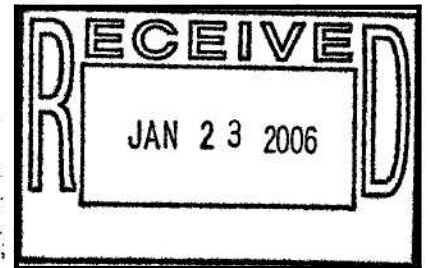


Original: 2513

BIOSPREAD INCORPORATED

DONALD L. POOLE JR V.P.

RECEIVED
2006 FEB -2 AM 8:35



REGULATORY
REVIEW COMMISSION

125 Myrtle Avenue
West Grove, PA 19390
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Biospread@aol.com

January 19, 2006

Pennsylvania Department of Agriculture
2301 North Cameron Street
Harrisburg, PA 17110

Attention; Johan Berger

Proposed changes in the certification process of individual Hauler Applicators under Act 49 have brought forth a few concerns...

My first concern is over which certification number should be applied to the tractors being used in an operation. If an operation has multiple Hauler Applicators using the same equipment, with each individual Hauler Applicator having a different certification number, which number should be applied to the tractor? Is the certification number equivalent to that of the most qualified and best certified Hauler Applicator? Or is it based upon the majority of the Hauler Applicators in a single operation?

Secondly, I am concerned over the proposal to have all Hauler Applicators Class 3 certified. Larger custom hauling operations are seasonal and may operate with as many as ten different part-time Hauler Applicators in any given year. Couldn't these individuals work under the supervision of a Class 3 Hauler Applicator as in other applications such as fertilizer, herbicides, pesticides, and bio solids, where part - time operators can work under the supervision of a certified operator.

My final concern, pending all operators need to be certified Class 3 Hauler Applicators is in the cost effectiveness of having all employees certified. After adding the cost of certification, testing and classroom fees, the total cost per operator is \$435. (\$375 for level 3 certification, \$50 testing cost and a \$10 classroom fee.) Although this is considerably economic for those businesses with the ability to use full time employment only, it will cause a major strain on larger custom hauler operations who rely on part time operators during the busiest season. There is also the cost of time delay during which time it takes these part time applicators to become certified. This causes a major inconvenience to those customers who need immediate services from custom hauling operations. With total cost in the thousands, possibly even tens of thousands.

In conclusion I hope you have seen that my concerns over Act 49 and the changes it brings; what certification number will be applied to tractors, who needs to be certified and the cost of having all employees certified; have long term effects, not only for larger custom hauling operations but also smaller operations who may not be able to afford the cost. There could even be effects to the customers that have not been discussed in the letter. I hope you will consider my concerns and make changes to Act 49.

Sincerely,

A handwritten signature in black ink that reads "Donald L. Poole Jr." with a stylized flourish at the end.