

2006 Annual Report

AGRICHEMICAL MANAGEMENT



BUREAU

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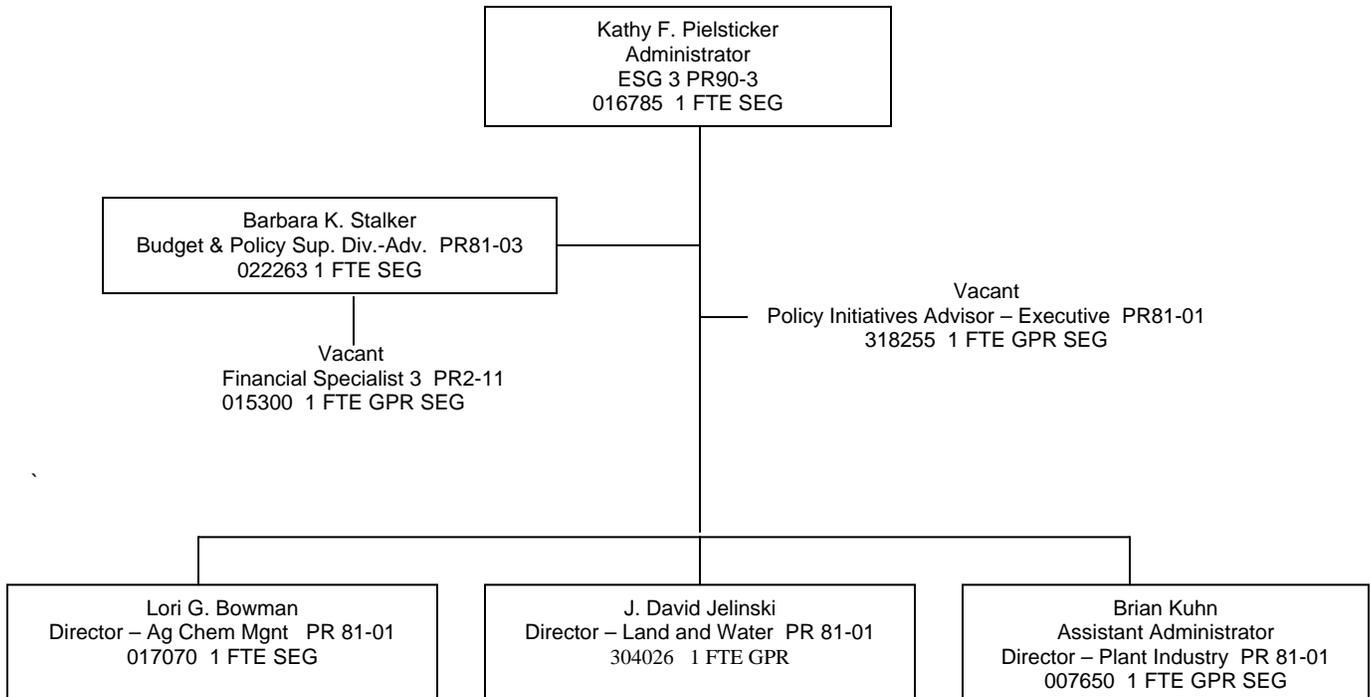
Agricultural Resource Management Organizational Chart

Board of Agriculture, Trade, and Consumer Protection

Secretary

Deputy Secretary

Division of Agricultural Resource Management



Note: Organization Chart effective April 2007

Executive Summary

The Agrichemical Management Bureau (ACM Bureau) administers Wisconsin's regulatory and enforcement programs associated with animal feeds, fertilizers, pesticides and other plant production and pest control materials used in agricultural, urban and industrial settings. The mission of the ACM Bureau is to protect human health and the environment, promote agriculture, and assure a fair marketplace by mitigating risks and preserving the benefits of regulated products.

The ACM Bureau funds and manages 13 highly inter-related programs: Fertilizer, Feed, Pesticides and Pesticide Use (general), Pesticide Special Registrations, Pesticide Applicator Certification and Licensing, School Integrated Pest Management, Endangered Species and Habitat, Landscape Registry, Agrichemical Containment and Remediation, Groundwater Protection, Clean Sweep, Worker Protection, and Compliance and Investigation.

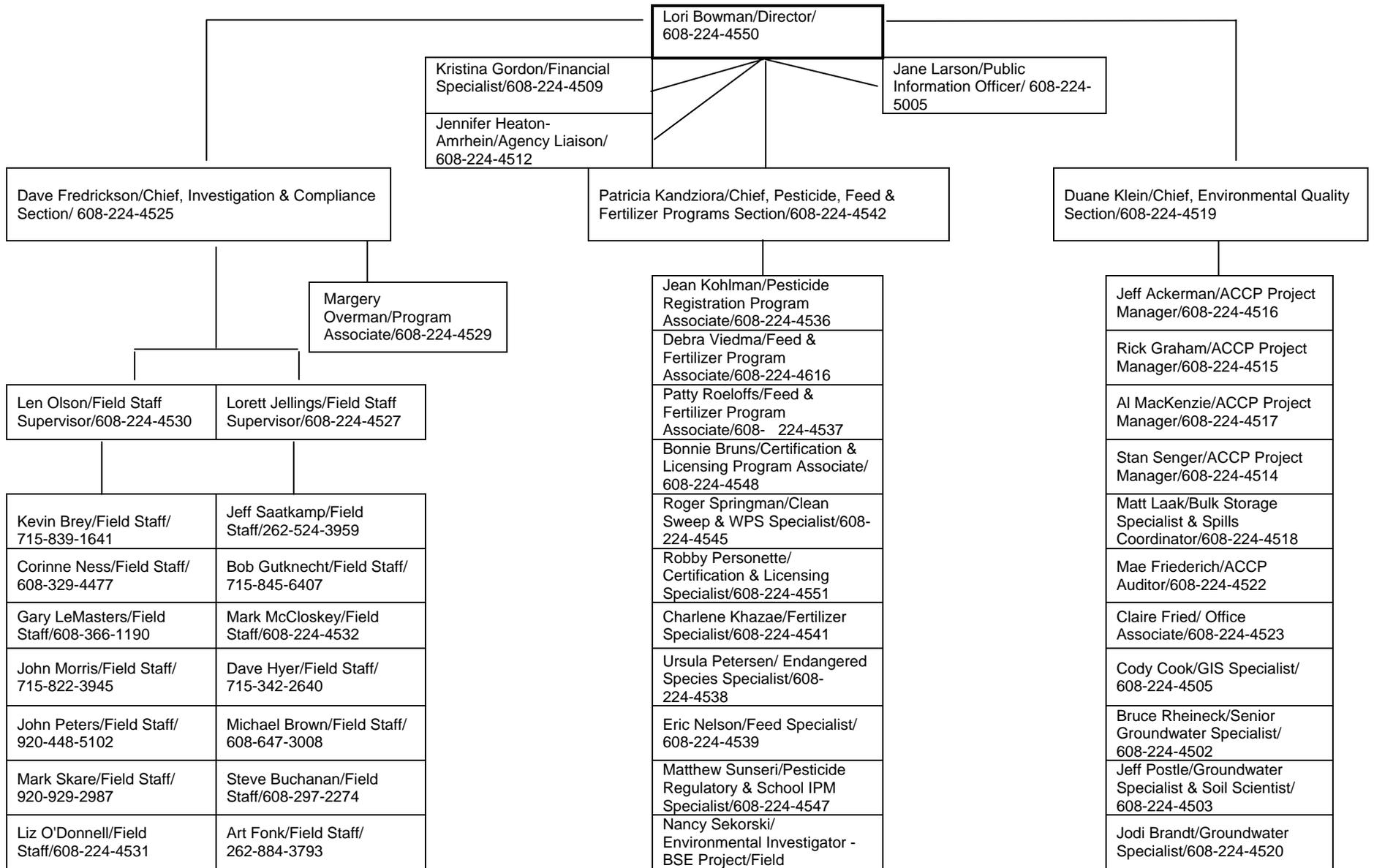
2006 was a busy and productive year for the ACM Bureau. During 2006, the Bureau's program staff:

- ★ Issued **12,935** licenses;
- ★ Certified **6,537** pesticide applicators (total of 28,002 certified applicators);
- ★ Managed **268** remediation cases at agrichemical facilities;
- ★ Responded to **36** agrichemical spills;
- ★ Reimbursed over **\$1.75 million** in eligible clean-up costs to responsible parties;
- ★ Conducted **505** routine feed, fertilizer, and pesticide inspections;
- ★ Investigated **202** complaints;
- ★ Registered **10,835** pesticide products;
- ★ Provided nearly **\$710,000** in grants to **44** municipalities to collect and dispose of; agrichemicals and hazardous household wastes; and
- ★ Revised **3** administrative rules.

Other notable activities and accomplishments of the ACM Bureau during 2006 include establishment of a Task Force to provide recommendations on how to manage land contaminated from the historic use of lead arsenic pesticides in orchards; development of an automated pesticide applicator exam scoring system; monitoring of endangered species habitats and completion of the statewide pesticide use survey.

Fees collected from the agrichemical industry are the primary source of funding for the ACM Bureau and its programs. Additional funding is also received from the U.S. Environmental Protection Program and the U.S. Food and Drug Administration. The ACM Bureau recognizes this important partnership with industry and the federal government and works hard to maximize the use of this funding for the benefit of the industry, consumers, and the environment.

Agrichemical Management Bureau Organizational Chart and Contact List



Financial Overview

The Agrichemical Management Bureau (ACM Bureau) is structured as one integrated program with multiple components. Programs are centrally coordinated through individual program specialists located in the Pesticides, Feed and Fertilizer Programs (Programs) and Environmental Quality (EQ) Sections. Environmental enforcement specialists (EES) located throughout the state implement these programs in the field. These field personnel and associated supervisory and management staff comprise the Compliance and Investigation (C & I) Section, which also coordinates most formal enforcement actions for the Bureau. The ACM Bureau's three sections strive to coordinate daily program activities to provide uniform regulation and enforcement, while assuring appropriate specialized knowledge in each program area.

- Federal Grants (FED)
- Gifts, Grants and Special Projects

The ACM Fund and the ACCP Fund are comprised of many industry fees, as detailed later in this report. Both funds are considered segregated revenues (SEG), which means that these revenues are

maintained separately from other state revenues and are to be used for specified purposes. Federal funding covers portions of several federal programs that the Bureau implements and the Bureau can also receive direct contributions for special projects. Each of these funding sources identifies how the funds can be used. The following sections of this report will provide more information on each revenue source.

Financial Highlights	
Revenues	
★	\$6,560,960 – ACM Fund
★	\$3,806,010 – ACCP Fund
★	\$737,376 – Federal Funds
★	\$51,862 – Gifts and Grants
★	\$709,900 – Clean Sweep (recycling fund)
★	\$1,799,974 – Other
Expenses	
★	\$5,391,593 – ACM Fund
★	\$2,114,055 – ACCP Fund
★	\$737,376 – Federal Funds
★	\$51,862 – Gifts and Grants
★	\$709,900 – Clean Sweep Grants
★	\$1,799,974 – Forwarded to other agencies

Fiscal Years and Fee Periods Covered in this Report

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Revenue Sources

Because of the closely related regulation and enforcement activities of the Bureau, funds for the programs are largely combined. Four sources fund the Bureau:

- Agrichemical Management Fund (ACM Fund)
- Agricultural Chemical Cleanup Program Fund (ACCP Fund)

report covers the state fiscal year 2005-06 which ran from July 1, 2005 through June 30, 2006. Federal grants run on different cycles (October 1 through September 30) than the state fiscal year; this report covers those portions of the federal grants that occurred during the state fiscal year. Program-specific sections of the report reflect calendar year activities.

Agrichemical Management Fund

The Agrichemical Management Fund (ACM Fund) is the primary source of funding for the regulatory, investigative and enforcement aspects of the ACM Bureau. The ACM Fund is comprised of fees collected from most of the agricultural, commercial and industrial segments regulated by the Bureau. This includes

revenues from licenses, permits, registrations and tonnage fees under the feed, fertilizer, soil and plant additive, lime, and pesticide programs. The Recycling Fund supports Clean Sweep grants to counties.

Table 1
FY 2005-06 AGRICHEMICAL MANAGEMENT FUND

SOURCE	FEE	FY 05-06 REVENUE
Opening Balance		\$ 3,050,294
Feed License	\$25	\$ 31,782
Feed Tonnage	\$0.23/ton	\$ 856,520
Fertilizer License	\$30	\$ 19,760
Fertilizer Permits	\$25 one time	\$ 5,635
Fertilizer Tonnage	\$0.30/ton	\$ 443,114
Lime License	\$10	\$ 940
Pesticide Application Business	\$70	\$ 117,975
Pesticide Dealer-Restricted Use	\$60	\$ 22,792
Pesticide Individual Applicator	\$40	\$ 250,333
Pesticide Reciprocal Certification	\$40	\$ 24,107
Pesticide Registration* Household sales \$0-24,999	\$141	\$ 804,942
Pesticide Registration* Household sales \$25,000-74,999	\$626	\$ 200,320
Pesticide Registration* Household sales \$75,000 plus	\$1,376	\$ 436,192
Pesticide Registration* Industrial sales \$0-24,999	\$221	\$ 171,496
Pesticide Registration* Industrial sale \$25,000-74,999	\$766	\$ 62,046
Pesticide Registration* Industrial sales \$75,000 plus	\$2,966	\$ 207,620
Pesticide Registration* Non-household \$0-24,999	\$226	\$ 925,916
Pesticide Registration* Non-household \$25,000-74,999	\$796	\$ 233,228
Pesticide Registration* Non-household \$75,000 plus	\$2,966 + 0.2%	\$1,316,154
Soil & Plant Additive License & Permits	\$25 annual license \$100/1x permit	\$ 9,230
Soil & Plant Additive Tonnage	\$0.25/ton	\$ 11,591
Veterinary Clinic Permit	\$25/2 yr	\$ 9,500
Interest on ACM Fund and Miscellaneous		\$ 357,318
Late Fees		\$ 42,449
Total Revenue		\$6,560,960
Program Expenditures (see individual programs)		\$(5,141,593)
Ag in Classroom Grant		\$(100,000)
Ag Innovation Grant		\$(150,000)
FY 05-06 Ending Balance		\$4,219,661
Producer Security Loan Repayment		\$ 358,000

* Pesticide registrations are deposited by statute to each fund, but the breakdown between fee levels is not recorded in the financial system. The breakdown shown here is based on apportioning the actual payments, including penalty fees, based on the estimated sales levels reported at the time of product registration.

Under the ACM Fund, revenues from specific fee sources are not directed to individual programs. Fertilizer fees, for example, are not exclusively used for fertilizer program costs. Instead, all these revenues are jointly deposited into the ACM Fund and cover the combined costs of these closely related programs.

A portion of the fees collected by the Bureau are deposited in the ACM Fund. Other portions of fees and surcharges are deposited to the ACCP Fund and still others forwarded to other agencies. Tables 1 through 3 detail the various industry fee rates and the total revenues collected by the Bureau.

ACM last adjusted the agrichemical fees at the start of 2003; the product sources upon which these fees are based have remained reasonably stable in recent years.

Agricultural Chemical Cleanup Program Fund (ACCP Fund)

The Agricultural Chemical Cleanup Program Fund (ACCP Fund) includes industry fees or surcharges to pay reimbursements for agricultural chemical spill cleanups under s. 94.73, Wis. Stats. These surcharges are set by rule with maximum levels dictated by statute. Because of anticipated shortfalls in the fund, rulemaking adjusted the fertilizer tonnage surcharge to \$0.86/ton. This change first affected revenues in August 2005.

Table 2
FY 2005-06 AGRICULTURAL CHEMICAL CLEANUP FUND

SOURCE	SURCHARGE	FY 05-06 REVENUE
Opening Balance		\$1,151,538
Fertilizer License	\$20 if no pesticide license	\$ 7,000
Fertilizer Tonnage	\$0.86/ton**	\$1,265,455
Pesticide Application Business	\$55	\$ 91,850
Pesticide Dealer-Restricted Use	\$40	\$ 15,080
Pesticide Individual Applicator	\$20	\$ 124,800
Pesticide Registration* Non-household \$0-24,999	\$5	\$ 138,028
Pesticide Registration* Non-household \$25,000-74,999	\$170	\$ 49,810
Pesticide Registration* Non-household \$75,000 plus	1.1% of sales	\$2,002,372
Interest on ACCP revenues		\$ 111,615
Total Revenues		\$3,806,010
Expenditures (ACCP Reimbursements)		\$(2,114,055)
FY 05-06 Ending Balance		\$2,843,493

*Pesticide registrations are deposited by statute to each fund, but the breakdown between fee levels is not recorded in the financial system. The breakdown shown here is based on apportioning the actual payments based on the estimated sales levels reported at the time of product registration.

**The fertilizer tonnage surcharge is for the previous year's fertilizer sales. The fertilizer tonnage surcharge was reduced to \$.63/ton effective July 31, 2005, which will be reflected in revenues collected during FY06-07.

Other Industry Fees

In addition to the fees paid to the ACM and ACCP Funds, the Bureau collects fees that are directed to other state agencies or programs.

FY 2005-06 fees collected for other agencies are shown in Table 3. Actual transfers may differ based on collection dates and transfers in prior or subsequent fiscal years.

Table 3
FY 2005-06 OTHER AGRICHEMICAL REVENUES AND USES

SOURCE	FEE AND AGENCY	FY 05-06 REVENUE
Fertilizer Tonnage	\$0.10 DNR	\$ 147,215
	0.10 UW Research	\$ 147,215
	0.10 UW Extension	\$ 145,697
	0.02 Weights & Measures	\$ 29,499
Feed Tonnage	\$0.02 Weights & Measures	\$ 74,467
Lime Tonnage	\$0.0125 UW Research	\$ 13,030
Pesticide Registration* Household sales \$0-24,999	\$124 DNR	\$ 608,333
Pesticide Registration* Household sales \$25,000-74,999	\$124 DNR	\$ 39,680
Pesticide Registration* Household sales \$75,000 plus	\$124 DNR	\$ 39,308
Pesticide Registration * Industrial sales \$0-24,999	\$94 DNR+\$5 for some wood preservatives	\$ 72,959
Pesticide Registration* Industrial sale \$25,000-74,999	\$94 DNR+\$170 for some wood preservatives	\$ 19,384
Pesticide Registration * Industrial sales \$75,000 plus	\$94 DNR+1.1% for some wood preservatives	\$ 26,196
Pesticide Registration* Non-household \$0-24,999	\$94 DNR	\$ 356,098
Pesticide Registration* Non-household \$25,000-74,999	\$94 DNR	\$ 27,542
Pesticide Registration* Non-household \$75,000 plus	\$94 DNR	\$ 30,174
Pesticide Well Compensation	\$150 DNR	\$ 19,050
Soil & Plant Additive Tonnage	\$0.10 DNR	\$ 4,127
	0.10 UW Res. (included in fertilizer tonnage)	---
TOTALS		\$1,799,974
DNR		\$1,390,066
UW		\$ 305,942
Weights and Measures		\$ 103,966

* Pesticide registrations are deposited by statute to each fund, but the breakdown between fee levels is not recorded. The breakdown shown here is based on registration records for each fee level.

When and How Paid

Industry fees for ACM, ACCP and the other agencies are all assessed as one fee and apportioned to the various funds as defined by statute. For example, when DATCP collects the fertilizer tonnage, the industry is assessed \$1.48 per ton and the fee is then split among the UW, DNR, DATCP's Weights and Measures program, and the ACM and ACCP Funds, as shown in Tables 1 through 3.

The various programs pay fees at different times of the year. Fertilizer tonnage and license fees are due in August of each

year, pesticide licenses and registrations are due in December and feed fees are due in February. Table 4 shows the payment dates for all fees and the period for which this fee is paid. Generally, permits, licenses and registrations are paid in advance, while tonnage is paid after the year is completed. Pesticide registrations represent a cross between these, since the license (registration) fee is based on an estimate of the licensing year sales. Upon renewal for the next licensing year, companies reconcile the actual sales total to ensure proper fee totals are assessed.

Table 4
AGRICHEMICAL FEE PAYMENT DATES

SOURCE	DUE DATE	FOR PERIOD
Feed License	2/28/06	3/1/06-2/28/07
Feed Tonnage	2/28/06	Calendar 2005
Fertilizer License	8/14/05	8/15/05-8/14/06
Fertilizer Permits	Prior to distribution	Until product or label changes
Fertilizer Tonnage	8/14/05	7/1/04-6/30/05**
Lime License	12/31/05	Calendar 2006
Lime Tonnage	2/1/06	Calendar 2005
Pesticide Application Business	12/31/05	Calendar 2006
Pesticide Dealer-Restricted Use	12/31/05	Calendar 2006
Pesticide Individual Applicator	12/31/05	Calendar 2006
Pesticide Reciprocal Certification	Prior to work in Wisconsin	End of same calendar year
Pesticide Manufacturer (Product Registration)	12/31/05 estimate 12/31/06 final	Calendar 2006 (amount due based on sales 10/05-9/06)*
Pesticide Well Compensation	12/31/05	Calendar 2006
Soil & Plant Additive License	3/31/06	4/1/06-3/31/07
Soil & Plant Additive Permit	Prior to distribution	Until product or label changes
Soil & Plant Additive Tonnage	3/31/06	Calendar 2005
Veterinary Clinic Permit	12/31/05	Calendar 2006 and 2007

* The basis for a pesticide manufacturer license fee (more commonly known as product registration), changed effective in 2004 to an estimated fee paid at the start of the year and a final reconciliation paid at the end that year.

**The fertilizer tonnage surcharge is for the previous year's fertilizer sales. The fertilizer tonnage surcharge was reduced to \$.63/ton effective July 31, 2005, which will be reflected in revenues collected during FY06-07.

Federal Grant Funds

The Bureau receives grants from three federal agencies:

- Environmental Protection Agency (EPA)
- Department of Agriculture (USDA)
- Food and Drug Administration (FDA)

The EPA grant is the most significant of these grants. The ACM Bureau acts as EPA's agent for implementing, investigating and enforcing federal pesticide laws and

regulations. The EPA grant includes several components, some of which are awarded based on an allocation formula (base), while other parts are awarded on a competitive basis (discretionary). The USDA grant provides funding for inspection of restricted-use pesticide records on farms. The FDA grant provides funds for inspection of certain medicated feed producing establishments.

Table 5
FEDERAL GRANT FUNDING DURING STATE FY2005-06

GRANTING AGENCY	PURPOSE	STATE FY 05-06 TOTAL
Environmental Protection Agency	Pesticide regulation and enforcement, applicator certification and special projects	\$615,436
Food and Drug Administration	Medicated feed mill inspections	\$ 98,834
Department of Agriculture	Restricted-use pesticide recordkeeping	\$ 23,106

Gifts, Grants and Special Projects

By statute, the Department may collect fees from the public or industry for laboratory tests completed by DATCP for programs under s. 93.06(1p), Wis. Stats. The Department may also cooperate with other state agencies and compensate or be compensated by these agencies for

services performed, as is done with the federal grants under s. 93.06(11), Wis. Stats. Section 20.115(8)(g), Wis. Stats., allows the Department to accept gifts and grants to carry out the program activities or special projects for which the grants are made. The following gifts and grants listed in Table 6 were received in Fiscal 2006.

Table 6
GIFTS AND GRANTS

SOURCE	PURPOSE	AMOUNT
DATCP and UW (providers for EPA)	School Turf and Lawn IPM Demo	\$ 601
Department of Health & Family Services (provider for EPA)	Environmental Public Health Tracking grant	\$51,261

Fiscal Year 2005-2006 Expenditures by Program

Each ACM program has a chapter in this report, and the program expenditures and use of staff time for each program are reported in the appropriate section. While the ACM tracks the total expenditures from each fund in detail, costs for individual

programs within the Bureau are tracked based on staff time for each program area and a pro-rated supply and service expenses. Many staff work in multiple programs on any given day. During one site visit, for example, an EES may conduct a containment inspection, sample a fertilizer product, discuss an ongoing spill cleanup

and review pesticide records. In the office, one staff person may review a feed label review, participate in a call on worker protection issues, and then provide health and safety training for pesticide staff.

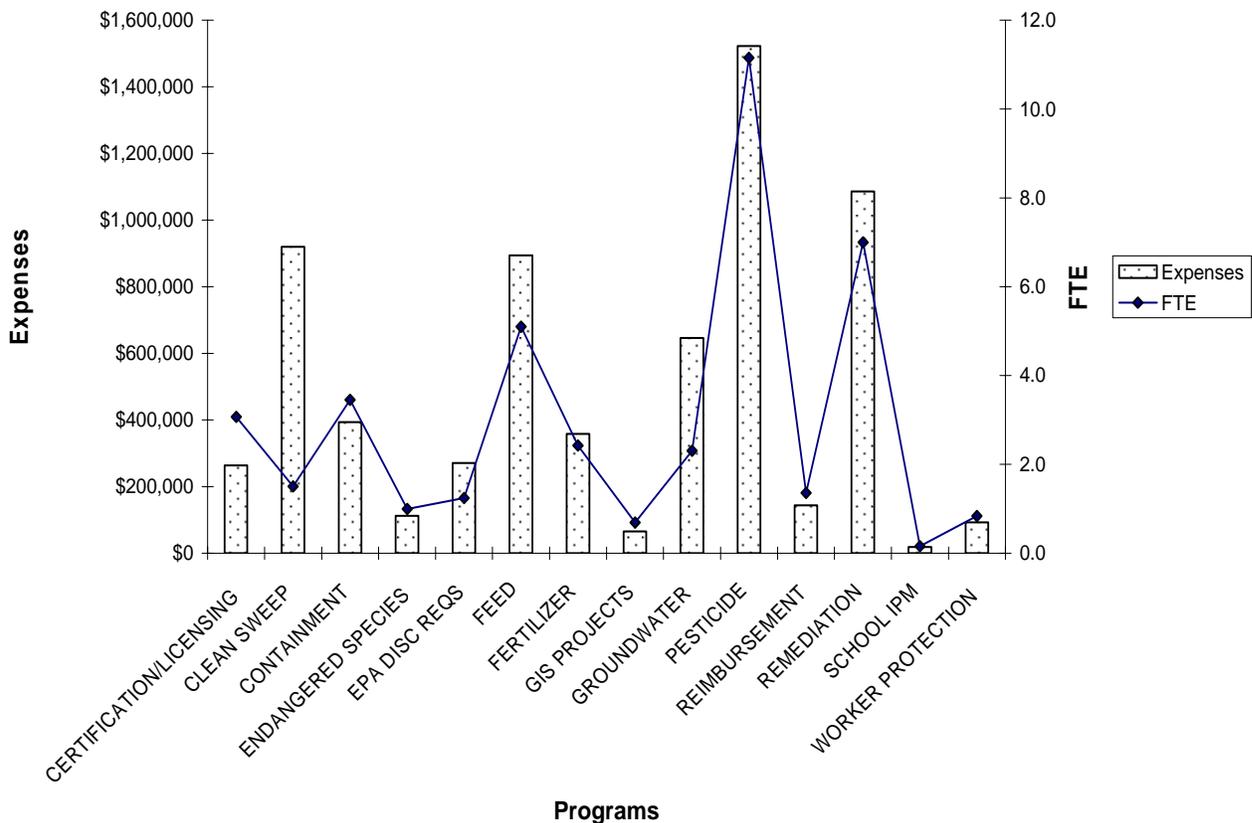
The program costs reported for each program are based on time reports kept by staff, multiplied by their respective salary/fringe costs and combined with each program's laboratory expenses. Supply and service costs that are not uniquely related to a single agrichemical program (such as lab expenses) are pro-rated across all these

programs based on agrichemical staff hours spent in each individual program. For example, if 10 percent of agrichemical staff hours are spent on feed program activities, 10 percent of building rent, office supplies, phone charges, computer expenses, and other similar costs would be attributed to the total cost of the feed program shown in this report.

Chart 1, below, shows the distribution of time and expenses across all programs.

Chart 1

Program Expenses and Staffing



Agricultural Chemical Cleanup Program

The Agricultural Chemical Cleanup Program (ACCP) directs the cleanup of pesticide and fertilizer spills to minimize contamination of surface water, groundwater and the surrounding environment. The program also provides reimbursement for a portion of eligible cleanup costs incurred by the responsible persons. This program helps assure that spill cleanups are conducted effectively and in a timely manner.

The program, established in 1994 by s. 94.73 Wis. Stats. and administered under ch. ATCP 35, Wis. Adm. Code, addresses both one-time spills resulting from incidents such as fires and traffic accidents, and long-term spills resulting from facilities' daily handling practices.

Staff and Funding

ACCP staff includes hydrogeologists and engineers that manage technical aspects of the cases; EES that respond to spills, investigate contamination complaints and provide oversight on field activities; an auditor that reviews reimbursement applications and an office associate that provides administrative support. During fiscal year 2005-2006, the program required 10 FTE staff and \$1,389,182 for salary, supplies and laboratory costs. The ACM Fund covers these expenses. The ACCP Fund finances the ACCP reimbursements.

Program Activities

Remediation: In calendar year 2006, the program closed 42 cases and initiated 31 new cases, bringing the total number of active cleanup cases to 268. In addition, staff responded to 36 spills, closed 23 of them, and closed 17 spill cases from previous years. Remaining open spill cases will be closed

following completion of investigative and remedial actions and landspreading of contaminated soil.

Reimbursement: During the last quarter of 2005 and first three-quarters of 2006, the program received 87 claims for reimbursement, totaling \$2,642,106. Staff met with the Agricultural Chemical Cleanup Council four times during the year to review

reimbursement applications and recommend reimbursement payments. DATCP paid out a total of \$1,757,087 in CY 2006. Another \$1,240,731 in costs submitted for reimbursement in late 2006 will not be issued payments until 2007.

While the workload has remained fairly steady and the number of cases has remained consistent, reimbursements have declined annually since the

high of \$4.2 million in 2002. The decline in reimbursements is a result of the statutory change that required submittal of reimbursement claims within three years.

Emerging issues

Bureau management and ACCP staff established the Historic Lead Arsenate Pesticide Contamination Task Force, which met twice in 2006. The Task Force will provide program staff direction on how to handle issues related to contamination from past applications of lead arsenate pesticide to Wisconsin orchards. The Task Force is scheduled to complete its work and release its final report and recommendations in summer 2007. In 2007, the bureau anticipates opening the rules related to ACCP surcharges. This rule revision will consider the long-term program needs, and adjust ACCP surcharges accordingly.

ACCP Highlights

- ★ 31 new cases initiated; 268 total active cases
- ★ 36 spill responses
- ★ 42 ACCP and 40 spills cases closed
- ★ \$1.75 million reimbursed
- ★ Lead Arsenate Task Force established

Table 7
ACCP REMEDIATION AND REIMBURSEMENT ACTIVITIES CY2006*

Activity	Pre-1996	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
New long-term (LT) cases	228	36	54	41	40	29	18	36	39	30	28	31
Total active LT cases	177	202	231	247	263	269	254	267	283	280	274	268
LT cases closed	51	11	25	25	24	23	33	23	23	33	35	42
Total closed LT cases	51	62	87	112	136	159	192	215	238	271	305	348
New Spill cases	173	89	84	61	70	55	37	49	37	46	49	36
Spill cases closed same year	(58)	50	58	38	53	38	32	37	21	30	30	23
Total spill cases closed each year	135	69	94	78	82	53	48	45	29	48	48	40
Total closed spill cases	135	204	298	376	458	511	559	604	633	681	729	768
Claims	47	35	46	46	54	80	79	69	85	91	67	87
Paid (\$)	944,143	1,167,434	1,388,933	1,840,766	3,016,506	2,194,338	4,141,187	4,210,592	3,200,159	2,874,438	2,129,092	1,757,087

*Older numbers have changes from previous years' annual reports and are updated based on improved tracking capabilities. Numbers will differ slightly from those reported in the financial section of the report due to program records being kept on a calendar year, rather than fiscal year basis.

Agrichemical Containment

The Agrichemical Containment program helps prevent spills of bulk pesticides and fertilizers from contaminating soil and groundwater through the use of approved containment structures. If a spill of a bulk pesticide or fertilizer were to occur, a containment structure (generally constructed of reinforced concrete) would catch the release so that it could be easily recovered.

The program, authorized under s. 94.645 and 94.67-71, Wis. Stats. and administered under ch. ATCP 29 and 33, Wis. Adm. Code, includes bulk storage regulations and loading area containment requirements for non-bulk pesticide handling.

The Containment program relies on inspections, warnings, complaints and orders to ensure compliance with the statutes and rules. Industry recognizes the importance of properly designed containment systems and compliance with major rule provisions is relatively high.

The department's **Environmental Partners** program is a subset of the Containment program. The goal of the Environmental Partners program is to encourage facilities to voluntarily exceed the containment rule requirements and reduce the amount of agrichemicals that escape into the environment. During 2006, industry ambassadors conducted 15 site reviews, and DATCP staff followed up on 12 of those sites; three follow-up assessments were postponed until 2007.

Staff and Funding

The Containment and Environmental Partners programs are funded by the ACM Fund and the EPA grant. During FY 2006, inspection of containment facilities and enforcement of containment regulations required 3.7 FTE staff time and \$386,308 in staff and supplies.

Program Activities

Table 8 below summarizes inspections and enforcement actions completed by DATCP's containment program since 1994. Short bulk inspections were not used until 1995,

and sump test inspections started in 2003. The most significant problem found at facilities during these inspections was the lack of liquid-tight mixing and loading sumps, which resulted in an increase in written warnings issued by the department in 2003 and 2004. The program tested fewer sumps in 2006 and the percent of sumps that failed was lower than in previous

years, resulting in fewer written warnings 2006.

Emerging Issues

The revised bulk storage rules (ATCP 33) took effect October 1, 2006. Program staff needs to provide significant training and guidance to industry and DATCP field staff on these new provisions. The program also anticipates additional workload resulting from the requirement to review construction design plans and inspect construction on-site.

Containment Highlights

- ★ **154 inspections conducted**
- ★ **15 warnings issued**
- ★ **12 facilities assessed through environmental partners program**
- ★ **ATCP 32 & 33 rewritten into one comprehensive rule (ATCP 33)**

Table 8
CONTAINMENT ACTIVITIES 1994-2006

Activity	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Full bulk inspections	34	32	40	27	37	30	21	25	20	15	23	21	24
Short bulk inspections	NA	100	40	39	45	49	69	100	103	82	78	64	79
Mix/load inspections	9	30	9	8	10	15	8	11	14	6	8	14	9
Sump test inspections	NA	69	72	40	42								
Total Inspections	43	162	89	74	92	94	98	136	137	172	181	139	154
Special orders	0	0	1	0	0	0	0	2	4	1	0	5	2
Complaints	3	0	0	1	0	0	1	2	4	0	0	4	5
Written warnings	10	47	16	60	23	10	22	8	18	27	29	15	15

Clean Sweep

Wisconsin Clean Sweep offers grants to municipalities for the collection and disposal of agricultural (Ag) and household hazardous wastes (HHW). Counties and county-affiliated units such as regional planning commissions are eligible for both grants while cities, villages, towns, and all other entities are eligible for HHW grants. Grants are made available for temporary collections (one-day) or continuous collections (permanent facilities). Grant amounts vary between \$12,000 and \$20,000 depending upon the type of grant request.

Wisconsin Clean Sweep improves environmental and human health protection by collecting unwanted pesticides, agri-chemicals, and household chemicals for safe, legal disposal before they cause problems. Farms (both active and abandoned), households, and certain businesses, called Very Small Quantity Generators (VSQGs) are eligible to use program services.

Grant funds are used to collect, package, transport, and dispose hazardous wastes at licensed, high temperature incinerators or at fuel blending operations across America. The resulting ash or residue is stored at Subtitle C, hazardous waste landfills. Veolia Environmental Services is the State of Wisconsin's hazardous waste hauler for temporary collections. Municipalities with permanent facilities are allowed to select their own vendor.

Staff and Funding

In 2006, DATCP awarded \$709,900 in direct grant aids to Wisconsin municipalities for clean sweep-related expenses. Of this total, \$183,136 was spent on Ag grants and \$526,764 on HHW grants. The Ag grant total includes \$6,578 in assistance to businesses for the collection of unwanted agricultural pesticides. In receiving the above grant aids, Wisconsin municipalities provided \$530,568 in matching monies or assistance.

2006 Clean Sweep Highlights

- ★ **Grant Awards**
 - \$709,900 – DATCP funds
 - \$530,568 – local match
- ★ **Waste Collected (lbs):**
 - 119,378 Farm Chemicals
 - 1,074,279 HHW
 - 23,575 business pesticides
 - 196,378 Ag plastics
- ★ **Participants:**
 - 18,000 HHW
 - 512 Farms
 - 614 businesses
 - 60 agrichemical dealers

The program was administered by 1.5 FTE staff, with staff and supply costs totaling \$206,798 and derived from the ACM Fund. A Land and Water Resources Bureau staff member helps coordinate clean sweep activities with the state's Priority Watershed Program and Land Conservation Departments throughout the state.

Program Activities

This was the second, full operational year of the combined Wisconsin Clean Sweep (DATCP's Ag program combined with DNR's HHW program in 2004). All collections occurred safely during 2006 and all grantees expressed satisfaction with the Program. Two ongoing problems were a shortage of grant funds and a need to continue improving the grant application process.

In 2006, DATCP funded 27 HHW grants and 17 Ag grants. Nearly all counties sought both Ag and HHW grants and only

three non-county entities received HHW grants. Counties remain, by far, the dominant user of Wisconsin Clean Sweep Program services.

Ag waste collection totaled 119,378 pounds, a 30,000 pound drop from 2005 and similar to collection totals in 1994. The number of farms participating, however, increased from 481 to 512. The program anticipates annual Ag waste totals in this range as long as 15 to 20 counties collect Ag wastes annually. This continuing decline in Ag wastes reflects the strong success of Clean Sweep in the 1990s and the fact that there are a smaller number of farms that are using pesticides more judiciously, often with the aid of commercial applicators. Also, it is evident that the use of Roundup-Ready technology has changed the complex of pesticides being used on grain crops and alfalfa.

The 2006 HHW events collected 1,074,279 pounds (see attached table) from over 18,000 participants. HHW waste intake outpaced Ag waste intake by a better than 6:1 margin (numerous permanent facilities report all HHW wastes collected whether funded by DATCP or not). The ratio of DATCP-funded collections is closer to 3:1. This trend is not expected to change, and there remains a clear need for sustained support of HHW collections in Wisconsin.

Also in 2006, 25 businesses or VSQG program participants brought in 23,575 pounds of subsidized pesticide wastes. These totals are similar to 2005 participation. While the number of businesses using the DATCP pesticide subsidy remains on the low side, more than 600 businesses used non-pesticide (and non-subsidized) Clean Sweep business services in 2006. The business program remains a wise investment for the Wisconsin Clean Sweep by offering businesses convenient and economical drop-off services.

In February, program staff and stakeholders conducted an evaluation of clean sweep's grant evaluation process. The recommendations included increasing the number of people reviewing proposals and simplifying the scoring system. These changes were made for the 2007 Request for Proposals. In addition, the committee suggested a wide range of more significant changes which will be considered during the forthcoming administrative rule update.

Finally, DATCP continued to work cooperatively with the Wisconsin Crop Production Association (WCPA) by providing oversight to their annual chipping and recycling program for 2 ½ gallon pesticide containers. WCPA collected pesticide jugs for recycling at 60 dealer sites resulting in the chipping of 196,378 pounds of pesticide plastic. This was one of the largest amounts in recent years.

Emerging Issues

The most significant trend affecting the Clean Sweep Program is that HHW has become the dominant waste collected. This finding has significant implications for the long term operation, administration, and funding of Clean Sweep. As more waste collection activity shifts to urban and residential settings, DATCP will need to focus more on HHW collection concerns, including the need for low-cost disposal of high volume waste streams like solvents and paints, chemical exchange programs at permanent facilities, pharmaceutical collections, electronics collection and recycling, and others.

However, Clean Sweep must continue to serve rural residents and farmers. The program may need to consider ways to encourage municipalities to service rural areas with satellite sites or mobile collections.

DATCP is scheduled to update Ch. ATCP 34, Wis. Adm. Code between 2008 and 2010. With the shifting program focus, this is a good opportunity to re-think grant

processes, operational requirements, and administrative functions. The increasing number of permanent facilities seeking funding is, in itself, driving changes. For example, the number of permanent facilities serving a multi-county collection region is increasing. A number of these facilities want to self-transport internally-generated wastes within a collection region, something the current ch. ATCP 34, Wis. Adm. Code does not specifically allow. Also, many permanent facilities are now establishing their own waste disposal pricing independent of what their contractors charge. The difference in prices being charged is now evident and substantial.

One new challenge for Clean Sweep is how to respond to the interests of municipalities

in collecting unwanted pharmaceuticals. Pharmaceutical collections have become very popular with local health and solid waste departments. However, there are numerous legal and regulatory issues affecting the collection, storage, transportation and disposal of controlled substances and narcotics that must be addressed. This issue will need to be examined during the rule update.

Responding to interest in increasing funding for grants, DATCP sought an increase in the SFY 2007-09 budget of nearly \$300,000 to bring total grant funds to \$1 million. The Governor included this sum in his proposed budget, and if awarded, the increase would allow the Department to fund anywhere from 15 to 20 additional grants each year.

Table 9

2006 WISCONSIN CLEAN SWEEP: HHW MUNICIPAL DATA SUMMARY

Municipality	Sweep Date	Residents Served	Pounds Collected	Municipality Cost	DATCP Cost
Buffalo Co.	5/5 – 5/6	99	8,081	\$6,700	\$10,000
Villages of Caledonia & Mt. Pleasant and North Bay	6/17	402	27,144	\$5,055	\$14,000
Calumet, Outagamie, & Winnebago Cos. (Appleton area)	4/21 – 4/22	296	16,375	\$5,023	\$18,666
Calumet Co. *	5/19 – 5/20	167	8,677		
Clark Co.	9/29 – 9/30	163	5,944	\$8,214	\$15,000
Dane Co.	5/02 – 10/31	7,272	444,167	\$42,502	\$18,000
Dodge Co.	9/15 – 9/16	548	27,301	\$28,773	\$15,000
Door Co.	6/10	98	5,577	\$3,282	\$11,547
Jefferson Co.	4/8; 5/6; 9/9	443	39,111	\$5,227	\$30,145
Manitowoc Co. *	5/19 – 5/20	1,116	68,655	\$48,970	\$30,000
Marathon Co.	April - Dec	682	30,636	\$30,043	\$16,485
Marinette Co. **	5/19 – 5/20	389	17,061	\$9,060	\$36,679
Marquette Co.	6/10	220	13,541	\$4,874	\$19,437
City of Milwaukee	Nov/Dec	773	77,998	\$114,600	\$18,500
Northwest Clean Sweep +	May – Sept.	1,418	66,751	\$16,245	\$55,142
Oconto Co. **	5/19 – 5/20	134	10,127		
Oneida Co. ++	Year-round	635	35,883	\$14,457	\$20,378
Ozaukee Co.	9/9	200	8,742	\$3,580	\$14,410
Pierce Co.	4/1; 9/16	368	32,594	\$9,400	\$26,990
Polk Co.	5/22; 9/22	99	12,400	\$4,983	\$16,216
Portage Co.	4/17 – 12/1			\$3,434	\$10,692
City of Racine	9/16; 10/21	560	19,789	\$9,594	\$18,500
Richland Co.	9/16	80	4,631	\$2,374	\$9,113
Rock Co.	9/8 – 9/9	225	13,233	\$18,550	\$14,535
Saint Croix Co.	5/19; 9/15	461	26,574	\$5,157	\$19,674
Walworth Co.	10/6 – 10/7	480	28,530	\$8,483	\$30,587
Wood Co.	5/12 ; 9/8	817	24,757	\$6,114	\$37,068
	TOTALS	18,145	1,074,279	\$414,694	\$526,764

*Calumet and Manitowoc Counties worked together in a cooperative Clean Sweep. Manitowoc served as fiscal agent.

** Marinette and Oconto Counties worked together in a cooperative Clean Sweep. Marinette served as fiscal agent.

+ The Northwest Clean Sweep: Ashland, Bayfield, Burnett, Douglas, Iron, Price, Rusk, Sawyer, Taylor and Washburn Counties.

++ Oneida County also provided service to Vilas County.

Table 10

2006 WISCONSIN CLEAN SWEEP PROGRAM: AG DATA SUMMARY

County	Sweep Date	Farmers Served	Businesses Served #	Pounds-Businesses	Pounds-Farmers	Total Pounds Collected	County Cost	Farm Cost	Business Cost	DATCP Cost
Brown	3/31	17	404-7	2,280	4,349	6,629	\$1,507	\$4,530	\$274	\$4,804
Calumet *	5/19 – 5/20	24	5-0	0	2,598	2,598				
Clark	9/29 – 9/30	40	4-0	0	4,705	4,705	\$8,643	\$10,500	0	\$10,500
Dane	5/17 – 10/11	12	8-8	2,654	4,834	7,488	\$42,495	\$13,500	\$2,244	\$15,744
Dodge	9/15 – 9/16	52	15-2	7,812	11,090	18,902	\$6,407	\$10,500	\$276	\$10,726
Jefferson	4/8; 5/6; 9/9	48	33-1	2,036	14,935	16,971	\$5,227	\$13,556	\$1,079	\$14,635
Manitowoc *	5/19	19	17-0	0	3,621	3,621	\$7,881	\$16,500	0	\$16,500
Marinette **	5/19 – 5/20	19	2-0	0	5,360	5,360	\$9,060	\$19,705	0	\$19,705
Marquette	6/9	40	0	0	4,994	4,994	\$1,980	\$6,063	0	\$6,063
Northwest Clean Sweep +	May – Sept.	73	3-3	8,417	15,382	23,799	\$9,973	\$34,508	\$492	\$35,000
Oconto **	5/19 – 5/20	28	0	0	4,097	4,097				
Oneida ++	Year Round	23	64-0	0	2,300	2,300	\$5,156	\$11,415	0	\$11,415
Ozaukee	9/8 – 9/9	15	1-0	0	1,966	1,966	\$1,100	\$4,307	0	\$4,307
Pierce	4/1; 9/16	58	6-1	376	1,365	1,741	\$5,350	\$6,641	\$98	\$6,739
Portage	4/17 – 12/1	0	10-3		0		\$2,588	0	\$2,115	\$2,115
St. Croix	5/19; 9/15	18	30-0	0	6,887	6,887	\$3,760	\$14,792	0	\$14,792
Wood	5/12; 9/8	26	12-0	0	7,320	7,320	\$4,747	\$10,041		\$10,041
	TOTALS	512	614-25	23,575	95,803	119,378	\$115,874	\$176,556	\$6,578	\$183,136

* Calumet and Manitowoc Counties worked together in a cooperative Clean Sweep. Manitowoc served as fiscal agent.

** Marinette and Oconto Counties worked together in a cooperative Clean Sweep. Marinette served as fiscal agent.

+ The Northwest Clean Sweep: Ashland, Bayfield, Burnett, Douglas, Iron, Price, Rusk, Sawyer, Taylor, and Washburn Counties.

++ Oneida County also provided service to Vilas County.

Business numbers reflect total businesses served and those that received the DATCP subsidy. DATCP numbers are on the right.

Compliance and Investigation

Wisconsin residents expect that pesticides will be used properly, that animal feed products are safe and wholesome and that the seed and fertilizer they purchase will be suitable for use. When problems are suspected, complaints are received or inspections disclose problems, the Compliance and Investigation Section ensures that these concerns will be properly investigated and addressed. The Section investigates a wide variety of complaints related to feed, fertilizer, soil and plant additives, seed, lime and pesticides each year, including those related to product distribution, use, disposal and environmental contamination.

Staff and Funding

The Compliance and Investigation Section has 14 Environmental Enforcement Specialists (EES) who conduct inspections and investigations for the ACM Bureau. Most formal enforcement actions are prepared by office and supervisory staff of this section. While the section includes 18 staff, the FTE time and program costs are included within the totals for each ACM program, based on the time spent conducting these inspections, investigations and compliance activities.

Program Activities

In 2006, ACM investigated 202 complaints. Pesticide complaints were, by far, the largest area of activity. Of the total complaints, 131 cases involved potential violations of ch. ATCP 29, Wis. Adm. Code, Wisconsin's pesticide use and control rule.

There also were three investigations of pesticides or nitrates exceeding health standards in groundwater and 31 new site-remediation cases.

Complaints of pesticide misuse in 2006 were 19 percent higher than in 2005 – the second year in a row with increases. Excluding groundwater and remediation cases from the total, there were 169 pesticide, feed, and fertilizer cases in 2006, 41 more than in 2005. Chart 2 on the

following page provides a historical summary of cases and violations.

The Section documented violations in 114, or about 56 percent, of the cases investigated in 2006. This compares to the violation rate of 52 percent in 2005.

Violations may result in actions ranging from verbal warnings issued in the field to court

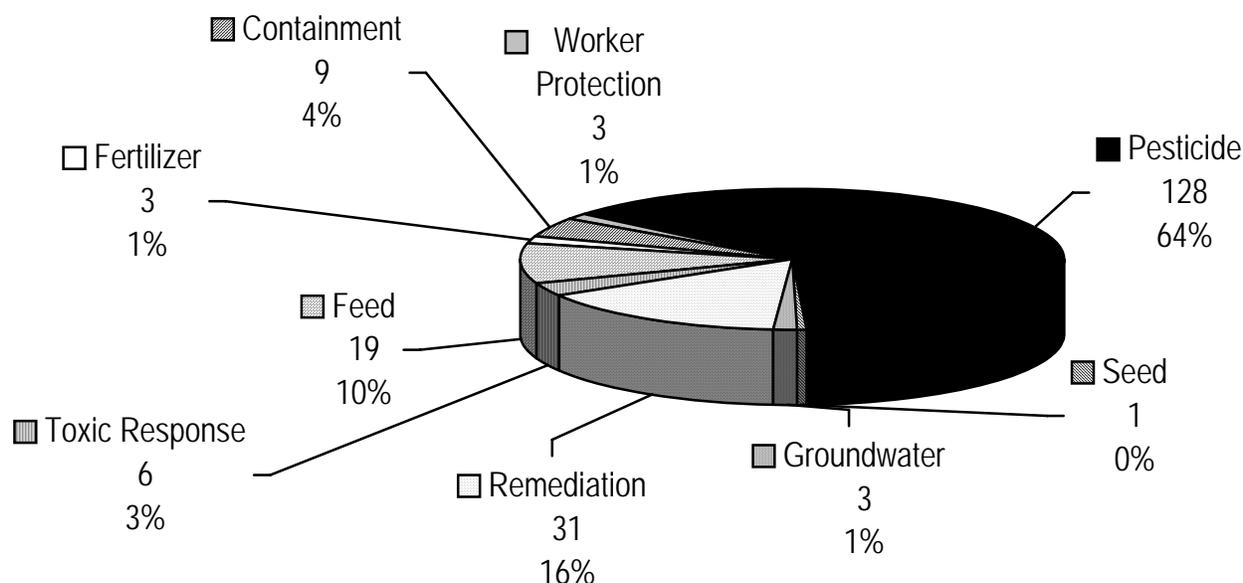
action invoking civil or criminal penalties. Pesticide violations involving federal requirements also can be referred to the EPA for further action. The section made two referrals to EPA this year. Table 12 shows the number and type of enforcement actions taken during 2006.

The Division assigns the highest response priority to investigating complaints involving human exposure to pesticides. In 2006, staff investigated six cases involving potential human exposure and found violations in three of these cases resulting in civil forfeiture actions.

Compliance and Investigation Highlights

- ★ **202 Complaints investigated**
 - **138 pesticide related**
 - **114 violations**
 - **56% violation rate**
- ★ **6 Toxic responses**
- ★ **214 Enforcement actions**
- ★ **505 Facilities inspected**

Figure 1
Compliance and Investigation Complaints



Out of the 31 complaints of alleged pesticide drift in 2006, 11 investigations documented violations involving drift of pesticides. Drift is the movement of pesticides away from target areas, caused by wind, volatilization, or other factors. This is similar to drift complaints and violations in 2005. During 2006, staff responded to six complaints involving the aerial application of pesticides and determined that violations occurred in three of these cases. Civil forfeiture actions are pending.

The Bureau serves as DATCP's coordinator for toxic response investigations. These cases involve illness or death of primarily food producing animals from unknown causes. Cases may be conducted as toxic

responses if non-food producing animal deaths of significance occurs. In 2006, staff responded to six toxic response cases. In one case, cows were dying with blood showing high lead levels found to be due to lead shot from a shooting range. In another case, 14 calves were dead from arsenic poisoning from abandoned pesticide products stored in an old shed accessible to the calves. In three cases involving horses, animal health and disease issues lead to the deaths. The final case involved the die off of fish on a fish farm. Runoff of pesticides was suspected, but lab analysis showed no pesticide impact. Possible problems with oxygen levels in the pond are suspected to have caused the problem. Table 11 summarizes case investigations and violation rates for the major categories of pesticide use.

Chart 2
VIOLATION RATES 2002 - 2006

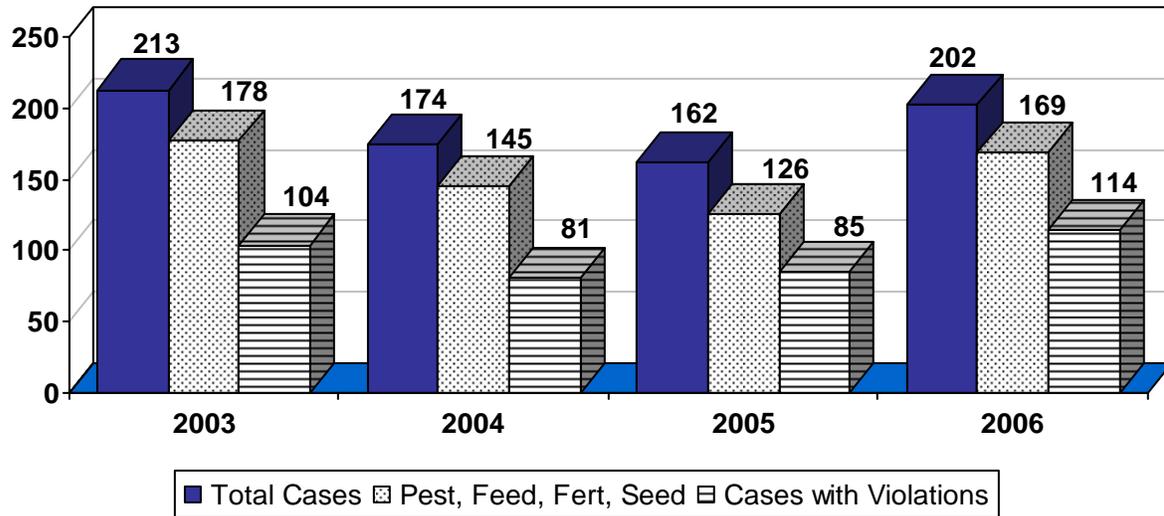


Table 11
PESTICIDE VIOLATIONS 2002-2006

Type of Case	Number of cases (percent with violations)				
	2002	2003	2004	2005	2006
<i>Aerial – Airplane</i>	7 29%	1 0%	1 100%	1 0%	5 40%
<i>Aerial – Helicopter</i>	1 0%	0 0%	3 0%	3 67%	1 100%
<i>Greenhouse – Nursery</i>	1 100%	1 0%	1 100%	0 0%	3 100%
<i>Ground Application-Ag</i>	37 43%	37 57%	26 54%	30 43%	36 69%
<i>Improper Disposal</i>	8 70%	8 87%	6 100%	2 0%	1 0%
<i>Other Non-Ag</i>	18 78%	19 47%	12 50%	12 62%	16 44%
<i>Poor Operating Practices</i>	7 71%	9 67%	4 50%	8 75%	7 71%
<i>Right-of-Way</i>	0 0%	3 67%	3 0%	0 0%	1 100%
<i>Structural</i>	17 65%	7 100%	12 92%	6 100%	7 86%
<i>Turf & Ornamental</i>	48 56%	51 61%	35 66%	31 66%	33 64%
<i>Vandalism</i>	0 0%	5 60%	1 0%	3 67%	5 60%

Table 12
ENFORCEMENT ACTIONS -- 2006

Action Taken	Number of Actions
Informational letters	8
Letter of Concern	7
Criminal Action	1
Warning Notice – Investigator	54
Warning Notice – Office	17
Administrative Order	11
Civil Forfeiture Action	39 complete/ 25 pending
Referred to US EPA	2
Administrative Conference	50
TOTAL ACTIONS	214

Endangered Species Habitat Program

DATCP's Endangered Species Habitat Program (ESHP) assists the U.S. Environmental Protection Agency's (EPA) Endangered Species Protection Program mandated by the federal Endangered Species Act of 1973. DATCP's ESHP works for protection of endangered and threatened species found in Wisconsin and emphasizes the minimization of economic impacts to pesticide users and other affected parties.

Program partners include the EPA, U. S. Fish and Wildlife Service, Wisconsin Department of Natural Resources, The Nature Conservancy, Prairie Enthusiasts, and many grower groups. Program staff meets with affected and interested persons and groups to provide information about listed species and their habitats and assists with planning pesticide use near listed species sites. Staff also inspect sites and monitor species, provide public education to groups, and participate in other agency and group conservation projects. As county bulletins are developed for Wisconsin by the EPA, the program will assist pesticide users with locating specific sites needing protection.

Staff and Funding

In 2006, the Endangered Species Habitat Program accounted for 1 FTE and \$110,075 in program costs funded through an EPA grant and the ACM Fund.

Program Activities

Eastern prairie fringed orchid: During this, the program's tenth season of statewide monitoring of this species, staff coordinated monitoring or monitored 12 orchid sites with other agency and volunteer help and found

an all-time high of 1219 orchids, likely due to the management efforts expanded by one particular landowner. The orchid sites are, in many cases, embedded in agricultural sites and surrounded by drainage and spray activities. Due to the orchid's five year flowering delay as well as weather vagaries, the number of orchids found annually during the last 10 years has ranged from 600 to 1200 on 12 to 16 sites in Wisconsin. Staff assisted landowners and managers with

pesticide planning and tracking, as well as caging the orchids to discourage deer predation.

Native freshwater mussels:

Two federally-listed and 16 state-listed mussel species occur in Wisconsin and water quality is the main concern. In 2006, staff

re-sampled waters in the St. Croix and Namekagon watersheds for pesticide residues in the upper sediments where young mussels become established. No pesticide residues were detected in the samples, even at the lower detect levels related to aquatic species protection guidelines.

Emerging Issues

Phragmites australis is a tall invasive grass overtaking the Lake Michigan's shores especially on the exposed lake bed but also in other disturbed sites. During 2006, staff assessed the prevalence of this species in the proximity of endangered species habitats in Door County. Program staff submitted two grant proposals to study, in 2007, the impacts of herbicides in use in *Phragmites* control on the floristic ecology of the Lake Michigan coastline.

Endangered Species Highlights

- ★ **12 orchid sites monitored**
 - **1219 orchids found**
(all-time high)
- ★ **St. Croix and Namekagon watersheds samples**
 - **No pesticide residues found**

Feed

The Feed program's purpose is to assure the public and manufacturers that animal feed (including feed ingredients) is unadulterated, meets label guarantees, and is safe and effective. This is accomplished by feed mill inspections and surveillance sampling conducted by EES, under authority of the Wisconsin Feed Law (s. 94.72, Wis. Stats.) and ch. ATCP 42, Wis. Adm. Code.

that are essential to maintain safety of medicated feeds and medicated feed ingredients. The inspection process evaluates a firm's facilities and equipment, and the receipt, use and distribution of medicated feeds and feed ingredients. During GMP inspections, samples of feeds and components may be collected for analysis. These samples are examined for drug potency, and contaminants.

Staff and Funding

The feed program required 5.1 FTE staff time. Work includes sampling, performing field investigations, issuing licenses, collecting and auditing tonnage fees, and conducting education and information outreach activities with the industry. The program spent \$884,328 in staff, supply and laboratory costs from the ACM Fund and the FDA inspection contract.

Program Activities

The feed industry's size has been fairly stable, showing little change in the numbers of licensed manufacturers and distributors. During 2006, the department issued commercial feed licenses to approximately 1270 firms. These firms distributed a collective 3.7 million tons of commercial feed and feed products, a 15% increase over 2005.

The program continues to monitor compliance through Good Manufacturing Practices (GMP) inspections supported by product sampling. The GMP inspections are a detailed review of systems and practices

Compliance activities and special projects:

In 2006, staff completed 95 GMP inspections--and collected and analyzed 124 feed samples--at 238 Wisconsin medicated feed producers. The samples assist in the assessment of a facility's ability to produce feeds that are not misbranded or adulterated.

Of the inspections, the program identified 39 firms as suspected of

being in violation of Wisconsin's or FDA's feed regulations. The noted violations were similar to the 44 violations found in 2005 and were evenly split between operating outside of the GMPs and improperly labeling medicated feeds. The program identified 7 of these documented firms as distributors of feeds that were defined as adulterated. The adulterated feeds were either mislabeled by not including adequate directions for use, precautionary statements and other medicated feed information, or the products contained an unapproved drug or another potentially harmful substance. This type of inspection will continue to be a priority for 2007.

Feed Highlights

- ★ 1270 licenses issued
- ★ 3.7 million tons sold
 - 15% increase
- ★ 310 facilities inspected
- ★ 124 samples analyzed
- ★ 39 violations found
- ★ BSE expansion grant funded

Table 13
FEED PROGRAM 2003 – 2006

	2003	2004	2005	2006
Total Licenses	1260	1,300	1,286	1,270
Total Tonnage	2,595,140	2,670,004	3,233,068	3,720,000
Number of Federal Inspections (BSE and Medicated Feed)	188	208	192	215
Number of GMP inspections	106	155	131	95
Total Number of inspections (federal and GMP)	294	363	323	310
Number of Samples	159	104	128	124

FDA Inspection Contract: Firms that use certain types of medications and antibiotics in feed products are required to hold a medicated feed license with the Food and Drug Administration (FDA). The DATCP has a contract with FDA to inspect these mills and is reimbursed by FDA. Eight firms were inspected under the 2006 FDA medicated feed mill contract and staff found no significant violations. In addition to the inspection of medicated feed manufacturers, the department has contracted with FDA to inspect feed manufacturers for compliance with 21 CFR 589.2000, Animal Proteins Prohibited from Use in Ruminant Feeds. This federal regulation is commonly known as the BSE Feed Ban. In 2006, staff completed 207 contract inspections. These inspections also serve as outreach and education activities. Wisconsin firms continue to demonstrate an excellent working knowledge of the regulation.

Emerging Issues

FDA BSE Program Expansion Grant:

With the confirmation of Bovine Spongiform Encephalopathy (BSE) in Canada and the United States, it will continue to be an issue for the livestock and feed industries. To improve the level of compliance, and to enhance the level of consumer and trading partner confidence, FDA offered

cooperative agreements to state feed programs to expand their surveillance and compliance programs. DATCP was one of eight states to receive one of the cooperative agreements (grants). Funds secured through the grant were used to purchase equipment and supplies to conduct “state of the art” feed analysis for materials prohibited in ruminant animal feeds. In addition, the grant provided funds for staff training, and the hiring of two project positions. These two positions will be used exclusively for investigations, sampling and analysis to verify the level of compliance within both the feed industry and ruminant animal feed operations. The program is also working with the divisions of Animal Health and Food Safety to evaluate on-farm compliance with the feed ban.

Feed program staff will continue to work with other department personnel to develop, test and implement response plans to protect the state’s animal industries from potential bio-terrorist attacks and foreign animal disease outbreaks.

Concerns about antibiotic resistance in treatment of livestock and human health are also propelling the program’s continuing investigations into the illegal use of medicated feeds.

Fertilizer/Soil or Plant Additives/Lime

The DATCP is responsible for enforcing the Wisconsin Fertilizer and Soil and Plant Additive laws and rule (s. 94.64 and s.94.65, Wis. Stats. and ch. ATCP 40, Wis. Adm. Code), and the Liming Materials Law and rule (s. 94.66, Wis. States and ch. ATCP 41, Wis. Adm. Code). This program regulates agricultural, household, commercial lawn care, and athletic turf fertilizer and soil or plant additives. The primary goal of the program is to prevent false or misleading claims and guarantees in the distribution of these products.

Manufacturers, labelers and distributors of these products are required to be licensed and product labeling must be approved and/or permitted before distributed into the

state. The label review and permitting process ensures that products sold in this state are efficacious, useful and do not mislead the consumer. Fertilizer products are also randomly sampled and analyzed to ensure that the products meet their label guarantees, and blending facilities are inspected in order to achieve compliance with the regulations.

Staff and Funding

The fertilizer, soil and plant additive and lime programs collect revenues as described in the Financial Overview section of this report. The

number of licenses, permit applications and tons of products distributed in past years are reported in the following tables. In 2006, these programs required 2.4 FTE staff with total staff, supply and lab costs of about \$354,048. The program was funded from the ACM Fund.

Fertilizer, Soil and Plant Additives, and Lime Highlights

- ★ 735 total licenses issued
- ★ ~ 2,300,000 tons sold
- ★ 265 permit applications
- ★ 327 samples analyzed
- ★ Label Standards not met
 - 13.4% bagged
 - 30% liquid
 - 9.9% dry bulk

Program Activities

License numbers declined slightly from 2005 from 640 to 575. We continue to see ownership changes through purchases and mergers. The Department is seeing an increase in the number of microbial, non-nutrient and low analysis products.

The number of fertilizer permits also decreased slightly from the previous year. However, Wisconsin fertilizer manufacturers reported distributing 1,230,376 tons of fertilizer,

an increase of approximately 3.5 percent from 2004-2005. Fertilizer tonnage is reported for July 1, 2005 through June 30, 2006.

The number of soil and plant additive license applications declined slightly from the previous year, while the permits issued decreased significantly. The 4,806 tons of soil and plant additives reported to the department were sold during the 2005 calendar year and also represented a significant drop. The number of tons of soil and plant additives and lime sold in 2006 will be included in the 2007 Annual Report.

Table 14
FERTILIZER PROGRAM 1997-2006

Reporting Year (7/1-6/30)	Number of Licenses	Permit Applications	Tons Sold
1996-1997	577	131	1,363,870
1997-1998	523	107	1,330,810
1998-1999	577	134	1,431,090
1999-2000	581	105	1,282,136
2000-2001	549	156	1,228,132
2001-2002	524	188	1,284,386
2002-2003	NA	285	1,225,888
2003-2004	540	253	1,338,695
2004-2005	640	220	1,188,930
2005-2006	575	212	1,230,376

Table 15
SOIL AND PLANT ADDITIVE PROGRAM 1997-2006

Reporting Year (7/1-6/30)	Number of Licenses	Permit Applications	Tons Sold
1996-1997	36	29	2,384
1997-1998	39	8	4,413
1998-1999	44	18	3,922
1999-2000	43	42	3,598
2000-2001	50	25	8,040
2001-2002	44	57	6,292
2002-2003	NA	91	NA
2003-2004	63	99	NA
2004-2005	77	82	10,089
2005-2006	70	53	4,806

Table 16
LIME PROGRAM 1997-2006

Reporting Year (7/1-6/30)	Number of Licenses	Tons Sold
1996-1997	107	1,380,466
1997-1998	96	1,475,032
1998-1999	106	1,411,663
1999-2000	93	1,132,020
2000-2001	91	1,071,647
2001-2002	101	1,139,251
2002-2003	92	1,147,250
2003-2004	89	1,197,223
2004-2005	92	1,163,760
2005-2006	90	NA

In 2006, DATCP's laboratory staff analyzed 320 routine fertilizer samples and seven additional samples associated with consumer complaints.

Laboratory analysis indicated that 13.4 percent of the bagged samples did not meet their label guarantees. Of the liquid samples, 30 percent did not meet their label guarantees, while 9.9 percent of dry bulk fertilizer samples did not meet label guarantees. The most prevalent grade of fertilizer sold in 2006 was 9-23-30.

Compliance Actions

In 2005, two fertilizer blending facilities entered into Compliance Assurance Agreements with the department in an effort to identify and correct their below compliance standard of mixed fertilizer. A third fertilizer blending facility was identified as requiring more product sampling and oversight by an environmental enforcement specialist.

One of the companies under assurance for the 2006 sampling season was no longer selling fertilizer in 2006 and no samples were collected at this site. The other facility under assurance and the third facility that required

additional sampling oversight showed marked improvement in meeting their labeled guarantees. No facilities sampled in 2006 were identified as requiring Compliance Assurance Agreements for 2007.

Emerging Issues

DATCP revised *Ch. ATCP 40 – Fertilizers and Related Products* in 2004. The revised rule went into effect in October 2005. ATCP 40 now exempts federally approved organic products labeled solely for organic production from the permitting requirements. It also exempts non-packaged manipulated manure from license and tonnage requirements provided it is distributed to land that is under a nutrient management plan. The revision also includes heavy metal standards that limit the amount of heavy metals in fertilizers and soil-and-plant additives.

The new rule better defines and clarifies requirements for bulk and special-use fertilizers and soil and plant additives. Fertilizer program staff are increasing outreach to the regulated community and revising application forms to help increase awareness of these changes.

Pesticide Applicator Certification and Licensing

The DATCP is responsible for administration of the state's pesticide applicator certification and licensing program. The related licenses and permits include:

- **Business location license**, required for any business making for-hire pesticide applications.
- **Individual commercial applicator license** required for persons applying any pesticide on a for-hire basis--excluding janitorial use of sanitizers, disinfectants and germicides--and any person using a restricted-use pesticide as a commercial applicator.
- **Veterinary clinic permits**, required if a clinic uses pesticides in animal treatment.
- **Restricted-use pesticide dealer license**, required for pesticide dealers selling restricted-use pesticides.

Staff and Funding

During 2006, the Certification and Licensing Program required 3.1 FTE staff, several of whom were limited-term employees who work during critical time periods for re-licensing and certification. In FY 2006, staff and supply costs for this program totaled \$259,456 and were funded through the ACM Fund and EPA Cooperative Agreement.

Program Activities

Commercial for-hire pesticide applicators and handlers must be both licensed and certified, whether they are using restricted-use or general use pesticides. In 2006, there were 6,207 licensed commercial for-hire applicators, and 1,079 licensed commercial not-for-hire applicators. Commercial not-for-hire applicators (such as grounds crews and golf course superintendents) must be certified and

licensed only if applying or handling restricted-use pesticides. Of the 1,079 licensed commercial not-for-hire applicators, 697 of these license holders were employees of governmental or educational institutions. The licenses must be renewed each year, but the certification exam per category is taken every five years. Commercial

applicators can be certified in 20 different application categories, such as field and vegetable crops, forestry, or aerial applications.

Private applicators (such as farmers) must be certified if applying or handling restricted-use pesticides. Private applicators can be certified in 6 different categories, such as general agriculture, greenhouse and nursery, or chemigation applications. A private certification exam also must be taken every five years.

Emerging Issues

In 2006, the program continued to refine the pesticide applicator certification database. One refinement includes online certification

Pesticide Applicator Certification and Licensing Highlights

- ★ **28,002 Total Applicators Certified**
 - **15,101 Private**
 - **12,901 Commercial**
 - **6537 certified in 2006**
- ★ **9745 Licenses**
 - **1685 Business Location**
 - **7304 Individual Commercial**
 - **383 Restricted Use Dealer**
 - **373 Veterinary Clinic**
- ★ **87 Training Sessions**

exam (both private and commercial) results. A significant enhancement scheduled for 2007 includes providing applicants who take

the certification exam specific information about their exam score, including their results in specific content areas.

Table 17
LICENSES AND PERMITS 2002-2006

Type of license/permit	2002	2003	2004	2005	2006
Business location license	1322	1376	1362	1304	1685
Individual Commercial Applicator license	6529	6482	6772	6921	7304
Restricted-Use Dealer license	417	380	344	343	383
Veterinary Clinic permit	298	299	305	279	373

Table 18
CERTIFICATIONS 2002-2006

	2002	2003	2004	2005	2006
Certified Pesticide Applicators					
Private Certified	2714	4095	2210	2097	3953
Private Exams Given	2803	4187	2239	2142	4011
Commercial Certified	2650	2430	2622	2636	2584
Commercial Exams Given	3926	3277	3425	3536	3510
Total Applicators Holding Valid Certifications					
Private	18,087	16,865	16,298	15,919	15,101
Commercial	11,908	12,241	12,025	12,607	12,901
Total	29,995	29,106	28,323	28,526	28,002
Certification training sessions					
Private	110	200	150	157	74
Commercial	13	14	16	12	13
Total	123	214	166	169	87

Pesticide Programs and Product Licensing

General Overview

The pesticide programs cover a variety of pesticide activities, including registry and licensing, worker protection, landscape registry, special registrations and school integrated pest management. The staff and program costs for all the above pesticide programs during FY 2006 totaled 12.2 FTE and \$1,610,163.

Pesticide Registry and Licensing

Prior to distribution of pesticides for use in Wisconsin, pesticide manufacturers and labelers must be licensed and register their products in the state. Licensing ensures that products offered for sale in the state are properly registered by EPA, and creates a level playing-field for the pesticide industry. License fees are based on the type of product and the amount of product estimated to be sold in the current year. These fees are part of the ACM fund that supports the work of all of the department's pesticide-related programs.

Typically the program hires a limited term employee (LTE) to inspect retail pesticide

outlets and determine if the products being distributed have the required licensing.

In 2004, the program began implementing a 2003 law change which required licensees to calculate product registration fees based on estimated sales for the current licensing

year. Under this change, at the end of a licensing year, the licensee reconciles the fees based on the actual sales for the previous year. This change in fee calculations resulted in the program converting to a new licensing database system. The new system requires substantially more reconciliation of the reported data at the end of each year.

Program Activities

Staff renewed or issued pesticides licenses to 1,184 manufacturers and labelers in 2006 and, registered 10,835 pesticide products, a slight increase from 2005's licenses and products. For registration purposes, pesticides are classified as household, industrial, wood preservatives, or non-household products. Most products are registered for household, industrial, or non-household use with sales under \$25,000. Table 18 summarizes licenses and product registrations for the

prior five years.

Pesticide Programs Highlights

Pesticide Registry and Licensing

- ★ 1184 licenses issued
- ★ 10,835 products registered

Landscape registry

- ★ 1119 individuals
- ★ 17,043 addresses
- ★ 29 complaints

Worker Protection

- ★ 41 inspections
- ★ 25 violations

Special Registrations

- ★ 4 EPA exemptions
- ★ 3 local use

School IPM

- ★ 86% schools' trained

Table 19
LICENSEES AND REGISTERED PRODUCTS 2001 TO 2006

	2001	2002	2003	2004	2005	2006
Number of Licensees	1,109	1,139	1,149	1,214	1,149	1,184
Registered Products	10,446	10,472	10,748	10,906	10,754	10,835

Emerging Issues:

The department will continue to modify the licensing system to streamline the process for program staff and industry and conduct marketplace inspections during the next licensing cycle. In addition, the program is evaluating the issues related to electronic labels and the potential to migrate to electronic label submittals instead of paper copies in 2009.

landscape registry. They listed 17,043 addresses for which they requested advanced notification of pesticide applications in their neighborhoods, up slightly. The department received 29 complaints related to non-notification, and sent 14 warning letters. In general, the landscape companies continue to be cooperative in working with the department to make this program successful.

Landscape Registry

Since January 1993, ch. ATCP 29, Wis. Adm. Code, has required posting of landscapes treated with pesticides and advance notification of pesticide applications to neighboring residents who have requested this information. This information provides the public the information they need to be aware of pesticide applications so they may take steps to avoid possible exposure from pesticides to themselves, their children, or their pets. The names and telephone numbers of persons wishing to be notified of neighboring landscape applications are maintained by the program on an annual registry. This registry is provided to all licensed landscape businesses, which are required to provide the notice. No fee is required to be on the registry. Persons may list any property for which they want advanced notification on their block of residence or any immediately adjoining blocks.

Emerging Issues

The pesticide registry and landscape pesticide notification program continues to be popular with the public. Budget constraints and loss of positions make it difficult for the department to continue this service. The Bureau is evaluating electronic registration as a mechanism to streamline this program.

Worker Protection

The Department enforces regulations issued by the EPA and adopted into ch. ATCP 29, Wis. Adm. Code, to protect employees on farms, forests, nurseries, and greenhouses at greatest risk from occupational exposures to agricultural pesticides. The federal Worker Protection Standard (WPS) covers workers in areas treated with pesticides and those who apply pesticides. WPS regulations require notices of pesticide applications, personal protective equipment (PPE), and entry restrictions for treated areas. In addition, employers are required to provide workers with pesticide safety training, decontamination equipment, and emergency medical information.

Program Activities

In 2006, 1,119 people applied to be on the

WPS provides protections for migrant labor and seasonal workers in Wisconsin. It also reduces liability concerns for employers by assuring that workers and handlers have received training on pesticide exposure risks and what must be done to limit exposures.

Program Activities

During 2006, enforcement staff conducted 41 compliance inspections. Of these, about 40% were nurseries or greenhouses, 20% were cabbage (kraut) operations, 30% were associated with fruit or vegetable operations, and the remaining 10% were distributed between research farms, sod operations, and Christmas trees. Twelve (12) "Warning Notices" were issued and administrative hearings were held for two operations. One inspection came about through a complaint (for cause) and that case has continued into 2007. There remains a fairly high violation rate at inspected facilities. Twenty-five (61%) facilities had violations, although many were minor. The most common violations were related to pesticide safety training and central posting. Another high violation area was worker notice of pesticide applications.

Program staff worked extensively with the "cabbage for kraut" sector in 2006. In this sector, independent labor contractors provide labor for individual growers and pesticides are often aerially applied in very close association with the presence of workers. Staff held an educational/training meeting in March, but not all growers attended. The Program Specialist created standard field protocols when central posting and pesticide application in split-field settings problems arose.

Staff also assisted in a national assessment of WPS, commenting on 18 potential initiatives and sharing this information with UW-Extension for a national meeting in September. EPA undertook an in-depth examination of WPS due to farm worker safety protection concerns, and the

changing nature of pesticide application in various sectors.

Lastly, program staff finalized the process for coordinating the entry of inspection information into the Bureau's case tracking system (CTS). Integrating this information into CTS will ensure the permanent archiving and future use of the data.

Emerging Issues

Improving the selection and/or targeting process for higher priority agricultural operations remains an on-going need. The EPA remains concerned that inspections not only assure that workers and handlers in higher risk enterprises receive appropriate protections through WPS, but that facilities with known problems are brought into compliance in timely ways. The actual number of inspections in Wisconsin has dropped in recent years, and this trend continued in 2006.

It is essential for program staff to work with the professional organizations representing the larger and more problematic enterprise areas, some of which are very interested in WPS, and others that are not. Compliance is reasonable in the more progressive sectors, but more problematic in others.

Effective communication with workers also is important. Workers cannot be kept safe if they do not understand pesticide hazards and on-farm/site application protocols. It remains critical for EPA and Wisconsin to provide sufficient resources to help agricultural employers deploy language-specific materials, (e.g. forms, videos, flyers) as needs become known.

Special Registrations

The Special Registrations program responds to emergencies and special pest management needs of Wisconsin's agriculture producers. It also allows

pesticide manufacturers to test pesticides to gain experimental information on the effectiveness of new pesticides under Wisconsin conditions. Most of these special registrations occur on minor food crops, where effective pesticide products have not yet been fully registered or printed on the label, to control newly arriving or burgeoning populations of pests.

The program conducts Environmental Assessments for:

1. *Pesticide experimental use permits (EUPs)*, which permit pesticide testing prior to federal registration;
2. *FIFRA Section 18 emergency exemptions* whereby the EPA establishes temporary food tolerances for use of these pesticide products to meet significant economic or human and other animal health threats, or to address crises of imminent threat; and
3. *Special local needs (SLN) registrations*, which allows use of pesticides to meet a routine, non-emergency need when other pesticides are not registered or may not be effective. Those products intended for application to food crops have already been evaluated by EPA under the Food Quality Protection Act and environmental fate concerns and these sites are already approved for labeling. The Department asks manufacturers to add the site in need, to the label for marketing purposes.

Federal regulations require manufacturers to obtain an EUP if experiments are to be conducted on over 10 acres nationwide. Manufacturers are required to indicate those states where the product may be used. If experimental pesticides are applied to less than 10 acres nationwide, a federal EUP is not required. In these cases, Wisconsin requires a state-issued EUP if the test site is at least 0.5 acres in size or test sites encompass more than five acres total.

Program Activities

The Special Registration program again coordinated a broad, multi-state emergency registration for AQ, a corn seed coating that is unpalatable to Sandhill cranes and helps repel them from newly planted fields. The University of Wisconsin-Extension, the product registrant, and the International Crane Foundation provided support for this re-registration. The producers foresee this use in the future, as corn acreage increases to meet new market demands. As in 2005, the Michigan and Minnesota Departments of Agriculture enjoined the project and were able to benefit from the effort. The registrant intends to have the product fully labeled for mass marketing in 2008 after which this emergency registration will not be necessary.

In all, the program issued special registrations for three Special Local Needs and four Section 18 EPA emergency exemptions.

Emerging Issues

Endangered species (ES) are uniquely addressed on Wisconsin's special registered labels to provide applicators with practical instructions to protect them. In 2006, the Special Registration program participated in EPA's workshop to improve the national program that addresses ES.

The Special Registration Program will work together with the Department's ESHP to implement the national program in Wisconsin. This will involve extensive outreach to industry, coordination with EPA and training for internal partners and other agencies.

The program also continues to vigilantly work with researchers to monitor for Asian Soybean Rust (ASBR) and ensure that products are not improperly used. In 2006, there was no need to use the emergency products registered for the potential threat of ASBR.

School Integrated Pest Management

The School Integrated Pest Management (IPM) program provides support to Wisconsin's K-12 schools that want to develop customized IPM plans to meet the individual pest management needs and goals of each school district. The program makes available to schools the regulatory, technical and administrative information necessary to manage pests and use pesticides safely. The program provides IPM training, pest and pesticide consultation, staff workshops, and assistance to parents and guardians interested in their district's pest management practices and is networked with support staff from other agencies. The IPM program also has become a resource to people who work in non-school settings.

Program Activities

The Wisconsin IPM program has reached more than 86 percent of the state's school districts in regional sessions, distribution of the IPM manual and with direct, one-on-one district consultation. The department provided assistance on a variety of pest concerns including bats, pest bird populations, rodents, seasonal insect problems and on pesticide safety and selection issues.

In 2006, the IPM Program provided training sessions to three conferences of school personnel, addressing school staff at administrative and operations levels. This Wisconsin Association of School Business Officials (WASBO) incorporated the DATCP/UW training into their credential for continuing education of school facilities managers. The WASBO training has been

utilizing the IPM curriculum since 2004 and is maintained in the WASBO training library. The program also administers an EPA grant involving three school districts that are carrying out an IPM project to identify and measure the true costs for IPM methods applied to designated turf areas. The project, designed by the UW-Extension Horticulture Department, ran through 2006 and results are being compiled.

Emerging Issues

The program emphasizes safe, legal pesticide use and will continue to inspect schools to evaluate compliance with state laws for pesticide use on public school grounds.

Pesticide Use

Chapter ATCP 29, Wis. Adm. Code, also requires strict compliance with the EPA-registered pesticide label in the storage, handling and use of any pesticide. Chapter ATCP 30, Wis. Adm. Code includes restrictions for specific pesticides including atrazine, aldicarb, metam-sodium and others. Many of the Investigation and Compliance Section's activities (see earlier section in this report) are inspections of these practices and their associated records, as well as investigations of potential violations of the general label provisions or specific prohibitions contained in ch. ATCP 29, Wis. Adm. Code. Chapter ATCP 30, Wis. Adm. Code was opened in 2004 for revision related to use restrictions on products containing the active ingredients of chloropicrin and metam-sodium (common soil fumigants). The revision of ch. ATCP 30, Wis. Adm. Code continued through 2006, and will likely be adopted in 2007.

Water Quality Protection through Pesticide Management

One of the responsibilities of the Environmental Quality (EQ) Section is to implement programs and regulations to protect groundwater from pesticide and nutrient contamination under the groundwater protection rules contained in ch. ATCP 30, Wis. Adm. Code, Pesticide Use Restrictions and ch. ATCP 31, Wis. Adm. Code, Groundwater Protection Program.

To protect groundwater quality from pesticide and nutrient contamination, staff identify and analyze problem areas within the state. They investigate wells that exceed groundwater standards to identify potential sources of contamination and conduct statewide sampling surveys to characterize groundwater contamination and to evaluate the effectiveness of the department's water quality activities.

The groundwater monitoring program collects and uses sample data to determine which pesticides are contaminating groundwater. As information from these sources becomes available, the department develops regulations to prevent contamination above appropriate groundwater standards. The EQ Section also provides information to the public and to other state and federal agencies involved in water resource protection.

Staff and Funding

The ACM Fund and the federal EPA grant fund the water quality program. In fiscal

year 2006, the DATCP required 3.4 FTE staff for program activities, with staff, laboratory and other supply and service costs totaling \$752,890.

Funding for research and monitoring

The EQ Section received an EPA Office of Pesticide Programs discretionary grant in 2006 to install and sample monitoring wells at five different locations monitoring two state forestry seedling nurseries and three municipal stormwater infiltration basins.

Water Quality Highlights

- ★ **17 atrazine prohibition sites monitored**
- ★ **58 water samples analyzed**
- ★ **3 well incidents investigated**
- ★ **11 compounds detected in water**
- ★ **Pesticide use survey completed**

Program Activities

Atrazine rule development

In 2006, well sampling did not reveal any new atrazine contamination above the 3 part per billion enforcement standard. Therefore, the atrazine rule did not need revision. Currently, Wisconsin has 102 atrazine prohibition areas covering approximately 1.2 million acres.

Monitoring the reintroduction of atrazine in Prohibition Areas

In 2006, the EQ Section analyzed the data from this study. A total of 17 sites, covering a range of soil types, crop rotations, tillage and irrigation, were in this study. The EQ Section presented the study results to the Atrazine Technical Advisory Committee (ATAC) for their input. Based on the results of the study and input from the ATAC, the department recommended not proceeding with any repeal of atrazine prohibition areas at this time.

Monitoring well program

In 2006, the EQ Section collected 58 groundwater samples from monitoring wells near 23 agricultural fields and analyzed

them for pesticides of interest. Table 19 summarizes the number of fields, wells and samples collected for this program from 1993 to 2006. The program gradually has been abandoning old well sites due to owner request, failing wells or changing land use. This has resulted in a decline in the number of wells and samples the last several years. In the later part of 2005, seven new sites were identified and monitoring wells installed.

In 2006, staff detected eleven compounds in groundwater, and four of these compounds (nitrate, total atrazine, alachlor ESA and metolachlor) were found at levels above an existing or proposed enforcement standard. The table below lists the compounds most commonly detected in 2006 and the frequency of detection at the monitoring well sites.

Groundwater investigations

In 2006, the EQ Section conducted three complaint-based investigations at rural residences with wells containing nitrate-N over the 10 ppm enforcement standard. Section staff worked with the appropriate field staff to conduct the investigations to identify potential point and nonpoint source contributions to contamination in the wells.

Research and monitoring

Due to continuing budget constraints, no new or continuing pesticide research projects were funded in FY06. EQ Section staff continue to participate in the Groundwater Coordinating Committee Joint Solicitation process, helping to review and rank groundwater-related research.

Table 20
MONITORING WELLS 1993-2006

Year	Fields	Wells	Samples
1993	30	100	300
1994	30	99	265
1995	30	99	132
1996	30	99	50
1997	30	99	50
1998	26	83	79
1999	25	80	31
2000	22	33	37
2001	25	29	29
2002	16	20	20
2003	16	19	19
2004	16	17	17
2005	16	17	17
2006	23	29	58

Table 21

COMPOUNDS DETECTED AT DATCP MONITORING WELLS SITES IN 2006

Compound	Detection rate (%)	Over Enforcement Standard (%)
Nitrate	100	76
Alachlor ESA***	95	9
Atrazine (TCR)	36	5
Metribuzin	16	0
Metolachlor	5	2
Metolachlor ESA	95	No Standard
Metolachlor OA	69	No Standard
Alachlor OA	38	No Standard
Acetochlor ESA	43	No Standard
Metaxyl	10	No Standard
Simazine	14	0

*** Based on a Proposed Enforcement Standard of 20 ug

Monitoring of private wells that have exceeded standards

In 2006, the Environmental Quality Section collected and analyzed groundwater samples from 40 private wells that have historically exceeded pesticide enforcement standards. The main goal of this program is to track how the pesticide levels in these highly-impacted wells are changing over time. Most of these wells are within atrazine prohibition areas and many show declines in atrazine concentration. As of 2006, 10 wells are still above the enforcement standard for atrazine.

Pesticide Use Survey

In 2006, the Wisconsin Agriculture Statistics Service (WASS) and the EQ Section completed a major pesticide use survey for the 2003-2005 growing seasons. WASS conducted and reported this survey so that its results can be compared to previous pesticide use surveys (major surveys in 1985, 1990 and 1996 and annual summaries in 1991-2006). DATCP typically conducts a major pesticide use survey approximately every five to ten years so that long term trends in pesticide use in Wisconsin can be identified and studied.

WASS administered the survey by conducting personal interviews with farm operators. The various crops surveyed

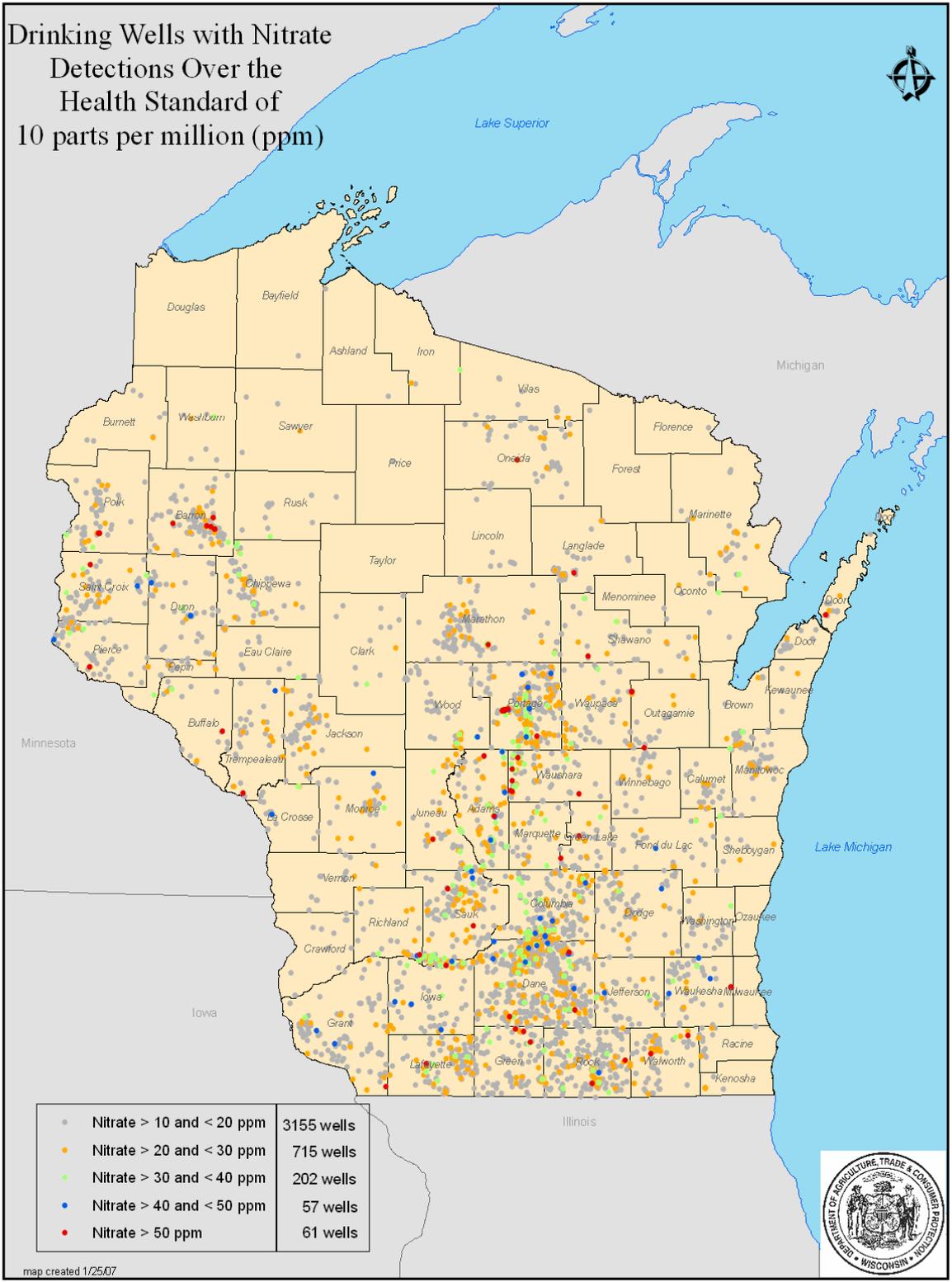
included field crops (corn, soybeans, barley, potatoes and oats), fruits (apples and tart cherries), and vegetables (fresh market cabbage, processing carrots, processing cucumbers, processing green peas, processing snap beans, processing sweet corn and fresh market sweet corn). The survey results show that pesticide use remains an integral part of crop production in Wisconsin.

Emerging Issues

Program staff spent a significant amount of time planning for the 2007 statewide groundwater survey. The survey is a stratified random survey of groundwater quality, utilizing over 400 private water supply wells. The wells will be tested for more than 30 commonly used or previously commonly detected agrichemicals or degradates. The purpose of the survey is to obtain a current and accurate picture of agrichemicals in Wisconsin groundwater and compare this survey with past surveys.

In 2007, staff also will be examining the increasing prevalence and magnitude of nitrate contamination of groundwater. The map below shows the distribution of nitrate detections over various multiples of the human health based enforcement standard.

Drinking Wells with Nitrate Detections Over the Health Standard of 10 parts per million (ppm)





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