

## Rev Ex Issue 4: ACCCP

Why do we have an  
Agricultural Chemical  
Cleanup Program?



A photograph showing four hands of different skin tones holding a circular chain of water splashes. The water is captured in mid-air, creating a ring-like shape. The background is white, and the overall image has a clean, high-contrast aesthetic. The hands are positioned at the top, bottom, left, and right of the water ring.

**Wisconsin has a  
longstanding  
environmental protection  
ethic.**

**We need clean water to  
sustain our unique  
agricultural and  
recreational land uses.**

# September 1989 Report Pesticide Mixing and Loading Case Study



5-Year Study by DATCP and DNR  
20 Agrichemical Dealership Sites  
Sampling of Soil, GW and SW

## Findings ???

- All sites = pesticide contaminants in soil
- Pesticides detected in GW 18 of 20 sites
- 14 sites > ES for one or more pesticides
- 18 different pesticides detected in GW
- Total pesticides in GW up to 23.9 ppm (!)
- 30 supply wells impacted at one location

# Resulting legislation

## 1993 Gov. Thompson signs bill creating Agricultural Chemical Cleanup Program (ACCP)

- ▶ Creates s. 94.73, Wis. Stats.--places ACCP at DATCP
- ▶ Identify and cleanup sites having pesticide and fertilizer contamination
- ▶ Provide reimbursements for costs incurred

# Other Key Statutes

- ▶ **Ch. 292:** “Remedial Action” statute, applies to all cleanups, regardless of any reimbursement program
- ▶ **Ch. 160:** Groundwater Protection Standards
- ▶ **s. 93.07(9)** , Wis. Stats: [DATCP] must comply with requirements of ch. 160 [Groundwater Protection] in the administration of any program, responsibility or activity assigned or delegated to it by law.

# Key Administrative Rules for ACCP

- ▶ Ch. ATCP 35 – DATCP Rule
  - ▶ Includes specific requirements for cleanups under ACCP
  - ▶ Frames eligibility requirements for reimbursement
- ▶ Ch. NR 700 – DNR Rule Series
  - ▶ Provides framework for all cleanups and investigations
- ▶ Ch. NR 140 – DNR Rule (DHS/DATCP/DSPS/DOT input)
  - ▶ Establishes GW standards required by ch. 160 Stats.
  - ▶ Establishes actions required when standards exceeded

# Today's ACCP

## Staff:

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Mae Friederich, Auditor  
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- ▶ Currently @150 *active* long-term (LT) cases
- ▶ 30-50 spill cleanups per year (not LT)
- ▶ About \$1.1M per year in reimbursements

# Entering the ACCP

- ▶ Spills
- ▶ Facility inspections
- ▶ Real estate transactions



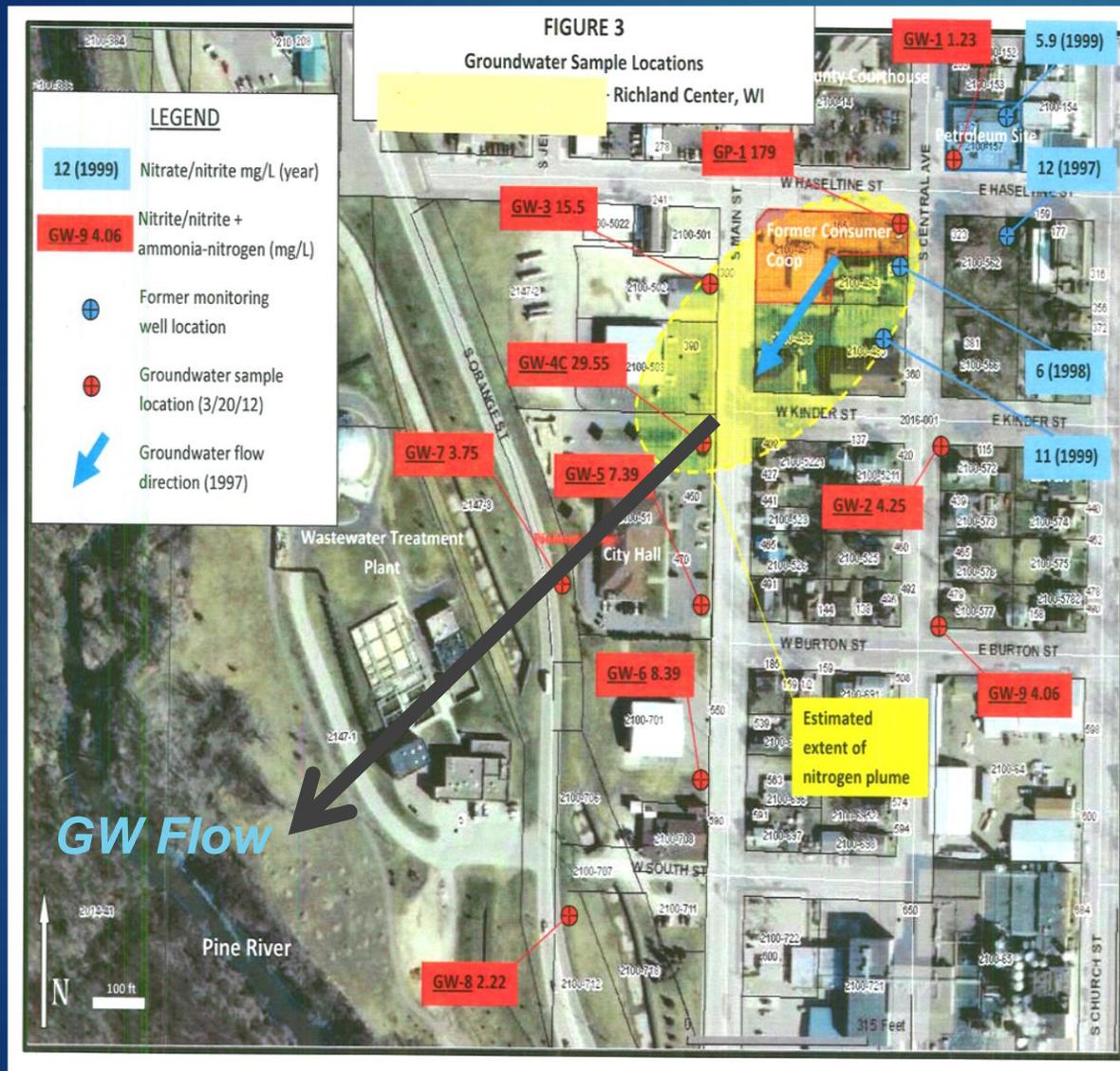
# Entering the ACCP

## ► Removal of Structures / Out-of-Use Structures



Discovery > Investigation > Remediation > Monitoring > Closure

# Discovery > Investigation > Remediation > GW Monitoring > Closure



## Soil and Groundwater Investigation

--Define lateral and vertical extents of soil contamination (NR 716)

--Evaluate groundwater when implicated Receptors? Supply wells? Other?

**75% of ACCP cases require groundwater investigation**

**Extent of GW contamination**

Discovery > Investigation > Remediation > GW Monitoring > Closure



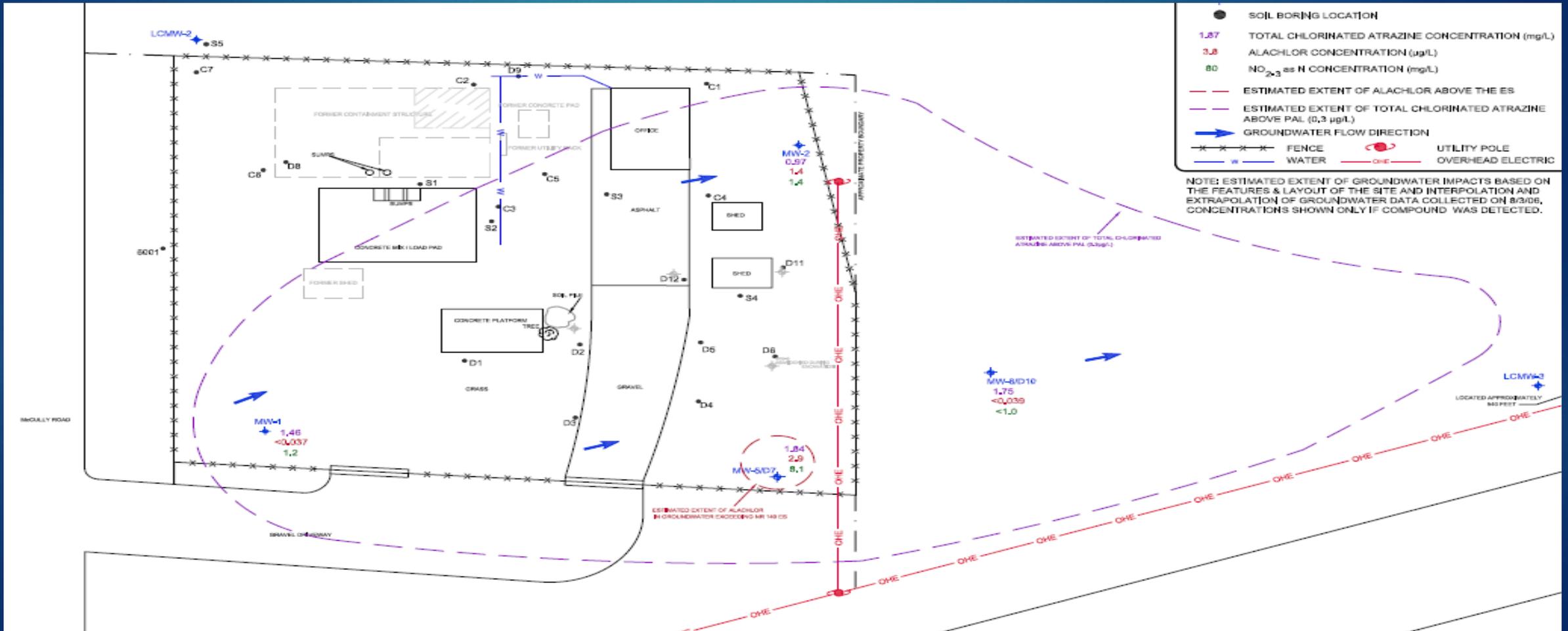
**“Preferred” cleanup approach...**

# Excavate, screen, land spread...



# Post-excavation GW monitoring

Typically involves GIS Registry (DNR web site)



# Cases Closed with/without GIS Registry Listing

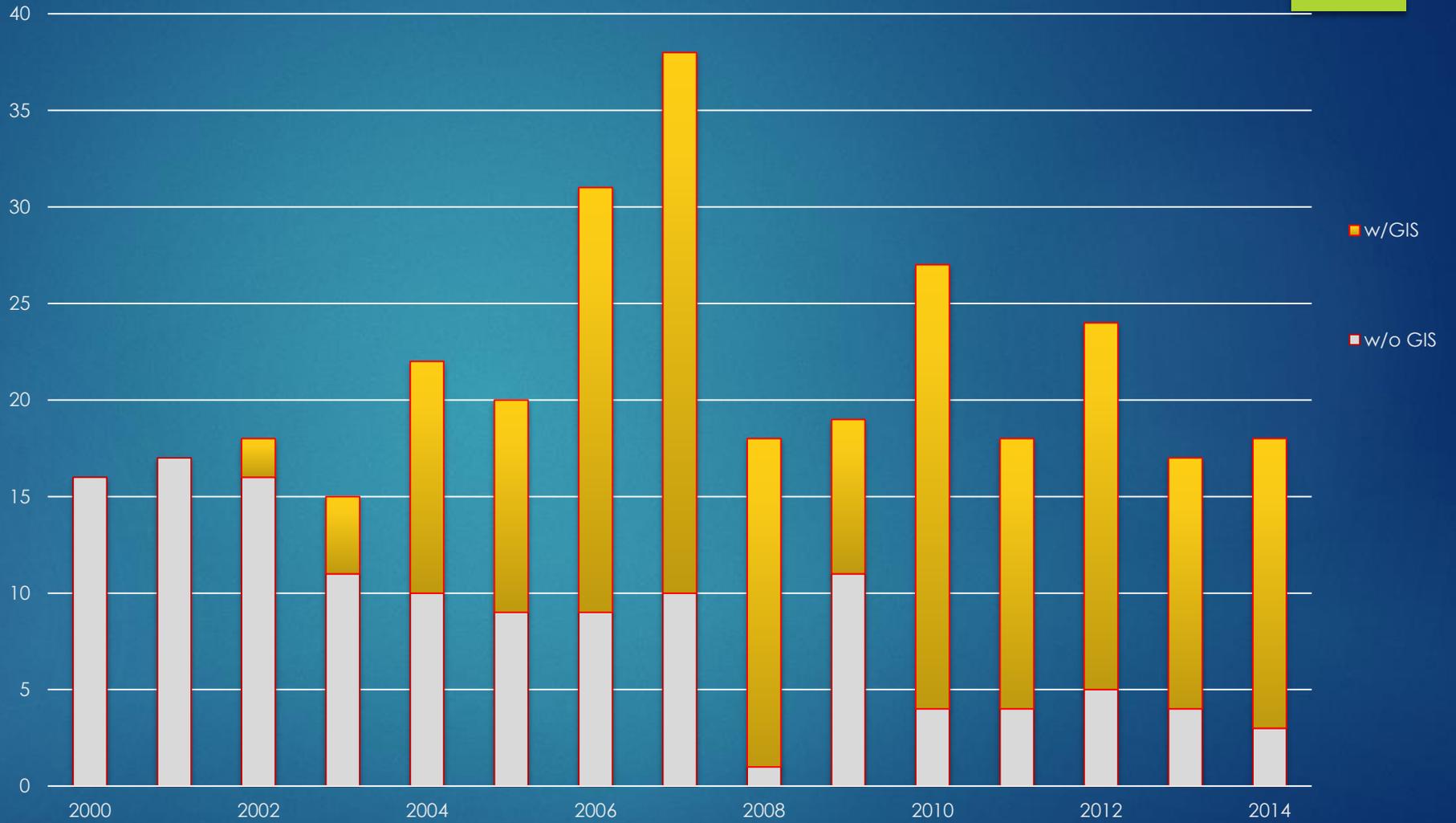
Discovery

Investigation

Remediation

Monitoring

Closure



“Closed” Does Not Mean “Clean”

Data from DNR  
BRRTS Database

# DATCP Case “Closures”

## 230 cases since Jan. 2005

- ▶ 74% have residual soil and/or gw contamination
- ▶ 60% have residual soil contamination
- ▶ 26% “clean”

# ACCP--20 years (1995-2015)

- ▶ 440 remedial action cases “closed”  
\$58 M eligible costs, \$43 M in payments
- ▶ 150 open cases  
\$1.1 M/year in payments  
Note: 22 open sites > reimb. maximum (34)
- ▶ 160 sites where “no action required”

# In summary, and looking forward...

- ▶ Cleanups are required regardless of reimbursement
- ▶ Currently operating “agchem dealerships” = 412
  - ▶ ATCP 33.70 Environmental assessments
  - ▶ Mergers & real estate transactions
- ▶ Hundreds of on-farm bulk storage locations

## ...looking forward (cont.)

- ▶ Future spills? (30-50 per year)
- ▶ A large number of “closed” cleanup sites with continuing obligations exist—many with significant contamination
- ▶ “New bulk sites” not eligible--8 of 30 containment plan reviews since July 2013
- ▶ 150 open ACCP cases today
- ▶ What about unknowns...undiscovered sites?