

112TH CONGRESS
2D SESSION

H. R. 6075

To permit the chief executive of a State to create an exemption from certain requirements of Federal environmental laws for producers of agricultural commodities, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 29, 2012

Ms. BUERKLE (for herself, Mrs. BLACKBURN, Mr. BROUN of Georgia, Mrs. HARTZLER, Mr. KELLY, Mr. ROE of Tennessee, and Mr. WESTMORELAND) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Transportation and Infrastructure, 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 permit the chief executive of a State to create an exemption from certain requirements of Federal environmental laws for producers of agricultural commodities, 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,*

3 **SECTION 1. UNDULY BURDENSOME REGULATIONS EXEMP-**
4 **TION.**

5 (a) IN GENERAL.—If the chief executive of a State
6 determines, in accordance with this section, that a require-

1 ment of a covered Federal environmental law, or a regula-
2 tion thereunder, is unduly burdensome to persons in the
3 State acting in their capacity as farmers, such require-
4 ment or regulation shall not apply to such persons acting
5 in such capacity.

6 (b) PROCEDURE.—Before finalizing any determina-
7 tion under subsection (a), the chief executive of a State
8 shall solicit and accept public comments regarding such
9 determination for a period of not less than 90 days.

10 (c) DEFINITIONS.—In this Act:

11 (1) COVERED FEDERAL ENVIRONMENTAL
12 LAW.—The term “covered Federal environmental
13 law” means—

14 (A) the Clean Air Act (42 U.S.C. 7401 et
15 seq.), insofar as such Act applies to emissions
16 of air pollutants other than emissions resulting
17 from the combustion of any fossil fuel;

18 (B) the Federal Water Pollution Control
19 Act (33 U.S.C. 1251 et seq.); and

20 (C) the Solid Waste Disposal Act (42
21 U.S.C. 6901 et seq.).

22 (2) FARMER.—The term “farmer” means—

23 (A) a producer, as that term is defined
24 in—

1 (i) section 1001 of the Food, Con-
2 servation, and Energy Act of 2008 (7
3 U.S.C. 8702);

4 (ii) section 1506(a) of the Food, Con-
5 servation, and Energy Act of 2008 (7
6 U.S.C. 8773(a)); and

7 (iii) section 212 of the Agricultural
8 Marketing Act of 1946 (7 U.S.C. 1635a);
9 and

10 (B) a producer of a specialty crop, as that
11 term is defined in section 3 of the Specialty
12 Crops Competitiveness Act of 2004 (7 U.S.C.
13 1621 note; Public Law 108–465).

14 (3) STATE.—The term “State” means any of
15 the several States of the United States, the District
16 of Columbia, the Commonwealth of Puerto Rico, the
17 United States Virgin Islands, Guam, American
18 Samoa, the Commonwealth of the Northern Mariana
19 Islands, and any other territory or possession of the
20 United States.

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