

**Refuse Act of 1899 (Section 13 of the Rivers and Harbors
Appropriation Act of 1899)**
33 U.S.C. §407

It is unlawful to throw, discharge, or deposit any **refuse matter**, other than that flowing from streets and sewers and passing into a liquid state, into U.S. **navigable waters** or tributaries of navigable waters. [33 U.S.C. §407]

This prohibition does not extend to operations for the improvement of navigation and the construction of public works. [33 U.S.C. §407]

When anchorage and navigation will not be injured, the Secretary of the Army may permit the deposit of material into navigable waters. [33 U.S.C. §407] [*Note:* Section 402 of the FWPCA provides that after October 18, 1972, no permits shall be issued under §13 of the Rivers and Harbors Appropriations Act of 1899; any such permits are to be issued under FWPCA §402. However, permits issued under the 1899 Act continue in effect unless revoked, modified, or suspended.]