

South Dakota's Volkswagen Beneficiary Mitigation Plan Notice of Public Hearing to Approve Plan

The Board of Minerals and Environment will hold a public hearing on August 16, 2018, at 10:15 a.m. central time, to consider revisions and to approve South Dakota's Volkswagen Beneficiary Mitigation Plan. The hearing will be conducted at the Matthew Training Center, 523 East Capitol Avenue, Pierre, South Dakota.

In 2016, a lawsuit was filed against Volkswagen for manufacturing and selling diesel vehicles in the United States which allowed nitrogen oxide pollution to exceed levels allowed by the Clean Air Act. As part of the settlement, Volkswagen must fund an Environmental Mitigation Trust. The Trust would be used to offset the excess pollution emitted by the non-compliant vehicles. South Dakota's allocation from the Trust is a little over \$8 million. South Dakota must develop and submit a Beneficiary Mitigation Plan for the use of the funds to the trustee before any funding may be awarded. The reason for approving the plan is so it can be submitted to the trustee and South Dakota can receive funds to improve the air quality in the state.

Persons interested in presenting data, opinions, and arguments for or against the proposed plan may do so by appearing in person at the hearing or by submitting written comments to the South Dakota Department of Environment and Natural Resources, Air Quality Program, 523 East Capitol Avenue, Pierre, South Dakota, 57501. Electronic comments and those comments submitted by mail must reach the Department by the close of business on August 15, 2018, to be considered.

At the hearing, the board will consider all written and oral comments it receives on the proposed plan. The board may modify or amend the proposed plan 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. Individuals needing assistance, pursuant to the Americans with Disabilities Act, should contact the Department of Environment and Natural Resources at least 48 hours before the public hearing to make any necessary arrangements. The telephone number for making arrangements is (605) 773-3151.

Copies of the proposed plan may be obtained without charge by calling Barb Regynski at (605) 773-3151 or from the following website: <http://denr.sd.gov/des/aq/aaVW.aspx>.