STATE COMPLIANCE EXHIBIT

SOUTH DAKOTA

Safety & Environmental Management Program | 2026 Edition

Exhibit To	NM&C Safety & Environmental Management Program (PRG-SAF-10282026-01)
Jurisdiction	**Federal OSHA**
Version	1.1
Effective Date	November 16, 2026
Next Scheduled Review	November 16, 2027

HOW THIS EXHIBIT WORKS

This exhibit is part of the NM&C Safety & Environmental Management Program for all commercial construction projects and facility maintenance service calls located in South Dakota. The master program applies in full; this exhibit adds the South Dakota requirements that go beyond, or differ from, the federal OSHA baseline used in the master.

When this exhibit, the master program, a local rule, a customer requirement or a contract differ, the most protective requirement applies. This exhibit summarizes key requirements and is not a complete list of every state or local law. Fill-in fields are highlighted in yellow.

1 OSHA JURISDICTION AND SERIOUS INJURY REPORTING

Coverage for NM&C work	Federal OSHA - South Dakota has no OSHA-approved State Plan; private-sector employers are under federal OSHA jurisdiction.
Serious injury and fatality reporting	Report fatalities to federal OSHA within 8 hours and in-patient hospitalizations, amputations or eye losses within 24 hours (29 CFR 1904.39) by phone (1-800-321-6742), online or to the nearest Area Office.
Master program sections	Section 35 (Reporting), Section 38 (Recordkeeping) and Section 43 (State Compliance Exhibits).

2 SOUTH DAKOTA REQUIREMENTS

Item / Topic	Requirement
2.1 OSHA Jurisdiction	Private-sector worksites in South Dakota fall under federal OSHA. (OSHA - State Plans)
2.2 Written Program, Committees and Training	None beyond federal: South Dakota imposes no statewide written safety program, safety committee or construction training-card mandate on private contractors. (OSHA - State Plans)
2.3 Permits, Licenses and Utility Locates	Notify South Dakota 811 at least 48 hours before excavating; the period starts 12:01 a.m. the day after notice and excludes weekends and state legal holidays (SDCL 49-7A-5). (SDCL 49-7A-5)
2.4 Asbestos, Lead and Environmental	Asbestos NESHAP renovation/demolition notifications (40 CFR 61.145) go to the SD Department of Agriculture and Natural Resources on its form at least 10 weekdays before disturbing RACM (renovations of 260 linear ft, 160 sq ft or 35 cubic ft or more) or beginning any demolition. (SD DANR - Asbestos Demolition/Renovation Notification Form)

2.5 Asbestos, Lead and Environmental	Report qualifying spills (e.g., over 25 gallons, any threat to state waters, immediate danger to health or safety, or a sheen on surface water) to DANR at 605-773-3296 on weekdays, or State Radio at 605-773-3231 after hours, weekends and holidays. (SD DANR - Spills Reporting)
2.6 Workers' Compensation Injury Reporting	Report injuries needing more than minor first aid or causing 7+ calendar days of incapacity to the insurer (or the Department of Labor and Regulation if self-insured) within 7 calendar days of knowledge, not counting Sundays and legal holidays; failure is a Class 2 misdemeanor (SDCL 62-6-2). (SDCL 62-6-2)
2.7 Drug Testing and Cannabis	Registered medical cannabis patients get the same employment and drug-testing treatment as prescription users, but employers may take adverse action or refuse to hire for safety-sensitive jobs based solely on a positive cannabis test (SDCL 34-20G-22). (SDCL 34-20G-22)
2.8 Driving	No full handheld ban: SDCL 32-26-47.1 bars operating a vehicle while using a mobile electronic device (e.g., texting) but exempts making or receiving calls, GPS use (not manual entry) and hands-free or voice-operated use. (SDCL 32-26-47.1)

3 PROJECT START-UP CHECKLIST

Project / Customer	Enter	**Work Order / Project No.**	Enter
Site Address	Enter	**City / County**	Enter
NM&C Project Manager	Enter	**Date Reviewed**	Enter

Requirement	Applies?	Action Taken / Notes
2.1 OSHA Jurisdiction: Private-sector worksites in South Dakota fall under federal OSHA.	Yes / No / N/A	Action / notes
2.2 Written Program, Committees and Training: None beyond federal: South Dakota imposes no statewide written safety program, safety committee or…	Yes / No / N/A	Action / notes
2.3 Permits, Licenses and Utility Locates: Notify South Dakota 811 at least 48 hours before excavating; the period starts 12:01 a.m. the day after…	Yes / No / N/A	Action / notes
2.4 Asbestos, Lead and Environmental: Asbestos NESHAP renovation/demolition notifications (40 CFR 61.145) go to the SD Department of Agriculture…	Yes / No / N/A	Action / notes
2.5 Asbestos, Lead and Environmental: Report qualifying spills (e.g., over 25 gallons, any threat to state waters, immediate danger to health or…	Yes / No / N/A	Action / notes
2.6 Workers' Compensation Injury Reporting: Report injuries needing more than minor first aid or causing 7+ calendar days of incapacity to the insurer…	Yes / No / N/A	Action / notes
2.7 Drug Testing and Cannabis: Registered medical cannabis patients get the same employment and drug-testing treatment as prescription…	Yes / No / N/A	Action / notes
2.8 Driving: No full handheld ban: SDCL 32-26-47.1 bars operating a vehicle while using a mobile electronic device (e.g.…	Yes / No / N/A	Action / notes
Local (city or county) safety, permit or training requirements confirmed	Yes / No / N/A	Describe local rules

4 REFERENCES

- OSHA - State Plans
- SDCL 49-7A-5
- SD DANR - Asbestos Demolition/Renovation Notification Form
- SD DANR - Spills Reporting
- SDCL 62-6-2
- SDCL 34-20G-22

5 REVIEW AND APPROVAL

Role	Printed Name and Signature	Date
NM&C Project Manager	Name / Signature	Date
Safety Department	Name / Signature	Date