

State of South Dakota

SEVENTY-FIFTH SESSION
LEGISLATIVE ASSEMBLY, 2000

400D0373

SENATE BILL NO. 40

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

1 FOR AN ACT ENTITLED, An Act to revise certain water supply and treatment system
2 operator certification provisions to comply with the requirements of the federal Safe
3 Drinking Water Act.

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

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

7 All water treatment plants and water distribution systems required by section 1419 of the
8 federal Safe Drinking Water Act, as amended to January 1, 2000, shall be under the supervision
9 of an operator whose competency is certified by the secretary in a grade corresponding to the
10 classification of the plant or system. Certificates of proper classification shall be issued without
11 examination to the operators of plants and systems not requiring certified operators under § 34A-
12 3-4 before the effective date of this Act. The governing body or owner of the water system shall
13 designate such persons in writing to the secretary by January 1, 2001. A certificate so issued is
14 valid only for that operator and that plant or system. The certificate shall be marked, restricted.
15 If the water treatment or distribution system is classified to a higher level, the operator shall meet
16 the initial certification requirements for the system's new classification. An operator issued a

1 restricted certificate pursuant to this section shall comply with all rules promulgated pursuant to
2 § 34A-3-24, for certificate renewal and training of certified operators. A restricted certificate
3 may be revoked pursuant to §§ 34A-3-21 to 34A-3-23, inclusive, as provided for in this chapter
4 and the rules promulgated pursuant to § 34A-3-24. The secretary may promulgate rules pursuant
5 to chapter 1-26 to provide for the issuance and renewal of certificates and other requirements
6 for certified operators under this section and as otherwise may be necessary to implement the
7 requirements of the federal Safe Drinking Water Act, as amended to January 1, 2000, in a state
8 drinking water program approved by the United States Environmental Protection Agency.