

South Dakota Department of Agriculture and Natural Resources  
Notice of Public Hearing to Adopt Rules

A public hearing will be held in DANR lower-level large conference room, Joe Foss Building, 523 East Capitol Ave, Pierre, SD, on May 11, 2023, at 10 AM (Central), to consider the adoption and amendment of proposed rules numbered

§§12:56:04:01,12:56:04:02,12:56:04:03,12:56:04:04,12:56:04:05,  
12:56:04:06,12:56:04:07,12:56:04:08,12:56:04:09,12:56:04:10,12:56:04:11,  
12:56:04:12,12:56:04:12.01,12:56:04:12.02,12:56:04:12.03,12:56:04:13,  
12:56:04:15,12:56:05:04,12:56:05:04.01,12:56:05:04.02,12:56:05:04.03,  
12:56:05:04.04,12:56:05:04.05,12:56:05:04.06,12:56:05:04.07,  
12:56:05:04.08,12:56:05:04.09,12:56:05:04.10,12:56:05:04.11,  
12:56:05:04.12,12:56:05:04.13,12:56:05:04.14,12:56:05:04.15,  
12:56:05:04.17,12:56:05:04.18,12:56:10:06,12:56:12:01,12:56:12:01.02,  
12:56:12:01.03,12:56:12:01.04,12:56:18:02,12:56:18:03

The effect of the rules will update our certification and training regulations as part of our signed certification and training plan with the Environmental Protection Agency. The rules will also update our pesticide recycling rules on types of containers and waive the pre-registration requirement for waste pesticide disposal.

The reason for adopting the proposed rules is to amend rules in response to the Certification of Pesticide Applicators regulation at 40 C.F.R Part 171. Section 11 of the Federal Insecticide, Fungicide, Rodenticide Act (FIFRA) requires certifying authorities to have an EPA approved certification plan to certify applicators. Pesticide container recycling proposed rules are to expand the different types of containers that are acceptable for recycling and easier process for waste pesticide collection notification to the department.

Persons interested in presenting data, opinions, and arguments for or against the proposed rules may appear in-person at the hearing or mail them to the Department of Agriculture and Natural Resources, 523 East Capitol Ave, Pierre, SD 57501. Material sent by mail must reach the Department of Agriculture and Natural Resources by May 11, 2023, to be considered.

After the public hearing, the Department of Agriculture and Natural Resources will consider all written and oral comments it receives on the proposed rules. The Department of Agriculture and Natural Resources may modify or amend a proposed rule at that time to include or exclude matters that are described in this notice.

For Persons with Disabilities: This hearing will be located at a physically accessible place. Please contact Department of Agriculture at least 48 hours before the public hearing if you have special needs for which special arrangements can be made by calling Department of Agriculture and Natural Resources at (605) 773-3296.

Copies of the proposed rules may be obtained without charge from:

South Dakota Department of Agriculture and Natural Resources  
Agricultural and Environmental Services Division  
523 E. Capitol Ave, Foss Building  
Pierre, SD 57501

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