



News & Views

A Monthly Publication Dedicated to the Feed, Seed, Grain and Farm Supply Industries of Wisconsin

Introducing Jeff Carter ■

We are pleased to announce the hiring of Jeff Carter as the WASA Safety Director. Jeff comes on board after working as a Safety Professional in Illinois, Texas and the east coast. Jeff has broad industry experience in OSHA, DOT, EPA, Workers Comp and his training has been enhanced by operational responsibilities in trucking, warehousing and mining. He grew up in Watseka, Illinois and attended Southeast Missouri State University. Jeff most recently was the Senior Safety Rep for Vulcan Materials Company in Texas.

For those members who have asked to be put on a contact waiting list regarding training schedules, Jeff has been contacting members to put together visits. If you haven't already contacted the WASA office regarding training schedules, please contact Jeff directly at the WASA office.

We are certain Jeff will be a great addition to the WASA staff. Please join us in welcoming him.

Somebody Asked ■

Q.: I recently received in the mail a notice from the USDA of a requirement to comply with Central Contractor Registration by May 1st. I remember a couple years back there was a spoof registration letter floating around requesting basically the same thing but from the US Department of Transportation. Is this letter from the USDA legit?

A.: Yes, it is legitimate. Any business that has either a federal warehouse license or a Uniform Grain and Rice Storage Agreement (UGRSA), also known as a "CCC agreement," or both is required to register with the Central Contractor Registration (CCR). The reason for this requirement is the USDA is switching over to electronic records in order to protect the individual registrant's personal information, including social security numbers and taxpayer identification numbers. When this project is

complete the USDA will no longer be filing personally identifiable information in paper form. USDA staff believes the computer security of the information is safer than having filing cabinets storing the same information. In addition, having the data re-entered by the licensees and agreement holders is the best means to ensure accurate, complete and up-to-date information. The registration process is free. Registrants also will be able to update or renew the information on-line in order to maintain active status.

In order to begin the registration process, each business entity must have a Data Universal Numbering System (DUNS) number. If you do not already have one of these numbers assigned to your business, you may get one free of charge and at the same time complete the CCR registration process at www.ccr.gov.

Feed Mills & the Clean Air Act ■

The Environmental Protection Agency (EPA) on January 5th of this year issued its final regulations under the Clean Air Act governing emissions of chromium and manganese from feed and feed ingredient manufacturers. This rule and its effects upon the feed industry were the subject of a breakout session at the Annual Convention that same month.

The final regulations apply to facilities classified with a North American Industry Classification System (NAICS) code of 311119 (facilities primarily engaged in manufacturing animal feed), provided such facilities use a material containing 0.1 percent or more of chromium or 1 percent or more of manganese by weight *and* animal feed production represents more than 50 percent of total annual production at the facility. This should apply to most WASA members in the feed manufacturing business. Those threshold levels apply even if the material is in a pre-mix and your facility is not mixing pure mineral concentrations. Incidentally, the 311119 NAICS code does **not** include facilities that

primarily manufacture dog or cat food. Therefore, such pet food manufacturers are not covered by the rule.

EPA's final rule also expressly states that facilities "primarily engaged in raising or feeding animals are **not** considered prepared feeds manufacturing facilities," so on-farm mixers are exempt from the rule regardless of size.

The majority of the regulations will require facilities covered by the EPA final rule to be in compliance by **no later than January 5, 2012**. However, there is one exception, the Initial Notification portion of the rule.

Facilities are required by **May 5, 2010** to provide initial notification to EPA that they handle chromium and manganese at levels equal to or exceeding the threshold level, and hence are subject to the regulations. The initial notification is to include:

- the name, address, phone number and email address of the owner and operator;
- the physical location of the facility; and
- a brief description of the facility's operation.

This notification is to be sent to both the federal EPA Region 5 office **and** the Wisconsin Department of Natural Resources. We have included a copy of a sample notification letter supplied by the EPA as an insert in the newsletter.

Completed notifications should be sent to:

MACT

Wisconsin Department of Natural Resources
Bureau of Air Management
101 S. Webster St. AM/7
Madison, WI 53707

Region 5 EPA
Compliance Tracker AE-17J
77 West Jackson Blvd.
Chicago, IL 60604

If a facility has ceased to use materials that contain manganese or chromium after Jan. 5, 2010, the facility is to submit a notification to EPA that includes:

- the company's name and address; and

- a statement by a responsible company official indicating that the facility no longer uses materials that contain chromium or manganese. This statement also should include the date when the facility ceased to use materials that contain chromium or manganese, and the responsible company official's name, title, phone number, email address and signature

If you have questions regarding the registration, please contact WASA or the DNR at 608-264-8876.

Grain Dealer Law Update

Finally, after almost a year's delay, the legislature has passed a bill with positive changes to the Wisconsin Agricultural Producer Security (APS) Program and grain dealer licensing requirements. The bill is now forwarded to Governor Doyle, who is expected to sign the bill in mid-May. The law would then go into effect June 1st.

The major change is the thresholds for the requirement of either reviewed or audited financial statements to be filed with the Department. Current law has those levels based on dollars of purchases from producers, which can vary year to year given market price fluctuations. The new levels are bushel-based and should provide licensees with a more predictable situation regarding the requirement for which type, if any; financial statements would need to be submitted. Those new levels for grain dealer licensees are 200,000 bu. for a reviewed audit and 2.5 million bu. for audited financials. The levels for warehouse keepers also changes significantly from 500,000 bu. to 1.5 million bu. for an audited statement, while the minimum threshold for a reviewed financial statement stays at 300,000 bu. It has been estimated this will save the state's grain industry about \$1 million per year in fees for audits which were solely prepared because of the state requirement.

Department staff has told WASA for entities with a May 31 year-end, they will allow those entities to come under the new law's thresholds so as to not require them to wait until 2011 to realize the potential cost savings.

On another positive note for state grain dealer

licensees, the portion of the APS to which grain dealers have made assessment contributions is about to hit a very important threshold of its own. Barring any dealer default claims between now and May 31, the level will rise above a prescribed level which allows the Department to use funds to credit grain dealer license fees. The amount of the fee credit is limited to 50% of the amount over the threshold. Given current projections, and again barring any default claims, it is anticipated that on average the state's grain dealers will receive on average a 50% credit towards their license fees for the coming 2010 license period. The exact amount which each dealer will receive will depend on their individual licensee fee amounts paid in over the past four years.

For those who might not remember, this was one of the positive facets of the APS for the industry, which we will hopefully see this September.

Spring Thaw Restrictions■

The Wisconsin Department of Transportation Spring Thaw weight restrictions were lifted in Zones 3, 4, and 5 last week. The restrictions will be lifted in Zone 2 on April 21, 2010 at 12:01 AM. The restrictions in Zone 1 are still in effect and remain so until conditions warrant that they can be removed. Lifting the weight restrictions ends Class II Road limitations temporary less-than-legal weight postings and temporary suspension of divisible load multiple trip permits, such as the permits to transport forest products, vegetables, garbage and recyclable scrap in Zones 3, 4, and 5. See www.dot.wisconsin.gov/travel/truck/weightrestrictions.htm for a map of Wisconsin zones.

The end of seasonal weight restrictions applies to highways on the State Trunk Highway System ONLY. (This includes all State and US numbered highways within the zones identified.) Year round restriction of divisible load multiple trip permit use of Interstate, except that portion of IH 39 from the IH 90/94 interchange near Portage to the north, remains in effect.

For information pertaining to seasonal weight restrictions imposed by county or local highway officials, contact the jurisdiction.

Eldon Roesler Scholarships■

Time is almost up for applications to be submitted for the Eldon Roesler Scholarships again. The criteria for consideration for the scholarships will remain the same and are as follows:

- be a Wisconsin resident,
- have completed one year of study at a Wisconsin university, college or vocational/technical college in an agricultural discipline or in another discipline with the stated intent of pursuing a career in an agriculture-related field,
- have a minimum of a 2.75 cumulative grade point average on a scale of 4.0, and
- can demonstrate in written form qualities of leadership, academic ability and financial need.

An application form with all necessary information is included.

WASA Directory Update■

The following updates should be made to your WASA Directory.

New:

Hixton-Fairchild Farmers Co-op
64 State St.

Hixton, WI 54635

Phone: (715) 963-3211

Fax: (715) 963-3221

Inter-Chem

1022 Lumberman's Trail

Madison, WI 53716

Phone: (608) 273-6000

Fax: (608) 224-4228

We are currently putting in the updates we have received back from members to correct their directory listing. We hope to have everything in place to get the 2010 directory to the printer in June.

Looking Down the Road■

June 9-10 **4 State Dairy Nutrition and Management Conference**
Dubuque, IA