

Chapter 235

Water

Water Regulations (Prevention of Water Pollution) (Spraying in the vicinity of Water Sources) – 1991

By the authority vested in me according to Section 20-D (a)(2) and (4) of the Water Law – 1959 (hereafter – the law), and after consultations with the Water Council and the Minister of Health, and with the approval of the Minister of Transportation, I institute the following regulations:

1. In these regulations –
 - “The Minister” – The Minister of the Environment or whomever he authorizes regarding these regulations.
 - “Client ” – The person who orders aerial spraying or the person who is in the area under his auspices.
 - “ Spraying apparatus” – Device for the disseminating of active materials.
 - “Operator” – As interpreted in Section 1 of the Law of Licensing of Flight Services –1963.
 - “Water Source” – Water source, as interpreted in Section 2 of the law, which is above ground.
 - “Stream” – A stream that flows; including flowing tributaries.
 - “Spray” – Spreading of active materials.
 - “Area” – The area designated for aerial spraying.
 - “Active Material ” – Chemical or biological material, or a mixture of chemical and biological materials designated to be sprayed for the following purposes:
 1. To regulate growth, flowering and fertility and their prevention;
 2. Fertilization and enrichment;
 3. Prevention of deficiency illness or physiological illness, whether in plants or animals;
 4. Loss of foliage;
 5. Extermination, rejection’ or attraction of contaminants, whether in plants or animals;
 6. Spreading, adhesion, or wetting of the active ingredients.

2. A person may not spray in a manner that will cause or is likely to cause an active ingredient to reach a water source, will not cause spraying as stated, and will not assist therein.
3. An operator may not pilot an aircraft that contains an active ingredient over the Kinneret, the lakes that are included in the national water carrier or water reservoirs that are used for drinking water, or along the upper Jordan River and its tributaries, the national water carrier canal nor over any stream in the Kinneret Water Basin.
4. Aerial spray may not be carried out unless there is wind that doesn't fall below 5km/hour and blows from the direction of water source towards the area (hereafter – Proper Wind Conditions), and only on the condition that:
 1. The operator does not enter the area to carry out aerial spraying unless the client informs him that the proper wind conditions are in effect in the area.
 2. If the operator comes to the area and finds the improper wind conditions, or if they change during the course of spraying, the spraying must be halted until the proper wind conditions are in effect; this order applies both to the client and to the operator.
 3. The client must ensure that a smoke signal is lit in the area, as a sign of wind conditions, before and during aerial spraying;
 4. The height of the spray plane does not exceed 12 meters from the spraying objective.
5. (A) Aerial spraying will be conducted at a distance not less than –
 1. 300 meters from the water sources referred to in regulation 3, and 200 meters from the streams specified in the addendums, unless the Minister approves spraying from a distance less than the above mentioned norm, but never less than 50 meters from the above-mentioned water sources;
 2. 50 meters from every other stream.

(B) No permit will be granted to spraying as stated in secondary regulation 1A unless it is proven, in the opinion of the Minister, that it is essential to spray the area because the spraying cannot be done from the ground, and that the active material to be sprayed is

approved by him and as well as by a person approved as such by the Minister of Health. (hereafter – Minister of Health).

(C) No spraying will be conducted as is stated in the secondary regulation (B) except under the supervision of the person appointed by the Minister.

(D) In spite of that which is stated in regulation 1A, aerial spraying with granulated fertilizer and with non-standard biological material which does not leave residue and that is approved by the Minister as well as by the Minister of Health, will be carried out at a distance no less than 50 meters from the water sources listed in secondary regulation 1A.

6. Filling, emptying and rinsing the spraying device may be carried out by the operator only in an installation designated for rinsing leftover active material, and is subject to every law.

7. (A) The operator will manage a spraying journal and will list in full detail every aerial spray conducted, including date of spraying, hour of spraying, the location and exact borders of the area sprayed, the type and amount of active material, and pilot details, including name and address (hereafter: Spray Ledger).

(B) The operator will maintain the Spray Ledger and will present it before whomever the Minister of the Environment has appointed as such, upon his request.

(C) The spray ledger must be kept for at least 24 months after the last entry.

8. These regulations do not apply to anti-malarial spraying, or any spraying whose purpose is to protect a water source, if these activities were approved ahead of time by the minister.

9. Disobeying a provision in these regulations is punishable as stated in Section 20-U of the law.

10. The directives in these regulations are in addition to the directives in the Pilot Regulations (operating an aircraft and rules of flying) 1981, as well as all other laws concerning spraying.

11. (A) These regulations go into effect 30 days after their publication, except for Regulation 6.

(B) Regulation 6 will go into effect 6 months after the publication of these regulations.

Addendums:
(Regulation 5)

1. Nahal Kziv
2. Nahal Naaman in the upper part, until the Ofek reservoir
3. Nahal Tzipori
4. Nahal Dalia
5. Nahal Taninim
6. Nahal Hadera
7. Nahal Alexander
8. Nahal Poleg
9. Nahal Hayarkon
10. Nahal Shikma

The 27th of Adar 5751 (March 13 1991)

Yitzhak Shamir
Prime Minister
and Minister of the Environment