

2011 Permit Summary
Department of Environment and Natural Resources
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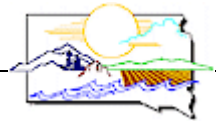
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Air Pollution Control Permit

Any facility that emits an air contaminant must obtain an air pollution control permit. The department must receive the application 180 days before construction or operation begins.

Duration: 5 years **Cost:** An application fee of \$125 is required for a construction permit for a major source, an initial Title V air quality operating permit, a permit renewal for a Title V air quality operating permit, and a permit modification for a Title V air quality operating permit, except ethanol plants. Ethanol plants are required to pay a one time application fee of \$1,000 for a new source. In addition, there is an annual dollar per ton fee and administrative fee. The dollar per ton fee is \$7.50 per ton of actual air emissions, except ethanol plants. Ethanol plants pay a dollar per ton fee of \$40 per ton of actual air emissions.

The annual administrative fee, except ethanol plants, is \$100 for actual air emissions less than 50 tons per year; \$500 for actual air emissions of 50 tons per year or greater but less than 100 tons per year; and \$1000 for actual air emissions of 100 tons per year or greater. Ethanol plants pay a flat administrative fee of \$1000.



Asbestos Licenses

Any person wishing to do asbestos related work in South Dakota needs to be certified by the state. Individuals can be certified as inspectors, management planners, abatement project designers, contractor/supervisors and workers. One person can be certified in more than one discipline.

Duration: 1 year initial	Cost: \$100
1 year renewal	Cost: \$50

Initial certification is valid for one year from the date of the training examination. Renewal fee requires the individual to take a refresher course within 90 days prior to or 90 days after the certificate’s expiration date and apply for recertification within this 180-day time frame.

Solid Waste Disposal Permit

Operators of solid waste treatment, temporary storage, land application and disposal sites and facilities must obtain a permit prior to construction or operation of the facility or site.

Duration: 2 year initial	Cost: \$250 to \$5,000
5 year renewal	

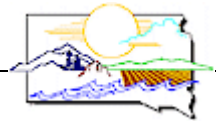
Fee schedule and type of facility

- Type I facility – 150,000 tons or more of solid waste per year = \$5,000
- Type IIA facility – between 25,000 tons and 150,000 tons of solid waste per year = \$500
- Type IIB facility – between 5,000 tons and 24,999 tons of solid waste per year = \$500
- Type III facility – between 500 tons and 4,999 tons of solid waste per year = \$250
- Type IV facility – less than 500 tons of solid waste per year = no fee required

Hazardous Waste Permit

Anyone who treats, stores or disposes of hazardous waste must obtain a permit. Notice must be given to the department by anyone who generates, transports, stores, treats or disposes of a hazardous waste. Although fees are required of companies applying for a hazardous waste permit, hazardous waste notifications do not require a fee. Applications for hazardous waste permits must be submitted 180 days prior to construction.

Duration: Initial permit valid for two years	Cost: \$50,000 to \$175,000 (application fees apply only to hazardous waste disposal facilities)
Permit renewal valid for five years	Cost: \$25,000
Annual operating fee	Cost: \$25,000/yr - facilities disposing of >500 tons/year
Disposal fee	Cost: \$50.00/ton or part thereof – accrued at the time waste is disposed of at the facility and payable the following month



Sand, Gravel or Rock License

A license is required for any person(s) or business that mines for:

- Sand, gravel or rock to be crushed and used in construction.
- Pegmatite minerals.
- Iron ore, limestone, sand, gypsum, shale, pozzolan or other materials used in the process of making cement or lime.
- Lake dredging spoils for sale or processing.

A reclamation bond of \$500 per acre or \$20,000 for statewide mining is required.

Duration: 1 year

Cost: \$100 for each privately operated mine site authorized under a mine license.

Permit to Drill for Oil or Gas

Any operation with the intent to drill for oil or gas must obtain a permit prior to drilling. A performance bond of \$5,000 per well or \$20,000 blanket bond is required. Where the surface owner is not the mineral owner, an additional surface restoration bond of \$2,000 per well or \$10,000 blanket bond is required.

Duration: 1 year

Cost \$100

Exploration Notice of Intent

Any person desiring to conduct mineral exploration in the state must file an exploration notice of intent with the department. A fee, reclamation plan, and maps are required. A reclamation bond based on the cost to plug all of the proposed test holes and reclamation of the affected land as determined by DENR is required. In lieu of submitting a bond for each exploration operation, a \$20,000 statewide reclamation surety can be submitted.

Duration: Life of exploration project

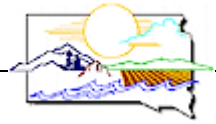
Cost: Application fee \$250

Uranium Exploration Permit

Any person desiring to conduct exploration for uranium in the state must first submit a permit application to the department and must be granted a permit by the Board of Minerals and Environment. A fee, map, plan of operations, reclamation plan, and public hearing are required. A reclamation bond based on the cost of to plug all of the proposed test holes and reclamation of the affected land as determined by DENR is required.

Duration: 3 years

Cost: \$500



Large Scale Mining Permit

A large scale mine permit is required for any mining operation that:

- Affects more than ten acres or extracts more than 25,000 tons of ore or overburden per year;
- Employs in situ mining; or
- Uses cyanide, chemical or biological leaching processes.

A reclamation bond based on the actual cost of reclamation determined by DENR is required. Operations that use chemical or biological leaching may be required to post an additional bond to respond to spills.

Duration: Life of mine

Cost: **Application fee –**
Precious metal, coal, or uranium: \$50,000
Other large scale: \$1,000

Annual renewal fee –
Precious metal, coal, or uranium: \$50,000
Other large scale: \$100

Small Scale Mining Permit

Any mining operation that affects less than ten acres and extracts less than 25,000 tons of ore or overburden per year must obtain a permit. A reclamation bond of up to \$2,500 is required.

Duration: Life of mine

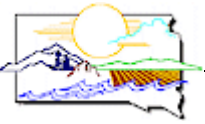
Cost: Application fee \$100
Annual renewal \$50

Permit to Appropriate Water

Except for certain domestic uses, any person or business that wishes to appropriate water for any purpose must obtain a water right permit.

Duration: Permanent

Cost: Application – minimum \$100 to \$500 or more depending on amount of water appropriated. License fee \$200.



Dry Draw Location Notice

A location notice is needed for any proposed dam/dugout impounding 25 acre feet of water or less at the primary spillway elevation with water stored for in-place uses only. Any dam on a navigable stream requires obtaining a permit to appropriate water.

Duration: Permanent

Cost: \$50

Flood Control Permit

Except for dry draws, a flood control permit is required for any operation diverting the flow or changing the stage of surface water for the purpose of flood control.

Duration: Permanent

Cost: \$500

Temporary Permit

The chief engineer may issue temporary permits for the use of public water for construction (e.g. highway construction/maintenance), testing, or drilling purposes. Issuance of a temporary permit is not a grant of a water right.

Duration: Up to end of calendar year

Cost: None

Well Driller License

Any well must be constructed by a licensed well driller. Any person(s) applying for a well driller's license must be experienced and knowledgeable in state well construction standards and complete a test in order to obtain a license.

Duration: 1 year

Cost: Annual \$200 - resident
Annual \$300 - nonresident

Continuing education requirements for renewal of license

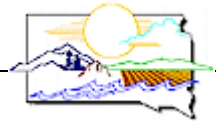
Well Pump Installers License

The installation of well pumps or repair of wells for compensation must be by a licensed well pump installer or well driller. Individuals must have two years of experience and pay an annual fee.

Duration: 1 year

Cost: Annual \$200 - resident
Annual \$300 - nonresident

Continuing education requirements for renewal of license



General Water Pollution Control Permit for Concentrated Animal Feeding Operations

A producer needs a permit for a large concentrated animal feeding operation, regardless of size, when the operation is required to obtain approval by a local government entity, such as a county commission; or when DENR determines an operation is a medium or small concentrated animal feeding operation that needs permit coverage to ensure protection of the state's water resources.

Duration: The state general permit is effective for 5 years. If a producer applies for coverage under the permit after the operation has been effective for 2 years, the duration would be 3 years.

Cost: The annual fee is \$250 for operations with 2,000 or more animal units, \$175 for operations with 1,000 to 1,999 animal units, and \$100 for operations with less than 1,000 animal units.

Wastewater Discharge Permit

The owner of any facility that discharges wastewater to waters of the state must apply for a permit at least 180 days prior to the anticipated discharge.

Duration: 5 years

Cost: Typically \$600 for many industrial facilities, but may be higher depending on the type of facility. Municipal facility fees vary depending on population.

Water and Wastewater Operator Certification

Many water and wastewater systems must be operated by personnel that are certified by the state as having the background and knowledge to run a certain type of system. An operator can obtain this certification by passing a DENR-proctored exam.

Duration: 1 year

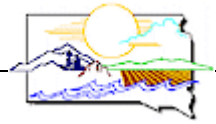
Cost: Exam fee - \$10
Annual renewal of certificate - \$6

Pretreatment Industrial User Permit

Any industry that is discharging process wastewater to a municipal sanitary sewer system must contact the department to determine if a pretreatment industrial user permit is necessary. If the permit is needed, it will regulate the industrial discharge to ensure the industry does not overload the city's system. The application for a permit must be submitted at least 180 days prior to the anticipated discharge.

Duration: 5 years

Cost: \$600 per year



Construction Storm Water Discharge Permit

Construction sites that disturb one or more acres must receive coverage under the general permit for storm water discharges associated with construction activity. This general permit is required for any construction site that disturbs at least one acre across the state.

Duration: The state general permit is effective for 5 years. A construction site operator must maintain coverage under the general permit until the construction has been completed and the site has been stabilized. Cost: None

Industrial Storm Water Discharge Permit

Storm water discharges associated with industrial activity, including but not limited to industrial plant yards, immediate access roads and railroad sidings, drainage ponds, material handling sites, refuse sites, process wastewater sites, equipment handling/maintenance areas, residual treatment areas and loading/unloading areas, will be required to obtain a permit.

Duration: The state general permit is effective for 5 years. A construction site operator must maintain coverage as long as the industrial activities continue. Cost: None

Notification for Underground and Aboveground Tanks

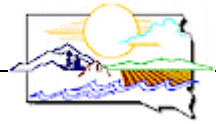
Plans and specifications for installation or upgrade of a regulated underground or aboveground storage tank system must be submitted for review and approval at least 30 days prior to starting the installation or modification. All regulated underground or aboveground storage tank systems must receive department approval prior to installation.

Duration: None Cost: None

Radiation Source License

Any non-medical facility, be it public or private, using nuclear materials and/or equipment must be registered with the department.

Duration: None Cost: None



Ground Water Discharge Plan

A ground water discharge plan may be required for any activity that may cause a discharge, directly or indirectly, to the ground water.

Duration: Generally 4 years,
maximum of 5 years

Cost: None

Permit to Inject Class II Fluids

A permit to inject is required for any injection of fluids associated with oil and gas production into, above, or through underground sources of drinking water.

Duration: Set by Board of Minerals and
Environment - generally based
on applicant's request.

Cost: None

Permit to Inject Class III Fluids

A permit to inject is required for any injection of fluids associated with in situ mining into, above, or through underground sources of drinking water.

Duration: Set by Water Management
Board

Cost: None

Plans and Specifications

Plans and specifications for water and wastewater treatment, collection, and distribution must be submitted for review and approval at least 30 days prior to construction. Other than a conventional septic tank/drainfield on-site system for a home, plans and specifications for all on-site wastewater systems must receive department approval.

Duration: The approval is valid for two years.

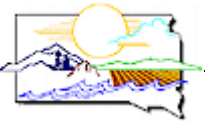
Cost: None

SARA Title III Tier II Emergency and Hazardous Chemical Inventory Form

Any business storing a hazardous material in an amount in excess of a federal threshold must submit this annual report. Most substances that require an OSHA material safety data sheet have a designated threshold of 10,000 pounds. However, some Extremely Hazardous Substances have lower reporting thresholds. The report must be submitted to the state of South Dakota, local emergency planners, and the local fire department by March 1. The report covers storage for the preceding calendar year.

Duration: Annual Report

Cost: \$50 to \$300 depending on the
number of substances reported.



SARA Title III Toxics Release Inventory Report

This annual report details releases and transfers of specific substances for the preceding calendar year. A businesses must report by July 1, if they meet three federal reporting criteria: 1) Employ the equivalent of 10 full time employees; 2) business activity type falls under one of the covered North American Industrial Classification Codes (NAICS Codes); and 3) manufacture, process, or otherwise use an above threshold amount of a listed substance. Thresholds range from .1 gram for dioxins & dioxin compounds to either 10,000 or 25,000 pounds for other reportable substances. The report must be submitted to the state of South Dakota and the federal Environmental Protection Agency.

Duration: Annual Report

Cost: \$250 to \$3,000 depending on the number of substances and quality of releases.