



DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

September 2, 2016

Rollyn H. Samp  
Samp Law Offices  
2101 West 41<sup>st</sup> Street, Suite 2000  
Sioux Falls, SD 57101

Dear Mr. Samp,

Thank you for your letter regarding Mayer Ranches. As indicated in the department's September 3, 2013, letter which you included with your letter, Mayer Ranches is located on land where both the State of South Dakota and U.S. Environmental Protection Agency (EPA) claim jurisdiction.

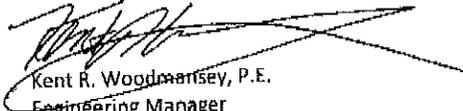
The U.S. EPA's regulations regarding concentrated animal feeding operations only allow them to require a National Pollutant Discharge Elimination System (NPDES) permit for concentrated animal feeding operations that discharge. At this time, as indicated in the EPA letters you included, the EPA does not have evidence that Mayer Ranches has discharged, and Mayer Ranches currently has not applied for a NPDES permit.

Mayer Ranches has coverage under the department's general water pollution control permit for concentrated animal feeding operations. The department has indicated we would terminate permit coverage for this operation should EPA issue the operation a NPDES permit. Only activities at the concentrated animal feeding operation are regulated by this permit. Cattle on pasture and other nonpoint source pollution are not regulated.

As indicated above, both the State of South Dakota and U.S. EPA claim jurisdiction over this operation. Because of this, you can send a water pollution complaint about this operation to the department, U.S. EPA, or both agencies. A copy of the department's complaint form is enclosed with this letter. Because the operation is located where both agencies claim jurisdiction, should the department receive a complaint, we would offer the U.S. EPA the opportunity to participate in any complaint inspection.

If you have any questions, please feel free to contact me.

Sincerely,



Kent R. Woodmansey, P.E.  
Engineering Manager  
Feedlot Permit Program  
(605) 773-3351

Enclosure – complaint form

Cc: Qian Zhang, U.S. EPA – Region 8, Denver

