To amend the Federal Water Pollution Control Act to require all persons exercising substantial operational control over a concentrated animal feeding operation to jointly obtain a permit for certain discharges, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. KHANNA introduced the following bill; which was referred to the Committee on

A BILL

To amend the Federal Water Pollution Control Act to require all persons exercising substantial operational control over a concentrated animal feeding operation to jointly obtain a permit for certain discharges, 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. SHORT TITLE.

This Act may be cited as the “Farmer Fairness Act”.
SEC. 2. CONCENTRATED ANIMAL FEEDING OPERATION DISCHARGES.

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

“(t) CONCENTRATED ANIMAL FEEDING OPERATION DISCHARGES.—

“(1) IN GENERAL.—For the purposes of applying the requirements of this section to a discharge from a concentrated animal feeding operation, the Administrator shall require all persons exercising substantial operational control over the concentrated animal feeding operation to jointly obtain a permit under this section for the discharge.

“(2) SUBSTANTIAL OPERATIONAL CONTROL.—For purposes of this subsection, a person exercises substantial operational control over a concentrated animal feeding operation if the person—

“(A) has an ownership interest in the livestock, land, or other capital of the concentrated animal feeding operation;

“(B) exercises any control over the activities, operation (including specifying how the livestock of the concentrated animal feeding operation is fed, grown, or medicated), or management (including waste management prac-
tices) of a concentrated animal feeding operation; or

“(C) meets any other criteria that the Administrator determines appropriate.”.