

Overview of Corps National Dredging Program and Regulations

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US Army Corps of Engineers
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Corps' Mission

- To maintain navigation 1824 Survey Act
- Dredging and disposal of sediment from waterways
- Proper management of contaminated sediment from navigation projects



Navigation System

- 25,000 miles
- 11,000 miles are commercially important



Quantities of Dredged Sediments

- 250 million cubic yards from 25,000 miles of navigation channels
- 75 million cubic yards from permits
- 325 million cubic yards each year



Authorizations

- Rivers and Harbors Act of 1899, and all subsequent WRDA's
- Clean Water Act
 - ▶ Section 404
- Marine Protection, Research, and Sanctuaries Act
 - ▶ Section 103



Quantities of Dredged Material Placed

- 55 million cubic yards regulated by the Marine Protection, Research, and Sanctuaries Act
- 270 million cubic yards regulated by the Clean Water Act



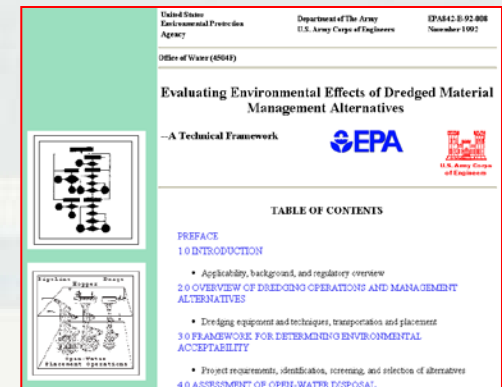
Quantities of Contaminated Sediments

- 3% to 5% or 12 to 20 million cubic yards require special handling and management



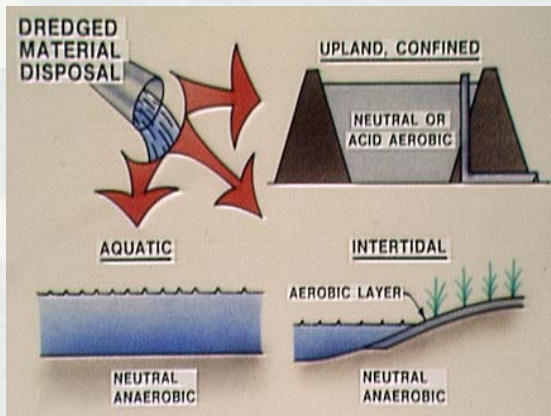
Navigation Dredging (33CFR Parts 335-338)

- EPA/Corps Technical Framework for DM
- Testing and Evaluation Manuals for Ocean (103) and Inland (404) Waters - National and Regional Manuals
- Ocean Site Designation Manual
- DM Capping Guidance Manual
- Upland Testing Manual



National and International Leadership

London Convention



CORPS/EPA Disposal Guidelines & Criteria



Environmental Laws and Regulations Applicable to Dredging and Dredged Material Disposal Activities

1. National Environmental Policy Act of 1969

2. Clean Air Act

- Section 309

3. Resource Conservation and Recovery Act of 1976

Dredged material excluded as a hazardous waste through
1998 rule making at 40 CFR 261.4



Environmental Laws and Regulations Applicable to Dredging and Dredged Material Disposal Activities (cont.)

4. Rivers & Harbors Act of 1899

- Section 10 - Permits for Structures and Activities in Navigable Waters
- Section 13 - Refuse Act. CWA subsumed the permitting provisions of Section 13 into Section 402. Enforcement provision was retained.

5. Federal Water Pollution Control Act of 1972 (amended and renamed the Clean Water Act in 1977)

▪ TITLE IV- Permits and Licenses

- Section 401 – Requires water quality certification of activities needing a federal license or permit



Environmental Laws and Regulations Applicable to Dredging and Dredged Material Disposal Activities (cont.)

- Section 402 – NPDES

 - Dredged material excluded at 40 CFR 122.3(b)

- Section 403 - Ocean Discharge Criteria

 - Same criteria as at 102 of the ODA

- Section 404 - Permits for Dredged or Fill Material

 - 404(b)(1) requires comparability in testing between
Sec 404 and Sec 403

- Section 405 - Disposal of Sewage Sludge

 - Prohibits disposal in waters absent an EPA Permit



Environmental Laws and Regulations Applicable to Dredging and Dredged Material Disposal Activities (cont.)

6. Marine Protection, Research, and Sanctuaries Act of 1972 (commonly called the Ocean Dumping Act)

- Title I - Ocean Dumping
 - Section 102 - EPA permits
 - Section 103 - COE permits



Environmental Laws and Regulations Applicable to Dredging and Dredged Material Disposal Activities (cont.)

7. Coastal Zone Management Act of 1972

- Section 307 - Coordination and Cooperation

8. Endangered Species Act of 1973

- Section 7 - Interagency Cooperation

9. Fish and Wildlife Coordination Acts of 1934, 1956 and 1958

10. National Historic Preservation Acts of 1966 and 1980



Environmental Laws and Regulations Applicable to Dredging and Dredged Material Disposal Activities (cont.)

11. Toxic Substances Control Act of 1976

- Sec 307 of the CWA provides that disposal of dredged material may be regulated under TSCA if greater than 50 ppm of pcb's

12. Submerged Lands Act of 1953



Regulatory Authorities

- U.S. National Marine Fisheries Service
- U.S. Fish and Wildlife Service
- U.S. Environmental Protection Agency
- State Fish and Game Agencies
- State Water Quality Certifying Agencies
- State Coastal Zone Management Agencies
- Other Federal and State Agencies



Questions?



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