

Regulatory Guidance Letter 90-01

SUBJECT: Nationwide Permit Verification

DATE: January 24, 1990

EXPIRES: June 13, 1992

1. The purpose of this guidance is to provide standard language to be used in letters of verification on nationwide permits until they are reissued, modified, revoked, or expire.
2. The nationwide permits at 33 CFR 330.5(a) will expire on 13 January 1992 unless they are modified or reissued. The regulations at 33 CFR 330.11 provide that letters verifying an activity complies with the terms and conditions of a nationwide permit will state that the verification is valid for a period of no more than two years. Furthermore, Section 330.11 states that Section 330.12 takes precedence over Section 330.11. Modification of all the nationwide permits (at a minimum by adding conditions) is being considered and is likely to occur. It is not known when this will occur. Therefore, the indication of a time period in the verification letters is no longer appropriate.

3. Until the nationwide permits are modified or reissued, the following statement (or equivalent as appropriate) should be included in all nationwide permit verification letters:

This verification will be valid until the nationwide permit is modified, reissued, or revoked. All the nationwide permits are scheduled to be modified, reissued or revoked prior to 13 January 1992. It is incumbent upon you to remain informed of changes to the nationwide permits. We will issue a public notice announcing the changes when they occur. Furthermore, if you commence or are under contract to commence this activity before the date the nationwide permit is modified or revoked, you will have twelve months from the date of the modification or revocation to complete the activity under the present terms and conditions of this nationwide permit.

4. This guidance expires on 13 January 1992 unless sooner modified or rescinded.

FOR THE DIRECTOR OF CIVIL WORKS:

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