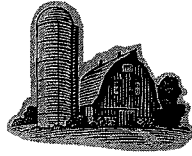


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THE AG COALITION



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INDEPENDENT REGULATORY
REVIEW COMMISSION

Preserving Pennsylvania's Family Farms

30 North Third Street, Suite 950
Harrisburg, PA 17101

October 12, 2007

AG Coalition Comments on Proposed Facility Odor Management Regulations

The following comments are submitted on behalf of the Ag Coalition. The Ag Coalition consists of operators of enterprises engaged in agriculture or ag-related businesses in Pennsylvania with a common interest in the preservation and development of a strong agricultural base in the Commonwealth.

The members of the Ag Coalition would like to commend the State Conservation Commission for the approach taken in the development of these regulations. Throughout the process, a conscientious effort was made to reach out to interested parties to solicit their ideas and listen to their concerns. We greatly appreciated the opportunity during the development of these regulations to meet with State Conservation Commission representatives to discuss practical applications of odor management practices and their potential impact and cost upon our ability to provide safe, reliable, and affordable food.

As members of the agricultural community, which is most directly impacted by these regulations, there were concerns about how best management practices for odor control would be developed, identified, implemented, and at what cost. We believe the authorizing legislation was very clear in prescribing the applicable situations in which best management practices for odor control would be required. Further, Act 38 struck a reasonable balance between the concerns of non-farming neighbors with the right of farmers to pursue new ag business opportunities to continue to grow their business operations.

The Ag Coalition members support the proposed regulations as a reasonable and workable approach to implementing Act 38. We also offer the following additional comments.

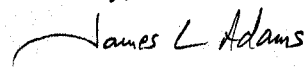
We urge the State Conservation Commission to make the Level II Odor Best Management Practices accessible to the public free of cost. It is our understanding that Penn State will maintain the list of Level II BMPs on a secured website, with access granted only to individuals who have completed the PDA Odor Management Plan Certification Program. In the spirit of more openness to public records and information, we believe that a farm operator should be able to freely obtain information on current Level II BMPs so they can more accurately assess the feasibility of potential expansion of their operations without the need to immediately hire a certified plan writer.

When a farmer begins to entertain the idea of expanding their operations or entering into a new ag production endeavor, the business plan needs to include accurate information on likely expenses as compared to projected additional revenue. Without easy and free access to the Level II BMPs, some farmers may needlessly expend hours of their time guessing at what may be required of them and what the likely expense would be. In this preliminary plan development phase, the farmer should have available the information needed to accurately project the cost/benefit of a potential expansion or new enterprise in order to determine if they should take the next step of hiring a design firm or other consultants.

If full access to the Level II BMPs is not feasible, then we urge that at least some information be made publicly available to farm operators as to the types of Level II BMPs that would be required in various situations, in order to provide some guidance on the potential compliance requirements associated with a proposed expansion of the agricultural operations.

On behalf of the Ag Coalition and its members, thank you for your consideration of providing greater public access to this critical information.

Sincerely,



James L. Adams
President & Chief Operating Officer

Cc: The Honorable Michael W. Brubaker
The Honorable Michael L. Waugh
The Honorable Michael K. Hanna
The Honorable Art Hershey
Kim Kaufman, Executive Director, IRRC