

Agricultural Chemical Cleanup Council
Meeting Minutes
Tuesday June 24, 2025

The ACCC meeting convened at 9:01 a.m. in Conference Room 266 at the Prairie Oak State Office Building on Tuesday June 24, 2025 and on Microsoft Teams video conference.

Council members present on Microsoft Teams: Arch Morton Jr., Joe Sikora, Jennifer Wickman, Tom Culp and Bill Whitworth. Kevin Solum joined at 9:17 a.m.

Department of Agriculture, Trade and Consumer Protection employees attending in person: Mark McColloch, Sally Ballweg and Alan Hopfensperger.

Attending on Microsoft Teams: Ryan Berzinski and a phone guest Logan Glasenapp joined, but was on mute and did not speak or answer our questions.

Mark: The Agenda is included in the Agenda book as well as shared on screen. Are there any Agenda repair items? There were none.

ACM / ACCP Update and Discussion

Ryan Berzinski:

The ACCP fee is still being collected at the half rate. The fund balance was reviewed on May 1, 2025 and the balance was still above \$750,000.00, so for the coming year, we will continue at the half rate. As said in the past, we think it is likely we will go below the \$750,000.00 balance by May 1, 2026, at which time the rate will increase to the full rate.

We continue with some vacancies, the Compliance Section Manager remains vacant and our Inspection Program Manager also remains vacant, however, should be going for review and posting soon. Art Fonk, one of our long serving EES's from the Southeast corner of the state, just retired.

We are reviewing the EPA pesticide strategies (Herbicide and Insecticide). The Insecticide strategy is out and we are going through it to decide how we are going to address that through outreach. It's not all bad, because most of our growing areas start at 2-3 points, so for the majority of general use, growers should be in a good starting position. We are working through the various materials that EPA continues to either put out or refine to figure out where there might be difficulties or where we might need to do outreach to ensure the people understand the discussions we have with them. We are also waiting to see what the label language is going to look like. Potentially a lot of room for variance in the language depending on the product, and we want to be clear as possible when questions arise.

The change in administration has also created some concerns and changes and we are trying to adapt. Some of which are part of our agreement with the EPA. We are updating ATCP 29 to bring it more in line with Federal regulations, we are about halfway through that.

There is a group of industry, NGO's, various personnel who have different perspectives on how we regulate pesticides. Once that group has a chance to look at the proposed changes and provide their recommendations, we are going to finalize our submission to the rest of the legislative process for updating ATCP 29.

Beyond that, the most recent proposed budget at the Federal level would zero out funding for cooperative agreements between the EPA and all states. It would eliminate federal funding to all states and tribes, would also eliminate PREP courses. If this passes through

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as proposed, the impact on us as a state would not be severe, but we would need to address the activities we do through that funding. That is just a proposal at this time, more to follow as we hear more.

Lastly, we are still working through our move to CRM and MyDATCPv3. Our Fertilizer, Spa and Lime unit are all going through user acceptance testing with the intent that tonnage reports and license renewals done late this summer/early fall, can be done online.

We went through this with our Feed unit earlier this year and the online process was a staggering improvement in processing time versus paper processing.

Not a lot of concrete changes, however, there are several changes that I'm sure many of you have heard about. Are there any questions for me? There were none.

Mark McColloch:

Sally reached out to our three council members, Arch, Jennifer and Bill, whose terms expire on June 30, 2025, and all three agreed to serve another two year term on our council. Sally will send out Reappointment Letters in July, once they are signed by our Secretary.

Public Records Law training and Ethics for Public Officials training sessions for 2025 have not yet been assigned to each council member. Our Human Resources Department is continuing to work through some changes and updates. Sally will keep you informed.

Meeting Minutes Approval from March 11, 2025

Meeting Minutes from March 11, 2025 are included as Insert 7 in our Agenda Book. Mark asked if there were any questions, items for discussion or items for repair on the minutes from the previous Council meeting. There were none.

MOTION: Jennifer Wickman moved, seconded by Arch Morton, Jr. to accept the minutes of the March 11, 2025 Council meeting. (Motion carried 6-0)

Post Meeting Memo and Post Meeting Table from March 11, 2025

The post meeting memo and post meeting table are included as Insert 8 in our Agenda Books. Mark noted the Department and Council were in agreement on all decisions made regarding reimbursement amounts from the March 11, 2025 meeting. Mark asked if any comments. There were none.

Next Council Meeting

The next ACCC meeting was scheduled for Tuesday, September 23, 2025, starting at 9:00 a.m. Sally will send a meeting invite.

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Summary of ACCP Program Progress

- This is the final meeting for FY2025, which included four Council meeting between September 2024 and June 2025).
- For the ACCP program, 29 reimbursement applications were processed for FY 2025 compared to 34 applications for FY 2024.
- For this final meeting of FY 2025, 14 applications were processed. The total amount of costs submitted for all applications for this meeting is \$624,911.80.
- Total eligible costs for this meeting are \$621,369.46. Costs totaling \$3,542.34 were identified as ineligible for this meeting.
- The amount proposed for reimbursement for this meeting is \$446,422.11.
- The total amount of eligible costs submitted for all applications for FY 2025 (including this meeting) is \$1,425,442.80. The total amount reimbursed for FY2025 is \$1,002,355.83.
- One discharge site (the United Cooperative site at Pulaski) reviewed for today's meeting exceeded the \$400,000 cap, but not the \$650,000 cap.
- Six applications for four discharge sites will exceed the \$650,000 cap upon reimbursement. Those sites include the Alcivia and Agrilience applications for the Alcivia facility at Whitewater, the Agrilience site at Shiocton, the United Cooperative site at Eldorado, and the United Cooperative and Agrilience applications for the United Cooperative site at Johnson Creek. *(Note: Of the 38 site that exceeded the \$400,000 cap, 26 have been closed. Following this meeting, eight sites have exceeded the \$650,000 cap, and we expect 2 to 3 move sites to hit the cap within the next year).*
- Eight sites including the Agrilience site at Shiocton, the Alcivia site at Milltown, the Alcivia site at Elmwood, the Synergy Cooperative site at Ridgeland, the Reddy Ag Service at Stitzer, the United Cooperative site at Pulaski, the Allied Cooperative site at Adams, and the Insight FS site at Darlington, presented at today's meeting have been closed. All of these cases had prior reimbursements.
- The remaining four sites including the Alcivia site at Whitewater, the United Cooperative site at Eldorado, the United Cooperative site at Johnson Creek, and the United Cooperative site at Reedsburg, are performing post excavation long-term groundwater monitoring and moving towards closure.
- DATCP has responded to 21 spills so far in 2025, which is normal for the year.
- Overall, the number of active ACCP cases continues to decline (around 96). Since the last meeting, one new case was opened, one case was re-opened, and four cases were closed.

Mark asked if any questions or comments. There were none.

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Review of Applications

In your agenda books, you will find our proposed reimbursement summary sheets for 14 applications included as Inserts 10 through 23.

Costs for seven applications were found to be all eligible, and seven applications included non-eligible costs.

Applications with non-eligible costs:

There are seven applications with ineligible costs.

The first application with non-eligible cost is for the Agrilience site at Shiocton. The reimbursement summary sheets is included as Insert 12 in your agenda book. As shown, an application in the amount of \$21,055.51 was submitted and the department is recommending reimbursement in the amount of \$8,762.04. Please note that some eligible costs included with the application are not eligible because total costs exceeded the maximum allowable reimbursement for the \$650,000 cap. Costs totaling \$384.38 were identified as ineligible by the Department. As shown on the explanation sheet these costs were identified as ineligible because a 75 percent request was made per ATCP 35.16 (8) (c) for costs that exceeded DATCP budget approval for consultant services. *Note: There is no double deduction for the 75% request.*

Mark asked if there was any discussion. There were none.

Is there a motion to accept the Department's decision for non-reimbursement in the amount of \$384.38, which will reduce the reimbursement amount to \$8,762.04 as proposed by the department?

MOTION: Tom Culp moved, seconded by Bill Whitworth to accept the Department's recommendation for reimbursement. (Motion carried 6-0)

The second application with non-eligible cost is for the Alcivia site at Milltown. The reimbursement summary sheets is included as Insert 13 in your agenda book. As shown, an application in the amount of \$120,789.83 was submitted and the department is recommending reimbursement in the amount of \$91,435.82. Costs totaling \$750 were identified as ineligible by the Department. As shown on the explanation sheet these costs are ineligible because no receipts were provided for overnights. Please note that a 75% request was also made for costs that exceeded DATCP budget approval. *Note: The Department's recommendation for \$750 for ineligible costs includes a double deduction, but there is no double deduction for the 75% request.*

Mark asked if there was any discussion. There were none.

Is there a motion to accept the Department's decision for non-reimbursement in the amount of \$750, which will reduce the reimbursement amount to \$91,435.82 as proposed by the department?

MOTION: Arch Morton, Jr. moved, seconded by Joe Sikora to accept the Department's recommendation for reimbursement. (Motion carried 6-0)

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The third application with non-eligible cost is for the Synergy Cooperative site at Ridgeland. The reimbursement summary sheets is included as Insert 15 in your agenda book. As shown, an application in the amount of \$9,585 was submitted and the department is recommending reimbursement in the amount of \$6,931.49. Well abandonment costs totaling \$450 were identified as ineligible by the Department. As shown on the explanation sheet these costs are ineligible because no receipts were provided. *Note: The recommended ineligible amount includes double deduction costs.*

Mark asked if there was any discussion. There were none.

Is there a motion to accept the Department's decision for non-reimbursement in the amount of \$450 which will reduce the reimbursement amount to \$6,931.49 as proposed by the department?

MOTION: Tom Culp moved, seconded by Kevin Solum to accept the Department's recommendation for reimbursement. (Motion carried 6-0)

The fourth application with non-eligible cost is for the Reddy Ag Service at Stitzer. The reimbursement summary sheets is included as Insert 16 in your agenda book. As shown, an application in the amount of \$49,182.51 was submitted and the department is recommending reimbursement in the amount of \$37,011.68. Costs totaling \$375.16 were identified as ineligible by the Department. As shown on the explanation sheet the ineligible cost is \$80 for using an hourly rate for consultant services above the approved rate, and \$22.66 for ineligible expenses. Additionally costs totaling \$272.50 were identified as ineligible because a 75 percent request was made per ATCP 35.16 (8) (c) for costs that exceeded DATCP budget approval for consultant services. *Note: The Department's recommendation of \$102.66 for ineligible costs includes a double deduction, but there is no double deduction for the 75% request.*

Mark asked if there was any discussion. There were none.

Is there a motion to accept the Department's decision for non-reimbursement in the amount of \$375.16 which will reduce the reimbursement amount to \$37,011.68 as proposed by the department? *(Tom Culp abstained and acknowledged such).*

MOTION: Joe Sikora moved, seconded by Arch Morton, Jr. to accept the Department's recommendation for reimbursement. (Motion carried 5-0)

The fifth application with non-eligible cost is for the Allied Cooperative site at Adams. The reimbursement summary sheets is included as Insert 19 in your agenda book. As shown, an application in the amount of \$11,488.52 was submitted and the department is recommending reimbursement in the amount of \$8,585.84. As shown on the explanation sheet costs totaling \$134.06 were identified as ineligible because a 75 percent request was made per ATCP 35.16 (8) (c) for costs that exceeded DATCP budget approval for consultant services. *Note: There is no double deduction for the 75% request.*

Mark asked if any discussion. There were none.

Is there a motion to accept the Department's decision for non-reimbursement in the amount of \$134.06 which will reduce the reimbursement amount to \$8,585.84 as proposed by the department?

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MOTION: Tom Culp moved, seconded by Joe Sikora to accept the Department's recommendation for reimbursement. (Motion carried 6-0)

The sixth application with non-eligible cost is for the Insight FS site at Darlington. The reimbursement summary sheets is included as Insert 20 in your agenda book. As shown, an application in the amount of \$143,701.38 was submitted and the department is recommending reimbursement in the amount of \$107,468.83. Costs totaling \$1,403.74 were identified as ineligible by the Department. As shown on the explanation sheet costs totaling \$1,197.34 were identified as ineligible because a 75% request was made per ATCP 35.16 (8) (c) for contractor costs that exceeded DATCP budget approval for consultant services. Additionally, ineligible cost of \$206.40 were identified for using a mileage rate above the approved rate. *Note: The Department's recommending for \$206.40 for ineligible costs includes a double deduction, but there is no double deduction for the 75% request.*

Mark asked if any discussion. There were none.

Is there a motion to accept the Department's decision for non-reimbursement in the amount of \$1,403.74 which will reduce the reimbursement amount to \$107,468.83 as proposed by the department?

(Joe Sikora and Tom Culp both abstained and acknowledged such)

MOTION: Kevin Solum moved, seconded by Arch Morton, Jr. to accept the Department's recommendation for reimbursement. (Motion carried 4-0)

The seventh application with non-eligible cost is for the Agrilience application submitted for the United Cooperative site at Johnson Creek. The reimbursement summary sheets is included as Insert 21 in your agenda book. As shown, an application in the amount of \$13,722.52 was submitted and the department is recommending reimbursement in the amount of \$5,532.56. Please note that some eligible costs included with the application are not eligible because costs exceeded the maximum allowable reimbursement for the \$650,000 cap. As shown on the explanation sheet the ineligible cost is \$45 for using an hourly rate for consultant services above the approved rate. *Note: The ineligible amount includes double deduction costs.*

Mark asked if any discussion. There were none.

Is there a motion to accept the Department's decision for non-reimbursement in the amount of \$45 which will reduce the reimbursement amount to \$5,532.56 as proposed by the department?

MOTION: Bill Whitworth moved, seconded by Tom Culp to accept the Department's recommendation for reimbursement. (Motion carried 6-0)

Review of Applications with all eligible costs

The remaining ALL ELIGIBLE applications for the both applications reviewed for today's meeting include the following:

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Insert 10 - \$80,641.88 in eligible costs for Alcivia for the Alcivia facility at Whitewater, including \$4,079.17 in costs exceeding the cap, with a proposed reimbursement amount of \$57,508.30,

Insert 11 - \$79,026.93 in eligible costs for Land O' Lakes for the Alcivia facility at Whitewater, including \$2,845.81 in costs exceeding the cap, with a proposed reimbursement amount of \$57,508.30,

Insert 14 - \$8,680 in eligible costs for the Alcivia site at Elmwood, with a proposed reimbursement amount of \$6,592.02.

Insert 17 - \$9,981.50 in eligible costs for the United Cooperative site at Pulaski, with a proposed reimbursement amount of \$7,488.75.

Insert 18 - \$10,524.24 in eligible costs for the United Cooperative site at Eldorado, including \$1,820.26 in costs exceeding the cap, with a proposed reimbursement amount of \$6,147.53;

Insert 22 - \$13,703.77 in eligible costs for the United Cooperative site at Johnson Creek, including \$4,812.85 in costs exceeding the cap, with a proposed reimbursement amount of \$5,532.56, and

Insert 23 - \$52,928.21 in eligible costs for the United Cooperative site at Reedsburg, with a proposed reimbursement amount of \$39,916.39.

Mark asked if any discussion. There were none.

In the past, we've taken a motion to approve as a group, all applications where the Department's decision is to reimburse all costs. Is there a motion to accept the Department's decision to reimburse all seven of these applications as proposed by the department?

MOTION: Joe Sikora moved, seconded by Arch Morton, Jr. to accept the Department's recommendation for reimbursement. (Motion carried 6-0)

Conclusion

That concludes our review of applications for this quarterly Council meeting. Are there any comments, questions, or other business that needs attention?

Arch: Wanted to confirm that Kevin is ok with our Tuesday September 23rd meeting date since he joined the meeting after that was decided.

Kevin said ok.

I would like to thank everyone for attending today.

Sally will send out next quarter calendar invite and keep you posted on the training.

Is there a motion to adjourn?

MOTION to adjourn: Tom Culp moved, seconded by Joe Sikora to adjourn today's meeting. (Motion carried 6-0.)

Meeting adjourned at 9:42 a.m.