

Agricultural Chemical Cleanup Council
Meeting Minutes
Tuesday September 23, 2025

The ACCC meeting convened at 9:08 a.m. in Conference Room 266 at the Prairie Oak State Office Building on Tuesday September 23, 2025 and on Microsoft Teams Webinar.

Council members present on Microsoft Teams: Arch Morton Jr., Joe Sikora, Tom Culp and Bill Whitworth. Jennifer Wickman joined at 9:21 a.m. (Due to confusion on the last minute meeting changes) Kevin Solum was absent.

Department of Agriculture, Trade and Consumer Protection employees attending in person: Mark McColloch and Sally Ballweg. Alan Hopfensperger was absent. Ryan Berzinski attended on Microsoft Teams Webinar.

ACM / ACCP Update and Discussion

Ryan Berzinski:

ACM Bureau has three vacancies, same as reported last quarter. The first is the Inspection Program Manager, which was on hold. However, interviews are starting this week and we hope to have this position filled before end of the year.

The second position, open almost as long, is the Compliance Section Manager that oversees all of our field staff. Our HR Department plans to post the position and begin recruitment in next couple of weeks.

The third position is Environmental Enforcement Specialist Advanced in the Milwaukee area. This position will be on hold until the Compliance Section Manager position is filled.

Some recent technology advancements and improvements were implemented. MyDATCPv3 is a public facing platform accessible through our DATCP website. It can now be used for renewing licenses, applying for licenses for our feed, fertilizer, and both business and pesticide applicator licenses. Watch for some information in your mailbox indicating that this digital method is now available. Mailing in paper renewal remains an option. We have found a lot of hiccup's with the system implementation, that has caused some headaches both internally and externally, but most of those issues have been fixed. Current license renewals are running much smoother. Please share any feedback you have, I would love to hear it and improve any way we can. So far about 75% of license holders have renewed online through MyDATCPv3.

Pesticide application will have some outreach in 2026 regarding the EPA's increased focus on the Endangered Species Act, dealing with mitigation measures and the point system we will start seeing on more product labels. The EPA Label reviews will take time. As they trickle in we want to make sure everyone is tracking what they will be dealing with. We are available for questions, so as things come up, please reach out.

Last item I have is regarding the ACCP fund. We are currently continuing to collect the fees at the half rate. However, we are well below the half rate balance on our fund at this time, and anticipate we will be back to collecting the full rate by May of 2026. The fund is currently at around \$355,000.00. We are taking in fees, however at the half rate, they

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are not keeping up with the requested reimbursement applications amounts. Reimbursements payments will be made as funds are available, and payments will be made in order that application are completed.

Joe: What is the process to maybe change the times at which the fund begins collecting the half rate or full rate to maybe alleviate the balance going to zero?

Ryan: If this was written as Code, we could change it and would already be working on it, however, this is written as Statute, so only the Legislature can change it.

Joe: Ok, that's what I thought.

Ryan: That's why we wanted to make sure everyone was aware of this.

Mark: Joe, on the other end, we are closing cases, so the number of active cases is going down. However, we do re-open cases and that's what is hard to predict. Many cases are closed with continuing obligations. Those cases get re-opened for additional excavation when a building comes down. When and where that occurs is hard to predict, but we are closing more sites. There are also 8 sites that can no longer use the ACCP fund because they hit the \$650,000 cap, and more sites will hit the cap this year.

Ryan: In addition to that, costs are going up each year. Back 8 or 10 years ago when these fees and date changes were made with the fee holiday, inflation has gone up quicker than anticipated. Unfortunately there is not much we can do. To increase funding, the Legislature has to take it up.

Any other questions: There were none.

Mark McColloch:

Next item on the Agenda, Sally will give an update on the training.

Sally: Just a reminder that the Public Records Law training is due November 14th 2025. You do not need to take the Ethics for Public Officials training, so that will be removed from all of your accounts. I was also informed that all of you have registered accounts, so just need to login and take the training. Please try to get these completed as soon as possible. Does anyone have any questions? Have you all received your email from Cornerstone to take the training?

Arch: Hi Sally, I haven't taken this yet, but I might need some help figuring it out, but I will try on my own first.

Sally: Ok, that's fine Arch, you can call me anytime. Bill, you completed yours, was the process the same as last year?

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Bill: Yes, it was about 30 minutes and I don't consider myself a computer person, so if I can get through it, Arch I have faith you can do it too. And if you don't pass the first time, you can take it again.

Arch: Alright thank you, I will give it a try.

Sally: Sounds good. Thank you everyone.

Mark McColloch:

Next item on the Agenda is approval of the minutes from the last meeting.

Meeting Minutes Approval from June 24, 2025

Meeting Minutes from June 24, 2025 are included as Insert 18 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: Bill Whitworth moved, seconded by Arch Morton, Jr. to accept the minutes of the June 24, 2025 Council meeting. (Motion carried 5-0)

Mark McColloch:

Next item on the Agenda is a summary of Department Decisions from the last meeting.

Post Meeting Memo and Post Meeting Table from June 24, 2025

The post meeting memo and post meeting table are included as Insert 19 in our Agenda Books. Mark noted the Department and Council were in agreement on all decisions made regarding reimbursement amounts from the June 24, 2025 meeting. Mark asked if any comments. There were none.

Mark McColloch:

Next item on the Agenda is scheduling of the next meeting.

Next Council Meeting

The next ACCC meeting was scheduled for Tuesday, December 16, 2025, starting at 9:00 a.m. Sally will send a meeting invite.

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Mark McColloch:

The following is a summary of the ACCP program progress.

Summary of ACCP Program Progress

- This is the first meeting for FY2026 (which will include 4 Council meetings between September 2025 and June 2026).
- For the ACCP program, 29 reimbursement applications were processed for FY 2025 compared to 34 applications for FY 2024 (see attached list).
- The total amount of costs submitted for all applications for FY 2025 was \$1,424,633.81. The total amount reimbursed for FY2025 was \$1,002,355.83.
- For this first meeting of FY 2026, 3 applications were processed. The total amount of costs submitted for all applications for this meeting is \$555,997.29.
- Total eligible costs for this meeting are \$544,995.75. Costs totaling \$11,001.54 were identified as ineligible for this meeting.
- The amount proposed for reimbursement for this meeting is \$410,297.40.
- The amount proposed for reimbursement following this meeting will exceed the current fund balance, but additional fees are expected to be collected. Per our Rule ATCP 35, applications will be reimbursed in order of the “complete application received date” and as funds are available.
- No discharge sites reviewed for today’s meeting exceeded the \$400,000 cap or the \$650,000 cap. (Note: Of the 38 sites that exceeded the \$400,000 cap, 26 have been closed. 8 sites have exceeded the \$650,000 cap, and we expect 2 to 3 more sites to hit the cap within the next year).
- This is the first application for the United Cooperative site at Greenville, and costs will likely exceed the \$650,000 cap after soil remediation is completed. (within the next year).
- The Eau Claire Cooperative Oil Company site at Eau Claire is close to exceeding the cap, and costs will likely exceed the \$650,000 cap after post excavation groundwater monitoring is completed (within the next year). There were prior reimbursements for this case.
- The Country Visions Cooperative site at Random Lake presented at today’s meeting is closed. There were prior reimbursements for this case too.
- DATCP has responded to 30 spills so far in CY 2025, which is about normal.

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- Overall, the number of active ACCP cases continues to decline (around 98). Since the last meeting, two case were re-opened, and one case was opened and then closed.

ACCP Historical Data

Fiscal Year	SEG Payments	GPR Payments	Total Payments	Number of Payments
Payments Fiscal Year '95	166,001.39	609,826.06	775,827.48	27
Payments Fiscal Year '96	525,031.61	465,594.06	990,625.67	42
Payments Fiscal Year '97	707,272.14	627,203.60	1,334,475.74	51
Payments Fiscal Year '98	776,135.65	688,271.24	1,464,406.89	133
Payments Fiscal Year '99	1,124,242.15	1,750,795.06	2,875,037.21	74
Payments Fiscal Year '00	2,144,077.96	0.00	2,144,077.96	49
Payments Fiscal Year '01	3,964,017.47	0.00	3,964,017.47	70
Payments Fiscal Year '02	3,558,556.93	0.00	3,558,556.93	107
Payments Fiscal Year '03	3,864,251.28	0.00	3,864,251.28	72
Payments Fiscal Year '04	2,600,121.21	0.00	2,600,121.21	91
Payments Fiscal Year '05	2,522,511.13	0.00	2,522,511.13	81
Payments Fiscal Year '06	2,114,055.32	0.00	2,114,055.32	79
Payments Fiscal Year '07	2,086,188.64	0.00	2,086,188.64	99
Payments Fiscal Year '08	2,187,144.30	0.00	2,187,144.30	89
Payments Fiscal Year '09	2,408,670.93	0.00	2,408,670.93	86
Payments Fiscal Year '10	1,557,174.72	0.00	1,557,174.72	63
Payments Fiscal Year '11	2,131,277.61	0.00	2,131,277.61	65
Payments Fiscal Year '12	1,005,475.58	0.00	1,005,475.58	44
Payments Fiscal Year '13	1,017,019.10	0.00	1,017,019.09	40
Payments Fiscal Year '14 (+ \$131,542.98 **)	1,074,886.53	0.00	1,074,886.53	54
Payments Fiscal Year '15	1,410,272.52	0.00	1,410,272.52	40
Payments Fiscal Year '16	828,320.49	0.00	828,320.51	33
Payments Fiscal Year '17	572,170.75	0.00	572,170.75	27
Payments Fiscal Year '18	513,624.84	0.00	513,624.81	25
Payments Fiscal Year '19	973,349.60	0.00	973,349.61	30
Payments Fiscal Year '20	1,072,943.64	0.00	1,072,943.64	29
Payments Fiscal Year '21	958,517.07	0.00	958,517.07	31
Payments Fiscal Year '22	1,186,995.07	0.00	1,186,995.07	36
Payments Fiscal Year '23	905,843.35	0.00	905,843.35	25
Payments Fiscal Year '24	1,562,856.14	0.00	1,562,856.14	34
Payments Fiscal Year '25 (June)	1,002,355.83	0.00	1,002,355.83	29
TOTAL	48,521,360.94	4,141,690.02	52,663,050.97	1,755

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

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Mark McColloch:

Next item on the Agenda is a review of applications.

Review of Applications

In your agenda books, you will find our proposed reimbursement summary sheets for 3 applications included as Inserts 21 through 23. One application included non-eligible costs, and costs for the remaining two applications were found to be all eligible.

Applications with non-eligible costs:

The application with non-eligible cost is for the *Eau Claire Cooperative Oil Company site at Eau Claire*. The reimbursement summary sheets is included as Insert 22 in your agenda book. As shown, an application in the amount of \$343,312.82 was submitted and the department is recommending reimbursement in the amount of \$253,023.17. Costs totaling \$11,001.54 were identified as ineligible by the Department. As shown on the explanation sheet several costs were identified as ineligible because unit rates exceeded approved rates or receipts were not provided (per ATCP 35.14 (31)), ineligible markup rates were included (ATCP 35.08 (5)), and overnight lodging exceeded the maximum allowable rate (per ATCP 35.16 (8)). *Note: The recommended ineligible amount includes double deduction costs.*

They did a really good job on their final report. It was a complicated remediation and the report was very detailed. I think they knew that some costs were ineligible, but even with ineligible costs; they assumed they would hit the cap.

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 \$11,001.54, which will reduce the reimbursement amount to \$253,023.17 as proposed by the department?

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

Review of Applications with all eligible costs

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

Insert 21 - \$200,301.26 in eligible costs for the *United Cooperative site at Greenville* with a proposed reimbursement amount of \$147,899.04, and

Insert 23 - \$12,383.21 in eligible costs for the *Country Visions Cooperative site at Random Lake*, with a proposed reimbursement amount of \$9,375.19.

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

Conclusion

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

MOTION to adjourn: Tom Culp moved, seconded by Joe Sikora to adjourn today's meeting. (Motion carried 5-0.)

Meeting adjourned at 9:35 a.m.