

1997-98 SESSION
COMMITTEE HEARING
RECORDS

Committee Name:

Senate Committee on
Agriculture and
Environmental
Resources
(SC-AER)

Sample:

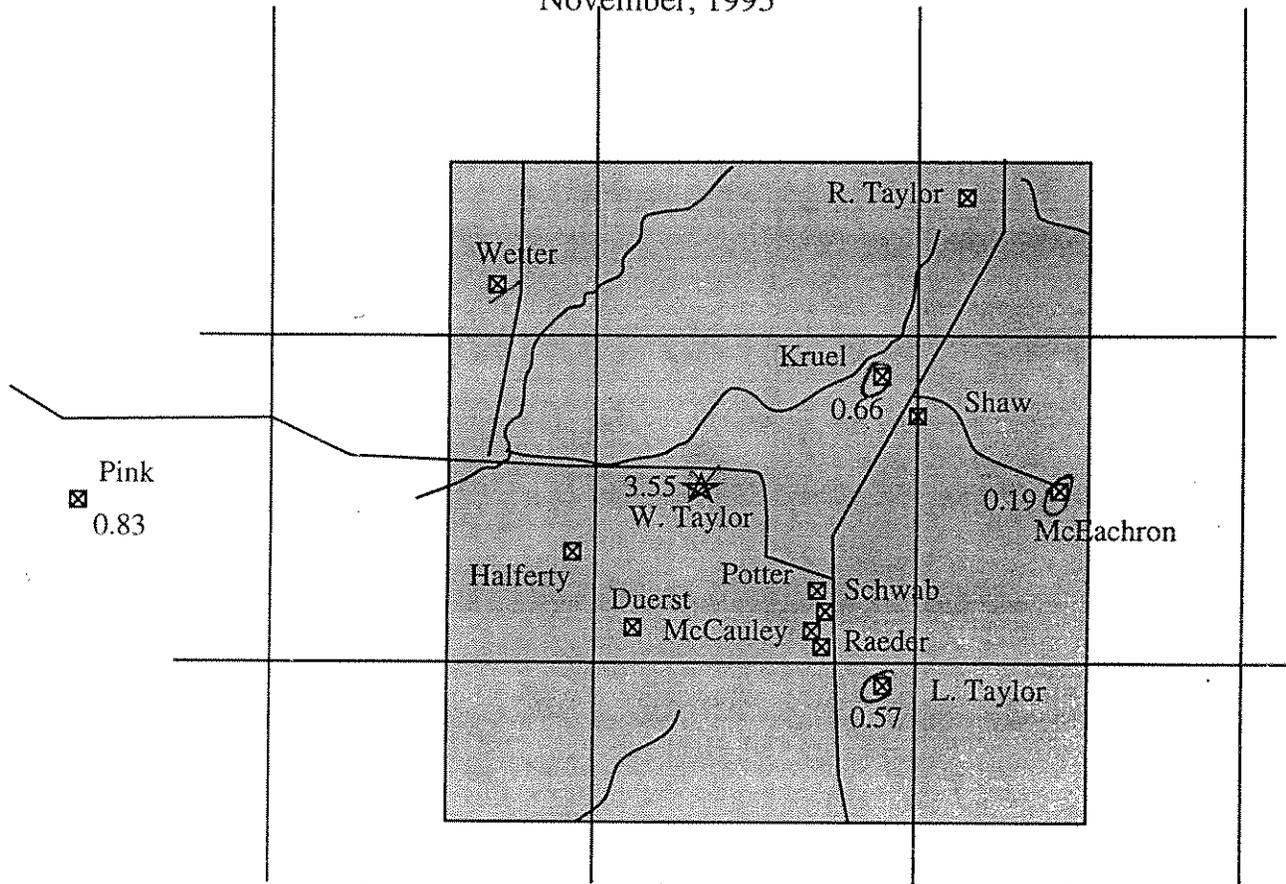
- Record of Comm. Proceedings
- 97hrAC-EdR_RCP_pt01a
- 97hrAC-EdR_RCP_pt01b
- 97hrAC-EdR_RCP_pt02

- Appointments ... Appt
-
- Clearinghouse Rules ... CRule
- 97hr_SC-AER_CRule_97-043_pt01
- Committee Hearings ... CH
-
- Committee Reports ... CR
-
- Executive Sessions ... ES
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- Hearing Records ... HR
-
- Miscellaneous ... Misc
-
- Record of Comm. Proceedings ... RCP
-

GRANT COUNTY

Results of Sampling in Proposed PA

November, 1995



	Atrazine	DEA ¹	DIA ¹	DAA ¹	TCR ²	Alachlor	Alachlor ESA	Nitrate- Nitrogen
Duerst	ND	ND	ND	ND	ND	ND	ND	ND
Halferty	ND	ND	ND	ND	ND	ND	ND	5.68 ppm
Krueel	0.309	0.352	ND	ND	0.661	ND	1.33	24.4 ppm
McEachron	0.186	ND	ND	ND	0.186	0.348	ND	6.84 ppm
McCauley	ND	ND	ND	ND	ND	ND	ND	1.71 ppm
Pink	0.252	0.580	ND	ND	0.832	ND	ND	13.0 ppm
Potter	ND	ND	ND	ND	ND	ND	ND	ND
Raeder	ND	ND	ND	ND	ND	ND	2.20	8.70 ppm
Schwab	ND	ND	ND	ND	ND	ND	ND	3.24 ppm
Shaw	ND	ND	ND	ND	ND	ND	3.20	5.67 ppm
L. Taylor	0.186	0.386	ND	ND	0.572	ND	2.97	6.62 ppm
R. Taylor	ND	ND	ND	ND	ND	ND	8.48	14.4 ppm
Wetter	ND	ND	ND	ND	ND	ND	ND	10.5 ppm
W. Taylor								
July 6, 1994	2.06	1.49	ND	ND	3.55	0.328	2.55	17.7 ppm
August 9, 1995	1.54	1.34	ND	ND	2.88	0.487	5.84	16.4 ppm

¹ DEA = deethylatrazine, DIA = Deisopropylatrazine and DAA = Diaminoatrazine. These are breakdown products of atrazine.

² TCR is the sum of atrazine, DEA, DIA and DAA.

REVISED
MAY 1987
REV. 4-91

Completion of this form is mandatory. Failure to complete and submit a completed form to the Department is punishable by a fine of not less than \$10 or more than \$5,000; or by a fine of not less than \$10 or more than \$100 or imprisonment not less than 30 days or more than 6 months; or by a fine of not less than \$10 or more than \$100 or imprisonment not less than 30 days or more than 6 months. Each day of continued violation is a separate offense (ss. 144.99 and 162.06, Wis. Stats.).

Please print using ink.

Name of Water System Owner or Operator <u>Walter Taylor</u>		Township City or Village of <u>North Lancaster</u>		County <u>Grant</u>
Mailing Address <u>6729 Badger Road</u>		Grid of Street Address or Road Name and Number (if available)		
City, State, Zip Code <u>Lancaster Wis</u>		Subdivision Name	Lot #	Block #
Telephone Number (if known) <u>608-723-6642</u>		Gov't Lot# _____ or <u>SW</u> 1/4 of the <u>NE</u> 1/4 of		
Well serves <u>1</u> # of homes and/or <u>farm</u> (ex: barn, restaurant, church, school, industry, etc.)		Section <u>17</u> ; T <u>5</u> N; R <u>3</u> <input type="checkbox"/> E <input type="checkbox"/> W		

Noncomplying features of the water system that were not upgraded when the system was repaired.

(✓ box(es) below and/or describe)

- Unprotected Buried Suction Line
- NonComplying Pit or Alcove
- Basement Well Location
- Stovepipe Casing
- NonComplying Dug Well
- Improper Seal or Cap
- Poor Casing Condition
- Shallow Casing Depth
- Well is Subject to Flooding
- Unabandoned Well On Property
- Well Tests Unsafe
- Improper Sampling Faucet
- Well Too Close to (list below)

4" steel pipe was installed inside stovepipe casing by a pump installer several years ago

RECEIVED

DEC 5 1995

Dept. of Natural Resources
S.D. Hall

Fuel tanks approx 20'

I, the undersigned Well Driller or Pump Installer, certify that this system is being repaired without correction of all noncomplying features as summarized above.

H+N PLBs & HTG 2453 12-4-96
Wisconsin Licensed Well Driller or Pump Installer License Number Date Signed

I, as the undersigned water system owner or user, understand that this water system, in the opinion of the above signed licensed well or pump contractor, does not comply with the State Well Code and may pose a sanitary hazard if uncorrected.

I also understand that I must provide a copy of this notice to the Department of Natural Resources if the Well Driller or Pump installer has not already done so.

I, further recognize that the correction of any noncomplying features is my responsibility and agree to bring these into compliance with the State requirements within six (6) months. I understand the Department may impose a shorter deadline, if the deficiencies are deemed an imminent health hazard. I reserve the right to have the work done by any Wisconsin registered well or pump contractor of my choice, or by myself as provided by law on property I own and occupy

Walter Taylor 12-4-96
Water System Owner or Operator's Signature Date Signed

**Well Construction Report For
WISCONSIN UNIQUE WELL NUMBER**

GC415

State of Wisconsin
Private Water Supply - WS/2
Department of Natural Resources
Box 7921
Madison, WI 53707

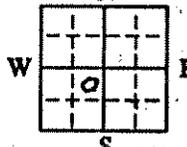
Property Owner Walter Taylor Telephone Number (608) 723-6642

Mailing Address 6729 Badger Rd.
City La Crosse State WI Zip Code 53813

County of Well Location Grant Co. Well Permit No. W- Well Completion Date (mm-dd-yy) 10-16-96

Well Constructor (Business Name) Faherty & Son Well Dr. Co. License # 5824
Address P.O. Box 247
City Platteville State WI Zip Code 53818

2. Mark well location with a dot in correct 40-acre parcel of section. N



1. Well Location Please use decimal fraction of section
 Town City Village P.O. # (If available)
North Lancaster
Grid or Street Address on Road Name and Number (If available) 6729 Badger Rd.

Subdivision Name _____ Block # _____
Gov't Lot # _____ Section 7 T. 5 N. R. 3 E

3. Well Type New Replacement Reconstruction
Reason for new, replaced or reconstructed well?
Rebuilding 10 ft. pipe

4. Well serves 1 # of homes and or Farm (Ex: barn, restaurant, church, school, industry, etc.)
High Capacity Well? Yes No
Property? Yes No

5. Well located on highest point of property, consistent with the general layout and surroundings? Yes No If no, explain on back side
- Well located in floodplain? Yes No
 - Distance in Feet From Well To Nearest:
 - 1. Landfill _____
 - 2. Building Overhang _____
 - 3. Septic or Holding Tank (circle one) 120
 - 4. Sewage Absorption Unit 140
 - 5. Nonconforming Pit _____
 - 6. Buried Home Heating Oil Tank _____
 - 7. Buried Petroleum Tank _____
 - 8. Shoreline/Swimming Pool _____
 - 9. Downspout/Yard Hydrant _____
 - 10. Privy _____
 - 11. Foundation Drain to Clearwater _____
 - 12. Foundation Drain to Sewer _____
 - 13. Building Drain _____
 - Cast Iron or Plastic Other _____
 - Gravity Pressure _____
 - Cast Iron or Plastic Other _____
 - 14. Building Sewer 90
 - Cast Iron or Plastic Other _____
 - Gravity Pressure _____
 - 15. Collector or Street Sewer _____
 - 16. Clearwater Sump _____
 - 17. Wastewater Sump _____
 - 18. Paved Animal Barn Pen _____
 - 19. Animal Yard or Stall _____
 - 20. Silo, Type _____
 - 21. Barn Gutter _____
 - 22. Manure Pipe Gravity Pressure
 - Cast Iron or Plastic Other _____
 - 23. Other Manure Storage _____
 - 24. Other NR 112 Waste Sources _____

6. Drillhole Dimensions

Dia. (in.)	From (ft.)	To (ft.)
10	surface	160
6	180	172

Method of constructing upper enlarged drillhole only:

- 1. Rotary - Mud Circulation
- 2. Rotary - Air
- 3. Rotary - Foam
- 4. Reverse Rotary
- 5. Casts-tool Bit 10 in. dia.
- 6. Temp. Outer Casing 10 in. dia. Removed? Yes No
- If no, explain _____
- 7. Other _____

9. Geology

Type, Caving/Noncaving, Color, Hardness, Etc.	From (ft.)	To (ft.)
Clay	Surface	10
St. Pete Sandstone	15	11
Mag. Lime	117	14
St. Pete Sandstone	140	17

7. Casing, Liner, Screen

Dia. (in.)	Material, Weight, Specification	From (ft.)	To (ft.)
6	A-53B 19.45/ft. Sawmill T.C.	surface	160

11. Pump Test

Pumping Level 80 ft. below surface

Pumping at 2.5 GPM for .5 hours

Developed? Yes No

Disinfected? Yes No

Capped? Yes No

10. Static Water Level _____ ft. above ground surface
62 ft. below ground surface

12. Well is sealed? Above Below

8. Grout or Other Sealing Material

Method	From (ft.)	To (ft.)	# Sacks
Pres. Pumped Grout	_____	_____	_____

13. Did you permanently seal all unused, noncomplying, or unsafe wells?
 Yes No If no, explain _____



WISCONSIN LEGISLATIVE COUNCIL STAFF MEMORANDUM

One East Main Street, Suite 401; P.O. Box 2536; Madison, WI 53701-2536
Telephone (608) 266-1304
Fax (608) 266-3830

DATE: February 18, 1997
TO: REPRESENTATIVE DAVID BRANDEMUEHL
FROM: Mark C. Patronsky, Senior Staff Attorney
SUBJECT: Assembly Substitute Amendment ___ (LRBs0064/2) to 1997 Assembly Bill 5,
Relating to Prohibiting Use of Atrazine

This memorandum has been prepared in response to your request for an explanation of LRBs0064/2, an Assembly substitute amendment to 1997 Assembly Bill 5, relating to the authority of the Department of Agriculture, Trade and Consumer Protection (DATCP) to prohibit the use of atrazine in a specified area in the Town of North Lancaster, Grant County.

1995 Assembly Bill 5 describes a specific area in the Town of North Lancaster, Grant County, which has been proposed by DATCP as an atrazine prohibition area in Clearinghouse Rule 95-147. The Bill provides that DATCP may not promulgate a rule prohibiting the use of atrazine in that area. The Bill was introduced as required by s. 227.19 (5) (e), Stats., to support the objection of the Assembly Committee on Agriculture and the Joint Committee for Review of Administrative Rules to that portion of Clearinghouse Rule 95-147. (The Clearinghouse Rule also created a number of other atrazine prohibition areas.)

LRBs0064/2 describes the same specific area as the Bill and the proposed rule. However, the substitute amendment makes two changes to the restriction on DATCP authority to promulgate a rule prohibiting the use of atrazine.

First, the Bill prevents DATCP from imposing an atrazine prohibition area in the area described in the Bill. The substitute amendment prevents DATCP from imposing an atrazine prohibition area *in any part* of the area described in the substitute amendment. This change avoids the unlikely possibility that DATCP would use the same two samples and describe a new prohibition area that differs slightly from the one described in the substitute amendment.

Second, the Bill simply prevents DATCP from imposing an atrazine prohibition in the described area. The substitute amendment provides that DATCP may not base an atrazine

(OVER)

prohibition on the two groundwater samples that were used by DATCP as the basis for recommending the prohibition area that is described in the substitute amendment. This frees DATCP to impose an atrazine prohibition in part or all of the area described in the substitute amendment based on groundwater samples taken after the effective date of the legislation.

If I can provide further information on this subject, please feel free to contact me.

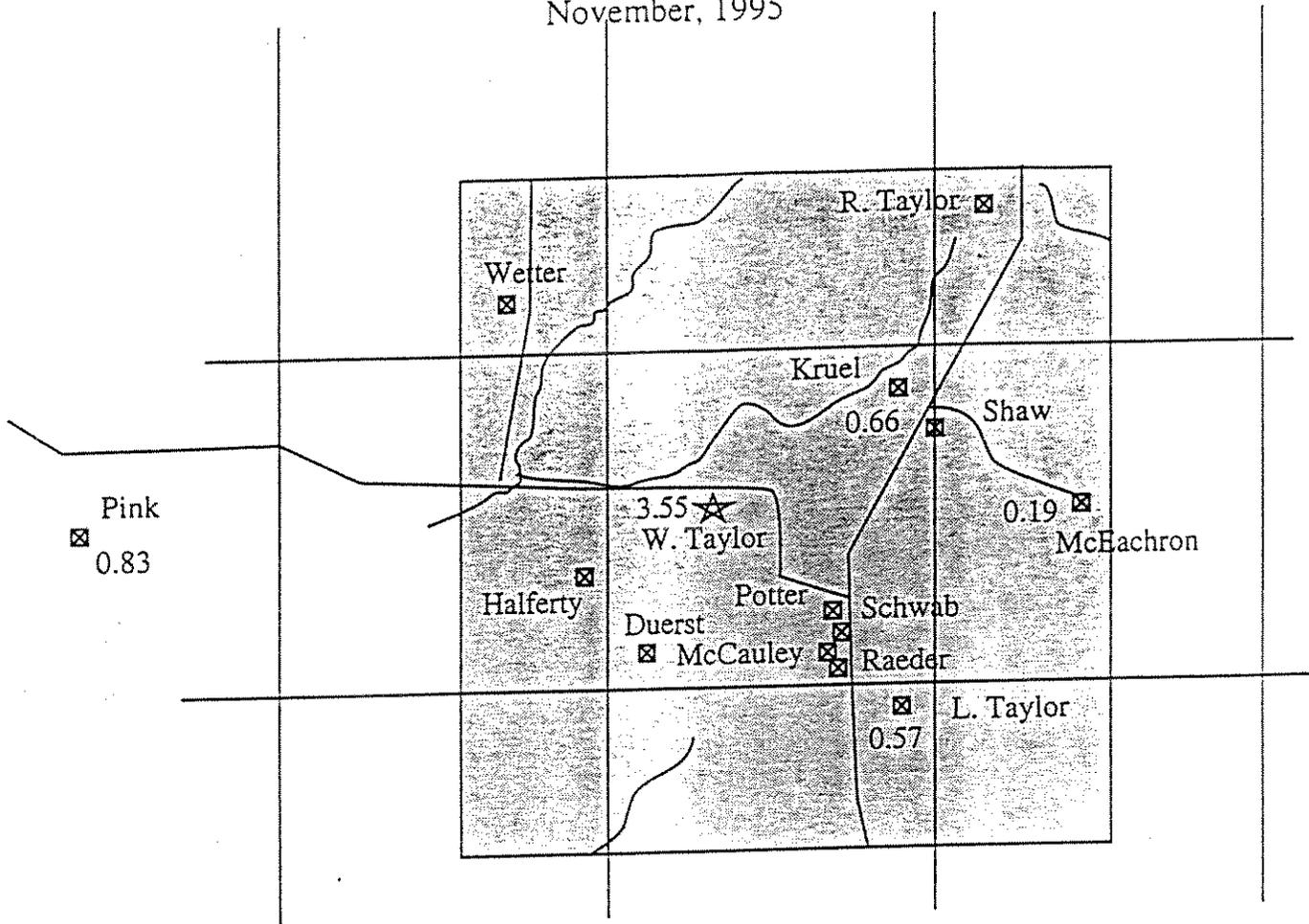
MCP:lah;jt;wu

(OVER)

GRANT COUNTY

Results of Sampling in Proposed PA

November, 1995



	Atrazine	DEA ¹	DIA ¹	DAA ¹	TCR ²
Duerst	ND	ND	ND	ND	ND
Halferty	ND	ND	ND	ND	ND
Krue	0.309	0.352	ND	ND	0.661
McEachron	0.186	ND	ND	ND	0.186
McCauley	ND	ND	ND	ND	ND
Pink	0.252	0.580	ND	ND	0.832
Potter	ND	ND	ND	ND	ND
Raeder	ND	ND	ND	ND	ND
Schwab	ND	ND	ND	ND	ND
Shaw	ND	ND	ND	ND	ND
L. Taylor	0.186	0.386	ND	ND	0.572
R. Taylor	ND	ND	ND	ND	ND
Wetter	ND	ND	ND	ND	ND
W. Taylor	<i>Both down</i>				3.55
July 6, 1994	2.06	1.49	ND	ND	2.88
August 9, 1995	1.54	1.34	ND	ND	1970

¹ DEA = deethylatrazine, DIA = Deisopropylatrazine and DAA = Diaminoatrazine. These are breakdown products of atrazine.

² TCR is the sum of atrazine, DEA, DIA and DAA.



WISCONSIN LEGISLATIVE COUNCIL STAFF MEMORANDUM

One East Main Street, Suite 401; P.O. Box 2536; Madison, WI 53701-2536
Telephone (608) 266-1304
Fax (608) 266-3830

DATE: April 4, 1997
TO: REPRESENTATIVE DAVID BRANDEMUEHL
FROM: Dave Stute, Director
SUBJECT: Creation of Atrazine Prohibition Area in Grant County

APR 03 1997

This memorandum, prepared at your request, discusses the application by the Department of Agriculture, Trade and Consumer Protection (DATCP) of the groundwater protection law to an exceedance of an enforcement standard at a location in Grant County, Wisconsin. Specifically, the discussion concerns whether, under ch. 160, Stats. ("Groundwater Protection Standards"), the DATCP had any discretion regarding designation of the area in question as an atrazine prohibition area under ch. ATCP 30, Wis. Adm. Code.

A. BACKGROUND

Section 160.25 (1) (a), Stats., states that if the concentration of a substance in groundwater attains or exceeds the enforcement standard for that substance at a specific location, the regulatory agency shall prohibit the activity or practice which uses or produces the substance, and implement remedial actions with respect to the specific site, ". . . unless it can be shown to the regulatory agency that, to a reasonable certainty, by the greater weight of the credible evidence, an alternative response will achieve compliance with the enforcement standard"

Atrazine is an herbicide used for control of broad-leaf and grassy weeds in crops. It is considered to be a carcinogen by the U.S. Environmental Protection Agency and its concentration in public drinking water supplies is subject to regulation. The Wisconsin enforcement standard for atrazine is 3.0 parts per billion (ppb); that is, if a concentration of atrazine in groundwater exceeds 3.0 ppb, the requirements of s. 160.25 (1) (a) apply.

Within the atrazine prohibition area proposed by DATCP for a portion of the Town of North Lancaster, Grant County, groundwater sampling occurred on three occasions. A well in the center of the proposed prohibition area was originally sampled on July 6, 1994. Atrazine was detected at 3.55 ppb, which is in excess of the enforcement standard. A second test of the same well occurred on August 9, 1995; atrazine was detected at a level of 2.88 ppb; i.e., below the enforcement standard. Subsequently, 13 additional wells in the vicinity of the proposed

prohibition area were sampled in November of 1995. Atrazine was detected in four of these samples; however, the highest reading was 0.832 ppb (i.e., less than 1/3 of the enforcement level). (Further, this well was outside the proposed prohibition area. Of the other 12 wells, all of which were within the proposed area, the highest reading was 0.661 ppb.) The well which produced a sample above the enforcement standard in July 1994, but below the standard in August 1995, was not resampled in November 1995.

The prohibition area in question, a four square mile area in the Town of North Lancaster, Grant County, was proposed by the DATCP as one of the additional prohibition areas to be created in calendar year 1996. Rule-making hearings on the 1996 prohibition areas took place in September 1995 and the hearing record was kept open until mid-October 1995. The proposed final rule was received by the Legislature on December 27, 1995; it included the Grant County area as a prohibition area. This portion of the rule was objected to by the Assembly Committee on Agriculture and the objection was upheld by the Joint Committee for Review of Administrative Rules. This latter action resulted in the introduction of two companion bills supporting the objection in the 1997 Session. The bills would prohibit the inclusion of the area in any future atrazine prohibition areas. One of these bills, 1997 Assembly Bill 5, has been passed by the Assembly and is currently available for scheduling by the Senate.

B. DISCUSSION

The groundwater test showing an exceedance of the enforcement standard for atrazine at the Grant County site occurred in July 1994. In August 1995, a second test of the same well showed that the atrazine level had dropped to below the enforcement standard. Numerous, additional November 1995 tests of other wells within the vicinity of the proposed prohibition area revealed that atrazine could not be detected in the majority of the wells. Where atrazine was detected, it was at levels substantially below the enforcement standard. Given this history, arguments can be made that designation of the Grant County site as a prohibition area was not mandated by s. 160.25 (1) (a), Stats.

First, at the time the DATCP was developing the prohibition area rule, the atrazine level of the Grant County well did not equal or exceed the enforcement standard. The statutory requirement for mandating a prohibition simply was not met. Rather, the DATCP was dealing with the exceedance of a preventive action limit. Arguably, the DATCP should have proceeded under s. 160.23, Stats., rather than s. 160.25.

Second, prohibition is not mandated if it can be shown that, "to a reasonable certainty, by the greater weight of the credible evidence, an alternative response will achieve compliance with the enforcement standard." By the time the administrative rule creating this prohibition area was under development, a second test had shown that the water in the well already had an atrazine level below the enforcement standard. Inferentially, since compliance with the enforcement standard had already been "achieved," any alternate response (such as those set forth in s. ATCP 31.07 (2) (a) 2. b. to f., Wis. Adm. Code) could have properly been considered under s. 160.25 (1) (a), Stats. A prohibition on atrazine use was not necessary. Additional support can be found in the fact that more testing three months later (but, before the rule was final), in the same area showed that none of the groundwater samples taken exceeded the enforcement standard. Atrazine was not even detected in 2/3 of the test wells. Where atrazine was detected, the highest

level within the proposed prohibition area was 0.661 ppb, a concentration which is 22% of the enforcement standard concentration.

It can also be argued that the DATCP should apply a "rule of reason" when implementing the statutory requirements. In this case, a prohibition arguably was not necessary to bring the area's groundwater atrazine concentration below the enforcement level, since it was already below that level. Further, since the area levels were shown to be declining (rather than increasing), totally prohibiting application of atrazine was arguably neither necessary, appropriate nor reasonable, under this specific factual setting.

Please contact me at the Legislative Council Staff offices if you wish further discussion of this topic.

DJS:rjl:wu;ksm

CURRENTLY USED PESTICIDES

Lab Name: WGL HEIDELBERG

COMMENTS:

Lab File ID: 9750257 CAL FILE IS PEST97AC

Date Analyzed: 06/10/97 @ 00:09:28

COMPOUND	CONCENTRATION	RTACT	RTEXP	SCAN#	FIT S/N	AREA OF ION
acenaphthene d10	5.000	16:02	16:05	1282	994.0	1583981
epic	0.000	0:00	13:54	1112	541.0	0.
butylate	0.000	0:00	15:00	1200	347.0	0.
azobenzene	7.309	19:25	19:28	1553	995.0	1754645
dia	0.000	0:00	20:01	1601	481.0	0.
dea	0.000	0:00	20:22	1629	210.0	0.
treflan	0.000	0:00	20:34	1645	533.0	0.
phorate	0.000	0:00	21:19	1706	390.0	0.
carbofuran	0.000	0:00	22:59	1839	427.0	0.
simazine	0.000	0:00	23:08	1851	552.0	0.
atrazine	0.000	0:00	23:28	1877	585.0	0.
simatrazine	0.000	0:00	23:29	1859	0.0	0.
terbufos	0.000	0:00	24:23	1970	900.0	0.
fonfos	0.000	0:00	24:10	1912	718.0	0.
atetochlor	0.000	0:00	28:24	2283	763.0	0.
metribuzen	0.000	0:00	28:36	2288	565.0	0.
alachlor	0.000	0:00	29:08	2310	716.0	0.
simalachlor	0.000	0:00	29:07	2347	0.0	0.
linuron	0.000	0:00	31:47	2543	409.0	0.
metolachlor	0.000	0:00	32:29	2599	488.0	0.
simmetolachlor	0.000	0:00	32:27	2588	0.0	0.
chloropyrifos	0.000	0:00	32:52	2629	425.0	0.
cyanazine	0.000	0:00	33:49	2722	702.0	0.
simcyanazine	0.428	33:46	33:51	2702	0.0	6468.
prowl	0.000	0:00	35:21	2828	281.0	0.
phenathrene d10	5.800	24:23	24:28	1951	998.0	3923026
dftpp	0.000	0:00	22:16	1781	472.0	0.
CHRYSENE-D12	5.610	42:04	42:05	3365	993.0	2847557
3nitro benzene	0.000	0:00	11:40	934	611.0	0.

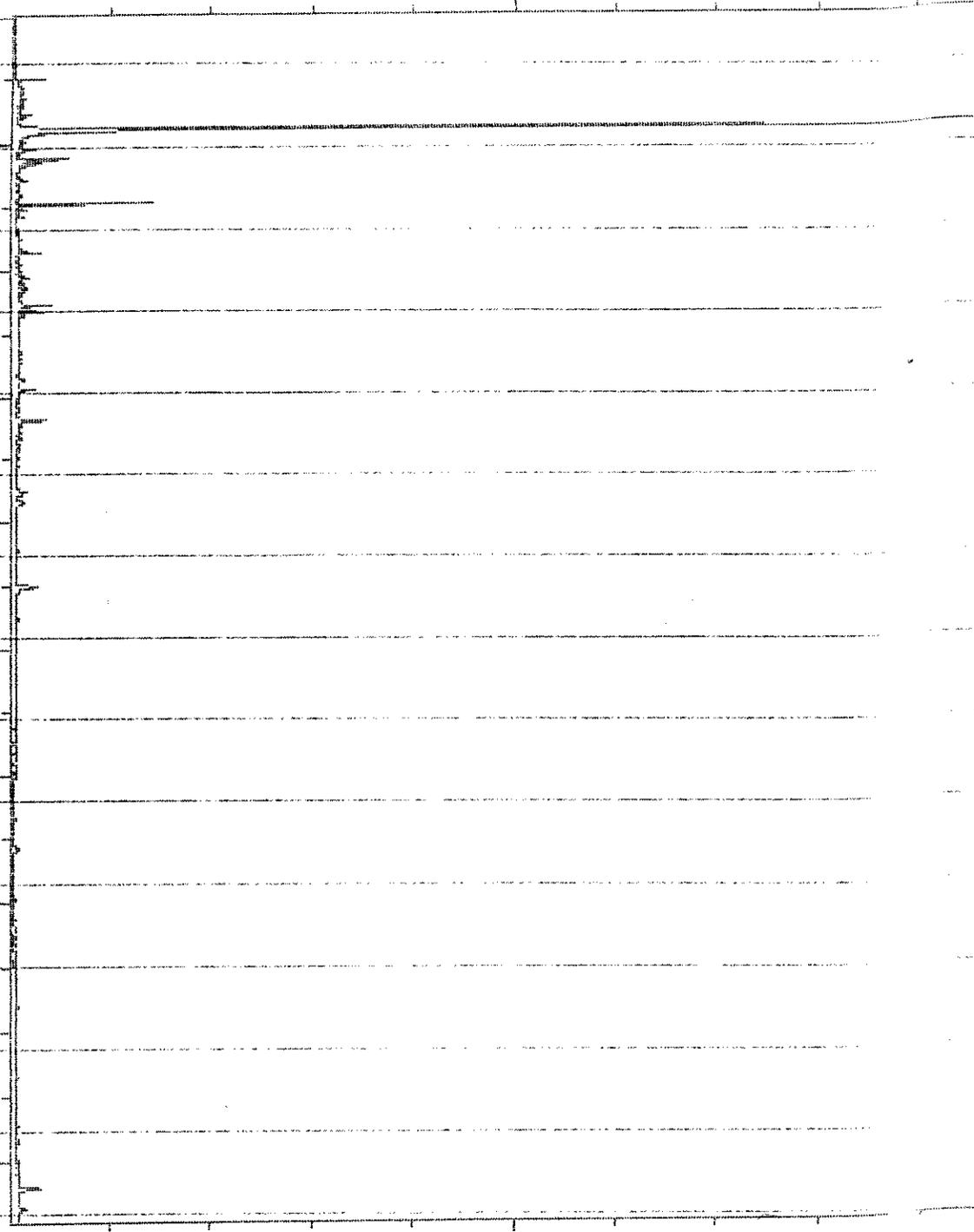
WGL
+ A/E
for

Nothing to sample...
The compounds that have
a concentration listed
are internal lab standards &
had all expected to show up.

TITLE NAME 9780257

ON 06/10/97 AT 00:00:20

600 7.49
1200 15.00
1800 22.49
2400 29.99
3000 37.49



Final Draft
8/25/97

PROPOSED ORDER OF THE STATE OF WISCONSIN
DEPARTMENT OF AGRICULTURE, TRADE AND CONSUMER PROTECTION
ADOPTING, AMENDING OR REPEALING RULES

1 The state of Wisconsin department of agriculture, trade and
2 consumer protection proposes the following order to create ATCP
3 31.03(1)(d) and 31.08(4), relating to standards for repealing
4 site-specific prohibitions against the use of pesticides found in
5 groundwater.

Analysis Prepared by the Department of
Agriculture, Trade and Consumer Protection

Statutory authority: ss. 93.07(1) and (9), 94.69(9),
160.19(2) and 160.21(1), Stats.

Statutes interpreted: ss. 94.69, 160.19(2) and 160.21(1),
Stats.

This rule amends current groundwater protection rules under ch. ATCP 31, Wis. Adm. Code. This rule clarifies current standards for repealing pesticide use prohibitions which the department has imposed in response to groundwater contamination findings.

Background

The department of agriculture, trade and consumer protection ("DATCP") regulates the use of pesticides to protect public health and the environment. Under the state groundwater law, DATCP regulates pesticides to prevent groundwater contamination and maintain compliance with groundwater standards adopted by the department of natural resources ("DNR").

Under the groundwater law, DNR adopts numerical standards for groundwater contaminants including pesticides. For each contaminant, DNR adopts a preventive action limit and an enforcement standard. The preventive action limit is a "yellow light" which normally requires some management action (e.g., reduced application rates), but not necessarily a ban on use. The enforcement standard is a "red light" which presumptively calls for a local ban on use. Current DNR standards are contained in ch. NR 140, Wis. Adm. Code.

Current Rule

Chapter ATCP 31, Wis. Adm. Code, establishes general standards for DATCP's groundwater protection program. ATCP 31 identifies actions which DATCP may take in response to findings of groundwater contamination, and spells out "generic" criteria for choosing among those alternative actions.

Subject to the "generic" criteria in ATCP 31, DATCP may develop substance-specific groundwater protection strategies for pesticides such as atrazine. DATCP's current atrazine rule under ch. ATCP 30, Wis. Adm. Code, reflects the "generic" criteria contained in ATCP 31.

Currently, under ATCP 31, if a reliable well test shows that a pesticide concentration in groundwater attains or exceeds the DNR enforcement standard ("red light") for that pesticide:

- DATCP must prohibit the use of that pesticide in that local area unless DATCP is shown, and determines to a reasonable certainty by the greater weight of credible evidence, that an alternative response will achieve compliance with the enforcement standard. The fact that contemporaneous tests of other wells show lower concentrations does not, by itself, relieve DATCP of the obligation to impose a local prohibition.
- The scope and duration of the prohibition must be reasonably designed to restore and maintain compliance with the enforcement standard at the initial test site, and at other downgradient points to which the pesticide contamination may migrate.
- The prohibition may remain in effect indefinitely unless DATCP is shown, and determines, that resumption of the pesticide use is not likely to cause a renewed or continued violation of the enforcement standard.

Repealing Pesticide Use Prohibitions; Proposed Rule

Under this rule, the department may repeal or modify a site-specific prohibition against pesticide use if all of the following conditions are met:

- Tests on at least 3 consecutive groundwater samples, drawn from each well site in the prohibition area at which the pesticide concentration previously attained or exceeded the enforcement standard, show that the pesticide concentration

at that well site has fallen to and remains at or below a level specified by the department in a substance-specific rule (see below). The 3 consecutive samples must be collected at each well site at intervals of at least 6 months, with the first sample being collected at least 6 months after the effective date of the prohibition. A monitoring well approved by the department may be substituted for any well site which is no longer available for testing.

- Tests conducted at other well sites in the prohibition area, during the same retesting period, reveal no other concentrations of the pesticide that exceed the level specified by the department by substance-specific rule (see below).
- The department determines, based on credible scientific evidence, that renewed use of the pesticide in the prohibition area is not likely to cause a renewed violation of the enforcement standard.

Under this rule, the department may do any of the following as a condition to repealing a site-specific prohibition:

- Provide for continued groundwater monitoring at well sites in the prohibition area (or at monitoring wells substituted for those well sites which are no longer available for testing). At a minimum, well sites which previously tested at or above the enforcement standard must be tested during the second and fifth years after the department repeals the site-specific prohibition.
- Impose pesticide use modifications (e.g., lower use rates or different application methods) which are reasonably designed to achieve and maintain compliance with the preventive action limit at all well sites in the prohibition area which previously tested at or above the preventive action limit, and at all downgradient points to which the pesticide contamination may migrate from those points. DATCP may continue to prohibit pesticide use in smaller areas where, because of special local conditions (e.g., susceptible soils), a continued ban is needed to maintain compliance with the enforcement standard.

This rule requires the department to specify, by substance-specific rule (e.g., for atrazine), a level to which concentrations of a pesticide substance must fall before the department may repeal a site-specific prohibition against the use of that pesticide. The specified level must be sufficiently below the enforcement standard so that, when groundwater test results reach the specified level, the department can reasonably conclude

that concentrations in the prohibition area are below and can be expected to remain below the enforcement standard.

1 SECTION 1. ATCP 31.03(1)(d) is created to read:

2 ATCP 31.03(1)(d) A monitoring well approved by the
3 department under s. ATCP 31.08(4)(a)1. as a substitute for another
4 point of standards application which is no longer available for
5 testing.

6 SECTION 2. ATCP 31.08(4) is created to read:

7 ATCP 31.08(4) REPEALING A SITE-SPECIFIC PROHIBITION. (a)

8 The department may repeal or modify a site-specific prohibition
9 under sub. (1) if all of the following conditions are met:

10 1. Tests on at least 3 consecutive groundwater samples,
11 drawn from each point of standards application in the prohibition
12 area at which the concentration of the pesticide substance
13 previously attained or exceeded the enforcement standard, show
14 that the concentration of that pesticide substance at that point
15 of standards application has fallen to and remains at a level
16 which is at or below the level specified by the department under
17 par. (c). The 3 consecutive samples shall be collected from each
18 point of standards application at intervals of at least 6 months,
19 with the first sample being collected at least 6 months after the
20 effective date of the site-specific prohibition. A monitoring
21 well approved by the department may be substituted for any point
22 of standards application which is no longer available for testing,
23 provided that the monitoring well qualifies as a point of

1 standards application under s. ATCP 31.03.

2 2. Tests of groundwater samples drawn from other points of
3 standards application in the prohibition area during the retesting
4 period under subd. 1., if any, reveal no other concentrations of
5 the pesticide substance that exceed the level specified by the
6 department under par. (c).

7 3. The department determines, based on credible scientific
8 evidence, that renewed use of the pesticide in that prohibition
9 area is not likely to cause a renewed violation of the enforcement
10 standard.

11 NOTE: If a site-specific prohibition is created by rule, it
12 can only be repealed or modified by rule. If a site-
13 specific prohibition is created by special order under
14 s. 94.71(3)(c), Stats., it can only be repealed or
15 modified by special order. This subsection establishes
16 conditions which must be met before the department
17 adopts a rule or issues a special order repealing or
18 modifying a site-specific prohibition. The subsection
19 does not, by itself, repeal or modify any site-specific
20 prohibition.

21
22 The department plans to continue its program of
23 groundwater research, and will continue to monitor
24 groundwater in areas where there is significant
25 potential for repealing or modifying a prohibition.
26 However, the department is not legally obligated to
27 conduct specific groundwater research or perform
28 specific groundwater tests at the request of a person
29 who wishes to have a site-specific prohibition repealed
30 or modified.

31
32 The department may accept test results from other
33 sources if the department considers those test results
34 reliable. Persons who question the reliability of test
35 results used to maintain, modify or repeal a
36 prohibition may submit information showing why the test
37 results are unreliable. If the department finds that
38 there are reasonable grounds to question the
39 reliability of any test result, the department will
40 attempt to perform additional sampling and testing to

1 verify the test result.

2
3 (b) As a condition to repealing or modifying a site-specific
4 prohibition under par. (a), the department may do any of the
5 following:

6 1. Provide for continued groundwater monitoring at points of
7 standards application where the concentration of the pesticide
8 substance previously attained or exceeded the enforcement
9 standard, or at monitoring wells substituted for those points of
10 standards application under par. (a)1. At a minimum, groundwater
11 from those points of standards application or monitoring wells
12 shall be sampled and tested during the second and fifth years
13 after the department repeals a site-specific prohibition.

14 2. Impose pesticide use modifications that are reasonably
15 designed to achieve and maintain compliance with the preventive
16 action limit at all points of standards application in the
17 prohibition area where concentrations of the pesticide substance
18 attained or exceeded that limit, and at all downgradient points to
19 which that pesticide substance may migrate from those points of
20 standards application. The department may continue to prohibit
21 pesticide use in portions of the original prohibition area where,
22 because of conditions unique to those smaller areas, a prohibition
23 is justified under sub. (2).

24 NOTE: For example, as a condition to repealing a pesticide
25 use prohibition, the department may limit pesticide
26 application rates and methods of application where
27 appropriate, to achieve and maintain compliance with
28 the preventive action limit. The department may
29 continue to prohibit pesticide use in portions of the

1 original prohibition area where, because of conditions
2 unique to those smaller areas (e.g., unique soil
3 types), nothing short of a prohibition will prevent a
4 renewed violation of the enforcement standard.
5

6 (c) The department shall by rule specify a level to which
7 concentrations of a pesticide substance must fall before the
8 department may repeal or modify a site-specific prohibition under
9 par. (a). The specified level shall be sufficiently below the
10 enforcement standard so that, when groundwater test results under
11 par. (a)1. and 2. fall at or below the specified level, the
12 department can reasonably conclude that groundwater concentrations
13 in the prohibition area are below and and can be expected to
14 remain below the enforcement standard.

15 EFFECTIVE DATE. The rules contained in this order shall take
16 effect on the first day of the month following publication in the
17 Wisconsin administrative register, as provided under s.
18 227.22(2)(intro.), Stats.

Dated this _____ day of _____, 19____.

STATE OF WISCONSIN,
DEPARTMENT OF AGRICULTURE,
TRADE AND CONSUMER PROTECTION

By _____
Joseph E. Tregoning,
Acting Secretary

Project Get Started:

Phase II Report

Milwaukee Area Technical College

September 1997

Demographic Summary of Project Get Started Participants

by Lois M. Quinn, University of Wisconsin-Milwaukee Employment and Training Institute¹

The Private Industry Council of Milwaukee County initiated Project Get Started to assess the employment readiness, skills and child care needs of mothers with children under one year of age who receive AFDC and are expected to find employment under "W-2," the state's new welfare initiative. This project was operated by Milwaukee Area Technical College in cooperation with JOBS program operators. Technical college staff conducted an extensive assessment of caseheads to identify child care, education, work activities, and other services necessary to successfully engage in W-2 transition. Caretakers were then offered a number of workshops to assist them in preparing to find employment, secure child care and address family problems.

This report summarizes the characteristics of the 1,551 caretakers with children three to twelve months of age who were assessed by MATC staff from February through June, 1997. The study population was taken from a list of 2,190 caretakers receiving AFDC in Milwaukee County and caring for at least one child born between January 1, 1996 and October 31, 1996. Only caretakers having a "CA" (caring for child under age one) work exemption code in November 1996 were included in the sample selection.² These assessments were conducted to provide critical information on an AFDC parent population considered difficult to place in employment and a population of babies considered "fragile" and possibly at-risk under current welfare changes. This study utilizes the 110 variables identified by Teresa Kelley, Francine Triplett and the MATC Project Get Started team in the ten to twelve pages of interview data (see Appendix A).

Findings

- Although they had very young children, about 6 percent of the total population assessed were employed full-time and 8 percent were employed part-time (less than 35 hours a week). The median age of babies when mothers reentered the labor market was six months old, although some mothers reported continued employment through their pregnancy and child's early months. In addition to these women who were already employed, 25 percent of the population had recent labor market experience, and 41 had been employed sometime in the past, while 20 percent had no reported labor market history.

¹ Assistance in data analysis was provided by University of Wisconsin-Milwaukee Employment and Training Institute research assistants Valerie L. Colcord, Alice Klima, David J. Rademacher, Chera L. Roovers and Tiffany N. Slade.

² The study population did not include many mothers ages 18-21 who were under the Learnfare or Family and Parental Responsibility Act experiments, mothers recently applying for AFDC without "CA" work exemption codes entered, women with reported pregnancies, women assessed as incapacitated for employment, and caretakers aged sixty and above. About half of the excluded population were young mothers under 21 years of age. The non-"CA" populations may show different demographic characteristics, readiness for employment and educational needs and represent another "challenging" population to be affected by new Wisconsin welfare reforms.

- When caretakers were asked to state their occupational goals, the job areas of highest interest were in clerical and computer jobs, health fields, child care, cosmetology, light industrial work, environmental services and food service. All of these areas are in demand in the current labor market and many require short-term training -- particularly for certified nursing assistants and child care workers. In the health and computer fields, workers may be able to advance to better-paying jobs with additional training.

TOTAL POPULATION ASSESSED
(1,551 Families With Child Under Age One in November 1996)

<p>Labor Force Strengths</p> <p>46% have completed high school or a GED 39% were employed within the past 12 months 39% can run some job-related equipment 38% have some job training 19% have some postsecondary education 18% have a job-related license or certificate 15% have drivers license and access to a car 14% are currently employed</p> <p>Labor Force Limitations</p> <p>72% do not have a drivers license 53% have not completed high school 20% have no employment experience 16% have child with permanent health problems complicating work/child care 8% have permanent health problems that could interfere with their employment 7% have less than a 9th grade education 6% have temporary health problems that could interfere with employment 5% are now pregnant 3% do not speak English</p>	<p>Educational Needs</p> <p>72% need basic math skills (of those tested) 35% need remedial reading (of those tested) 5% have limited English proficiency</p> <p>Child Care Needs</p> <p>69% need help with child care 55% have more than two children 24% don't know what child care to use 23% have child with ongoing health problems 19% have a mother/friend to watch children 17% have more than four children</p> <p>Social Service Needs</p> <p>24% requested help with money management 18% requested help with parenting 16% requested help with child's behavior 13% requested help with abusive relationship 9% have history of drug or alcohol abuse 7% requested help with legal problems</p>
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- Wages for the 6 percent of caretakers employed full-time averaged \$238 a week. The 8 percent of caseheads employed part-time averaged \$132 a week in wages. Predominantly, jobs held were concentrated in entry-level positions in the service and retail trade sectors.
- Project Get Started staff assessed the employability levels of caseheads and reported that 28 percent of caretakers were considered most ready for employment or already employed, 36 percent were ready to enter employment with minimal help, and 29 percent were facing barriers to employment but employable. Seven percent of the caretakers were found to face severe barriers to employment due to multiple major barriers (e.g. language, culture, family problems), physical health or psychological health.

- Job retention appeared to be a major concern for the population with recent labor market experience, only in part due to interruptions for childrearing. About a third (31 percent) of workers identified pregnancy, birth of a child or caring for their children as the reason they left their job, while 19 percent were laid off or ended a temporary job, 12 percent left due to conflicts on the job, and 7 percent left because of poor hours, pay or working conditions. In many cases, MATC staff recommended helping caretakers deal more effectively with job retention and pressures of combining employment and family.
- Most full-time job openings in the Milwaukee area require technical training, postsecondary education or occupation-specific experience. However, half of the population had less than a twelfth grade education and 7-8 percent had less than a 9th grade education. The majority of caretakers (83 percent) expressed interest in further education -- usually to gain training for a specific job or to acquire a GED.
- Many caretakers were identified as lacking the basic reading and math skills expected in the labor market. Of participants tested, 35 percent required fundamental reading skills and 72 percent required fundamental skills in math. Further, 5 percent of the population (speaking Hmong or Spanish) had limited English proficiency.
- Most mothers had one or more additional pre-school or school-age children who would require child care during their employed hours in addition to the need for infant/toddler care for their youngest child. Help with child care was requested by two-thirds of the caretakers interviewed. About a fifth (19 percent) reported that their mother or a friend could watch their children and 11 percent identified another care provider available.
- Child care is complicated for employed parents of young children due to childhood illnesses which require parents to stay home with their child or find a child care provider who can accommodate one or more sick children. Additionally, 23 percent of the caretakers had children with ongoing health problems (e.g. severe asthma, epilepsy, sickle-cell anemia, behavioral disorders) which may limit child care options and contribute to job absences.
- In 8 percent of the cases, MATC staff identified permanent health problems of caretakers that could limit their private sector employment options. Another 5 percent of the caretakers were pregnant and 6.4 percent had a temporary health problem that might keep them out of the labor force.
- MATC staff also identified caretakers with serious family problems which needed immediate attention. Notably, 196 caretakers (12.6 percent of the total) requested help dealing with abusive relationships or the aftermath of prior physical or sexual abuse and 148 caretakers (8.8 percent of the total) had reported or apparent alcohol and drug abuse (AODA) problems, with most needing continuing work on this problem.
- Lack of private transportation limits caretakers' access to available jobs outside the county and makes child care arrangements more difficult. Only 14 percent of the caretakers reported having regular access to a car. While many workers acquire cars after securing regular employment, 72 percent of the caretakers lacked driver's licenses.

III. Educational Skills and Needs of the Population

During the assessment process clients were asked to provide information on their years of school completed, interest in returning or remaining in school, reasons for seeking more education, and competence in reading and basic mathematics. Again, the population showed a wide range of experience -- from persons who had not advanced to high school to persons completing four or more years of college.

Highest Grade of Schooling Completed

Failure to complete high school is a limitation for over half of the caretakers with young children. In a labor market which increasingly demands high school completion and technical training or occupation-specific experience for most job openings, mothers lacking these educational skills may find access to family-supporting jobs quite difficult. Half of the assessed population had less than a twelfth grade education, and 7-8 percent had less than a 9th grade education. However, in May 1997, less than a fifth of full-time job openings in the Milwaukee area were available to high school non-completers who lacked specific occupational skills or technical training.²

Highest Grade of Schooling Completed	
	<u>Percent of Total</u>
No schooling reported or missing data	3.5%
2nd-5th grade	0.5
6th-8th grade	4.0
9th grade	7.8
10th grade	15.4
11th grade	22.8
12th grade	22.0
GED	5.4
Some college	17.0
Associate degree	1.2
Bachelors degree	0.4
TOTAL	100.0%

² John Pawasarat and Lois M. Quinn, *Job Openings in the Milwaukee Metropolitan Area: Week of May 19, 1997* (University of Wisconsin-Milwaukee Employment and Training Institute, 1997).

Increase May Be Tied to New Chemicals in Environment

By JOHN H. CUSHMAN Jr.

WASHINGTON, Sept. 26 — The rate of cancer among American children has been rising for decades. Although the reasons remain unclear, many experts suspect the increase may be partly the result of growing exposure to new chemicals in the environment.

That suspicion, while still unproved, is beginning to shape Federal research priorities and environmental strategies.

Depending on which types of cancer are counted, and in what age groups among the nation's youth, the rate of increase has amounted to nearly 1 percent a year, according to the National Cancer Institute.

Over a few decades, that has meant striking, double-digit increases. Childhood cancer is still far less common than cancer in adults, and its very rarity makes it especially hard to discern what might be causing the increase. Its creeping spread has also been masked by better news, as recent medical gains have made it much more likely that a child with cancer will survive.

But childhood cancer, even when its young victims are cured, can inflict wrenching costs on children and their families, whether its toll is measured in financial, emotional or physical terms. Patients can suffer permanently from brain damage, stunted growth or secondary cancers later in life, partly as a result of radiation and chemical therapies.

And today, according to experts in the field, a newborn child faces a risk of about 1 in 600 of contracting cancer by age 10.

In the United States, cancer is diagnosed each year in an estimated 8,000 children below the age of 15. Children, although it kills fewer children than accidents do, is the most common form of fatal childhood disease, accounting for about 10 percent of all deaths in childhood.

The increases, surprise even people who are predisposed to think the worst about the ill effects of chemicals.

"I had not realized that the numbers were going up that way," said Karen Florin, a lawyer specializing in health issues at the Environmental Defense Fund. "I think it indicates a very disturbing trend that we had better get to the bottom of."

Acute lymphoblastic leukemia in boys and girls increased 27 percent between 1973 and 1990, since then, the rate in boys has declined, but it is still rising in girls. Brain cancer, or glioma, increased nearly 40 percent from 1973 to 1994. These two forms of cancer account for most of the dis-

U.S. Reshaping Cancer Strategy As Incidence in Children Rises

Continued From Page A1

ease in children.

Other forms of cancer, such as the form of bone cancer called osteogenic sarcoma, and the kidney cancer known as Wilms's tumor, have also been rising, although the numbers of cases remain so small that the trends may not be statistically significant. The increases are big enough that better diagnosis and reporting of the diseases are unlikely to be the principal explanation, experts say: childhood cancer is such a serious ailment that it is usually detected.

Although the causes are not known and are probably many, some experts say, toxins in the air, food, dust, soil and drinking water are prime suspects.

So with the Clinton Administration putting a high priority on issues of children's health and the environment, and with Congress last year overwhelmingly approving new laws taking children's exposures into account when setting standards for pesticide residues in food and contaminants in drinking water, Federal authorities are moving to review the epidemiological data much more closely and to review environmental regulations that may help fight the trend.

At a meeting in Washington last week, a team assembled by the Environmental Protection Agency drafted a research plan that could steer millions of dollars toward better understanding the problem, beginning next year.

"The increases are too rapid to reflect genetic changes, and better diagnostic detection is not a likely explanation," said Dr. Philip J. Landrigan, a pediatrician who directs the division of environmental medicine at the Mount Sinai School of Medicine and who is the senior adviser to a new office of children's health at the E.P.A. "The strong probability exists that environmental factors are playing a role."

Not all environmental factors involve pollution. Dr. Landrigan said that changes in life style, especially diet, must also be considered and

may play some role. Viruses may be implicated in some cancers, but there is scant evidence.

Instead, he and many other experts are inclined to examine the estimated 75,000 new synthetic chemicals introduced in the last half century, the emissions from cars, the pesticides in foods and in neighborhoods, the runoff in drinking water — the whole collection of chemicals out there, mostly untested for toxicity to humans, let alone for possible cancerous effects in children.

If their suspicions prove to be well founded — and that could take many years to determine — it could usher

A disturbing trend is likely to bring more Federal money for research.

in a new generation of tighter controls on pesticides, toxic wastes, and other chemicals based on the theory that it may take less of a carcinogen to afflict a child or a fetus, that their health may be affected by combinations of chemicals and that their needs ought to come first in dictating pollution controls.

But first, an expansion of federally supported research is likely. "I'm talking about new research on air pollutants, water pollutants and pesticides and their effects on children," said Carol M. Browner, the administrator of the E.P.A., "and new testing guidelines that routinely incorporate children's issues into E.P.A.'s risk assessments. I'm talking about moving beyond the chemical-by-chemical approaches of the past, and instead looking at a child's total cumulative risk from all exposures to toxic chemicals."

She promised to pursue better interdisciplinary and collaborative studies of suspected environmental causes and mechanisms of childhood cancer, an initiative that was en-

dorsed at the agency's conference. Industry representatives who attended the meeting, though, cautioned against the Government's moving too fast to react to such sketchy scientific information.

"It doesn't appear that anyone really knows yet what the causes are," said Nancy Doerrer, vice president for scientific and policy programs at the American Industrial Health Council, which represents a diverse group of manufacturing companies. "Yes, there may be some role for environmental causation for childhood cancer. But there is also a role for life style, and the prenatal vitamin supplementation during pregnancy also seems to be very important in preventing some cancers."

Ms. Doerrer said that the E.P.A. was acting properly by announcing that it would select a few major regulations for scientific review to determine whether they adequately protected children.

"But to take too much action without really studying the problem would be wrong," she said. "You are seeing lots of language being written into proposed regulations and legislation that is intended to protect susceptible populations. That seems to be the new buzzword."

The group also recommended developing a National Childhood Cancer Registry, which would contain information such as exposure histories and family health data, and for better techniques for screening chemicals suspected of making children sick.

A cancer registry, which would be a comprehensive database seeking to include information on practically every child with cancer in the country, would be "a difficult thing to accomplish," said Dr. Robert Amter, chief medical officer at the Agency for Toxic Substances and Disease Registry, a Federal agency based in Atlanta. A first step might be to pool the data that already exist elsewhere, such as extensive information the agency has collected to track chemicals at Superfund sites.

The childhood cancer registry would improve scientists' chances of

finding significant associations between exposures to harmful chemicals and the incidence of cancer, he said.

"Most studies of cancer in children have led to hypotheses, and in some cases have confirmed or furthered these hypotheses, but almost every study carries with it very important limitations," he said. "These intrinsic limitations make it difficult for scientists and policy makers to tell the public what these studies really mean in terms of real risks to children."

Already, using new legal authority, the E.P.A. is taking the risks to children into account in setting standards for food and water safety. The Food Quality Protection Act, which became law last year, gave the E.P.A. 10 years to review its limits on pesticide residues on food. The agency is starting with what it thinks are the riskiest chemicals: the organophosphate, carbamate and organochlorine classes, as well as with other chemicals that may cause cancer in humans.

But Dr. Lynn R. Goldman, the assistant administrator for pesticides and toxic substances, said that although scientists have adequate information to screen most drugs, food additives and pesticides, they lack even basic toxicity data for most of the agency's list of about 3,000 industrial chemicals produced in the high-volume each year, many of them found in consumer products and in the workplace.

"The problem with childhood cancer, of course, is that we really do not know what causes most of it," she said. "As we are working through screening the pesticides and tightening up the standards, we would hope that we are reducing the risks for children, but we really can't be sure."

Many studies have explored the possible role of environmental toxins in childhood cancer. Studies have cited possible links between cancer in children and their exposures to pesticides, their parent's exposures to chemicals at work and other factors.

In a study published in The American Journal of Public Health in Feb-

The Most Common Cancers

Each year cancer is diagnosed in roughly 8,000 children under the age of 15. Three-quarters of the cases are either brain and other nervous system cancers or acute lymphocytic leukemia.

BRIN AND OTHER NERVOUS SYSTEM CANCERS

4 per 100,000 children under age 15



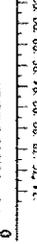
ACUTE LYMPHOCYTIC LEUKEMIA

4 per 100,000 children



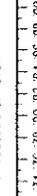
DEATHS

Per 100,000 children



DEATHS

Per 100,000 children



Percent changes are based on two-year averages from 1973-74 to 1993-94.

Source: National Cancer Institute

The New York Times

Tracking the most common form of fatal childhood disease.

exposures, if any, are associated with which particular childhood cancers.

Another study, published in The Archives of Environmental Contamination and Toxicology in 1993, found associations between brain cancer in Missouri children and the use of pesticides in homes and yards. But here, too, the researchers conceived weaknesses, including small sample sizes, potentially inaccurate memories of pesticide use, and a lack of detailed verification of children's actual exposures to the pesticides.

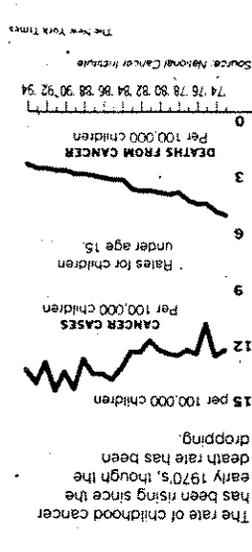
Clinicians said that there were many preventable cancers in children, just as in adults.

"Don't smoke, don't expose your kids to cigarette smoke, use sunscreen, don't expose kids to radon and asbestos," said Dr. Sophie Balk, a pediatrician at the Jacob Medical Center, a public hospital in the Bronx. She attended the childhood cancer meeting as a member of the American Academy of Pediatrics' committee on environmental health.

February 1995, researchers suggested that "use of home pesticides may be associated with some types of childhood cancer."

The study examined 252 children in whom cancer was diagnosed in the Denver area between 1976 and 1983 and 222 control subjects, and it interviewed their parents about household pesticide use. It found some evidence that yard treatments might be associated with soft tissue sarcomas, and that pest strips containing insecticide might be associated with leukemia.

But the researchers conceded that the measures of actual exposure in studies like this are crude, and called for further research to show "what



The rate of childhood cancer death rate has been rising since the early 1970's, though the rate has risen since the early 1970's, though the death rate has been dropping.

15 per 100,000 children

CANCER CASES

Per 100,000 children

Rates for children under age 15

DEATHS FROM CANCER

Per 100,000 children

Source: National Cancer Institute

The New York Times

SNAPSHOT

September 29, 1997

State of Wisconsin Senate Agriculture Committee:
Assembly Bill #5
Atrazine Exclusion Bill:

My family recently moved into our home at 6837 Badger Road, in North Lancaster. We are less than a ½ mile from the Walter Taylor Farm. Our well was tested last year by the Agriculture Department, and came out clean. If there should have been a well that would have been effected by the Atrazine contamination it should have been ours. Looking at the rest of the results of the other wells tested only farms tested positive.

I was a dairy farmer in the Verona Township in Dane County. We were told that we should apply 4 pounds per acre the first year followed by 2 pounds the second year on a 2-year corn rotation. I have been told farmers are now only allowed to apply 2 pounds per acre. Yes, we should be cautiously concerned about Atrazine as with any poison we use. But we should not be paranoid and over reactive unless we see actual facts and numbers that identify any over-use. With the reduced rates allowed now, I don't think we will see that. I am more concerned about the lawn fertilizer, and herbicide applied by untrained homeowners.

All farmers that apply pesticides must attend courses on correct application. I was in the first state required pesticide applicator class for farmers. The class instructed us on the correct procedures on calibration nozzles, mixing procedures, and wind carry concerns. Most farmers apply as little herbicide as possible. Atrazine is one the most cost effective broad spectrum herbicides available to the agriculture industry. Why exclude this effective herbicide, when what is found in the wells only represent minute measures of the chemical in parts per billion? And what is being detected is not Atrazine, but compounds that have broken down. Has there been any proof that these amounts of "end-breakdown" compounds are hazardous to human health? Plus the concentration of these chemical compounds that would cause a need want to ban its use are less than the Federal levels.

The soil in this area is not sandy like that in Central Wisconsin. The soil is very deep and has a high concentration of clay. The percolation of the water is, therefore slow, and breakdown of the chemical has time to be completed. If this is not true, the surrounding residences in the area would have traces of the chemical in their wells. The only wells that showed contamination were 60ft., old farm wells, all located right on working or former farms. I remember how chemicals were handled when they were first introduced. It is very likely that there was a point source contamination on the farms in the area were the chemicals were mixed, since most wells were located in close proximity to the barn and house.

In conclusion I believe that we must be concerned and careful with handling of herbicide application. The mandatory classes farmers attend maintain their education of safe application practices. What more do we have to legislate? The farmers are more careful than the lawn care applicators I have seen. Please do not ban Atrazine in this area. I do not see the point looking at all the facts. The farmers live off the land. They do not want the land poisoned either. What they want is to pass this land to their children in the best condition possible. No one wants to poison their children!

Sincerely,



Paul Duerst