

**AMENDMENT TO
RULES COMMITTEE PRINT 116-18
OFFERED BY MR. GIBBS OF OHIO**

At the end of the bill, add the following:

1 **DIVISION _____—REDUCING EPA**
2 **DUPLICATION TO ADVANCE**
3 **PESTICIDE ENFORCEMENT**

4 **SECTION 1. SHORT TITLE.**

5 This division may be cited as the “Reducing EPA
6 Duplication to Advance Pesticide Enforcement Act” or the
7 “REDTAPE Act”.

8 **SEC. 2. USE OF AUTHORIZED PESTICIDES.**

9 Section 3(f) of the Federal Insecticide, Fungicide,
10 and Rodenticide Act (7 U.S.C. 136a(f)) is amended by
11 adding at the end the following:

12 “(5) USE OF AUTHORIZED PESTICIDES.—Ex-
13 cept as provided in section 402(s) of the Federal
14 Water Pollution Control Act, the Administrator or a
15 State may not require a permit under such Act for
16 a discharge from a point source into navigable
17 waters of a pesticide authorized for sale, distribu-
18 tion, or use under this Act, or the residue of such

1 a pesticide, resulting from the application of such
2 pesticide.”.

3 **SEC. 3. DISCHARGES OF PESTICIDES.**

4 Section 402 of the Federal Water Pollution Control
5 Act (33 U.S.C. 1342) is amended by adding at the end
6 the following:

7 “(s) DISCHARGES OF PESTICIDES.—

8 “(1) NO PERMIT REQUIREMENT.—Except as
9 provided in paragraph (2), a permit shall not be re-
10 quired by the Administrator or a State under this
11 Act for a discharge from a point source into navi-
12 gable waters of a pesticide authorized for sale, dis-
13 tribution, or use under the Federal Insecticide, Fun-
14 gicide, and Rodenticide Act, or the residue of such
15 a pesticide, resulting from the application of such
16 pesticide.

17 “(2) EXCEPTIONS.—Paragraph (1) shall not
18 apply to the following discharges of a pesticide or
19 pesticide residue:

20 “(A) A discharge resulting from the appli-
21 cation of a pesticide in violation of a provision
22 of the Federal Insecticide, Fungicide, and
23 Rodenticide Act that is relevant to protecting
24 water quality, if—

1 “(i) the discharge would not have oc-
2 curred but for the violation; or

3 “(ii) the amount of pesticide or pes-
4 ticide residue in the discharge is greater
5 than would have occurred without the vio-
6 lation.

7 “(B) Stormwater discharges subject to reg-
8 ulation under subsection (p).

9 “(C) The following discharges subject to
10 regulation under this section:

11 “(i) Manufacturing or industrial efflu-
12 ent.

13 “(ii) Treatment works effluent.

14 “(iii) Discharges incidental to the nor-
15 mal operation of a vessel, including a dis-
16 charge resulting from ballasting operations
17 or vessel biofouling prevention.”.

