

CHAPTER 74:36:02

AMBIENT AIR QUALITY

Section

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74:36:02:01. Air quality goals. The air quality goals are as follows:

- (1) Protection of the public health;
- (2) Prevention of damage to buildings, property, animals, plants, forests, and agricultural crops;
- (3) Optimization of visibility; and
- (4) Minimization of the corrosion of or damage to metals or other materials.

Source: SL 1975, ch 16, § 1; 2 SDR 40, effective December 7, 1975; transferred from § 34:10:02:01, 7 SDR 4, effective July 27, 1980; transferred from § 44:10:02:01, effective July 1, 1981; 13 SDR 129, 13 SDR 141, effective July 1, 1987; transferred from § 74:26:02:01, 19 SDR 157, effective April 22, 1993.

General Authority: SDCL 34A-1-6, 34A-1-15.

Law Implemented: SDCL 34A-1-15.

74:36:02:02. Ambient air quality standards. The ambient air quality standards listed in 40 C.F.R. §§ 50.1 to 50.5, inclusive, (July 1, 2016); 40 C.F.R. § 50.6 (July 1, 2016); 40 C.F.R. § 50.7(a)(1), (b), and (c) (July 1, 2016); 40 C.F.R. § 50.8 and 40 C.F.R. §§ 50.10 to 50.12, inclusive, (July 1, 2016), define the types and levels of air pollution above which the ambient air would limit the attainment of the goals specified in § 74:36:02:01. These standards apply to the entire state of South Dakota, and no person may cause these standards to be exceeded. The standards include normal background levels of air pollutants.

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Source: SL 1975, ch 16, § 1; 2 SDR 40, effective December 7, 1975; transferred from § 34:10:02:02, 7 SDR 4, effective July 27, 1980; transferred from § 44:10:02:02, effective July 1, 1981; 13 SDR 129, 13 SDR 141, effective July 1, 1987; 17 SDR 170, effective May 13, 1991; transferred from § 74:26:02:02, 19 SDR 157, effective April 22, 1993; 21 SDR 119, effective January 5, 1995; 25 SDR 123, effective April 4, 1999; 26 SDR 168, effective June 27, 2000; 31 SDR 101, effective January 2, 2005; 32 SDR 209, effective June 13, 2006; 36 SDR 207, effective June 28, 2010; 39 SDR 219, effective June 25, 2013; 42 SDR 52, effective October 13, 2015; 44 SDR 43, effective September 13, 2017.

General Authority: SDCL 34A-1-6, 34A-1-15.

Law Implemented: SDCL 34A-1-15.

74:36:02:03. Methods of sampling and analysis. Air pollutants of particulate matter, sulfur dioxide, carbon monoxide, ozone, nitrogen dioxide, and lead listed in 40 C.F.R. Part 50 (July 1, 2016) shall be measured by the reference method or methods stated in 40 C.F.R. Part 50, Appendix A to Appendix N, inclusive, (July 1, 2016) or an equivalent method designated in accordance with 40 C.F.R. Part 53 (July 1, 2016).

Source: SL 1975, ch 16, § 1; 2 SDR 40, effective December 7, 1975; transferred from § 34:10:02:11, 7 SDR 4, effective July 27, 1980; transferred from § 44:10:02:09, effective July 1, 1981; 13 SDR 129, 13 SDR 141, effective July 1, 1987; transferred from § 74:26:02:09, 19 SDR 157, effective April 22, 1993; 21 SDR 119, effective January 5, 1995; 25 SDR 123, effective April 4, 1999; 26 SDR 168, effective June 27, 2000; 31 SDR 101, effective January 2, 2005; 32 SDR 209, effective June 13, 2006; 36 SDR 207, effective June 28, 2010; 39 SDR 219, effective June 25, 2013; 42 SDR 52, effective October 13, 2015; 44 SDR 43, effective September 13, 2017.

General Authority: SDCL 34A-1-6, 34A-1-15.

Law Implemented: SDCL 34A-1-15.

74:36:02:04. Air quality monitoring network. The department shall outline ambient air monitoring goals, changes, and network design in the air quality monitoring network. The department shall revise the air quality monitoring network as required by 40 C.F.R. § 58.20 (July 1, 2016).

Source: 19 SDR 157, effective April 22, 1993; 21 SDR 119, effective January 5, 1995; 25 SDR 123, effective April 4, 1999; 26 SDR 168, effective June 27, 2000; 31 SDR 101, effective January 2, 2005; 32 SDR 209, effective June 13, 2006; 36 SDR 207, effective June 28, 2010; 39 SDR 219, effective June 25, 2013; 42 SDR 52, effective October 13, 2015; 44 SDR 43, effective September 13, 2017.

General Authority: SDCL 34A-1-6, 34A-1-15.

Law Implemented: SDCL 34A-1-15.

74:36:02:05. Ambient air monitoring requirements. The operation of ambient air monitoring required by the department shall be consistent with 40 C.F.R. Part 58 (July 1, 2016). Records of monitoring activities and results shall be retained for a minimum of three years.

Source: 19 SDR 157, effective April 22, 1993; 21 SDR 119, effective January 5, 1995; 25 SDR 123, effective April 4, 1999; 26 SDR 168, effective June 27, 2000; 31 SDR 101, effective January 2, 2005; 32 SDR 209, effective June 13, 2006; 36 SDR 207, effective June 28, 2010; 39 SDR 219, effective June 25, 2013; 42 SDR 52, effective October 13, 2015; 44 SDR 43, effective September 13, 2017.

General Authority: SDCL 34A-1-6, 34A-1-15.

Law Implemented: SDCL 34A-1-15.