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House of Representatives
COMMONWEALTH OF PENNSYLVANIA
HARRISBURG

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2513

November 28, 2006

Alvin C. Bush, Chairman
IRRC
14th Floor, Harristown 2
333 Market Street
Harrisburg, PA 17101

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INDEPENDENT REGULATION
REVIEW COMMISSION

Dear Chairman Bush:

Please be advised that the Agriculture and Rural Affairs Committee of the House of Representatives has completed its review of the Department of Agriculture Final-Form Regulation I.D. No. 2-150, Commercial Manure Hauler and Broker Certification.

Upon review, it must be noted that we continue to believe, as expressed in my comments on the proposed rulemaking, that the Department did not correctly interpret the legislative intent of certain key provisions of the Act. Therefore, we continue to view the Final-Form regulation as flawed with respect to certain requirements imposed.

Nonetheless, the overall regulatory proposal does embody substantial and significant revisions to the original proposal and to the Advanced Notice of Final Rulemaking published on Aug. 3, 2006. In this respect the Department is to be commended for their responsiveness to many of the concerns expressed by both the Legislature and the private sector in developing a more workable regulatory program for the implementation of Act 49 of 2004.

Therefore, while the Committee has serious reservations about certain aspects of Final-Form Regulation 2-150 and will continue to closely monitor implementation of the Certified Manure Hauler and Broker Certification program, it does not object to publication of Final-Form Regulation I.D. No. 2-150.

Sincerely,

A handwritten signature in blue ink, appearing to read "A. Hershey".

Arthur D. Hershey, Majority Chairman
Agriculture and Rural Affairs Committee

ADH/se

Cc: Secretary Dennis Wolff