

STATE OF WISCONSIN )  
 ) ss.  
DEPARTMENT OF AGRICULTURE, )  
TRADE AND CONSUMER PROTECTION )

Clearinghouse Rule  
No. 94-156

CERTIFICATION:

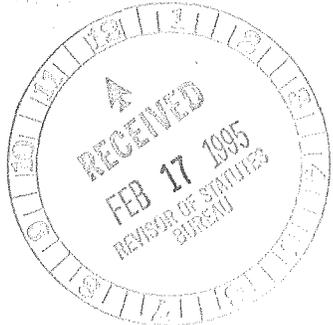
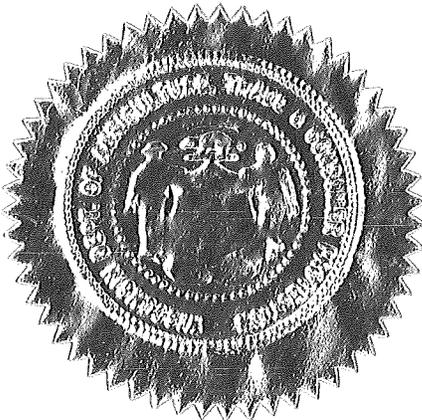
I, Alan T. Tracy, Secretary of the State of Wisconsin Department of Agriculture, Trade and Consumer Protection, and custodian of the department's official records, hereby certify that the attached rulemaking order relating to atrazine use restrictions was signed and adopted by the department on February 14, 1995.

I further certify that I have compared the attached copy to the original on file in the department, and that the attached copy is a complete and accurate copy of the original.

Signed and sealed this 14th day of February, 1995.

STATE OF WISCONSIN  
DEPARTMENT OF AGRICULTURE, TRADE  
AND CONSUMER PROTECTION

By   
Alan T. Tracy, Secretary



4-1-95

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 repeal ATCP  
3 30.35(2)(b) and (c) and portions of chapter ATCP 30 Appendix A,  
4 to renumber and amend ATCP 30.35(2)(a), and to create portions of  
5 chapter ATCP 30 Appendix A relating to atrazine use restrictions.

---

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

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

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

In order to protect Wisconsin groundwater, current rules under  
ch. ATCP 30, Wis. Adm. Code, restrict the statewide rate at which  
atrazine pesticides may be applied. Current rules also prohibit  
the use of atrazine in areas where groundwater contamination  
levels attain or exceed state enforcement standards.

Based on new groundwater test data, this rule expands the number  
of areas in which atrazine use is prohibited. This rule also  
amends current rules regulating land spreading of soils and water  
containing atrazine.

Atrazine Prohibition Areas

Current rules prohibit the use of atrazine where atrazine  
contamination of groundwater equals or exceeds the current  
groundwater enforcement standard under ch. NR 140, Wis. Adm.  
Code. Current rules prohibit atrazine use in 71 designated  
areas, including major prohibition areas in the lower Wisconsin  
river valley and much of Dane and Columbia counties.

This rule repeals and recreates 4 current prohibition areas to  
expand those areas, and creates 9 new prohibition areas,  
resulting in a new total of 80 prohibition areas throughout the  
state. The rule includes maps describing each of the new and  
expanded prohibition areas.

Within every prohibition area, atrazine applications are prohibited. Atrazine mixing and loading operations are also prohibited unless conducted over a spill containment surface which complies with ss. ATCP 29.151(2) to (4), Wis. Adm. Code.

#### Land Spreading Soils and Water

Under current rules, the department may issue a permit authorizing any person to land spread soil and water containing atrazine residues in order to remedy soil contamination. The amount of atrazine and atrazine metabolites applied to a site by land spreading may not exceed the maximum application rates for atrazine active ingredient permitted under s. ATCP 30.10, Wis. Adm. Code.

This rule modifies current landspreading authorization procedures to conform to procedures under the agricultural chemical cleanup program created under s. 94.73, Stats. This rule eliminates current permit and permit application requirements, but retains the requirement of written authorization. This rule does not change the amount of atrazine and atrazine metabolites that may be applied to a site by landspreading.

---

1           **SECTION 1.** ATCP 30.35(2) (a) is renumbered ATCP 30.35(2) and  
2 amended to read:

3           ATCP 30.35(2) LAND SPREADING SOILS AND WATER.

4 Notwithstanding any provision of this chapter, the department may  
5 ~~issue a written permit authorizing~~ authorize any person to land  
6 spread soils or water containing residues of atrazine or its  
7 metabolites in order to remedy soil or water contamination.  
8 Authorization, if any, shall be given in writing. The amount of  
9 atrazine and atrazine metabolites applied to a site by means of  
10 land spreading may not exceed the amount of atrazine active  
11 ingredient permitted under s. ATCP 30.10.

12           **SECTION 2.** ATCP 30.35(2) (b) and (c) are repealed.

13           **SECTION 3.** The cover page to Appendix A to ch. ATCP 30 is

1 repealed and recreated in the form attached.

2           **SECTION 4.** Prohibition area maps numbered 93-05-02, 93-13-  
3 01, 93-45-01, and 94-50-03, contained in Appendix A to ch. ATCP  
4 30, are repealed.

5           **SECTION 5.** The attached prohibition area maps, numbered 95-  
6 01-01, 95-05-01, 95-09-01, 95-13-01, 95-14-01, 95-25-01, 95-38-  
7 01, 95-39-01, 95-45-01, 95-50-01, 95-50-02, 95-57-01 and 95-69-  
8 01, are created in Appendix A to ch. ATCP 30.

9           **SECTION 6. EFFECTIVE DATE.** The rules contained in this  
10 order shall take effect on the first day of the month following  
11 publication in the Wisconsin administrative register, as provided  
12 under s. 227.22(2)(intro.), Stats.

Dated this 14<sup>th</sup> day of February, 1995.

STATE OF WISCONSIN  
DEPARTMENT OF AGRICULTURE,  
TRADE AND CONSUMER PROTECTION

By   
Alan T. Tracy, Secretary





# Adams County

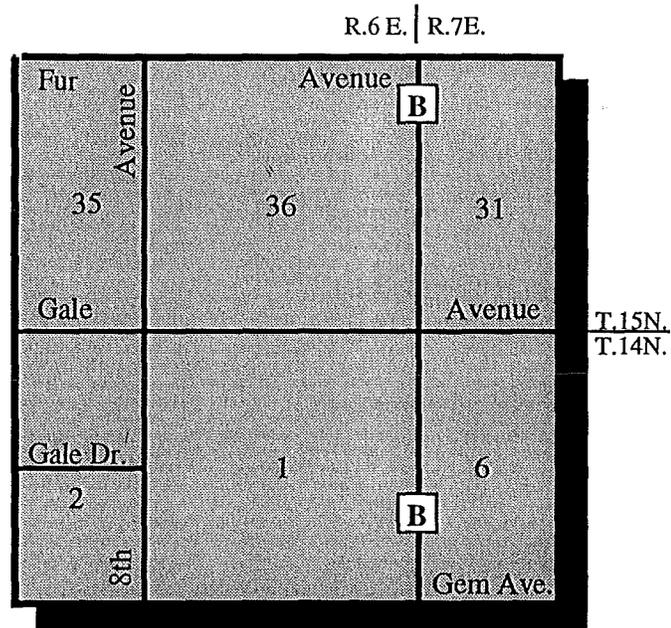
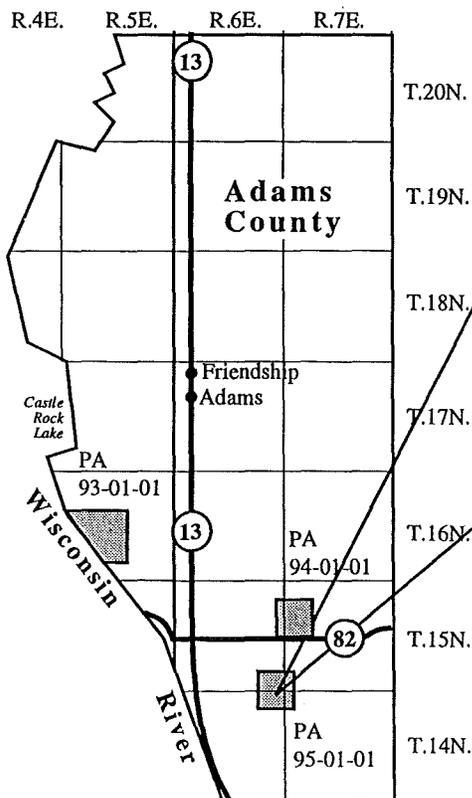
## Towns of Dell Prairie, New Haven, Jackson and Springville

### T. 14 N. R. 6-7 E. and T. 15 N. R. 6-7E.



#### PA 95-01-01

All uses of atrazine are prohibited on lands within the shaded region shown on the map. It includes:  
 all of section 1 and the E 1/2 of section 2 of T.14 N. R.6E.;  
 the W 1/2 of section 6, T.14N. R.7E.;  
 the E1/2 of section 35 and all of section 36, T.15N. R.6E.;  
 and the W1/2 of section 31, T.15N. R.7E.



There are three atrazine prohibition areas in Adams County. Refer to the detailed map of each area for its specific location.

#### Legend

	Interstate Highway
	US Highway
	State Highway
	County Highway
	Local Road
	Section Line
	Section Number

# Brown County

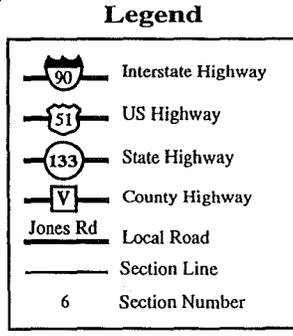
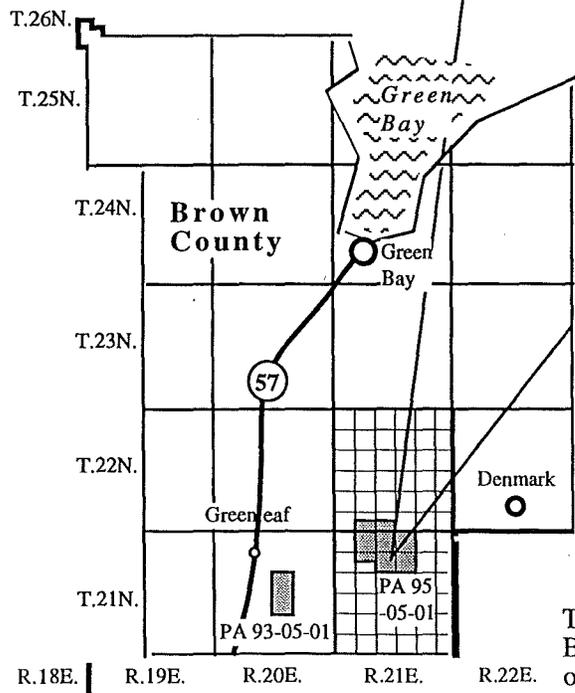
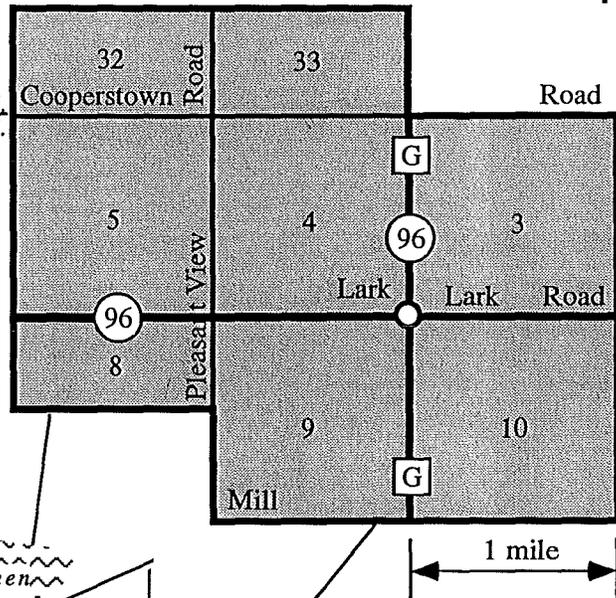
## Towns of Morrison and Glenmore

### T. 21-22 N. R. 21 E.

#### PA 95-05-01

All uses of atrazine are prohibited on lands within the shaded region shown on the map. It includes:  
 all of sections 3, 4, 5, 9 and 10 and the N 1/2 of section 8 of T. 21 N. R. 21 E.;  
 and the S 1/2 of sections 32 & 33 of T.22N. R.21E.

NOTE:  
 This PA is modified from PA 93-05-02.



There are 2 atrazine prohibition areas in Brown County. Refer to the detailed map of each area for its specific location.

# Chippewa County

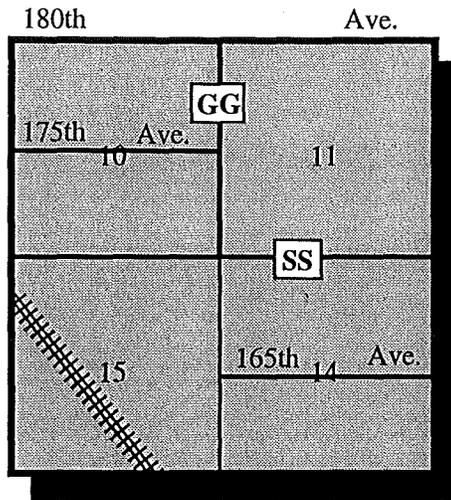
## Town of Woodmohr

### T. 30 N. R. 9 W.

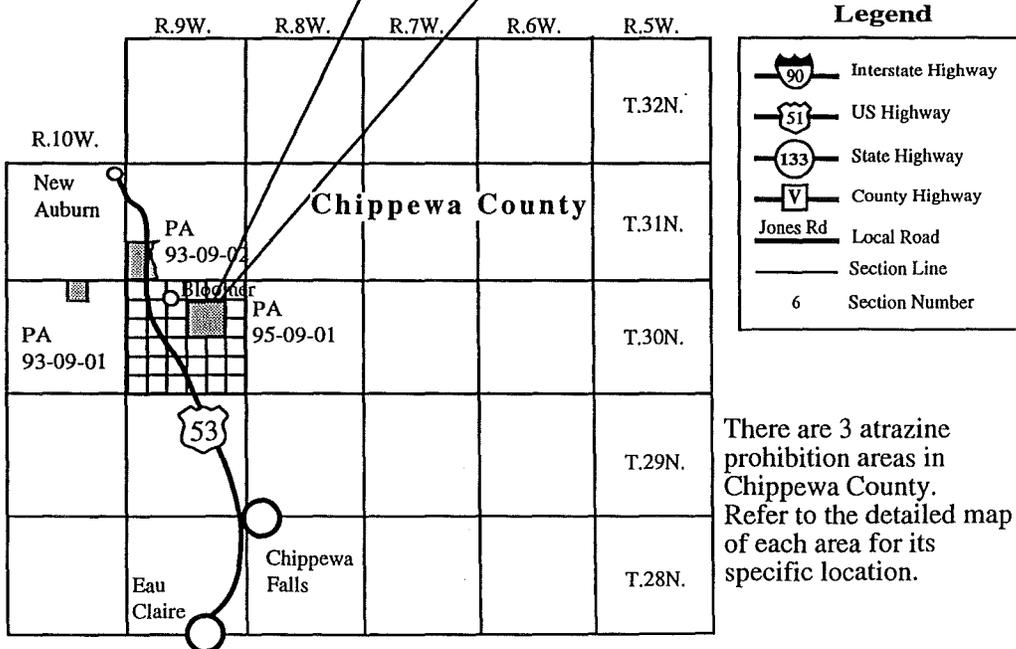
### PA 95-09-01



All uses of atrazine are prohibited on land within the region shown on the map. It includes:  
all of sections 10, 11, 14  
and 15 of T. 30 N. R. 9 W.



1 mile



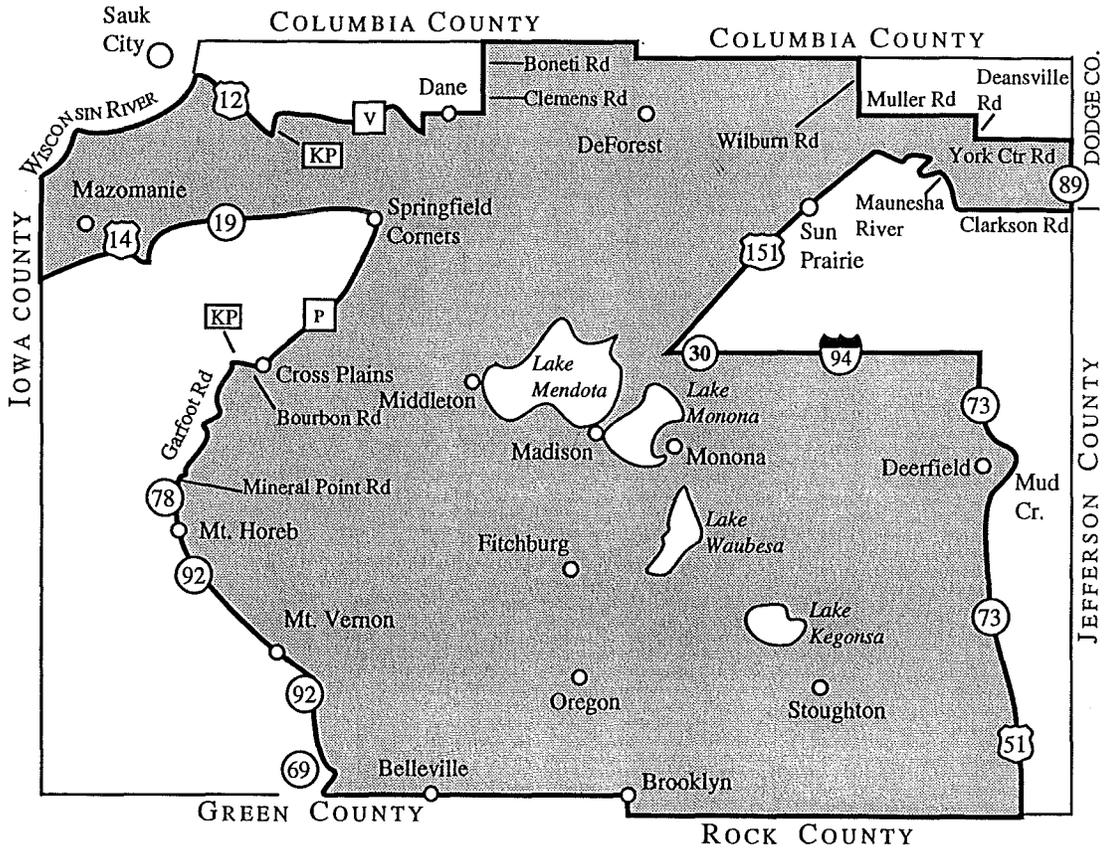
# Dane County

PA 95-13-01

All uses of atrazine are prohibited on lands within the shaded region shown on the map.

NOTE:

This PA is modified from PA 93-13-01.

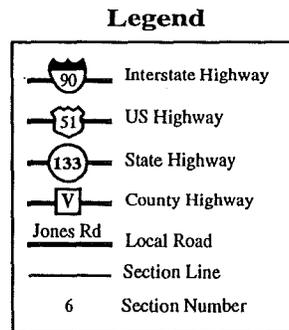
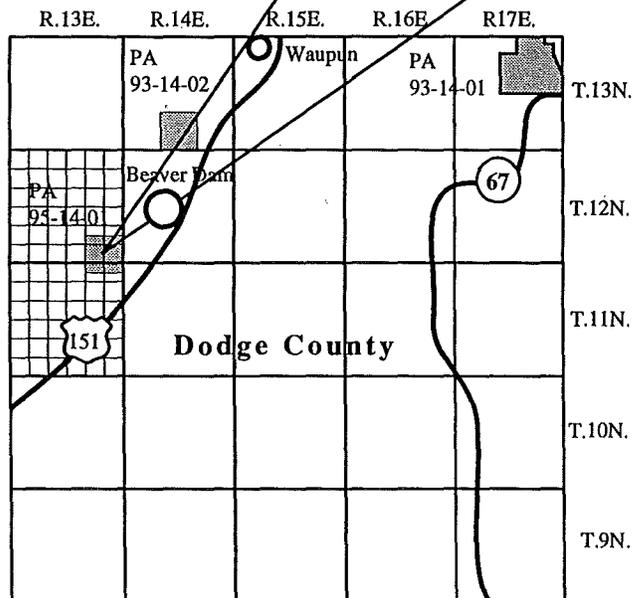
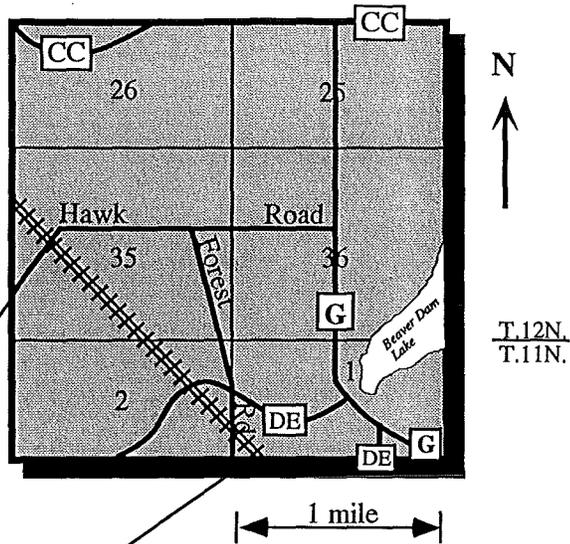


### Legend

	Interstate Highway
	US Highway
	State Highway
	County Highway
	Local Road
	Section Line
	Section Number

# Dodge County Towns of Calamus and Westford T. 11-12 N. R. 13 E. PA 95-14-01

All uses of atrazine are prohibited on lands within the shaded region shown on the map. It includes:  
the S 1/2 of sections 25 & 26 and all of sections 35 & 36 of T. 12 N., R.13 E.;  
the N 1/2 of sections 1 & 2 of T.11 N. R.13 E.



There are three atrazine prohibition areas in Dodge County. Refer to the detailed map of each area for its specific location.

# Iowa County

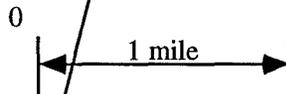
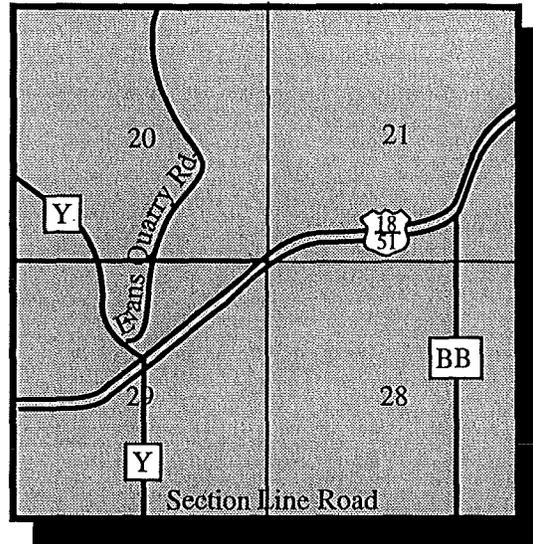
## Towns of Dodgeville and Ridgeway

### T. 6 N. R. 4 E.

#### PA 95-25-01

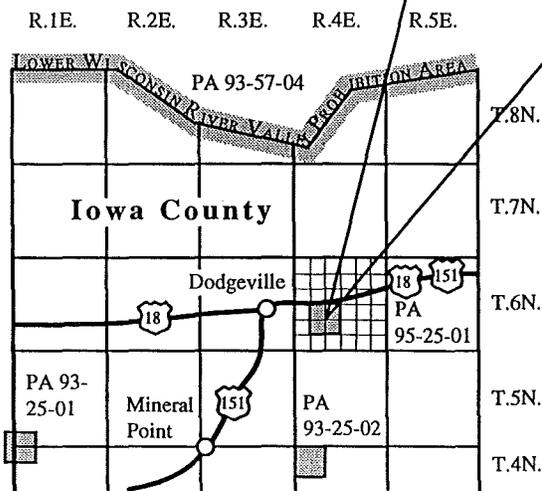


All uses of atrazine are prohibited on lands within the shaded region shown on the map. It includes:  
 all of sections 20, 21 28 and 29 of T. 6 N. R. 4 E.



#### Legend

	Interstate Highway
	US Highway
	State Highway
	County Highway
	Local Road
	Section Line
	Section Number



There are four atrazine prohibition areas in Iowa County including the Lower Wisconsin River Valley. Refer to the detailed map of each area for its specific location.

# Marinette County

## Town of Stephenson

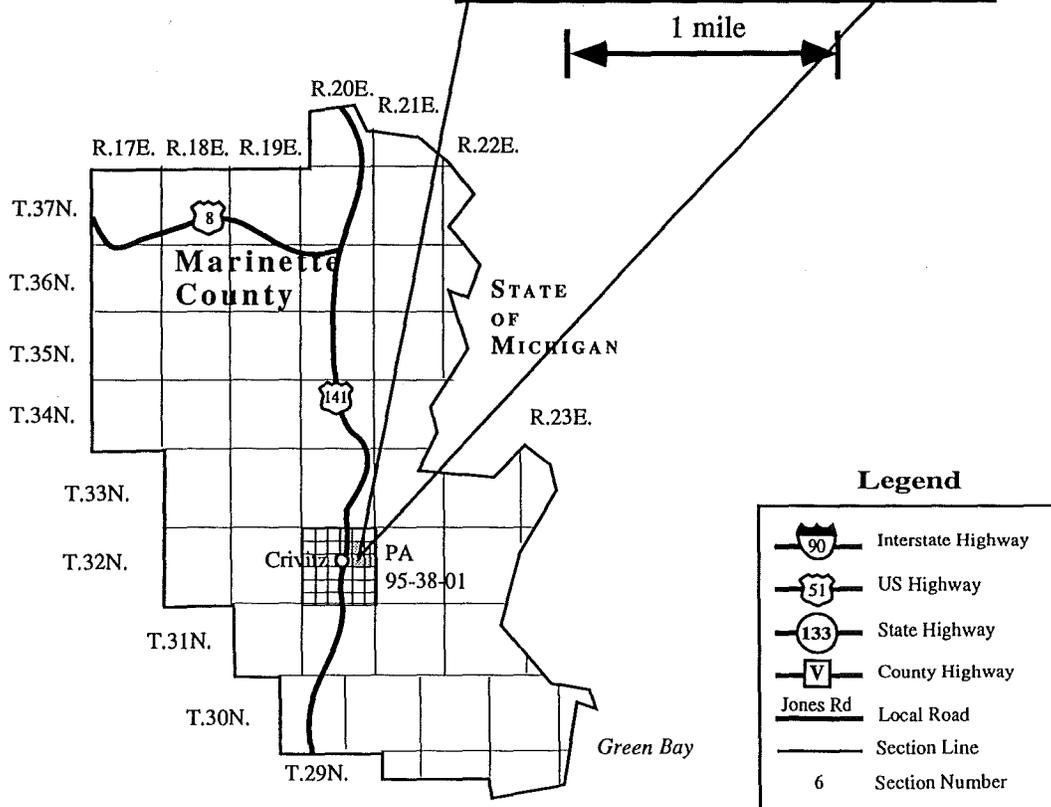
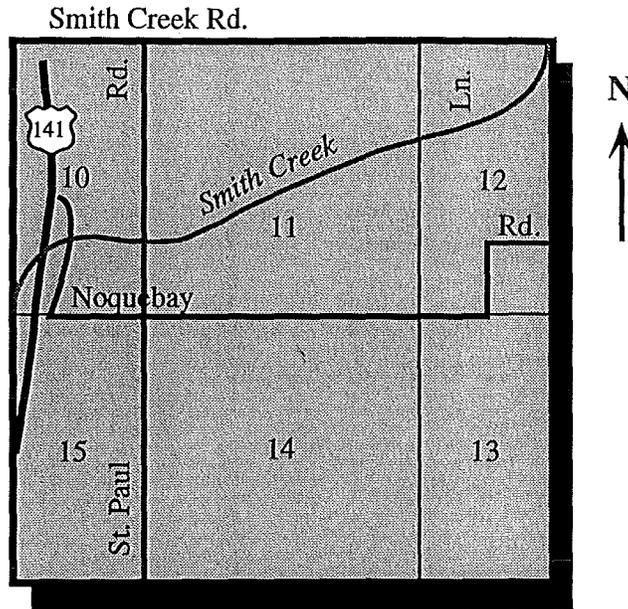
### T. 32 N. R. 20 E.

#### PA 95-38-01

All uses of atrazine are prohibited on lands within the shaded region shown on the map.

It includes:

- all of sections 11 and 14;
  - the W1/2 of sections 12 and 13;
  - and the E1/2 of sections 10 and 15,
- T.32N. R.20E.



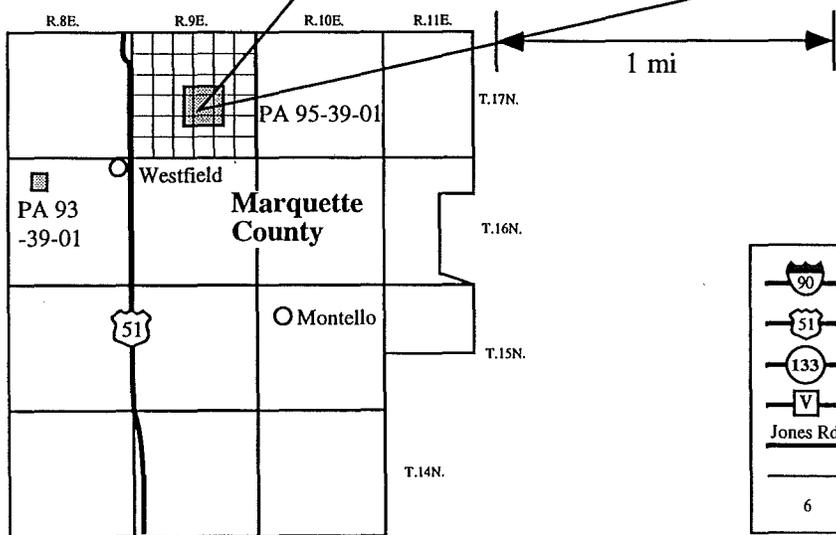
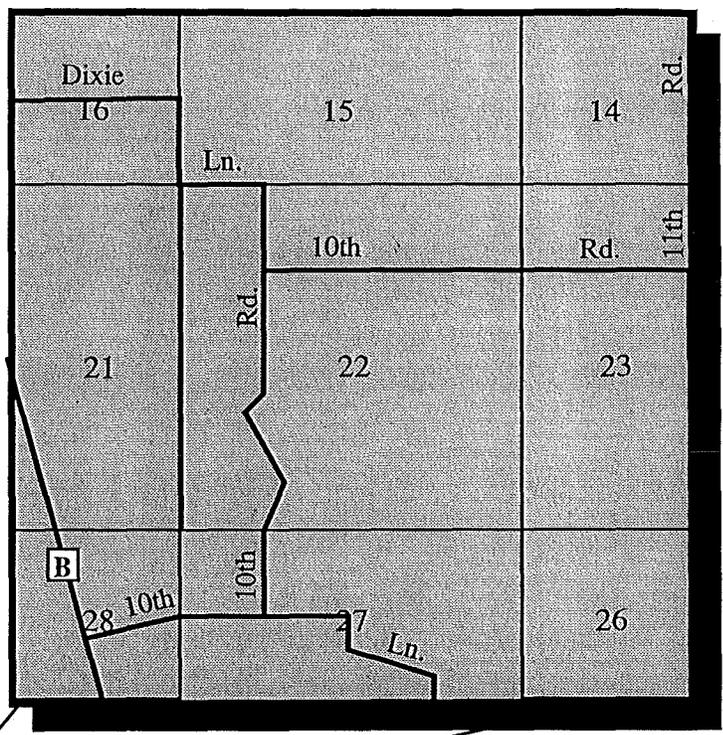
There is only one atrazine prohibition area in Marinette County.

**Marquette County**  
**Town of Newton**  
**T. 17 N. R. 9 E.**  
**PA 95-39-01**



All uses of atrazine are prohibited on lands within the shaded region shown on the map. It includes:

- the SW 1/4, section 14;
  - the S 1/2 of section 15;
  - the SE 1/4 of section 16;
  - the E 1/2 of section 21;
  - all of section 22;
  - the W 1/2 of section 23;
  - the NW 1/4 of section 26;
  - the N 1/2 of section 27;
  - the NE 1/4 of section 28;
- of T. 17N. R. 9 E.



**Legend**

- Interstate Highway
- US Highway
- State Highway
- County Highway
- Local Road
- Section Line
- Section Number

There are two atrazine prohibition areas in Marquette County. Refer to the detailed map of each area for its specific location.

# Outagamie County

Town of Dale

T. 21 N. R. 15 E.

# Winnebago County

Town of Winchester

T. 20 N. R. 15 E.

Town of Clayton

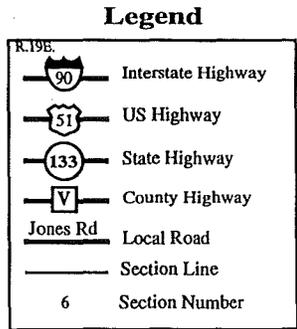
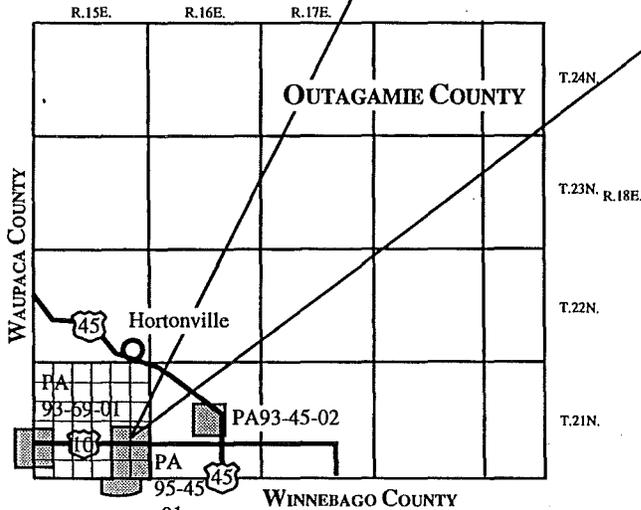
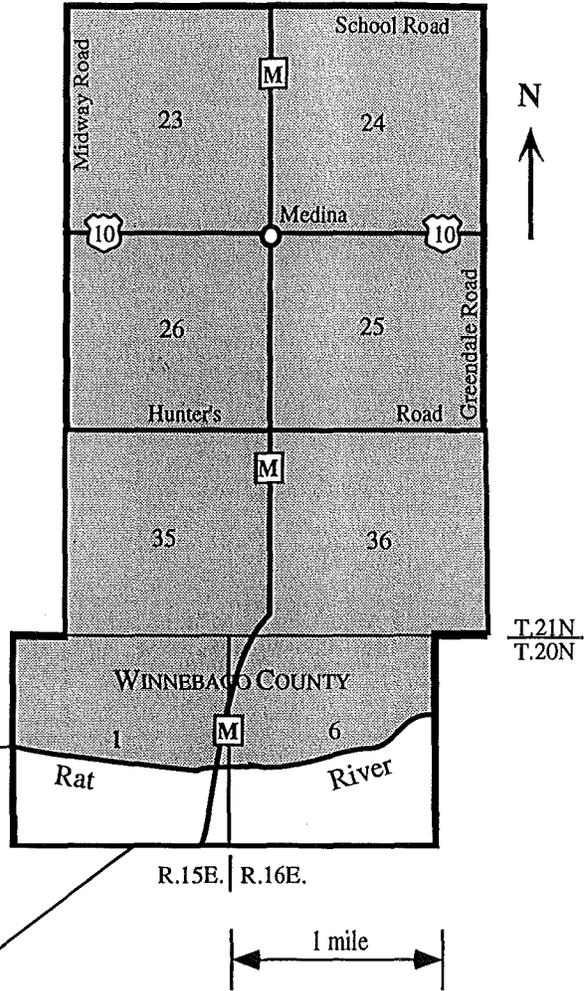
T. 20 N. R. 16 E.

PA 95-45-01

All uses of atrazine are prohibited on lands within the shaded region shown on the map. It includes all of sections 23, 24, 25, 26, 35 and 36 of T. 21 N. R. 15 E., and those portions of section 1 of T.20N. R.15E. and section 6 of T.20N. R.16E. north of the Rat River.

**NOTE:**

This PA is modified from PA 93-45-01.

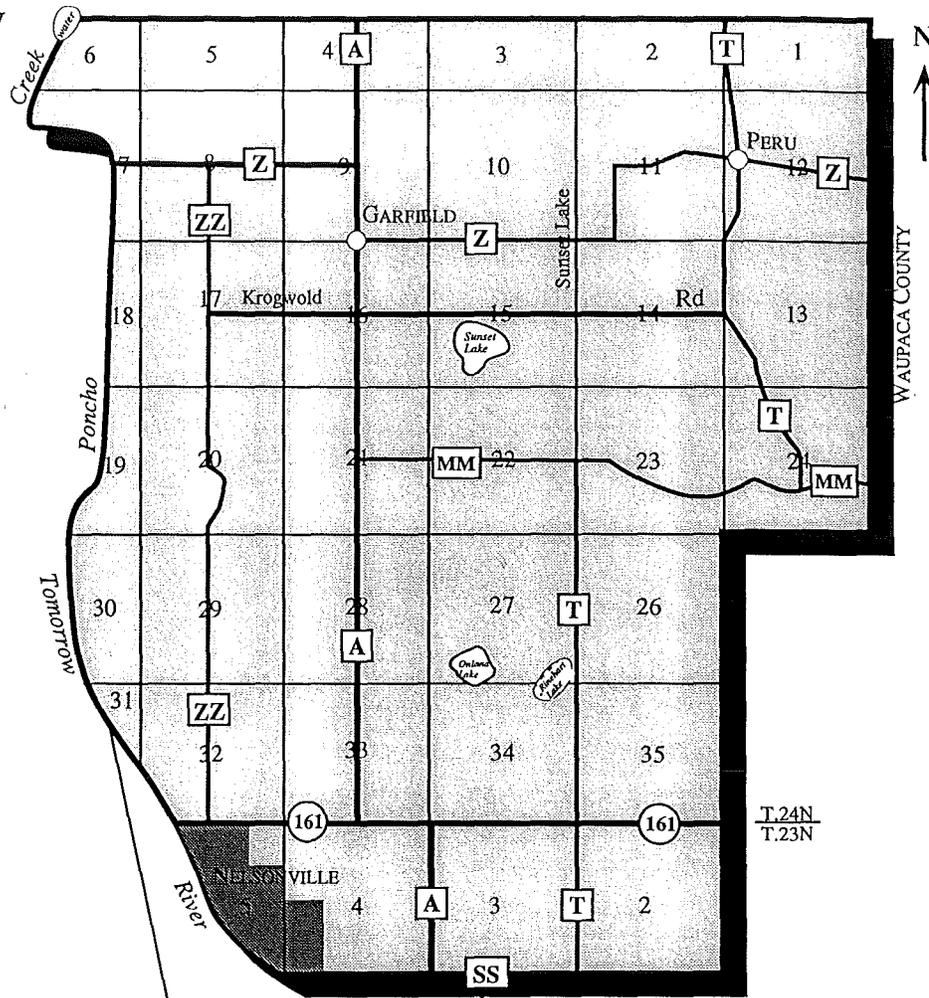


There are three atrazine prohibition areas in Outagamie County. PA 93-69-01 also is in Waupaca County. PA 95-45-01 also is in Winnebago County. Refer to the detailed map of each area for its specific location.

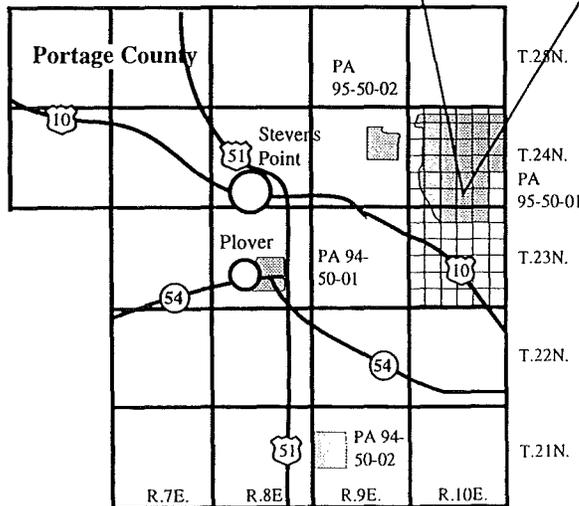
**Portage County  
Towns of Amherst  
and New Hope  
T. 23-24 N. R. 10 E.  
PA 95-50-01**

All uses of atrazine are prohibited on lands within the shaded region shown on the map.

NOTE:  
This PA is modified from  
PA 94-50-03.



1 mile



**Legend**

- Interstate Highway
- US Highway
- State Highway
- County Highway
- Local Road
- Section Line
- Section Number

There are 4 atrazine prohibition areas in Portage County. Refer to the detailed map of each area for its specific location.

# Portage County

## Towns of Sharon

### and Stockton

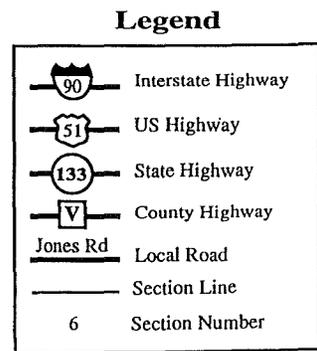
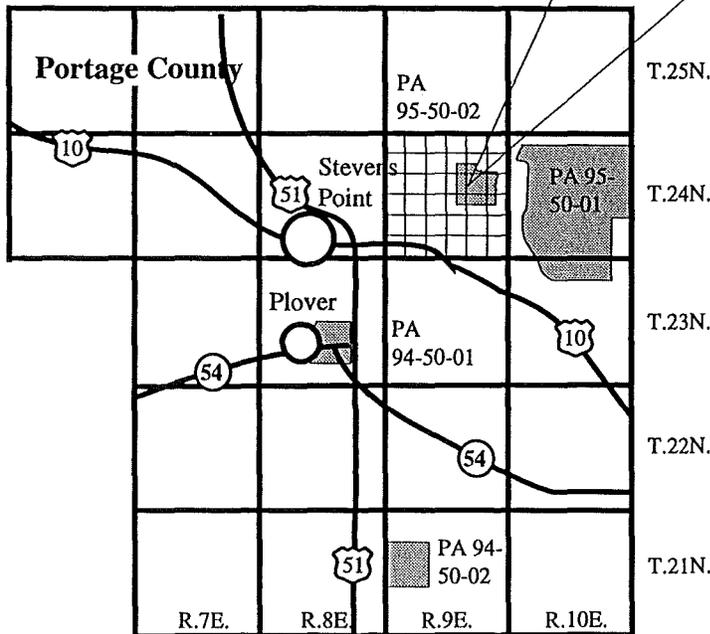
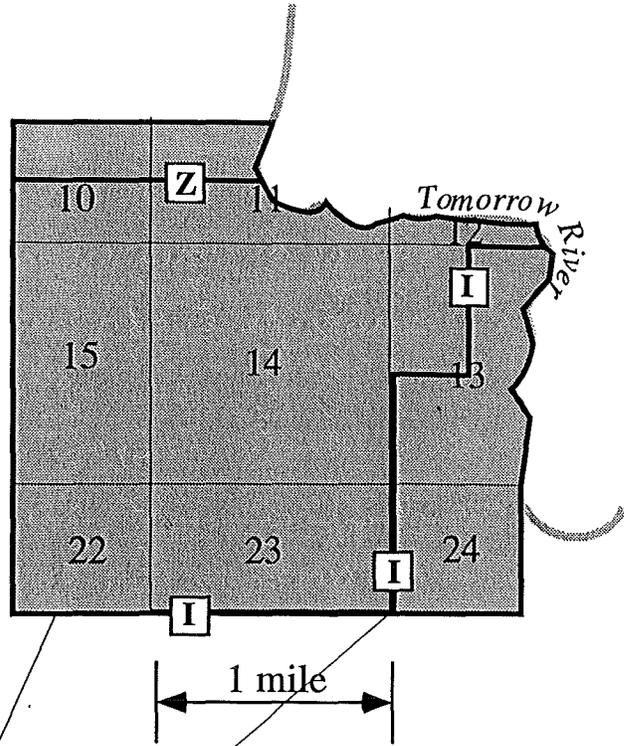
T. 24 N. R. 9 E.

PA 95-50-02

All uses of atrazine are prohibited on lands within the shaded region shown on the map.

It includes:

- The SE 1/4 of sec. 10;
- The S 1/2 of section 11 west of the Tomorrow River;
- Section 12 south of the Tomorrow River;
- Section 13 west of the Tomorrow River;
- all of section 14;
- the E 1/2 of section 15;
- the NE 1/4 of section 22;
- the N 1/2 of section 23;
- and the NW 1/4 of section 24.

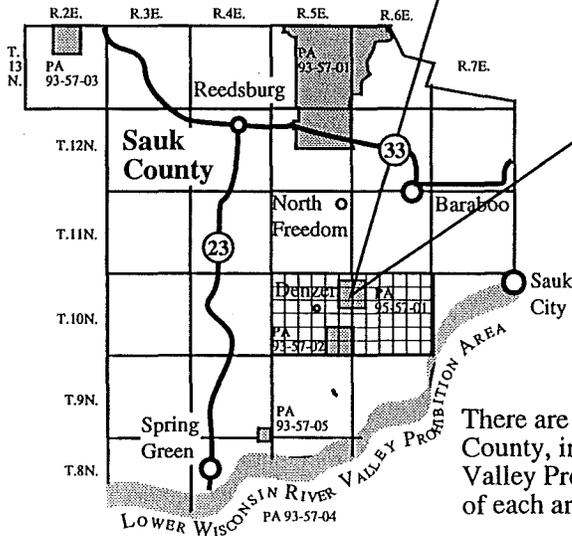
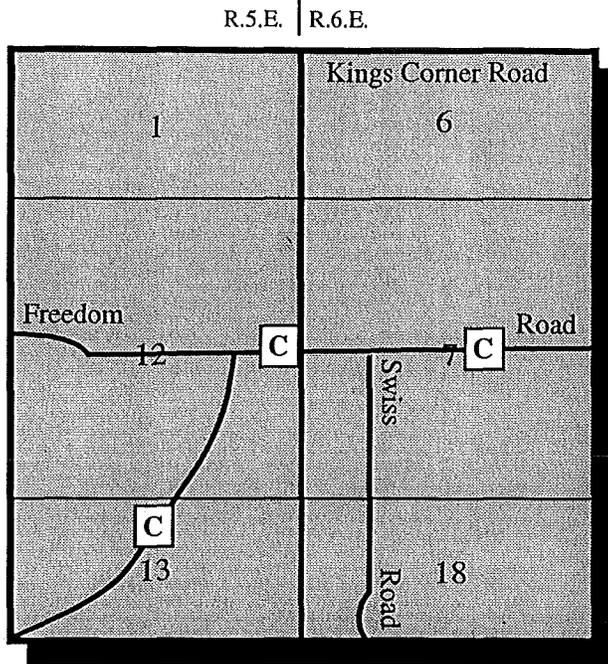


There are four atrazine prohibition areas in Portage County. Refer to the detailed map of each area for its specific location.

# Sauk County Towns of Honey Creek and Sumpter T. 10 N. R. 5-6 E. PA 95-57-01



All uses of atrazine are prohibited on lands within the shaded region shown on the map. It includes;  
the S 1/2 of section 1, all of section 12 and the N 1/2 of section 13 of T. 10 N. R. 5 E.;  
the S 1/2 of section 6, all of section 7 and the N 1/2 of section 18 of T. 10 N. R. 6 E.



### Legend

	Interstate Highway
	US Highway
	State Highway
	County Highway
	Local Road
	Section Line
	Section Number

There are five atrazine prohibition areas in Sauk County, in addition to the Lower Wisconsin River Valley Prohibition Area. Refer to the detailed map of each area for its specific location.

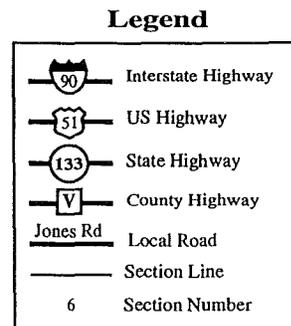
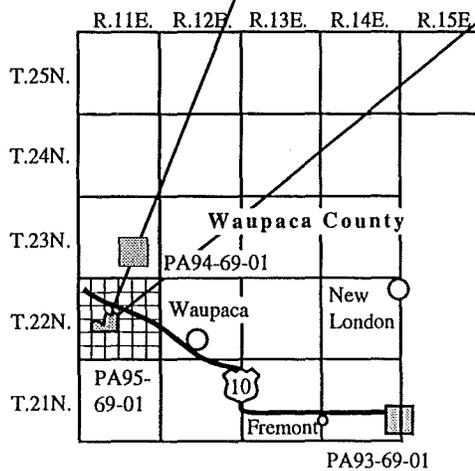
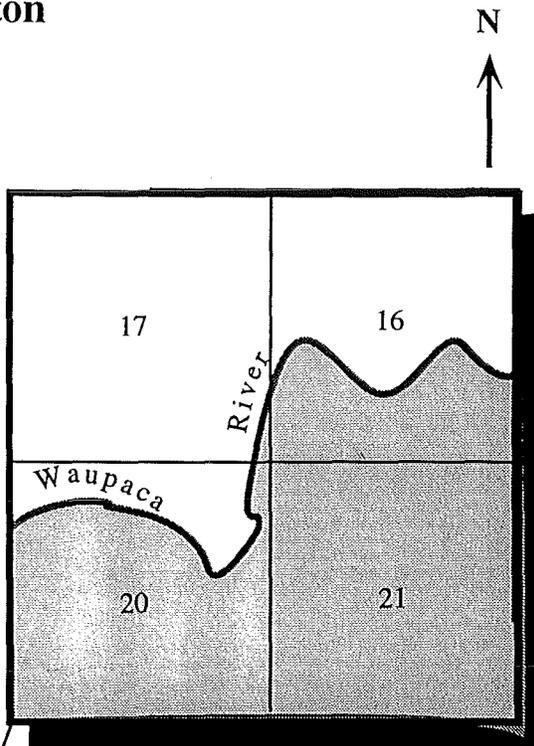
# Waupaca County

## Town of Farmington

### T. 22 N. R. 11 E.

### PA 95-69-01

All uses of atrazine are prohibited on lands within the shaded region shown on the map. It includes:  
 all of section 21 and those portions of sections 16 and 20 south of the Waupaca River.



There are three atrazine prohibition areas in Waupaca County. Refer to the detailed map of each area for its specific location.