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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

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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.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. UNDULY BURDENSOME REGULATIONS EXEMPTION.

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

ment of a covered Federal environmental law, or a regulation thereunder, is unduly burdensome to persons in the State acting in their capacity as farmers, such requirement or regulation shall not apply to such persons acting in such capacity.

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

(c) DEFINITIONS.—In this Act:

(1) COVERED FEDERAL ENVIRONMENTAL LAW.—The term ''covered Federal environmental law'' means—

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

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

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

(2) FARMER.—The term ''farmer'' means—

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

(i) section 1001 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8702);

(ii) section 1506(a) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8773(a)); and

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

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

(3) STATE.—The term ''State'' means any of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and any other territory or possession of the United States.

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