DEPARTMENT of ENVIRONMENT and NATURAL RESOURCES
PMB 2020
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September 19, 2011

James B. Martin
Regional Administrator
U.S. Environmental Protection Agency, Region 8
Denver, CO 80202-1129

Dear Mr. Martin:

In a letter from Governor Daugaard to you dated January 18, 2011, the secretary of the Department of Environment and Natural Resources (DENR) was delegated as Governor Daugaard's designee for the Air Quality Program in South Dakota. In that capacity, I am submitting an amendment to South Dakota's Regional Haze State Implementation Plan to address the requirements for Regional Haze under Section 308 of 40 CFR Part 51, Requirements for Preparation, Adoption, and Submittal of Implementation Plans, Subpart P – Protection of Visibility.

The amendments include revisions to 74:36:21:02, 74:36:21:06, 74:36:21:09 and also the technical document that makes up South Dakota's Regional Haze State Implementation Plan. These changes were made at the request of EPA Region 8 and should provide South Dakota an approvable State Implementation Plan.

In July 2011, DENR provided the federal land managers, EPA, neighboring states, and others a draft copy of South Dakota's proposed amendments to the Regional Haze Program. After considering all of the preliminary comments, DENR held a public hearing in front of the Board of Minerals and Environment on August 18, 2011, to take testimony and additional comments on the proposed amendments to the Regional Haze Program. No additional comments or testimony was given at the hearing and the Board of Minerals and Environment unanimously approved both the changes to the rules and the technical document.

On August 30, 2011, the rule changes were approved by the Legislative Interim Rules Committee on a vote of four ayes and one nay. The rules became effective on September 19, 2011. I have enclosed a final copy of the Administrative Rules of South Dakota (ARSD) Chapter 74:36:21 which should be attached to EPA's current version of the ARSD 74:36 and the supporting documentation to demonstrate the rules were revised in accordance with South Dakota's procedures for adopting rules. The finalized rules are available on South Dakota's webpage at: http://legis.state.sd.us/rules/DisplayRule.aspx?Rule=74:36:21.

DENR has and will continue to have adequate resources to implement and enforce South Dakota's Air Quality Program, including regional haze. I want to thank you in advance for your favorable consideration of these requests. Please contact Rick Boddicker at (605) 773-3151, if you have any questions.

Sincerely,

Steven M. Pirner, P.E.
Secretary

Enclosures

cc w/o enclosures: Nathan Sanderson, Policy Advisor, Governor Daugaard's Office