

2007 Nationwide Permits (Enclosure B)

| # | Nationwide Permit ⁵ | Section | Regional Conditions | Additional Conditions within a State | Suspended in the State of... | PCN | MD CZM/WQC | PA CZM/WQC |
|----|--|---------|---------------------|--------------------------------------|------------------------------|------------------|--|--|
| 1 | Aids to Navigation | 10 | | | PA ⁴ , MD | Y ³ | ISSUED/ISSUED | ISSUED ² /ISSUED ² |
| 2 | Structures in Artificial Canals | 10 | | | MD | Y ³ | ISSUED/ISSUED | ISSUED ² /ISSUED ² |
| 3 | Maintenance | 10/404 | y | MD, DC | MD ⁷ | Y ³ | ISSUED ¹ /ISSUED ¹ | ISSUED ² /ISSUED ² |
| 4 | Fish and Wildlife Harvesting, Enhancement, and Attraction Devices and Activities | 10/404 | y | | PA ⁴ | Y ³ | ISSUED/ISSUED | ISSUED ² /ISSUED ² |
| 5 | Scientific Measurement Devices | 10/404 | y | | PA ⁴ , MD | Y ³ | ISSUED ¹ /ISSUED ¹ | ISSUED ² /ISSUED ² |
| 6 | Survey Activities | 10/404 | | | MD | Y ³ | ISSUED/ISSUED | ISSUED ² /ISSUED ² |
| 7 | Outfall Structures and Associated Intake Structures | 10/404 | y | MD, DC | PA ⁴ , MD | Y ⁶ | ISSUED ¹ /ISSUED ¹ | ISSUED ² /ISSUED ² |
| 8 | Oil and Gas Structures | 10 | | | MD | Y | ISSUED/ISSUED | ISSUED ² /ISSUED ² |
| 9 | Structures in Fleeting and Anchorage Areas | 10 | | | MD | Y ³ | ISSUED/ISSUED | ISSUED ² /ISSUED ² |
| 10 | Mooring Buoys | 10 | | | PA ⁴ , MD | Y ³ | ISSUED/ISSUED | ISSUED ² /ISSUED ² |
| 11 | Temporary Recreational Structures | 10 | y | PA | PA ⁴ , MD | Y | ISSUED/ISSUED | ISSUED ² /ISSUED ² |
| 12 | Utility Line Activities | 10/404 | y | MD, DC | PA ⁴ , MD | Y ⁶ | ISSUED ¹ /ISSUED ¹ | ISSUED ² /ISSUED ² |
| 13 | Bank Stabilization | 10/404 | y | | PA ⁴ , MD | Y ³ | ISSUED ¹ /ISSUED ¹ | ISSUED ² /ISSUED ² |
| 14 | Linear Transportation Projects | 10/404 | y | MD, DC | PA ⁴ , MD | Y ^{3,6} | ISSUED ¹ /ISSUED ¹ | ISSUED ² /ISSUED ² |
| 15 | U.S. Coast Guard Approved Bridges | 404 | y | MD, DC | PA ⁴ , MD | Y ³ | ISSUED ¹ /ISSUED ¹ | ISSUED ² /ISSUED ² |
| 16 | Return Water From Upland Contained Disposal Areas | 404 | | | MD | Y ^{3,6} | ISSUED ¹ /ISSUED ¹ | ISSUED ² /ISSUED ² |
| 17 | Hydropower Projects | 404 | | | MD | Y ⁶ | ISSUED ¹ /ISSUED ¹ | ISSUED ² /ISSUED ² |
| 18 | Minor Discharges | 10/404 | y | MD, DC | PA ⁴ , MD | Y | ISSUED/ISSUED | ISSUED ² /ISSUED ² |
| 19 | Minor Dredging | 10/404 | | | PA ⁴ , MD | Y ³ | ISSUED/ISSUED | ISSUED ² /ISSUED ² |
| 20 | Oil Spill Cleanup | 10/404 | | | PA ⁴ | Y ³ | ISSUED/ISSUED | ISSUED ² /ISSUED ² |
| 21 | Surface Coal Mining Activities | 10/404 | | | MD | Y ⁶ | ISSUED ¹ /ISSUED ¹ | ISSUED ² /ISSUED ² |
| 22 | Removal of Vessels | 10/404 | | | | Y ³ | ISSUED/ISSUED | ISSUED ² /ISSUED ² |
| 23 | Approved Categorical Exclusions | 10/404 | y | | | Y | ISSUED/ISSUED | ISSUED ² /ISSUED ² |
| 24 | State Administered Section 404 Program | 10 | | | MD | Y ³ | ISSUED/ISSUED | ISSUED ² /ISSUED ² |
| 25 | Structural Discharges | 404 | | | PA ⁴ | Y ³ | ISSUED/ISSUED | ISSUED ² /ISSUED ² |
| 26 | [Reserved] | | | | PA ⁴ , MD | | | |
| 27 | Stream and Wetland Restoration Activities | 10/404 | y | | | Y ³ | ISSUED ¹ /ISSUED ¹ | ISSUED ² /ISSUED ² |
| 28 | Modifications of Existing Marinas | 10 | y | | MD | Y | ISSUED/ISSUED | ISSUED ² /ISSUED ² |
| 29 | Residential Developments | 10/404 | y | PA | PA ⁴ , MD | Y ⁶ | ISSUED ¹ /ISSUED ¹ | ISSUED ² /ISSUED ² |
| 30 | Moist Soil Management for Wildlife | 404 | y | | | Y | ISSUED/ISSUED | ISSUED ² /ISSUED ² |
| 31 | Maintenance of Existing Flood Control Facilities | 10/404 | | | | Y ⁶ | ISSUED/ISSUED | ISSUED ² /ISSUED ² |
| 32 | Completed Enforcement Actions | 10/404 | | | | N | ISSUED/ISSUED | ISSUED ² /ISSUED ² |
| 33 | Temporary Construction, Access and Dewatering | 10/404 | y | MD, DC | PA ⁴ , MD | Y | ISSUED ¹ /ISSUED ¹ | ISSUED ² /ISSUED ² |
| 34 | Cranberry Production Activities | 404 | | | MD | Y | ISSUED/ISSUED | ISSUED ² /ISSUED ² |
| 35 | Maintenance Dredging of Existing Basins | 10 | y | PA, MD, DC | MD | Y ⁶ | ISSUED/ISSUED | ISSUED ² /ISSUED ² |
| 36 | Boat Ramps | 10/404 | y | PA, MD, DC | PA ⁴ , MD | Y ³ | ISSUED/ISSUED | ISSUED ² /ISSUED ² |
| 37 | Emergency Watershed Protection and Rehabilitation | 10/404 | | | PA ⁴ | Y | ISSUED/ISSUED | ISSUED ² /ISSUED ² |
| 38 | Cleanup of Hazardous and Toxic Waste | 10/404 | | | | Y | ISSUED/ISSUED | ISSUED ² /ISSUED ² |
| 39 | Commercial and Institutional Developments | 10/404 | y | | PA ⁴ , MD | Y ⁶ | ISSUED ¹ /ISSUED ¹ | ISSUED ² /ISSUED ² |
| 40 | Agricultural Activities | 404 | y | | PA ⁴ , MD | Y ⁶ | ISSUED ¹ /ISSUED ¹ | ISSUED ² /ISSUED ² |
| 41 | Reshaping Existing Drainage Ditches | 404 | | | PA ⁴ , MD | Y ³ | ISSUED ¹ /ISSUED ¹ | ISSUED ² /ISSUED ² |
| 42 | Recreational Facilities | 404 | y | PA | PA ⁴ , MD | Y ⁶ | ISSUED ¹ /ISSUED ¹ | ISSUED ² /ISSUED ² |
| 43 | Stormwater Management | 404 | | | PA ⁴ , MD | Y ^{3,6} | ISSUED ¹ /ISSUED ¹ | ISSUED ² /ISSUED ² |
| 44 | Mining Activities | 10/404 | | | MD | Y ⁶ | ISSUED ¹ /ISSUED ¹ | ISSUED ² /ISSUED ² |
| 45 | Repair of Uplands Damaged by Discrete Events | 10/404 | | | PA ⁴ , MD | Y | ISSUED ¹ /ISSUED ¹ | ISSUED ² /ISSUED ² |
| 46 | Discharges in Ditches | 404 | | | PA ⁴ , MD | Y | ISSUED ¹ /ISSUED ¹ | ISSUED ² /ISSUED ² |
| 47 | Pipeline Safety Program Designated Time-Sensitive Inspections and Repairs | 10/404 | | | | N | ISSUED ¹ /ISSUED ¹ | ISSUED ² /ISSUED ² |
| 48 | Existing Commercial Shellfish Aquaculture Activities | 10/404 | y | MD, DC | | Y ³ | ISSUED ¹ /ISSUED ¹ | ISSUED ² /ISSUED ² |
| 49 | Coal Remaining Activities | 10/404 | y | | MD | Y ⁶ | ISSUED ¹ /ISSUED ¹ | ISSUED ² /ISSUED ² |
| 50 | Underground Coal Mining Activities | 10/404 | y | | MD | Y ⁶ | ISSUED ¹ /ISSUED ¹ | ISSUED ² /ISSUED ² |

NOTES:

(A) There are no CZM requirements in DC and WQC has been denied in DC for all NWP's **(B)** See attachment for superscripted items

¹WQC and CZM issued subject to the condition that the applicant obtain all necessary permits and approvals from MDE.

²This certification is subject to the following conditions:

1. As of May 11, 2007, the Corps has not issued the final regional conditions applicable to NWP's. Therefore, Pennsylvania reserves the right to modify or revoke this 401 Water Quality Certification for any and all NWP's and the related final regional conditions, for up to 90 days, following the Corps notice of final regional conditions.
2. Prior to commencing any activity covered by a Nationwide Permit, the applicant must obtain all necessary permits or approvals from the Department of Environmental Protection, including, but not limited to, those required by the Pennsylvania Clean Streams Law (35 P.S. §691.1 et seq.), the Dam Safety and Encroachments Act (32 P.S. §693.1 et seq.), the Solid Waste Management Act (35 P.S. §6018.101 et seq.), the Hazardous Sites Cleanup Act (35 P.S. §6020.101 et seq.), and the regulations promulgated thereunder including but not limited to 25 Pa. Code Chapters 75, 91, 92, 93, 101, 102, 105, and 260-299. All environmental assessments required under these regulations, in addition to other regulatory requirements, must be complied with as a condition of Section 401 Water Quality Certification and Coastal Zone Management consistency for the NWP's.
3. Fill material cannot contain wastes as defined in the Pennsylvania Solid Waste Management Act (35 P.S. § 6018.101 et seq.).
4. For activities which impact on wetlands, a delineation shall be conducted in accordance with Pennsylvania Department of Environmental Protection's procedures for wetland delineation. The present procedure is published at 25 Pa. Code Chapter 105.451.
5. The Department retains the right, on an individual activity basis; to withdraw or modify 401 Water Quality Certification for an activity subject to a NWP which it determines may adversely impact water quality.

³A PCN is required under certain circumstances. Review the terms of the specific NWP, general conditions 19⁶ and 27 to identify those circumstances, and the regional conditions.

⁴For PA, the suspension of the NWP's is not applicable in certain water bodies in PA; see Special Public Notice # 07-37 for a listing of the specific water bodies.

⁵See the attached list of resource agencies to determine which one(s) to contact for a determination of the presence of "Designated Critical Resource Waters" on or near your proposed work site.

⁶See General Condition 19(a) to determine if your project can be authorized by this particular NWP.

⁷Except for repair, rehabilitation, or replacement of structures or fills destroyed or damaged by storms, floods, fire, or other discrete events.

**⁵List of Resource Agencies Concerning
Designated Critical Resource Waters**

District of Columbia Department
of the Environment
Water Quality Division
51 N Street, NE, 5th Floor
Washington, DC 20002

National Marine Fisheries Service
Habitat Conservation Division
74 Magruder Road, Sandy Hook
Highlands, New Jersey 07732

National Marine Fisheries Service
National Oceanic and Atmospheric
Administration
Chesapeake Bay Office
410 Severn Avenue, Suite 107A
Annapolis, Maryland 21403

U.S. Department of the Interior
Fish and Wildlife Service
315 South Allen Street, Suite 322
State College, Pennsylvania 16801-4850

U.S. Department of the Interior
Fish and Wildlife Service
177 Admiral Cochrane Drive
Annapolis, Maryland 21401

U.S. Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

Pennsylvania Fish & Boat Commission
Bureau of Fisheries & Engineering
450 Robinson Lane
Bellefonte, Pennsylvania 16823-9616
(*For fish, amphibians, reptiles, aquatic
invertebrates*)

Pennsylvania Department of
Environmental Protection
Bureau of Watershed Management
Division of Waterways, Wetlands & Erosion
Control
P.O. Box 8775
Harrisburg, Pennsylvania 17105-8775
(*For birds and mammals*)

Maryland Department of the
Environment
Wetlands and Waterways Program
Water Resources Administration
1800 Washington Boulevard
Baltimore, Maryland 21230

Maryland Department of Natural
Resources
Environmental Review
Tawes State Office Building
580 Taylor Avenue
Annapolis, Maryland 21401