

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE  
NOTICE OF PUBLIC HEARING TO AMEND RULES

A public hearing will be held at the Department of Agriculture Conference Room, Foss Building, 523 East Capitol, Pierre, SD 57501 on October 6, 2011 at 10:00am CDT to consider the amendment of rule 12:44:03:01.

The effect of the rule change is to adopt the current version of the American National Standard Safety Requirements for the Storage and Handling of Anhydrous Ammonia (ANSI K61.1-1999), 29 CFR 1910.111, Storage and Handling of Anhydrous Ammonia (72 FR 71069, December 14, 2007) and 40 CFR Part 68, Subpart G (61 FR 31726, June 20, 1996) .

The reason for the rule adoption is to be consistent with federal law and update the rules for handling and storage of anhydrous ammonia and to ensure its safe and efficacious use.

Persons interested in presenting data, opinions, and arguments for or against the proposed rules may do so by appearing in person at the hearing or by sending them to the South Dakota Department of Agriculture, Division of Agriculture Services, 523 East Capitol Avenue, Pierre, South Dakota 57501. Material sent by mail must reach the Department of Agriculture by October 16, 2011, to be considered.

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

Notice is further given to individuals with disabilities that this hearing is being held in a physically accessible place. Please notify the Department of Agriculture at least 48 hours before the public hearing if you have special needs for which special arrangements must be made. The telephone number for making special arrangements is (605) 773-4432

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

South Dakota Department of Agriculture  
Division of Agricultural Services  
523 E. Capitol Ave  
Pierre, South Dakota 57501

**12:44:03:01. Requirements for storage and handling of anhydrous ammonia.** The requirements for storage and handling of anhydrous ammonia are those contained in 29 C.F.R. § 1910.111 ~~July 1, 1976~~ 72 FR 71069, Dec. 14, 2007, The American national standard safety requirement for the storage and handling of anhydrous ammonia (ANSI) K61.1-1999, Fifth Edition, 1999, and the Chemical Accident Prevention Provisions, 40 CFR Part 68, Subpart G, Risk Management Plan, 61 FR 31726, June 20, 1996.

Reference: American National Standard Institute (ANSI) for "K61.1 Safety Requirements for the Storage and Handling of Anhydrous Ammonia". Electronic copies may be purchased online at ANSI.org for \$198 per copy or at ANSI 25 W 43<sup>rd</sup> Street, 4<sup>th</sup> Floor, New York, NY 10036.