

Describe this emergency:
Not Applicable

☐ **Performance Standards:** None of the product/criteria on the Green Purchasing List meets the department's performance standards.

1. Describe how the department has tested the products/criteria on the Green Purchasing List & how it does not meet the department's standards. Not Applicable
2. Describe how the department will minimize the use of the requested product and protect employees and the public from exposure.
3. The Department commits to testing alternative products during the waiver period that have less environmental and/or health impact than the requested product. List the products that will be tested.

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☐ **Cost Prohibitive:** The product/criteria on the Green Purchasing List is cost prohibitive for the department.

1. Demonstrate how the product is cost prohibitive (the incremental cost per item and the total annual impact on the budget). These cost differences should be weighed against the potential environmental and health impacts posed by the use of the requested product.

   Not Applicable

2. Describe how the department will minimize the use of the requested product and protect employees and the public from exposure.

3. The Department commits to testing alternative products during the waiver period that have less environmental and/or health impact than the requested product. List the products that will be tested.

☐ **Product Availability:** The product/criteria on the Green Purchasing List is not available in the local market.

1. Demonstrate how the product is not available in the local market and weigh against the potential environmental and health impacts posed by the use of the requested product.

   Not Applicable

2. Describe how the department will minimize the use of the requested product and protect employees and the public from exposure.

3. The Department commits to testing alternative products during the waiver period that have less environmental and/or health impact than the requested product. List the products that will be tested.

☐ **Other:** A waiver to the product/criteria on the Green Purchasing List may be granted for any reasonable basis.

1. Demonstrate why the requested product should be used.

Renovate 3 Herbicide is an aquatic labeled formulation of Triclopyr, similar to Garlon 3A, recommended for control of plants in and next to aquatic sites such as ponds, lakes, reservoirs, non-irrigation canals, and ditches, marshes and wetlands. This includes broadleaf and woody vegetation on banks and shores within or adjacent to these and other aquatic sites. Refer to Supplement to Exhibit 2 for additional details.

2. Describe how the department will minimize the use of the requested product and protect employees and the public from exposure. Please review Supplement to Exhibit 2, # 2. Renovate3 and Garlon 3A have similar criteria. This product will be used only near sensitive aquatic sites listed previously.

3. The Department commits to testing alternative products during the waiver period that have less environmental and/or health impact than the requested product. List the products that will be tested. Please recognize this as a product being tested for the reason of less environmental risk and impact.

☒ Describe the impact on the department if the waiver is not granted:

Refer to Supplement to Exhibit 2. In addition, other products that might be used pose a greater environmental risk to the intended application sites.

SUBMITTED BY:

Philip Burgess

Department Director

3-4-05

Date

GREEN TEAM USE ONLY

( ) Waiver request is approved – one time purchase

(X) Waiver request is approved for specified period of time: _____

( ) Waiver request is denied – narrative is attached

Green Team Leader (or designee): _____

Date: _____

Clark County Weed Management
Waiver Application Document
Submitted by Ron Hendrickson
Senior Field Inspector
2-11-2005

Supplement to Exhibit 2, Waiver Application Form

☐ **Other.** A waiver to the product/criteria on the Green Purchasing List may be granted for any reasonable basis.

1. Demonstrate why the requested product should be used. Garlon 3A *has been a Weed Department staple since we began doing spot weed control along county right-of-ways in the mid 1990s. This product was selected for use because it had a very extensive label for control of broadleaf weeds and brush species, but does no damage to grass species. It also had a proven track record in the agriculture and crop sector, forestry and IVM/ROW. Utilizing this product enabled the department to minimize the quantity and variety of herbicides required for applications. Finally, this product can be used at rates below 1% for most weed control applications. This amounts to infinitesimal amounts of herbicide applied in our Spot spray program.*
2. Describe how the department will minimize the use of the requested product and protect employees and the public from exposure. *Using the criteria established for reviewing Pesticides, the only conclusive Yes or True answer/check was for Signal Word: Danger. There was a second question with regard to Environmental Persistence: High according to the (MSDS) Material Safety Data Sheet with respect to Biodegradation under aerobic static laboratory conditions; but a review of EXTOXNET Pesticide Information Profiles under Environmental Fate rating is Moderate persistence in soil environments and is effectively degraded by soil microorganisms. Therefore, this waiver request will deal with only the Danger for Signal Word demonstration.*

   Garlon 3A formulation of Triclopyr, a pyridine compound, is a selective systemic herbicide used for control of woody and broadleaf plants along rights-of-way, in forests, in parklands, green spaces and wetland riparian uplands. Upon review of the MSDS, Item 3. HAZARDOUS IDENTIFICATIONS; May cause severe eye irritation with corneal injury, which may result in permanent impairment of vision, even blindness. Prolonged or repeated exposure may cause skin irritation, even burn. Review of Potential Health Effects includes possible adverse effects, which could occur if the material is not handled in the recommended manner. This section reveals that the undiluted concentrate had the greatest potential health risk. Diluted mixes were less irritating to eyes and no allergic skin reaction would be expected according to test results on animals. This information should alert the applicators to the most critical time for avoiding exposure! ***This would of course be during the process of mixing the packaged concentrate with the carrier (typically water) and any spray adjuvants and other chemicals.***

Item 4. FIRST AID; under Eyes: Immediate and continuous irrigation with flowing water for at least 30 minutes is imperative. Prompt medical consultation is essential. Skin: Wash off in flowing water or shower. A review of the Garlon 3A Label, a legal document, repeats the above information under Precautionary Statements in ***bold*** *font. In the section Personal Protective Equipment (PPE) Applicators and other handlers must wear:*

- Long-sleeved shirt and long pants
- Shoes plus socks
- Protective eyewear

With a proper training program for product and PPE use, and general use precautions, this product should be and has been safe to use. All operators have been or will be trained with respect to this product and its hazards. Further they will be trained and supplied with PPE. They will also be trained in the First Aide required for this and all chemicals they potentially come in contact with; where the first aide is located, including Eye-wash dispensers.

3. The Department commits to testing alternative products during the waiver period that have less environmental and/or health impacts than the requested product. List the products tested. *We remain receptive to alternative control products and methods of IPM (Integrated Pest Management). We have tested many in past seasons, and will investigate safer products as they become available. The work environment that we do weed control activities in has risk factors not associated with the products being applied that also factor into this risk assessment.*

☐ **Describe the impact on the department if the waiver is not granted:**

- *Alternative control methods such as mowing would negatively affect maintenance budget and also would likely increase spread of problem.*
- *Other selective or broadleaf herbicides may require larger amounts of application to achieve desired results. Repeat applications may also be required exposing operators to further ROW risk.*
- *Department goals of noxious weed control on county ROWs would be difficult to achieve.*
- *One of the most difficult nuisance weeds to control, Blackberry, the dominant weed for control in our wetlands and green spaces, would become close to invincible without this tool.*

Clark County -- Environmentally Responsible Purchasing Policy
Pesticide Technical Team Report
Pesticide Review

Submitted by: Ron Hendrickson Review Date: 3-4-05

Pesticide Trade Name: Renovate 3 Herbicide

Signal Word: ***Danger** X Warning _____ Caution _____

Restricted Use Pesticide: ***Yes** _____ No X

The following checks are for Active Ingredients of the product only;

Carcinogenic effects: ***Yes** _____ ***Likely** _____ Unlikely X
Source: Label ___ MSDS X Identify Other _____

Persistent, Bioaccumulative Toxins (PBT's): ***Yes** _____ No X
Per Washington State Department of Ecology list of PBT's

Reproductive/Teratogenic Toxicant: ***Yes** _____ Unlikely X
Source: Label ___ MSDS X Identify Other _____

Endocrine Disruptor: ***Yes** _____ ***Likely** _____ Unlikely X
Source: Label ___ MSDS X Identify Other _____

Ecological Toxicity: ***Extremely** _____ ***Very** _____ ***Highly** _____
Practically nontoxic X Nontoxic _____
Source: Label ___ MSDS X Identify Other _____

Environmental Persistence: ***High** X Moderate _____ Low _____
Source: Label ___ MSDS X Identify Other _____

Mobility rating: ***Very High** _____ ***High** _____ Potential X
Source: Label ___ MSDS X Identify Other _____

Specific Product Label warning about Groundwater Hazard: ***Yes** _____ No X

* **Yes or True** answer would require obtaining a waiver from the Green Team

Other Important Criteria:

Set Back Limits: No X Yes ____ Distance limit _____
Per Product Label as set by Washington State Department of Agriculture (WSDA)

Restricted Entry Interval (REI): No ____ Yes _____ Hours _____
Per Product Label until spray has dried.

Personal Protective Equipment (PPE) shall be worn according to product Label instructions.