



**US Army Corps
of Engineers**

Alaska District
Regulatory Division (1145)
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Date:

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In reply refer to above Identification

SPECIAL PUBLIC NOTICE 2009-1063

**Corps of Engineers Regulatory Program
Notice of Fill Prohibitions and Restrictions**

The Alaska District Regulatory Division, U.S. Army Corps of Engineers (Corps), by publication of this Special Public Notice is hereby issuing prohibitions and restrictions on the discharge of specified materials as fill into waters of the United States (U.S.) under the Clean Water Act (33 U.S.C. 1344). The purpose of these prohibitions and restrictions is to ensure compliance with the Clean Water Act goals of: restoring and maintaining the physical, chemical, and biological integrity of our Nation's waters.

The following materials are prohibited from use as fill material in waters of the U.S. within the regulatory boundaries of the Alaska District (for additional information on Alaska District regulatory boundaries, visit our web site at: www.poa.usace.army.mil/reg):

1. Vehicle bodies, farm machinery, appliances, containers, or other materials generally considered unsuitable as fill, or which contain contaminants or toxic substances, such as those listed by the Environmental Protection Agency under Section 307 of the Clean Water Act (<http://www.epa.gov/waterscience/methods/pollutants.htm>) and listed in the Alaska Water Quality Criteria Manual for Toxic and Other Deleterious Organic and Inorganic Substances (<http://www.dec.state.ak.us/water/wqsar/wqs>).
2. Small aggregate shall not be placed below the ordinary high water mark or high tide line of any water body for the purpose of erosion control or bank stabilization if the aggregate and/or associated structure is unstable or likely to fail. Small aggregate may be placed as bedding or as material to enhance plantings, in combination with adequate measures to prevent erosion (e.g. overlain by filter fabric and anchored by riprap or sufficiently stabilized vegetative materials such as tree revetments). All exposed soil and other fills must be permanently stabilized at the earliest practicable date.
3. Construction debris, including scrap wood, sheet rock, roofing materials, asphalt, or chemically treated materials prone to leaching in an aquatic environment.

The following materials are restricted from use as fill material in waters of the U.S. unless evaluated on a case by case basis and meet the criteria below:

1. Properly anchored trees, hay bales; and woodchips. Note: use of woodchips may be restricted to maximum fill depths, mixing requirements, and/or adequate compaction, and may also require an impermeable cap to limit leachate movement into ground water.

2. Brick, cinder blocks, and broken concrete may be utilized if properly stabilized and sufficiently covered by mineral soil. Broken concrete shall be free of exposed rebar, with the length of each piece being no longer than 3.5 times its width.

Please note that this Special Public Notice does not negate the requirement to obtain proper authorizations for any discharge of dredged or fill material into a water of the United States. Anyone considering such work is encouraged to contact the nearest field office listed below for information and assistance (Note that we also have a **toll free number** for use in Alaska at (800) 478-2712):

Anchorage Regulatory Field Office
U.S. Army Corps of Engineers
1600 A. Street, Suite 110
Anchorage, Alaska 99501
Phone (907) 753-2619
Fax (907) 279-0064

Juneau Regulatory Field Office
U.S. Army Corps of Engineers
8800 Glacier Highway, Suite 106
Juneau, Alaska 99801-8079
Phone (907) 790-4490

Fairbanks Regulatory Field Office
U.S. Army Corps of Engineers,
2175 University Avenue, Suite 201E
Fairbanks, Alaska 99709-4910
Phone (907) 474-2166
Fax (907) 474-2164

Kenai Regulatory Field Office
U.S. Army Corps of Engineers
Benco Building
805 Frontage Road, Suite 200C
Kenai, Alaska 99611-7755
Phone (907) 283-3519
Fax (907) 283-3981

Main Regulatory Office
U.S. Army Corps of Engineers
P.O. Box 6898
Elmendorf AFB, Alaska 99506-0898
Phone (907) 753-2712
Fax (907) 753-5567

Mat-Su Regulatory Field Office
U.S. Army Corps of Engineers
Century Plaza building, Suite 102
1075 South Check Street
Wasilla, Alaska 99654
Phone (907) 357-4423

Sitka Regulatory Field Office
U.S. Army Corps of Engineers
P.O. Box 16
Sitka, Alaska 99835
Phone (907) 747-0658