



**DEPARTMENT OF ENVIRONMENT
and NATURAL RESOURCES**

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DENR Fines the City of Fort Pierre for Surface Water Violations

PIERRE – The South Dakota Department of Environment and Natural Resources (DENR) has fined the City of Fort Pierre (City) \$52,030 for Surface Water Discharge Permit violations at its wastewater treatment facility.

The City’s wastewater treatment plant discharges into the Bad River under a state-issued Surface Water Discharge Permit. Between February 1, 2016, and May 31, 2019, the City reported violations of its permit limits for ammonia, total coliforms, *Escherichia coli* (E. coli), and biochemical oxygen demand (BOD). In addition, reporting data and facility operations demonstrate a pattern of noncompliance over the last ten years.

To expedite compliance, DENR and the City have entered into an administrative Settlement Agreement (Agreement). According to the Agreement, payment of the \$52,030 is suspended if the City complies with the terms of the February 13, 2020 Notice of Violation and Order of Compliance. If the City fails to comply, stipulated penalties will be enforced until the \$52,030 penalty is paid in full.

“The City is working to address these violations,” said DENR Secretary Hunter Roberts. “However, the stipulated penalties reinforce the need for permit compliance. DENR expects operators to comply with their permits and will continue to work closely with the City to prevent future violations.”

The Notice of Violation and Order of Compliance requires the City to submit plans and specifications to DENR for upgrades to its wastewater treatment system and requires the approved upgrades to be implemented by October 2022. In addition, the City must submit monthly reports to DENR including discharge monitoring data and progress toward compliance.

The City operates a wastewater treatment plant in Fort Pierre to treat the wastewater generated by the city’s residents. DENR requires the City to sample its discharge and report any violations. For more information about DENR’s Surface Water Discharge permitting program visit <https://denr.sd.gov/des/sw/swdischargepermits.aspx>.

All environmental penalties are deposited in the state Regulated Substance Response Fund, which is used to respond to environmental emergencies.