



STATE OF SOUTH DAKOTA
DENNIS DAUGAARD, GOVERNOR

April 30, 2015

Jen Wagner
VIA EMAIL: Jen_Wagner@markey.senate.gov

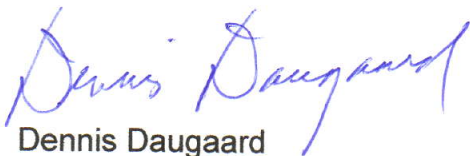
Dear Senators Markey and Boxer,

Thank you for your recent letter concerning implementation of the federal law Congress passed in 1986 called the Asbestos Hazard Emergency Response Act (AHERA). In South Dakota, the U.S. Environmental Protection Agency (EPA) remains the agency responsible for implementing this law. The state does not have delegation of this program and, as such, we suggest you contact the federal agency for answers to the questions in your letter related to implementing this law.

South Dakota does have the authority to oversee demolition or renovation projects that are implemented at a school. This oversight typically requires a notification to the state and then the project proceeds using accredited workers to safely remove the asbestos according to federal requirements. South Dakota also maintains a state accreditation program for asbestos workers as required by federal law. However, implementation of AHERA is solely the responsibility of the federal EPA.

I trust this satisfies your request.

Sincerely,


Dennis Daugaard

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