

This is an unofficial translation. The binding version is the official Hebrew text.

Readers are consequently advised to consult qualified professional counsel before making any decision in connection with the enactment, which is here presented in translation for their general information only.

Water Regulations (Prevention of Water Pollution) (Spraying Near Water Resources), 5751-1991

By the power vested in me under Section 20D (a) (2) and (4) of the Water Law, 5719-1959 (hereinafter - The Law), and after consultation with the Water Council, and with the Minister of Health and with the agreement of the Minister of Transport, I make the following Regulations:

Definitions 1. In these regulations -

Amendment
5755-1995

"The Minister" – the Minister of Environmental Protection or whoever he has empowered for the purposes of these regulations;

"Orderer" – a person ordering an aerial spraying operation or whoever is on the ground on his behalf;

"Spraying container" – a container for dispersal of preparations;

"Operator" – as defined in the Aviation Services Licensing Law, 5723-1963;

"Water resource" – a water resource as defined in Section 2 of the Law, which is above ground;

"River" - a flowing river including its flowing tributaries;

"Spraying" – dispersal of a preparation;

"Area" – the area that it is designated for aerial spraying;

"Preparation" – a chemical or biological substance or a compound of chemical or biological substances that are designated for spraying for the following purposes:

- (1) Regulation of growth, flowering and fertility, and the prevention thereof;
 - (2) Fertilization and manure;
 - (3) Prevention of deficiency diseases and physiological diseases both in growing plants and in animals;
 - (4) Shedding leaves;
 - (5) Extermination, repelling, or removing pests in plants and in animals;
 - (6) Flattening, control and wetting of preparations.
- Spraying in the vicinity of a water resource 2 A person shall not carry out spraying in a manner that causes or is liable to cause a preparation to reach a water resource, nor cause such spraying nor assist in it.
- Restriction of flight over water resource
Amendment 5755-1995 3 An operator shall not fly an aircraft carrying a preparation above the Sea of Galilee, the National Water Carrier lakes or a water reservoir used for drinking water, and along the length of the Upper Jordan River and its tributaries, the National Water Carrier canal and any river in the Sea of Galilee drainage basin.
- Suitable wind conditions 4 Aerial spraying shall not be carried out except when the wind speed is not less than 5 kilometers per hour and is blowing from the direction of the water resource towards the area (hereinafter - suitable wind conditions), provided -
 (1) That an operator shall not go to an area to carry out aerial spraying unless the orderer has notified him that suitable wind conditions exist in the area;
 (2) That if the operator arrived at the area and found that wind conditions are not suitable or if they changed during spraying, the spraying shall be stopped until suitable wind conditions prevail; this provision shall apply both to the operator and to the orderer;
 (3) That the orderer shall verify that a smoke torch is alight in the area, signaling the wind conditions, before aerial spraying is carried out and during its course;
 (4) That the height of the spray flight shall not exceed 12 meters from the sprayed object.
- Distance restriction
Amendment 5755-1995 5. (a) Aerial spraying shall be carried out at a distance that shall not less than –
 (1) 300 meters from the water resources stated in Regulation 3 and 200 meters from the rivers specified in the Schedule, unless the Minister has approved aerial spraying at a lesser

distance, but no less than 50 meters from the said water resources;

(2) 50 meters from any other river.

(b) Approval shall not be granted for spraying as provided in sub-regulation (a) (1) unless it has been proved to the satisfaction of the Minister that spraying the area is essential, that spraying cannot be carried out from the ground, and that the preparation designated for spraying was approved by him as well as by whoever was empowered for such purpose by the Minister of Health (hereinafter - the Minister of Health).

(c) Spraying as provided in sub-regulation (b) shall not be carried out except under the supervision of whoever the Minister has appointed for such purpose.

(d) Notwithstanding that stated in sub-regulation (a) (1), aerial spraying with granular fertilizer and with an unusual biological substance which does not leave residues and was approved by the Minister and by the Minister of Health, shall be carried out at a distance not less than 50 meters from the said water resources in sub-regulation (a) (1).

- | | | |
|--|----|---|
| Filling, emptying and rinsing of spraying containers | 6. | The filling, emptying and rinsing of spraying containers shall only be carried out by the operator in an installation designated for the rinsing of preparation residues and subject to any law. |
| Spraying register | 7. | (a) The operator shall keep a spraying register and shall record in it full details of any aerial spraying that he has carried out including the date, time and exact location and bounds of the sprayed area, the type of preparation and its quantity as well as details of the pilot, including his name and address (hereinafter - the spraying register) |
| Amendment 5755-1995 | | (b) The operator shall keep the spraying register and shall show it to whoever has been appointed for such purpose by the Minister of Environmental Protection, upon his demand. |
| | | (c) The spraying register shall be kept for at least 24 months after the last record was made in it. |
| Exception to applicability | 8. | These regulations shall not apply to anti-malaria spraying activities and to spraying activities whose purpose is the |

Amendment 5755-1995	protection of a water resource, if such activities were approved in advance by the Minister.
Penalties Amendment 5755-1995	9. A person who contravenes any of the provisions of these regulations shall be liable to that stated in Section 20U of the Law.
Saving of laws	10. The provisions of these regulations are intended to add to provisions of the Aviation Regulations (Operation of Aircraft and Flight Rules), 5742-1982, and the provisions of any other law concerning spraying.
Commencement	11. (a) These regulations, with the exception of Regulation 6, shall enter into force thirty days from the date of their publication. (b) Regulation 6 shall enter into force six months from the date of the publication of these regulations.

Schedule
(Regulation 5)

1. Kaziv River
2. Na'aman River in its upper reaches up to Afek reservoir
3. Zippori River
4. Dalia River
5. Taninim River
6. Hadera River
7. Alexander River
8. Poleg River
9. Yarkon River
10. Shikma River