

Overview of Corps National Dredging Program and Regulations

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Corps' Mission

- ▶ To maintain navigation
- ▶ Dredging and disposal of sediment from waterways
- ▶ Proper management of contaminated sediment from navigation projects



Navigation System

- ▶ 25,000 miles = 8 trips between New York and Los Angeles
- ▶ 11,000 miles are commercially important

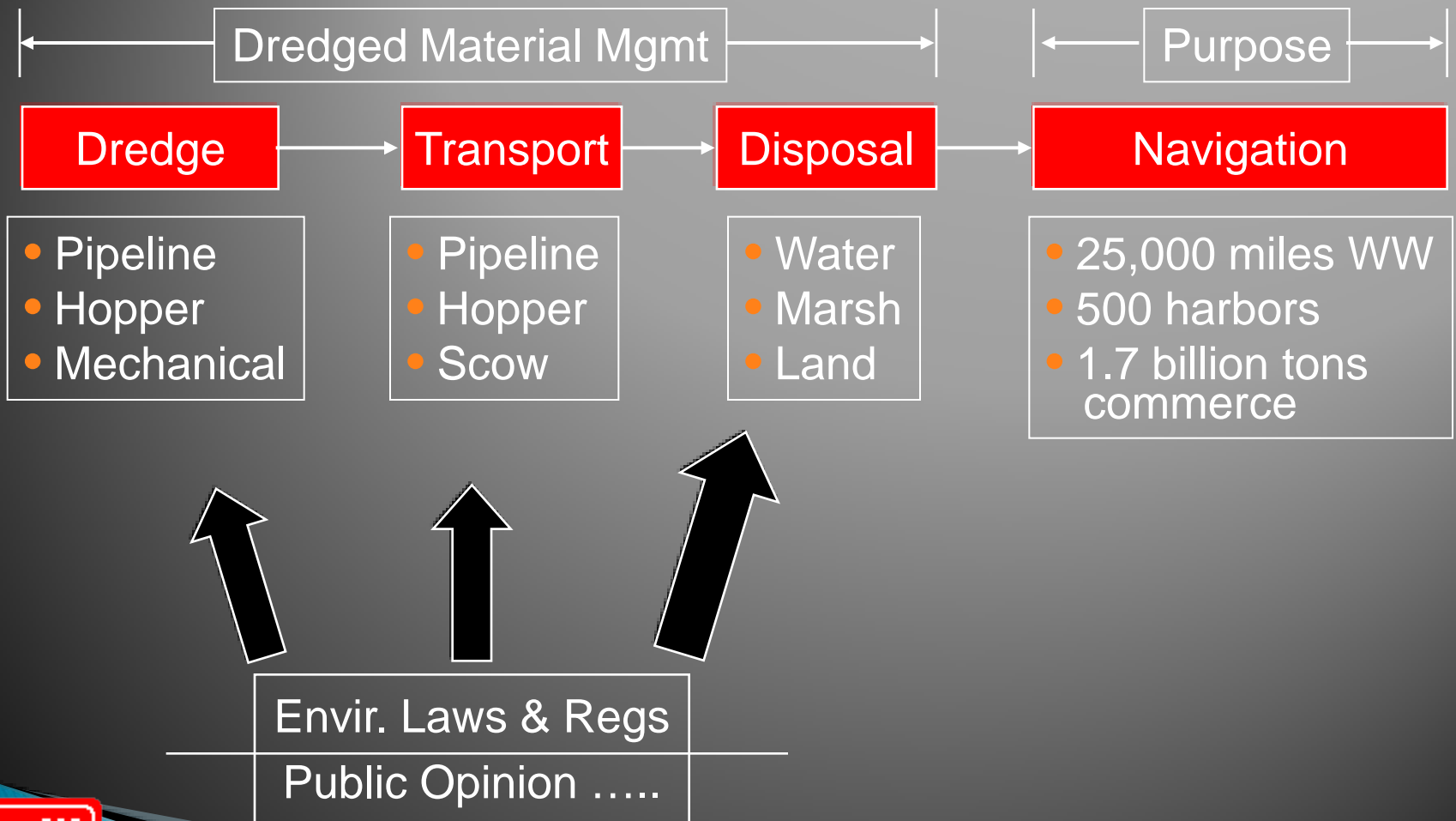


Typical Projects

- ▶ Federal channels
- ▶ Private channels, berths
(permits)
- ▶ Navy



National Dredging Program



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



How Much Dredged Material?



> 1½ feet deep
over Chicago

> 5½ feet deep over
Washington, D.C.



Authorization

- ▶ Rivers and Harbors Act of 1899,
 - Section 10
- ▶ 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

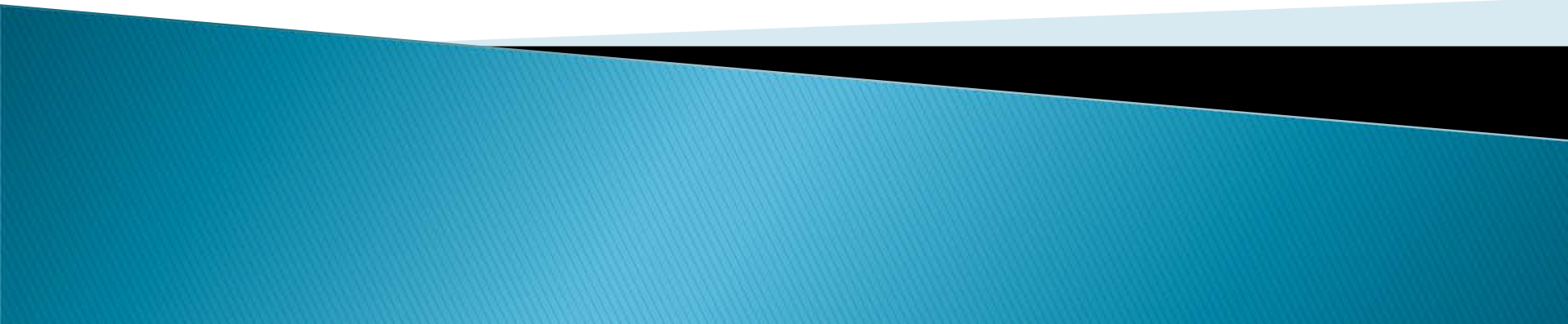


Quantities of Contaminated Sediments

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



Navigation Dredging Versus Cleanup Dredging



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
- ▶ Dredged Material Capping Guidance Manual
- ▶ Upland Testing Manual



Authorities for Contaminated Sediment Cleanup

- ▶ Section 115 of Clean Water Act
- ▶ Section 118 of Clean Water Act
- ▶ CERCLA/SARA (Superfund)
- ▶ CERCLA Natural Resources Damage Assessment
- ▶ Section 312 Water Resources Development Act of 1990



Cleanup Dredging Work for Others Authorities

► EPA

- Clean Water Act (1972) Section 115
- CERCLA (1980)
- SARA (1986)
- Water Quality Act (1987) – Great Lakes
- WRDA 1990 S312 – Environmental Dredging

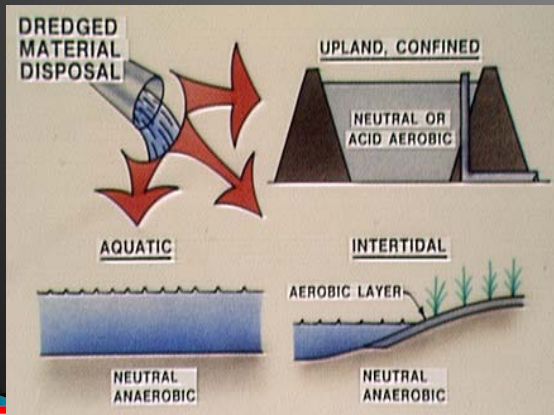
► NOAA

- SARA/NRT – Natural Resource Trustee



National and International Leadership

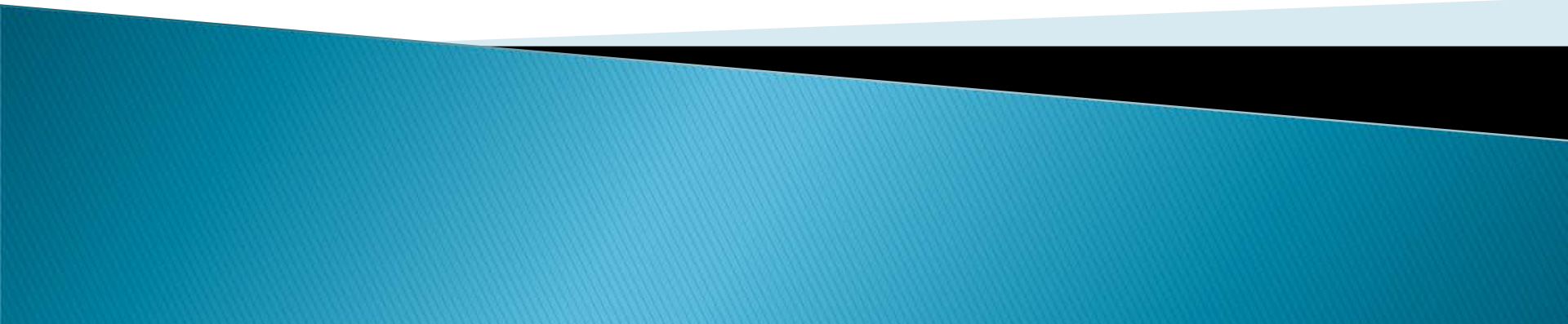
London Convention



CORPS/EPA Disposal Guidelines & Criteria



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



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. **Comprehensive Environmental Response, Compensation and Liability Act of 1980**
4. **Resource Conservation and Recovery Act of 1976**
 - Dredged material excluded as a hazardous waste under 40 CFR 261.4



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

5. Rivers & Harbors Act of 1899 (The Refuse Act)

- Section 10 – Permits for Structures and Activities in Navigable Waters
- Section 13 – Refuse Act

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

- Section 301 – Effluent Limitations
- Section 303 – Water Quality Standards and



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

TITLE IV– Permits and Licenses

- Section 401 – WQ Certification
- Section 402 – NPDES
- Section 403 – Ocean Discharge Criteria
- Section 404 – Permits for Dredged Material or Fill
- Section 405 – Disposal of Sewage Sludge



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

7. 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

(Continued)



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

- 8. Coastal Zone Management Act of 1972**
 - Section 307 – Coordination and Cooperation
- 9. Marine Mammal Protection Act**
- 10. Endangered Species Act of 1973**
 - Section 7 – Interagency Cooperation
- 11. Fish and Wildlife Coordination Acts of 1934, 1956, and 1958**
- 12. National Historic Preservation Acts of 1966 and 1980**



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

13. Toxic Substances Control Act of 1976

- Requires reporting and recording keeping of listed chemicals and mixtures
- Sec 307 of the CWA provides that disposal of dredged material may be regulated under TSCA
 - 50 ppm of pcb's for dredged material

14. Submerged Lands Act of 1953

15. Magnuson–Stevens Act as reauthorized by the Sustainable Fisheries Act of 1996



Federal Standard

The disposal alternative or alternatives identified by the Corps which represents the least costly alternative consistent with sound engineering practices and meeting the environmental standards established by the 404(b)(1) evaluation process or ocean dumping criteria.



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

