

111<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 6273

To amend the Federal Insecticide, Fungicide, and Rodenticide Act to exempt the application of pesticides subject to that Act, when applied in conformance with that Act, from certain permit requirements under the Federal Water Pollution Control Act, and for other purposes.

---

## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 29, 2010

Mr. PETERSON (for himself, Mr. HOLDEN, Mr. BOSWELL, Mr. CARDOZA, Mr. SKELTON, Ms. HERSETH SANDLIN, Mr. CHILDERS, Mr. ROSS, Mr. COSTA, Mr. POMEROY, Mr. KISSELL, Mr. ELLSWORTH, and Mr. OWENS) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

---

## A BILL

To amend the Federal Insecticide, Fungicide, and Rodenticide Act to exempt the application of pesticides subject to that Act, when applied in conformance with that Act, from certain permit requirements under the Federal Water Pollution Control Act, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. BALANCING OF FEDERAL INSECTICIDE, FUN-**  
2 **GICIDE, AND RODENTICIDE ACT AND FED-**  
3 **ERAL WATER POLLUTION CONTROL ACT RE-**  
4 **QUIREMENTS.**

5 (a) EXEMPTION.—Section 11 of the Federal Insecti-  
6 cide, Fungicide, and Rodenticide Act (7 U.S.C. 136i) is  
7 amended by adding at the end the following new sub-  
8 section:

9 “(f) EXEMPTION FROM FEDERAL WATER POLLU-  
10 TION CONTROL ACT PERMIT REQUIREMENT.—The Ad-  
11 ministrator shall not require a permit under section 402  
12 of the Federal Water Pollution Control Act (33 U.S.C.  
13 1342), nor shall the Administrator directly or indirectly  
14 require any State to require a permit, for the application  
15 of any pesticide subject to this Act if the pesticide is ap-  
16 plied in conformance with this Act.”.

17 (b) CONFORMING AMENDMENT.—Section 402(l) of  
18 the Federal Water Pollution Control Act (33 U.S.C.  
19 1342(l)) is amended by adding at the end the following  
20 new paragraph:

21 “(3) APPLICATION OF PESTICIDES SUBJECT TO  
22 FEDERAL INSECTICIDE, FUNGICIDE AND  
23 RODENTICIDE ACT.—The Administrator shall not re-  
24 quire a permit under this section, nor shall the Ad-  
25 ministrator directly or indirectly require any State to  
26 require a permit, for the application of any pesticide

1 subject to the Federal Insecticide, Fungicide, and  
2 Rodenticide Act (7 U.S.C. 136 et seq.) if the pes-  
3 ticide is applied in conformance with that Act.”.

○