

Appendix A

Permits

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Appendix A: Permits

This appendix lists environmental permits or other agreements that may need to be obtained by the U.S. Department of Veterans Affairs to implement the actions included in the alternatives in this environmental impact statement. Key federal, state, and local requirements are identified for both construction and operation. When specific location and construction (if any) decisions are made, the South Dakota “DENR ONE STOP Permitting” website, at <https://denr.sd.gov/onestop.aspx>, provides a detailed and useful guide to the state-level environmental permitting and regulatory requirements for projects within the state.

Agency	Permit / Requirement	Need / Basis	Status
<i>Air Quality</i>			
South Dakota Department of Environment and Natural Resources (SDDENR)	Title V (Part 70) Operating Permit	For operation of steam generation boilers, furnaces, emergency generators, and storage tanks with the potential to emit pollutants in excess of regulatory limits. Required pursuant to Chapter 34A-1-21 of the South Dakota Codified Laws and the Air Pollution Control Regulations of the State of South Dakota.	Existing Permit Number 28.0102-27 for Hot Springs VA Medical Center (VAMC). Modifications to existing permit may be required if existing facility is changed. New permit may be required based on potential emissions.
SDDENR	Minor Operating Permit(s)	For operation of sources not covered by a Part 70 Permit with the potential to emit uncontrolled emissions of regulated air pollutants below regulatory limits. Required pursuant to Chapter 34A-1-21 of the South Dakota Codified Laws and the Air Pollution Control Regulations of the State of South Dakota.	New permit(s) may be required based on potential emissions.

Agency	Permit / Requirement	Need / Basis	Status
Pennington County / Rapid City Air Quality Division	Air Quality Construction Permit	<p>Required for a construction activity disturbing one or more acres of land area which may cause fugitive emissions to be released into the ambient air.</p> <p>Required by Pennington County Ordinance 12, Fugitive Emissions and the Abatement of Smoke, Section 110, Air Quality Construction Permit Requirements Rapid City Ordinance 8.34.100, Construction Permit Requirements.</p>	Specific to new construction, if any.
<i>Cultural Resources</i>			
Advisory Council on Historic Preservation, South Dakota Historic Preservation Office, tribal representatives, other consulting parties	Consultation	Consultation under <i>National Historic Preservation Act</i> Section 106 to evaluate potential effects of federal undertaking on historic resources listed or eligible for listing on the National Register of Historic Places.	Ongoing.
<i>Geology and Soils</i>			
Natural Resource Conservation Service (U.S. Department of Agriculture)	Farmland Conversion Impact Rating (Form AD-1006)	Evaluation of prime, unique, statewide, or local important farmland that may be impacted, in accordance with the <i>Farmland Protection Policy Act</i> .	Specific to new construction sites, if any.
<i>Hydrology and Water Quality</i>			
SDDENR	National Pollutant Discharge Elimination System/Surface Water Discharge permit	Compliance with South Dakota <i>Water Pollution Control Act</i> and Administrative Rules of South Dakota (ARSD) 74:52:01 through 74:52:11.	Maintain and revise, as needed, existing Hot Springs VAMC Permit SDG860037.

Agency	Permit / Requirement	Need / Basis	Status
SDDENR	Notice of Intent to Obtain Coverage Under the SWD General Permit for Storm Water Discharges Associated with Construction Activities	Required for disturbance of one or more acres of land area; must prepare stormwater pollution prevention plan.	Specific to new construction, if any.
Rapid City	Erosion and sediment control permit	Required for any earth disturbing activities, except as specifically excluded – no lower limits on disturbed areas. Required by Rapid City Code of Ordinances Section 8.46.020.	Specific to new construction, if any.
Wildlife and Habitat			
U.S. Fish and Wildlife Service	Consultation	Required if listed species may be affected by a project, per Section 7 of the <i>Endangered Species Act</i>	Requirement to be determined after selection of sites for new facilities, if any.
Floodplains and Wetlands			
U.S. Army Corps of Engineers and SDDENR	Consultation and permitting	Permits under Sections 401 and 404 of the <i>Clean Water Act</i> may be required before construction activities commence if wetlands are present.	Specific to new construction, if any.
SDDENR	Water Quality Certification for 404 dredge and fill permit	SDDENR must issue a water quality certification before the federal 404 dredge and fill permit is issued.	Specific to new construction, if any.
Pennington County	Floodplain Development Permit	Required prior to construction or development within any area of special flood hazard, by Pennington County Flood Damage Prevention Ordinance.	Site-specific requirement. Specific to new construction, if any.
Fall River County	Floodplain Development Permit	Required prior to construction or development within any area of special flood hazard by Fall River County Ordinance 2007-1A, Building within the Flood Plain.	Site-specific requirement. Specific to new construction, if any.

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Rapid City	Floodplain Development Permit	Required prior to construction within areas of special flood hazard per Rapid City Code of Ordinances Section 15.32.060 and 15.32.280.	Site-specific requirement. Specific to new construction, if any.
Rapid City	Flood Hazard District Conditional Use Permit	Authorization is required for specified uses in the flood hazard district per Rapid City Code of Ordinances Section 17.28.	Site-specific requirement. Specific to new construction, if any.
<i>Solid Waste and Hazardous Materials</i>			
SDDENR	Asbestos Demolition/ Renovation Notification Form	South Dakota Codified Law 34-44; Administrative Rules of South Dakota 74:36:08, and 40 Code of Federal Regulations (CFR) Part 61.	Specific to renovations of existing facilities, if any.
SDDENR	RCRA Permit / Hazardous Waste Generation Notification Form	<i>Hazardous Waste Management Act</i> in South Dakota Codified Law 34A-11 and hazardous waste rules in ARSD 74:28 (which adopts regulations in 40 CFR Parts 260-279.) Permit depends upon hazardous waste generation quantities.	Maintain or modify Hot Springs VAMC permit RCRA CESQG ID SD1360080061. Maintain or modify Fort Meade VAMC permit RCRA SQG ID SD9360090063.
SDDENR	Notification for Aboveground Stationary Storage Tanks Regulated Storage Tank Removal Notification Form	Comply with storage tank statutes South Dakota Codified Laws 34A-2-98, 99, 100, and 101; and ARSD 74:56:01, 02, and 03.	Required for installation of new tanks and changes or closure of existing tanks.