



Management of Small Volume Dredged Material from Areas Without Environmental Impacts

What You Need to Know

The purpose of this fact sheet is to supplement the existing guidance for the management of dredged material provided in the document entitled "Innovative Reuse and Beneficial Use of Dredged Material Guidance Document" dated December 2019, which is available on the Maryland Department of the Environment (MDE) website at https://mde.maryland.gov/programs/Marylander/Documents/Dredging/FINAL_IBR_GUIDANCE_12.05.2019_MDE.pdf, by providing flexibility for MDE to waive the requirement for analytical testing of the marine sediments in certain cases as described below.

This fact sheet is to be used in conjunction with and as a supplement to the Voluntary Cleanup Program's (VCP) Clean Imported Fill fact sheet and the Innovative Reuse and Beneficial Use of Dredged Material Guidance Document. This document does not, however, substitute for (MDE) regulations, nor is it a regulation itself, does not impose legally binding requirements, and may not apply to a particular situation based upon the circumstances.

Introduction

The Land and Materials Administration (LMA) and Water and Science Administration (WSA) created this fact sheet to assist property owners, landfill operators and parties conducting small-volume maintenance and new dredging with the management and reuse of dredged material generated from projects located offshore of residential properties and areas without known environmental impacts. It is applicable to dredging projects that the Wetlands and Waterways Program has determined involve 25,000 cubic yards of dredge material or less, are located in areas where the sediments to be dredged are not known to have any impact by industrial or commercial pollutants, and allow for management of these materials without extensive analytical characterization.

It is not applicable to sites within the confines of the Baltimore Harbor, nor any other location where industrial contaminants may be present in the sediment, e.g., offshore of the former Bethlehem Steel plant or other industrial sites. MDE retains the discretion to adopt approaches on a case-by-case basis that differ from this guidance where appropriate. Any decisions regarding a site will be made based on the applicable statutes and regulations.

What Dredged Materials are Subject to this Fact Sheet?

This document lays out guidelines for residents and contractors that generate saturated marine sediments during the removal of these sediments by dredging from aquatic areas offshore of residential properties, e.g., from the dredging of a boat slip or small channel for access to the Bay or other public waterways without known environmental sediment impacts. This fact sheet does **NOT** apply to sediments that are:

1. part of a project for which the Wetlands and Waterways Program, Tidal Wetlands Division, has determined that analytical characterization is required;
2. generated from the dredging of any location located in Baltimore Harbor west of the Francis Scott Key Bridge, or from areas adjacent to any industrial or commercial facility or former facility that may have contributed contaminants to the sediments proposed for excavation;
3. impacted or potentially impacted by polluting substances such as petroleum or hazardous substances listed in the current MDE Soil and Groundwater Cleanup Standards (Cleanup Standards) document or the current U.S. Environmental Protection Agency's (EPA) Regional Screening Levels (RSLs) table;
4. materials that are subject to federal and state hazardous waste regulations (see 40 Code of Federal Regulations [CFR] Part 260 and the Code of Maryland Regulations [COMAR] 26.13 for requirements and applicability). Soils subject to hazardous waste regulations are any soils contaminated by a listed hazardous

waste, or that display a characteristic of a hazardous waste. LMA maintains enforcement authority over soils or fill material when it is used in a manner that creates a threat to human health or the environment, in accordance with Environment Article, § 7-201 *et seq.*

Definitions

The following terms are defined for the purpose of this fact sheet.

Disposal Facility means a facility permitted to accept solid wastes by the State of Maryland or other State. In Maryland, such facilities must be permitted in accordance with Title 9 of the Environment Article and the regulations promulgated in COMAR 26.04 or COMAR 26.10.13.

Dredged Material means material excavated or dredged from the waters of State.

Dredged Material Containment Facility means an artificial confinement structure, site or area used for the dewatering of dredged material from the interstitial or carriage water.

Dredged Material Analytical Guidelines

The document entitled "Innovative Reuse and Beneficial Use of Dredged Material Guidance Document" dated December 2019 provides guidance for the characterization of dredged material through the sampling and analysis of a range of parameters intended to insure that the material is used or disposed of in a way that does not cause the pollution of surface or groundwater, or other risks to the public health. This is because even naturally occurring marine sediments can release salts and metals that can render water unpotable, and if impacted by chemicals discharged from commercial and industrial facilities, perhaps decades ago, the potential impact may be greater. However, most areas of Maryland's waterways are not so impacted, and the dredged material can be utilized as fill in accordance with the guidance documents.

For certain dredging projects at residential properties or other locations that are not in areas with known environmental impacts or suspected to have any significant degree of industrial contamination as described in this fact sheet, MDE may consider characterization of the sediments to be unnecessary, provided that the removed sediments are managed by dewatering and placement in an approved landfill, dredge material containment facility, or other location approved by MDE. Note that the facility that is proposed to receive the dredged material may elect to require analytical results prior to agreeing to receive the material in order to limit their potential future liability, and may do so. To discuss your residential project, contact MDE's Wetlands and Waterways Program, Tidal Wetlands Division, at 410-537-3837. For locations not exempted from the monitoring requirements by the conditions stated in this fact sheet, or for projects that are required to perform characterization of the material proposed for dredging by MDE, see the guidance documents below for the analytical requirements.

Additional Resources

Cleanup Standards for Soil and Groundwater, October 2018: Interim Final Guidance (Update No. 3), Maryland Department of the Environment.

<https://mde.maryland.gov/programs/LAND/MarylandBrownfieldVCP/Documents/www.mde.state.md.us/assets/document/MDE%20Soil%20and%20Groundwater%20Cleanup%20Standards%2010-2018%20Interim%20Final%20Update%203-2.pdf>

Facts About...VCP Clean Imported Fill Material, Maryland Department of the Environment.

[https://mde.maryland.gov/programs/LAND/MarylandBrownfieldVCP/Documents/www.mde.state.md.us/assets/document/Clean%20Imported%20Fill%20Material\(2\).pdf](https://mde.maryland.gov/programs/LAND/MarylandBrownfieldVCP/Documents/www.mde.state.md.us/assets/document/Clean%20Imported%20Fill%20Material(2).pdf)

Innovative and Beneficial Use of Dredge Material Guidance Document, 2019, Maryland Department of the Environment in collaboration with Maryland Department of Transportation's Port Administration.

https://mde.maryland.gov/programs/Marylander/Documents/Dredging/FINAL_IBR_GUIDANCE_12.05.2019_MD_E.pdf

United States Environmental Protection Agency. *Regional Screening Levels (RSLs) - Generic Tables* (November 2020). <https://www.epa.gov/risk/regional-screening-levels-rsls-generic-tables>