



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, NEW ORLEANS DISTRICT
7400 LEAKE AVENUE
NEW ORLEANS, LOUISIANA 70118

Operations Division
Regulatory Branch

SUBJECT: CEMVN-OD-S
MVN-1997-04840-MG
(General Permit) GP-20

DEPARTMENT OF THE ARMY GENERAL PERMIT FOR HAZARDOUS CONDITION
RESPONSE ACTIVITIES WITHIN THE NEW ORLEANS DISTRICT

AUTHORIZATION NO.: (General Permit) GP-20
INITIAL EFFECTIVE DATE: November 1, 1982
EXPIRATION DATE: November 30, 2022

Under authorization granted by Part 325.8(b) of Title 33, Code of Federal Regulations, the District Commander at New Orleans has granted this general permit for discharge of dredge and fill material and other work to address the performance of certain activities in response to hazardous conditions. This permit authorizes work and structures under the following legislation:

- a. Section 10 of the Rivers and Harbors Act of March 3, 1899 (33 USC 403).
- b. Section 404 of the Clean Water Act (33 USC 1344).

This permit does not authorize any work under Section 9 of the Rivers and Harbors Act of March 3, 1899 (33 USC 404) or Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 USC 1413).

This permit is applicable only within the boundaries of the New Orleans District of the U.S. Army Corps of Engineers.

Work authorized by this general permit is the minimum amount necessary to respond to oil or gas well blowouts, pipeline explosions or ruptures, explosions, fires, oil or hazardous materials spills, shipwrecks or sinking of vessels in navigation channels, pipeline damage, flood and storm events, or similar situations which would result in an imminent safety and/or environmental hazard.

Work authorized under this general permit is considered temporary. After the immediate situation has been addressed, the permittee must either restore the site to its pre-project conditions, or must apply for a permit to maintain the work or portions of work initially authorized under this general permit. Permit applications to maintain work initially authorized under this general permit will be processed in the appropriate manner, to potentially include an agency or public notice, water quality certification from the Louisiana Department of Environmental Quality, and Coastal Use Permit or other authorizations from the Louisiana Department of Natural Resources, Office of Coastal Management (OCM).

The activities authorized by this general permit include, but are not limited to:

- a. Placement of a drilling rig in open waters to drill a relief well.
- b. Placement of fill to provide access to a location for placement of drilling rigs to drill relief wells.
- c. Dredging and disposal of dredged material for movement of equipment to evacuate personnel, fight fires, shutoff blow-out wells, install and service pollution control equipment, and repair ruptured pipelines.
- d. Dredging and placement of fill and/or structures to collect and confine oil or hazardous materials.
- e. Dredging and deposition of dredged material to remove or re-float grounded, wrecked, burned out or sunken vessels and/or structures obstructing navigation channels and resulting in a hazard to public navigation.
- f. Dredging and the placement of fill associated with emergency response to specific storm and/or flood events.
- g. Dredging and the deposition of material for emergency pipeline anomaly repairs and access.

In addition to the applicable conditions of our standard permit form (copy enclosed), the following conditions apply to this general permit:

- a. Dredging and other activities will be the minimum necessary to address safety and environmental hazards.
- b. Work performed under this general permit must be completed within 120 days of the date that the specific authorization was granted. If work is not completed within this time-frame, the permittee may request additional time to complete the work. The District Commander will consider granting any requests for a time-extension on a case-by-case basis.

c. Restoration is required in accordance with the following:

(1) Restoration plans must be submitted to the Regulatory Branch of this district within 30 days of the date when the authorization was granted by the New Orleans District under the general permit.

(2) The District Commander will consult with appropriate federal, state, and local agencies prior to authorization of restoration plans.

(3) The restoration work must begin within 30 days of the date of authorization of the restoration plan or lesser time when so specified by the District Commander or his representative, unless a specific time extension is granted by the New Orleans District.

(4) Once begun, restoration work will be diligently prosecuted until completed.

(5) Disturbed wetland areas shall be restored to pre-project conditions, to the greatest extent practicable.

d. In appropriate cases when it may be in the public interest to allow maintenance of structures, fill areas, and/or dredged areas installed under this general permit authorization, permittees must apply for and receive a Department of the Army permit. If the permit application is denied, restoration will proceed in accordance with condition c., immediately above.

e. Applications to maintain facilities authorized by this general permit must be submitted within 30 days of the date the authorization was granted by the New Orleans District for work under this general permit, unless a specific time extension is granted by the New Orleans District. Permit applications will be processed using appropriate procedures, including a public notice where applicable.

f. Requests to maintain facilities located outside the Louisiana Coastal Zone and authorized under this general permit, must include a completed Department of the Army application form (4345), along with appropriate letter-sized drawings and scope of the work, and be mailed to the USACE, New Orleans District, Regulatory Branch at the letterhead address above. For work located within the Louisiana Coastal Zone, a Joint permit application shall be submitted through DNR/OCM.

g. This general permit may be modified, suspended, or revoked by the District Commander any time it is found to be in the public interest to do so.

h. Authorizations under this general permit do not relieve permittees from obtaining permits or other authorizations from any required state or local agency, or the consent of the landowner. For response activities within the Louisiana Coastal Zone, applicants must also contact OCM at (225) 342-7591 for state authorization before performing the work.

i. Other permit conditions may be added in individual authorizations for work under this general permit to address site specific conditions or situations.

Procedures to be followed in administering this general permit are as follows:

a. The initial contact may be made in person or via one of the following:

(1) Electronic mail: CEMVNRegulatoryApplication@usace.army.mil

Please include "HCRA, the Parish where the project is proposed, and the Applicant" in the subject line of the electronic mail.

(2) Regulatory Branch
(504) 862-2255

(3) Eastern Evaluation Section
(504) 862-2292

(4) Central Evaluation Section
(504) 862-1581

(5) Western Evaluation Section
(504) 862-2261

b. For work within the Louisiana Coastal Zone also contact the OCM at (225) 342-7591.

c. If a permission from the Corps pursuant to 33 U.S.C.408 is required, final action on the HCRA cannot be made until the Section 408 permission is granted.

d. If the proposed work is located with any known sensitive/critical areas (e.g. TES habitat, EFH habitat, refuges, cultural sites, etc.), we may request an emergency review from the appropriate resource agency, as determined necessary.

e. Authorization under this general permit may be granted upon initial contact provided the requester can present sufficient information on the location, nature, and extent of the work to establish that the safety or environmental hazard exists. When necessary, immediate verbal authorization may be granted to perform the work. However, in other cases, a written request describing the need for the work may be needed to establish that the project qualifies for authorization under the provisions of this general permit. Please provide the following if available:

(1) Copies of any original Department of the Army (DA) permit for the structure/site if available, or any relevant DA permit number(s) if available, or the approximate time the original project/structure was constructed.

(2) Clear description of the hazardous situation, to include but not limited to: any work initiated and/or proposed, description of the structure and/or site and its current condition, machinery used, time frames for start and completion of work, anticipated wetland impacts through filling, excavating or mechanized

clearing for access and work, any anticipated impacts to the general public, impact areas of known effluents released, any local city (or) parish emergency response efforts underway, etc.

- (3) A location map (aerial/topographic) and a plan view plat including: waterways, parish(s), towns or cities, adjacent roadways, ROW limits, adjacent development, residences or subdivisions, latitudes and longitudes, section, township, range, nearby refuges and/or management areas, adjacent federal structures, access routes, permanent and/or temporary structures, permanent and/or temporary work area(s) with dimensions, anticipated wetlands, etc.
- (4) Site photos, if available.
- (5) Applicant and agent contact information.
- (6) Any other available federal, state, or local authorizations already received and/or required.

f. If authorization to proceed is granted at the initial contact, the permittee must supply written documentation of the work to be done within 1 working day of the authorization being granted, including necessary maps, drawings, and sketches.

g. Permittees will supply all other information necessary to establish a complete file.

h. If appropriate, written authorization will be granted after all necessary information has been provided.

BY THE AUTHORITY OF THE SECRETARY OF THE ARMY:



Martin S. Mayer
Chief, Regulatory Branch
for
Michael N. Clancy
Colonel, U.S. Army
District Commander

Enclosures