

DEPARTMENT	OPERATING AREA
Environmental	Morenci
DOCUMENT NO.	DOCUMENT TITLE
BMP 201	Discharge of Dredge or Fill Material to "Waters of the United States"

**Purpose and Scope:**

All projects at Freeport-McMoRan Morenci Inc. (Morenci), no matter how small, that have the potential to place dredge or fill material in "waters of the United States" are to be reviewed by Environmental Services for Permit and Certification applicability. This includes but is not limited to:

- stockpile expansions,
- new stockpile construction,
- mine pits,
- road construction and maintenance
- power line corridors
- dam construction or maintenance

No construction or maintenance activities can commence prior to the Environmental Services Department obtaining the appropriate permit.

The Manager of the Environmental Services Department is responsible for the final environmental approval of any project at Morenci that could potentially require a permit or a permit admendment.

**Definitions:**

Waters of the United States:

Waters of the United States (40 CFR 120.2 (a)) means:

(1) Waters which are:

- (i) Currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide;
- (ii) The territorial seas; or
- (iii) Interstate waters;

(2) Impoundments of waters otherwise defined as waters of the United States under this definition, other than impoundments of waters identified under section (5);

(3) Tributaries of waters identified in section (1) or (2) that are relatively permanent, standing or continuously flowing bodies of water;

(4) Wetlands adjacent to the following waters:

- (i) Waters identified in section (1); or
- (ii) Relatively permanent, standing or continuously flowing bodies of water identified in section (2) or (3) and with a continuous surface connection to those waters;

(5) Intrastate lakes and ponds not identified in section (1) through (4) that are relatively permanent, standing or continuously flowing bodies of water with a continuous surface connection to the waters identified in section (1) or (3).

**Discharge of Dredge or Fill Material(33 CFR 323.2 (f)):**

- the placement of fill that is necessary for the construction of any structure or infrastructure in a water of the United States;
- the building of any structure, infrastructure, or impoundment requiring rock, sand, dirt, or other material for its construction;
- site-development fills for recreational, industrial, commercial, residential, or other uses;
- causeways or road fills; dams and dikes; property protection and/or reclamation devices such as riprap, barriers, retaining walls and levees;
- fill for structures such as sewage treatment facilities, intake and outfall pipes associated with power plants and utility lines;
- placement of fill material for construction or maintenance of any liner, berm, or other infrastructure;
- placement of overburden, slurry, or tailings or similar mining-related materials.

**Responsible Parties:**

All Employees

Environmental Department

**Specialized Tools/Skills/Training:**

Corporate Environmental Significant Risks

**Procedure:**

Personnel responsible for projects associated with discharge of dredge or fill material to the "waters of the United States" must contact the Environmental Department and include them in the planning phase.

All projects that have the potential to place dredge or fill material in "waters of the United States" must have a properly executed Management of Change (MOC) and permits before work commences.

**Records:****QUESTIONS OR NEED HELP?**

Contact your Environmental Representative or Environmental Services at (928) 865-6000

Revision Date	Revision No.	Revision Description	Reviewer	Final Approver
4/8/21	0	Original Documnet		
11/9/2022	1	Updated to new template; added MOC	KRK	KRK
6/2/2025	2	Updated Waters of the US Language	SS	DG