

## **ARTICLE 74:36 – AIR POLLUTION CONTROL PROGRAM**

### **NOTICE OF PUBLIC HEARING TO REVISE RULES**

The Board of Minerals and Environment will hold a public hearing on May 16, 2013, at 1:00 p.m. central time, to consider the adoption and amendment of proposed rules numbered:

- a. revising chapter 74:36:01 (e.g. revising sections 74:36:01:01, 74:36:01:05, and 74:36:01:20);
- b. revising chapter 74:36:02 (e.g. revising sections 74:36:02:02 through 74:36:02:05);
- c. revising all of chapter 74:36:03;
- d. revising chapter 74:36:04 (e.g. revising sections 74:36:04:04, 74:36:04:05, 74:36:04:12, 74:36:04:13, 74:36:04:14, and 74:36:04:15);
- e. revising chapter 74:36:05 (e.g. revising sections 74:36:05:04, 74:36:05:06, 74:36:05:07, 74:36:05:16.01, 74:36:05:20.01, and 74:36:05:20.02);
- f. revising chapter 74:36:07 (e.g. revising sections 74:36:07:01 through 74:36:07:07.01, 74:36:07:09, 74:36:07:10, 74:36:07:12 through 74:36:07:28, 74:36:07:31 through 74:36:07:34, 74:36:07:36, 74:36:07:37, 74:36:07:39 through 74:36:07:90; and adding sections 74:36:07:91 and 74:36:07:92);
- g. revising chapter 74:36:08 (e.g. revising sections 74:36:08:01 through 74:36:08:121); and adding sections 74:36:08:122 through 74:36:08:130;
- h. revising chapter 74:36:09 (e.g. revising sections 74:36:09:02 and 74:36:09:03);
- i. revising chapter 74:36:10 (e.g. revising sections 74:36:10:02, 74:36:10:03.01, and 74:36:10:05 through 74:36:10:08); and repealing sections 74:36:10:09 and 74:36:10:10;
- j. revising chapter 74:36:11 (e.g. revising section 74:36:11:01);
- k. revising chapter 74:36:12 (e.g. revising sections 74:36:12:01 through 74:36:12:03);
- l. revising chapter 74:36:13 (e.g. revising sections 74:36:13:02 through 74:36:13:04, 74:36:13:06 through 74:36:13:08);
- m. revising chapter 74:36:16 (e.g. revising sections 74:36:16:01, 74:36:16:02, 74:36:16:04, and 74:36:16:05);
- n. revising chapter 74:36:18 (e.g. revising sections 74:36:18:04 through 74:36:18:06, and 74:36:18:10 through 74:36:18:12);
- o. revising chapter 74:36:20 (e.g. revising sections 74:36:20:05, 74:36:20:11, and 74:36:20:13 through 74:36:20:15); and
- p. revising chapter 74:36:21 (e.g. revising sections 74:36:21:02, 74:36:21:04, 74:36:21:05, and 74:36:21:09).

The hearing will be conducted via the Digital Dakota Network at the following locations

- a. Pierre (Capitol Building); 500 E. Capitol Ave.; Room B12, Studio A (1:00 p.m., central time)
- b. Rapid City (SDSM&T); 501 E. St. Joseph St.; Classroom Building, Room 109 (12:00 p.m., mountain time)
- c. Sioux Falls (University Center); 4801 N. Career Ave.; Room FADM 145 (1:00 p.m., central time)
- d. Watertown (Lake Area Technical Institute); 230 NE 11<sup>th</sup> St.; Main Building, Room 125 (1:00 p.m., central time)

- e. Aberdeen (Northern State University); 1200 S. Jay St.; Beulah Williams Library, Room 117 (1:00 p.m., central time)
- f. Vermillion (University of South Dakota); 414 East Clark; Delzell Education Center, Room 203 (1:00 p.m., central time)
- g. Madison (Dakota State University); 820 N. Washington; Tech Classroom Building, Room 103 (1:00 p.m., central time)
- h. Spearfish (Black Hills State University); 1200 University Street; E.Y. Library, Room LIB011 (12:00 p.m., mountain time)

The effect of the proposed amendments will be to adopt revisions to federal regulations and to revise certain obsolete and unnecessary statutes and rules. The reason for adopting the proposed amendments is to continue to have South Dakota's air pollution control program rules comply with the federal regulations and to allow South Dakota to maintain approval of its air quality program.

Persons interested in presenting data, opinions, and arguments for or against the proposed amendments may do so by appearing in person at the hearing or by submitting written comments to the South Dakota Department of Environment and Natural Resources at the mailing address that appears below. Material sent by mail must reach department by the close of business on May 15, 2013, to be considered.

After the hearing, the board will consider all written and oral comments it receives on the proposed amendments. The board may modify or amend a proposed rule at that time to include or exclude matters that are described in this notice.

Notice is further given to individuals with disabilities that this hearing is being held in a physically accessible place. Please notify the department at least 48 hours before the public hearing if you have special needs for which special arrangements must be made. The telephone number for making special arrangements is (605) 773-3151.

Copies of the proposed rules may be obtained without charge from the

Marlys Heidt, Engineer III  
South Dakota Department of Environment and Natural Resources  
523 East Capitol, Joe Foss Building  
Pierre, South Dakota 57501  
(605) 773-3151



Steven M Pirner, Secretary  
Department of Environment and Natural Resources

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