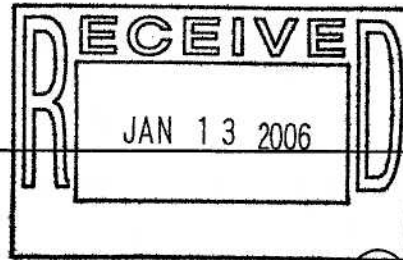




**Hatfield Quality Meats**

2006 FEB -2 AM 6:35

INDEPENDENT REGULATORY  
REVIEW COMMISSION



*I called Doug we are OK with them*

January 11, 2006

The Honorable Dennis C. Wolff, Secretary  
Pennsylvania Department of Agriculture  
2301 North Cameron Street  
Harrisburg, PA 17110-9408

REF: Concerns with the Proposed Manure Hauler Regulations

Dear Secretary Wolff,

Hatfield Quality Meats, Inc. ("Hatfield") is very concerned with the proposed rule making by the Department for Commercial Manure Hauler and Broker Certification and your Statement of Policy for interim certification. Listed below are some of our concerns:

**1. Inadequate Consultation and Time for Comments:** There is inadequate time for the industry to evaluate the full scope of the proposed regulations and then provide the Department with comments. Hence, the Department should withdraw the proposed regulations and engage in consultation with the Nutrient Management Advisory Board (NMAB) and/or the State Conservation Commission as required in Act 49.

**2. Industry Viability:** Hatfield recognizes the importance of the certification regulations as it relates to assuring the public that manure is properly applied. However, the Commonwealth must understand that a certification program must be done in a way that allows the regulated industry to remain viable and productive. The certification process should be made as streamlined as possible to assure that there is an adequate number of certified manure hauler/broker to handle the large volume of manure that is currently handled by the manure hauling / brokering industry.

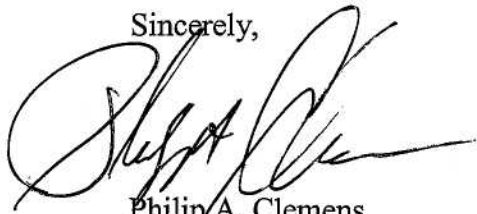
**3. Fiscal Impact:** The proposed regulations shall have a draconian affect on all facets of the industry. Specifically, the hauling/brokering industry will have substantial increased costs to obtaining and maintaining certifications and the associated record keeping. The hauling regulations will place additional stresses on the operational budgets of Pennsylvania's agriculture operations that will drive agriculture to other states.

**4. Direct Supervision:** Many agricultural operations have elected to use commercial haulers / brokers for their primary means of manure application instead of investing in high-cost, low-use equipment. These operations have a high level of control over the land application event. This situation is very similar to a landowner hauling his own manure. The proposed regulations will

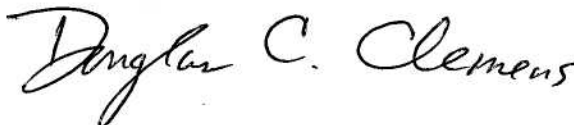
place that type of agricultural operation at an unfair disadvantage to uncertified agricultural operations that haul their own manure. Further, the direct supervision requirement will require agricultural operations to hire the highest level of certified hauler / brokers or have two people involved in the land application event. No agricultural operation should be made to pay for someone who will do nothing but watch the application take place when they are already paying for the person performing the application. It is unrealistic and nonproductive to have a Broker or Level 3 hauler onsite supervising the land application of manure.

Thank you for taking the time to read comments. We look forward to your response.

Sincerely,



Philip A. Clemens  
C.E.O.



Douglas C. Clemens  
President

Cc: The Honorable Steven Crawford, Secretary for Legislative Affairs, Office of the Governor  
The Honorable Michael L. Waugh, Majority Chair Senate Agriculture and Rural Affairs Committee  
The Honorable Michael A. O'Pake, Minority Chair Senate Agriculture and Rural Affairs Committee  
The Honorable Noah W. Wenger, Senate Agriculture and Rural Affairs Committee  
The Honorable Arthur D. Hershey, Majority Chair, House Agriculture and Rural Affairs Committee  
The Honorable Peter J. Daley, II, Minority Chair, House Agriculture and Rural Affairs Committee  
The Honorable Sheila Miller, Majority Vice Chair, House Agriculture and Rural Affairs Committee  
Deputy Secretary Russell Redding, Pennsylvania Department of Agriculture  
Jay Howes, Director of Policy, House Agriculture and Rural Affairs Committee

