

State of South Dakota

SEVENTY-THIRD SESSION
LEGISLATIVE ASSEMBLY, 1998

400B0246

SENATE BILL NO. 31

Introduced by: The Committee on Agriculture & Natural Resources at the request of the
Department of Environment and Natural Resources

1 FOR AN ACT ENTITLED, An Act to provide rule-making authority to the Department of
2 Environment and Natural Resources to carry out the requirements of the federal Safe
3 Drinking Water Act amendments of 1996.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

5 Section 1. That chapter 34A-3A be amended by adding thereto a NEW SECTION to read
6 as follows:

7 In order to carry out the requirements of the federal Safe Drinking Water Act as amended
8 to August 6, 1996, the secretary of environment and natural resources shall promulgate rules,
9 pursuant to chapter 1-26, establishing:

- 10 (1) Procedures for a supplier of water to demonstrate that a new system intended to be
11 a public water system has the technical, managerial, and financial capacity to achieve
12 and maintain compliance with all relevant local, state, and federal requirements;
- 13 (2) Procedures for the department to issue certificates of approval to new water suppliers
14 once a technical, managerial, and financial capacity review, consistent with provisions
15 of this chapter, is completed. The rules shall provide that a new system intended to

1 be a public water system, after October 1, 1999, may not operate until it has been
2 issued a certificate of approval;

3 (3) The development and implementation of a strategy to assist public water systems in
4 acquiring and maintaining technical, managerial, and financial capacity to comply with
5 all relevant local, state, and federal requirements; and

6 (4) Such other rules as may be necessary to implement the provisions of the federal Safe
7 Drinking Water Act as amended to August 6, 1996, in a state drinking water program
8 approved by the United States Environmental Protection Agency.

9 A violation of any rule adopted pursuant to this section is subject to the penalties provided
10 for in § 34A-3A-3.