

401 Water Quality Certification Issued Without Conditions

*The submittal of a Pre-filing Meeting Request and Certification Request to the 401 Section is not required for the following Nationwide Permits.

Nationwide 3	Maintenance
Nationwide 4	Fish & Wildlife Harvesting, Enhancement, & Attraction Devices & Activities
Nationwide 5	Scientific Measurement Devices
Nationwide 6	Survey Activities
Nationwide 7	Outfall Structures and Associated Intake Structures
Nationwide 13	Bank Stabilization
Nationwide 15	U.S. Coast Guard Approved Bridges
Nationwide 18	Minor Discharges
Nationwide 19	Minor Dredging
Nationwide 20	Response Operations for Oils or Hazardous Substances
Nationwide 22	Removal of Vessels
Nationwide 25	Structural Discharges
Nationwide 27	Aquatic Ecosystem, Restoration, Enhancement and Establishment Activities
Nationwide 30	Moist Soil Management for Wildlife
Nationwide 31	Maintenance of Existing Flood Control Facilities
Nationwide 32	Completed Enforcement Actions
Nationwide 33	Temporary Construction, Access and Dewatering
Nationwide 36	Boat Ramps
Nationwide 37	Emergency Watershed Protection and Rehabilitation
Nationwide 38	Cleanup of Hazardous and Toxic Waste
Nationwide 40	Agricultural Activities
Nationwide 41	Reshaping Existing Drainage and Irrigation Ditches
Nationwide 42	Recreational Facilities
Nationwide 45	Repair of Uplands Damaged by Discrete Events
Nationwide 48	Commercial Shellfish Mariculture Activities
Nationwide 53	Removal of Low-Head Dams
Nationwide 54	Living Shorelines

401 Water Quality Certification Denied but issued under General State Certification

*The submittal of a Pre-filing Meeting Request and Certification Request to the 401 Section is required. For further information about the General State Certification click [here](#).

<p>Nationwide 12 – Oil or Natural Gas Pipeline Activities</p>	<ol style="list-style-type: none"> 1. This NWP is not certified for pipelines with more than 10 aquatic site crossings (not including directionally bored crossings). 2. This NWP is not certified for activities located in or adjacent to (as determined by SCDES) waters defined (as per Regulation 61-68) as Outstanding National Resource Waters (ONRW), Outstanding Resource Waters (ORW), Trout Waters or, SCDNR designated State Scenic Rivers. 3. This NWP is not certified for activities that cause the loss of more than 300 linear feet of stream bed.
<p>Nationwide 14 – Linear Transportation Projects</p>	<ol style="list-style-type: none"> 1. This NWP is not certified for activities located in or adjacent to (as determined by SCDES) waters defined (as per Regulation 61-68) as Outstanding National Resource Waters (ONRW), Outstanding Resource Waters (ORW), Trout Waters or, SCDNR designated State Scenic Rivers. 2. This NWP is not certified for activities that cause the loss of more than 300 linear feet of stream bed.
<p>Nationwide 23 – Approved Categorical Exclusions</p>	<ol style="list-style-type: none"> 1. This NWP is not certified for activities if the discharge will cause the loss of greater than 0.25 acres of Waters of the United States or more than 300 linear feet of stream impacts. 2. This NWP is not certified for activities located in or adjacent to (as determined by SCDES) waters defined (per Regulation 61-68) as Outstanding National Resource Waters (ONRW), Outstanding Resource Waters (ORW), Trout Waters, or SCDNR designated State Scenic Rivers.

<p>Nationwide 29 – Residential Developments</p>	<ol style="list-style-type: none"> 1. The impounding of water and creating of lakes or ponds is not authorized by this NWP. 2. This NWP is not certified for activities located in or adjacent to (as determined by SCDES) waters defined (as per Regulation 61-68) as Outstanding National Resource Waters (ONRW), Outstanding Resource Waters (ORW), Trout Waters or, SCDNR designated State Scenic Rivers. 3. This NWP is not certified for activities that cause the loss of more than 300 linear feet of stream bed.
<p>Nationwide 39 – Commercial and Institutional Developments</p>	<ol style="list-style-type: none"> 1. The impounding of water and creating of lakes or ponds is not authorized by this NWP. 2. This NWP is not certified for activities located in or adjacent to (as determined by SCDES) waters defined (as per Regulation 61-68) as Outstanding National Resource Waters (ONRW), Outstanding Resource Waters (ORW), Trout Waters or, SCDNR designated State Scenic Rivers. 3. This NWP is not certified for activities that cause the loss of more than 300 linear feet of stream bed.
<p>Nationwide 44 – Mining Activities</p>	<ol style="list-style-type: none"> 1. This NWP is not certified for activities that cause the loss of more than 300 linear feet of stream bed. 2. This NWP is not certified for activities located in or adjacent to (as determined by SCDES) waters defined (as per Regulation 61-68) as Outstanding National Resource Waters (ONRW), Outstanding Resource Waters (ORW), Trout Waters or, SCDNR designated State Scenic Rivers.
<p>Nationwide 46 – Discharges in Ditches</p>	<ol style="list-style-type: none"> 1. This NWP is not certified for discharges causing the loss of greater than a half-acre of waters of the United States. 2. This NWP is not certified for activities located in or adjacent to (as determined

	<p>by SCDES) waters defined (as per Regulation 61-68) as Outstanding National Resource Waters (ONRW), Outstanding Resource Waters (ORW), Trout Waters or, SCDNR designated State Scenic Rivers.</p>
<p>Nationwide 57 – Electric Utility Line and Telecommunications Activities</p>	<ol style="list-style-type: none"> 1. This NWP is not certified for pipelines with more than 10 aquatic site crossings (not including directionally bored crossings). 2. This NWP is not certified for activities located in or adjacent to (as determined by SCDES) waters defined (as per Regulation 61-68) as Outstanding National Resource Waters (ONRW), Outstanding Resource Waters (ORW), Trout Waters or, SCDNR designated State Scenic Rivers. 3. This NWP is not certified for activities that cause the loss of more than 300 linear feet of stream bed.
<p>Nationwide 58 – Utility Line Activities for Water and Other Substances</p>	<ol style="list-style-type: none"> 1. This NWP is not certified for pipelines with more than 10 aquatic site crossings (not including directionally bored crossings). 2. This NWP is not certified for activities located in or adjacent to (as determined by SCDES) waters defined (as per Regulation 61-68) as Outstanding National Resource Waters (ONRW), Outstanding Resource Waters (ORW), Trout Waters or, SCDNR designated State Scenic Rivers. 3. This NWP is not certified for activities that cause the loss of more than 300 linear feet of stream bed.

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Nationwide 43 – Stormwater Management Facilities	<ol style="list-style-type: none"> 1. Activities authorized by this certification are limited to maintenance of existing facilities, such as stormwater ponds, detention and retention basins, water control structures, outfall structures, emergency spillways, and existing ponds that are proposed for use as water quantity or volume control. 2. This NWP cannot be used for existing ponds that are proposed to be converted into water quality treatment facilities such as sediment basins, sediment traps, or other similar structures.
Nationwide 51 – Land-Based Renewable Energy Generation Facilities	<ol style="list-style-type: none"> 1. This NWP is not certified for activities that cause the loss of more than 300 linear feet of stream bed.
Nationwide 52 – Water-Based Renewable Energy Generation Pilot Projects	<ol style="list-style-type: none"> 1. This NWP is not certified for activities that cause the loss of more than 300 linear feet of stream bed.

401 Water Quality Certification Denied

*The following Nationwide Permits will require an Individual Certification from the 401 Section. The submittal of a Pre-filing Meeting Request and Certification Request is required.

Nationwide 16	Return Water from Upland Contained Disposal Areas
Nationwide 17	Hydropower Projects
Nationwide 21	Surface Coal Mining Operations
Nationwide 34	Cranberry Production Activities
Nationwide 49	Coal Remining Activities
Nationwide 50	Underground Coal Mining Activities
Nationwide 59	Water Reclamation and Reuse Facilities

Non-applicable 401 Water Quality Certification

*The 401 Water Quality Certification is not applicable to the following Nationwide Permits:

Nationwide 1	Aids to Navigation
Nationwide 2	Structures in Artificial Canals
Nationwide 8	Oil and Gas Structures and Associated Intake Structures
Nationwide 9	Structures in Fleeting and Anchorage Areas
Nationwide 10	Mooring Buoys
Nationwide 11	Temporary Recreational Structures
Nationwide 24	Indian Tribe or State Administered Section 404 Programs
Nationwide 28	Modifications of Existing Marinas
Nationwide 35	Maintenance Dredging of Existing Basins
Nationwide 55	Seaweed Mariculture Activities