



DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
denr.sd.gov

January 14, 2021

Charles Turbiville
Mayor, City of Deadwood
67 Dunlop Avenue
Deadwood, SD 57732

RE: Surface Water Discharge Permit Renewal Application: SDG860023
City of Deadwood

Mayor Charles Turbiville:

Your Surface Water Discharge permit expires September 30, 2021. In order to renew your permit coverage prior to its expiration, please complete the enclosed applications on or before **February 1, 2021**.

Please read the instructions carefully before you complete these forms, as some sections may not apply to your facility. State law requires that the applications be signed by the ranking elected official for a municipality or other public agency. When you complete the forms, send the original to DENR at the following address:

Tina McFarling
Surface Water Quality Program
Joe Foss Building
523 East Capitol Ave
Pierre, SD 57501-3182

If you need assistance or have any questions regarding the completion or submittal of these forms, please contact me at (605) 773-3351. If you find it more convenient, you may also download the applications form DENR's website at <http://denr.sd.gov/des/sw/swqformsandpermits.aspx>.

Sincerely,

Tina McFarling, P.E.
SWD Permits Team Leader
Surface Water Quality Program

Enclosures



**DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
NOTICE OF INTENT (NOI)**

to Obtain Coverage Under the SWD General Permit for Water Treatment and Distribution System

Return to: SD Department of Environment and Natural Resources
Surface Water Quality Program
523 East Capitol Avenue
Pierre, South Dakota 57501-3181
Telephone: (605) 773-3351 or 1-800-SDSTORM

PLEASE PRINT OR TYPE

I. Type of Permit Requested: Check (X) the appropriate response:

☐ Water Treatment Plant (DW1) ☒ Water Distribution System (DW2) ☐ Both

II. Primary Contact Information: ☒ Owner ☐ Operator ☐ Contractor

Facility Name: City of Deadwood Phone: (605) 578-3082

Responsible Contact Person: Mayor Dave Ruth Jr.

Street: 108 Sherman Street

City: Deadwood State: SD County: Lawrence Zip Code: 57732

III. Secondary Contact Information: *(If different from above)*

☐ Owner ☒ Operator ☐ Contractor

Facility Name: City of Deadwood Phone: (605) 578-3082

Responsible Contact Person: Randy Pfarr

Street: 67 Dunlop Avenue

City: Deadwood State: SD County: Lawrence Zip Code: 57732

IV. Facility/Site Information: *(Physical description of facility/site activities)*

DW1

DW2 The Distribution System consists of six reservoirs, nine pressure regulating stations, and three pumping stations. Approximately 15 miles of pipe, 200 fire hydrants, and 807 service accounts.

Attach additional sheets if necessary

V. Receiving Waters:

Please list all possible receiving waters of the discharge (if discharging to a Municipal Storm Sewer, indicate which municipality and the ultimate receiving water) or a map with the information:

The City of Deadwood receives all water discharges to sanitary sewer.

NOTE: Please place points of withdrawal and discharge on a topographic map, or other map if a topographic map is unavailable. This map should show potential discharge locations and the names of all potential receiving streams.

VI. Operational History:

Date Constructed: 1993-94 (Treatment Plant Built)

Operational Start-up: 1995

- VII. Is there any reason to believe that the discharge may contain any pollutant other than those limited in the permit (i.e. TSS, pH, Chlorine, and ammonia)? ☐ Yes ☒ No
If yes, list any additional pollutants that may be present:

NOTE: Attach any analytical data or Material Safety Data Sheets that indicate levels of pollutants present in water to be discharged.

VIII. **Best Management Practices Plan:**

- A. Has the facility written a Best Management Practices plan in lieu of sampling for TSS and Total Residual Chlorine?
☐ Yes ☒ No
- B. Brief description of best management practices being used in lieu of sampling:

IX. **Existing Environmental Permits:**

Please check (X) all other Environmental Permits which are held by this facility/activity. Include permit numbers in the space provided:

- ☐ SWD or NPDES (Discharges to Surface Water) _____
- ☐ UIC (Underground Injection of Fluids) _____
- ☐ RCRA (Hazardous Wastes) _____
- ☐ PSD (Air Emissions from Proposed Sources) _____
- ☐ PWSSS ID _____
- ☐ Other (please specify) _____

- X. List other information which you feel should be brought to the attention of the SD DENR regarding coverage under this general permit.

The Distribution system has been in place for over 100 years, however the system only began to deliver treated water in 1995.

Attach additional sheets if necessary.

- XI. **Certification** (Authorized representative should *initial* the box)



I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including revocation of the permit and the possibility of fine and imprisonment for knowing violations. In addition, I certify that I am aware of the terms and conditions of the General Storm Water permit and I agree to comply with those requirements.

STATE OF SOUTH DAKOTA
BEFORE THE SECRETARY OF

THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

IN THE MATTER OF THE
APPLICATION OF

General Permit for Distribution System

STATE OF South Dakota

COUNTY OF Lawrence

CERTIFICATION OF
APPLICANT

I, Dave Ruth Jr., the applicant in the above matter after being duly sworn upon oath hereby certify the following information in regard to this application:

I have read and understand South Dakota Codified Law Section 1-40-27 which provides:

"The secretary may reject an application for any permit filed pursuant to Titles 34A or 45, including any application by any concentrated swine feeding operation for authorization to operate under a general permit, upon making a specific finding that:

(1) The applicant is unsuited or unqualified to perform the obligations of a permit holder based upon a finding that the applicant, any officer, director, partner, or resident general manager of the facility for which application has been made:

- (a) Has intentionally misrepresented a material fact in applying for a permit;*
- (b) Has been convicted of a felony or other crime involving moral turpitude;*
- (c) Has habitually and intentionally violated environmental laws of any state or the United States which have caused significant and material environmental damage;*
- (d) Has had any permit revoked under the environmental laws of any state or the United States; or*
- (e) Has otherwise demonstrated through clear and convincing evidence of previous actions that the applicant lacks the necessary good character and competency to reliably carry out the obligations imposed by law upon the permit holder; or*

(2) The application substantially duplicates an application by the same applicant denied within the past five years which denial has not been reversed by a court of competent jurisdiction. Nothing in this subdivision may be construed to prohibit an applicant from submitting a new application for a permit previously denied, if the new application represents a good faith attempt by the applicant to correct the deficiencies that served as the basis for the denial in the original application.

All applications filed pursuant to Titles 34A and 45 shall include a certification, sworn to under oath and signed by the applicant, that he is not disqualified by reason of this section from obtaining a permit. In the absence of evidence to the contrary, that certification shall constitute a prima facie showing of the suitability and qualification of the applicant. If at any point in the application review, recommendation or hearing process, the secretary finds the applicant has intentionally made any material misrepresentation of fact in regard to this certification,

consideration of the application may be suspended and the application may be rejected as provided for under this section.

Applications rejected pursuant to this section constitute final agency action upon that application and may be appealed to circuit court as provided for under chapter 1-26."

I certify pursuant to 1-40-27, that as an applicant, officer, director, partner, or resident general manager of the activity or facility for which the application has been made that I; a) have not intentionally misrepresented a material fact in applying for a permit; b) have not been convicted of a felony or other crime of moral turpitude; c) have not habitually and intentionally violated environmental laws of any state or the United States which have caused significant and material environmental damage; (d) have not had any permit revoked under the environmental laws of any state or the United States; or e) have not otherwise demonstrated through clear and convincing evidence of previous actions that I lack the necessary good character and competency to reliably carry out the obligations imposed by law upon me. I also certify that this application does not substantially duplicate an application by the same applicant denied within the past five years which denial has not been reversed by a court of competent jurisdiction. Further;

"I declare and affirm under the penalties of perjury that this claim (petition, application, information) has been examined by me, and to the best of my knowledge and belief, is in all things true and correct."

Dated this _____ day of _____, 20____.

Applicant (print)

Applicant (signature)

Subscribed and sworn before me this _____ day of _____, 20____.

Notary Public (signature)

My commission expires: _____

(SEAL)

**PLEASE ATTACH ANY ADDITIONAL INFORMATION NECESSARY TO DISCLOSE
ALL FACTS AND DOCUMENTS PERTAINING TO
SDCL 1-40-27 (1) (a) THROUGH (e).
ALL VIOLATIONS MUST BE DISCLOSED, BUT WILL NOT
AUTOMATICALLY RESULT IN THE REJECTION OF AN APPLICATION**