

**Congress of the United States**  
**Washington, DC 20515**

Senator Harry Reid  
Majority Leader  
S-221 United States Capitol  
Washington, DC 20510

Senator Mitch McConnell  
Republican Leader  
S-230 United States Capitol  
Washington, DC 20510

Senator Debbie Stabenow  
Chairwoman  
Agriculture, Nutrition & Forestry Committee  
328A Russell Senate Office Building  
Washington, DC 20510

Senator Pat Roberts  
Ranking Member  
328A Russell Senate Office Building  
Washington, DC 20510

Senator Barbara Boxer  
Chairman  
Environment & Public Works Committee  
410 Dirksen Senate Office Building  
Washington, DC 20510

Senator James Inhofe  
Ranking Member  
456 Dirksen Senate Office Building  
Washington, DC 20510

October 3, 2011

Dear Senators:

We are writing to urge the prompt consideration of H.R. 872, *The Reducing Regulatory Burdens Act*, or similar legislation by the full Senate. As you know, the rule proposed by the Environmental Protection Agency (EPA) regarding the use of pesticides is scheduled to take effect October 31<sup>st</sup>. As currently crafted, this rule would have immediate and significant negative impacts on the agricultural, ranching, forestry, and pest control communities of our states.

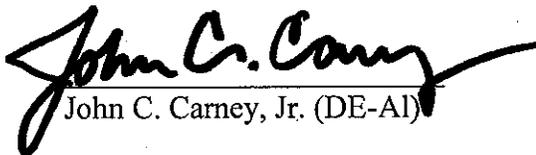
The House of Representatives passed H.R. 872 with broad bipartisan support on March 31<sup>st</sup>. We believe this measure is a reasonable solution to avoiding duplicative regulation while preserving decades of safe, effective pest control standards and oversight. Stakeholders in the states share this belief, as four national associations representing state-level regulators attested in their endorsement of H.R. 872. The Association of State and Interstate Water Pollution Control Administrators, the Association of American Pesticide Control Officials, the National Association of State Departments of Agriculture, and the National Association of State Foresters are in agreement that National Pollutant Discharge Elimination System (NPDES) permits for legal pesticide applications would prove more costly and burdensome than beneficial.

To be clear, we support only safe and responsible chemical applications on and near our waters. The EPA itself has long held that existing standards under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) are sufficient for protecting public health and the environment. However, the EPA is being forced by a Sixth Circuit Court decision to require federal permits for pesticide applications directly on or over waters of the United States. Absent an act of Congress, this new regulation would cover an estimated 365,000 applicators nationwide – a 60 percent increase in the NPDES program's current size.

Most concerning is the prospect that an NPDES regime will further strain challenged state budgets. Some states have already substantially reduced their mosquito control budgets in a constrained revenue environment. It is likely that resources currently going toward public health-related pest control activities would need to be diverted to comply with additional permit requirements, as permitting, implementation, and enforcement activities under both the Clean Water Act and FIFRA are largely handled by the states.

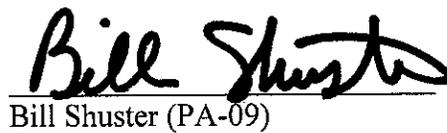
In light of the foregoing, we believe the costs of this court-ordered rulemaking outweigh the benefits. The federal government should not impose new requirements or costs on states and citizens that are not justified by a clear need. If H.R. 872 proves unable to garner the required votes for Senate passage, we urge you to work with your colleagues and with the House of Representatives to bridge any differences and reach a bipartisan solution. Our states are counting on Congress to provide clarity and certainty before October 31<sup>st</sup>. We appreciate your attention to this matter and your consideration of this request.

Respectfully,

  
John C. Carney, Jr. (DE-A1)

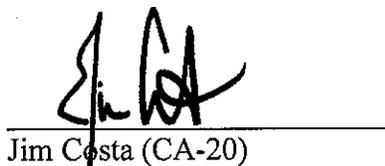
  
Bob Gibbs (OH-18)

  
Larry Kissell (NC-08)

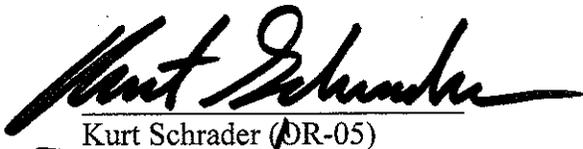
  
Bill Shuster (PA-09)

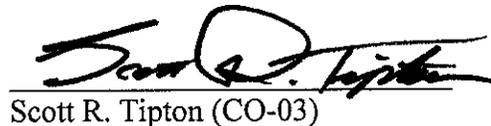
  
Joe Baca (CA-43)

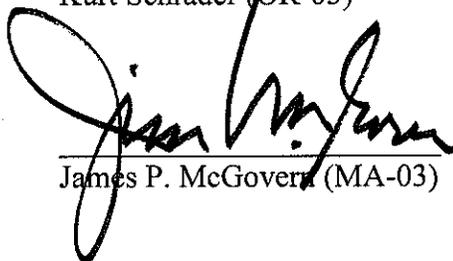
  
Marsha Blackburn (TN-07)

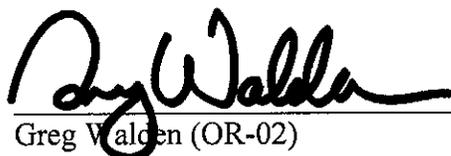
  
Jim Costa (CA-20)

  
Robert T. Schilling (IL-17)

  
Kurt Schrader (OR-05)

  
Scott R. Tipton (CO-03)

  
James P. McGovern (MA-03)

  
Greg Walden (OR-02)

*Barney Frank*

Barney Frank (MA-04)

*Rick Crawford*

Eric A. "Rick" Crawford (AR-01)

*Jim Matheson*

Jim Matheson (UT-02)

*Ted Poe*

Ted Poe (TX-02)

*Dennis A. Cardoza*

Dennis A. Cardoza (CA-18)

*Paul A. Gosar*

Paul A. Gosar (AZ-01)

*Randy Hultgren*

Randy Hultgren (IL-14)

*Larry Bucshon*

Larry Bucshon (IN-08)