

Reference: RGL 81-04

Subject: DREDGING-IN 404 WATERS

Title: APPLICATION OF SECTION 404 TO DREDGING PROJECTS

Issued: 06/08/81 Expires: 12/31/83

Originator: DAEN-CWO-N

**Description: WHEN DREDGING INVOLVES ONLY DE MINIMIS
DISCHARGES IT IS NOT SUBJECT TO SEC 404.**

-
1. Section 404 of the Clean Water Act authorizes the Corps of Engineers to issue permits for the discharge of dredged or fill materials into the waters of the United States. It does not authorize the Corps to regulate dredging in these waters.
 2. De minimis discharge occurring during normal dredging operations, such as the drippings from a dragline bucket, is not considered to be a Section 404 discharge.
 3. This guidance is effective through December 31, 1983, unless sooner revised or rescinded.

FOR THE CHIEF OF ENGINEERS: