

74:04:09:01. Definitions. Terms used in this chapter mean:

(1) "Community water system," a public water system, as defined in SDCL 34A-3A-2(8), which serves at least 15 service connections used by year-round residents or regularly serves at least 25 year-round residents. The term includes any collection, treatment, storage, and distribution facilities under control of the operator of the system and used primarily in connection with the system and any collection of pretreatment storage facilities not under such control which are used primarily in connection with the system;

(2) "Certificate of approval," a certificate issued by the secretary authorizing the operation of a new community or nontransient noncommunity water system;

(3) "Coverage ratio," a measure of sufficiency of net operating profit to cover the debt service requirements of a water system;

(4) "Department," the South Dakota Department of Environment and Natural Resources;

(5) "Facility plan," an engineering evaluation of present and future water supply, treatment, storage, or distribution needs; an evaluation of several alternatives; and the election and justification of a final alternative;

(6) "Financial capacity," the water system's ability to acquire and manage sufficient financial resources to allow the system to achieve and maintain compliance with the Safe Drinking Water Act as amended to August 6, 1996, requirements;

(7) "Managerial capacity," the ability of a water system to conduct its affairs in a manner enabling the system to achieve and maintain compliance with the Safe Drinking Water Act as amended to August 6, 1996, requirements;

(8) "Nontransient noncommunity water system," "NTNC," a public water system that is not a community water system and that regularly serves at least 25 of the same persons at such places as work places, offices, and schools for at least six months a year;

(9) "Operating ratio," a measure of whether operating revenues are sufficient to cover operating, maintenance, and replacement expenses;

(10) "Secretary," the secretary of the South Dakota Department of Environment and Natural Resources or a designated representative of the secretary; and

(11) "Technical capacity," the physical infrastructure of the water system including the adequacy of the source water and the adequacy of treatment, storage, and distribution infrastructure and the ability of system personnel to adequately operate and maintain the system.

Source: 25 SDR 75, effective November 18, 1998.

General Authority: SDCL 34A-3A-25.

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