**74:57:01:02.  Scope.** The secretary may inspect all concentrated animal feeding operations, records, and reports necessary under SDCL chapter 34A-2 or this article. The scope of an inspection is limited to that reasonably necessary to ensure that pollution of waters of the state and other natural resources is not occurring, that reports filed with the secretary are accurate, and that the operation is being conducted pursuant to the permits, approvals, or orders required by SDCL chapter 34A-2 or this article.

The secretary only has access to the inside of an animal confinement building if access is necessary in order to determine compliance with a water pollution control permit under SDCL chapter 34A-2. If access is necessary, the secretary shall abide by all security measures implemented by the producer to ensure protection of the health of the animals at the animal feeding operation.

**Source:** 24 SDR 99, effective February 1, 1998.

**General Authority:** SDCL 1-40-38.

**Law Implemented:** SDCL 1-40-38, 34A-2-45, 34A-2-46