**74:51:01:64.02.  Notice requirements for certification of compliance with water quality standards for federal issued national pollutant discharge elimination system permits.** The secretary shall ensure that public notice of any proposed actions for water quality certification for national pollutant discharge elimination system permits issued by the EPA, under § 402 of the Federal Water Pollution Control Act as amended to February 4, 1987, is provided either by the responsible federal agency or by the department. The public notice for federal issued national pollutant discharge elimination system permits must be made in accordance with § 74:52:05:13 and must also be published in a daily or weekly newspaper that serves the affected area.

 **Source:** 14 SDR 86, effective December 24, 1987; 19 SDR 111, effective January 31, 1993; 21 SDR 18, effective August 8, 1994; transferred from § 74:51:01:64, 24 SDR 10, effective July 20, 1997; 31 SDR 29, effective September 13, 2004; 35 SDR 253, effective May 12, 2009; 41 SDR 109, effective January 12, 2015; 47 SDR 110, effective April 27, 2021.

 **General Authority:** SDCL 34A-2-11, 34A-2-33, 34A-2-34, 34A-2-93.

 **Law Implemented:** SDCL 34A-2-33, 34A-2-34.

 **Cross-Reference:** State certification of activities requiring a federal license or permit, 40 C.F.R. Part 121 (September 11, 2020).