



**Environmental
Protection**

Rohit T. Aggarwala
Commissioner

Ana Barrio
Deputy Commissioner
Bureau of Engineering
Design & Construction

96-05 Horace Harding
Expressway
Corona, NY 11368

Tel. (718) 595-3966
Fax (718) 595-5999
abarrio@dep.nyc.gov

May 13, 2022

Mr. Kenneth Brezner P.E.
Regional Materials Management Engineer
New York State Department of Environmental Conservation Region 2
One Hunters Point Plaza
47-40 21st Street
Long Island City, NY 11101-5401

RE: HP-238 Hunts Point Wastewater Resource Recovery Facility (WRRF)
NYCDEP Case-Specific Beneficial Use Determination
BUD No. 1462-2-03 – 2021 Annual Report

Dear Mr. Brezner:

The New York State Department of Environmental Conservation (NYSDEC) approved Case-Specific Beneficial Use Determination (BUD) for upcoming construction (Contract HP-238) at the Hunts Point Wastewater Resource Recovery Facility (WRRF) and the Barretto Point Site dated March 4, 2021 includes Item 8 stating, *“The New York City Department of Environmental Protection must submit an annual report, by March 1st, summarizing the quantity of fill material used pursuant to this BUD during the previous calendar year.”*

This letter and enclosed annual report form are being submitted for calendar year 2021. No construction activity occurred at the HP-238 site during calendar year 2021 and as a result, DEP overlooked the requirement for submitting this annual report by March 1st. We apologize for this oversight. As provided on the annual report form, no fill material was excavated or used during 2021. Currently, a notice to proceed was issued to the Contractor in April 2022 and site mobilization is anticipated shortly.

If you have any questions pertaining to this annual report submission, please reach out to Nayan Shah P.E., Portfolio Manager, by email at nayans@dep.nyc.gov or by telephone at 718-595-6129.

Sincerely,

Ana Barrio

Ana Barrio



Case-Specific Beneficial Use Determination Annual Report

This form may be used to submit annual reports for case-specific BUDs granted pursuant to 6 NYCRR Part 360.12(d) and (e).

BUD Holder Information

BUD Holder Name: New York City Department of Environmental Protection
Name of Person or Organization

Contact Person: Ana Barrio, Deputy Commissioner

BUD Holder Address: 96-05 Horace Harding Expressway, Corona, NY 11368

Contact Phone: 718-595-3966 Contact Email: abarrio@dep.nyc.gov

Check if this is a change from previous information

Waste, Residual or By Product Information

BUD Information: 1462-2-03
BUD Number

Waste Information: _____
Type of Waste, Residual or By-Product

Beneficial Use: fill material
Brief Description of Approved Beneficial Use(s)

Annual Reporting for January 1, 2021 through December 31, 2021

Total Quantity of Material Used Pursuant to this BUD:
Quantity

Units

Other Information Required for Annual Reporting Under This BUD (e.g., analytical results or locations of use – attach sheets as necessary)

During the 2021 calendar year, there was no construction activity at the HP-238 site and as a result, no fill material was excavated or used.

Certification

(Must be completed by a responsible official)

I certify that the BUD Holder, NYCDEP (Ana Barrio), has been in compliance with the terms and conditions of BUD No. 1462-2-03 during this reporting period.

NOTICE: Pursuant to ECL Section 3-0301(2)(Q): False statements made in this report are punishable pursuant to Section 210.45 of the New York State Penal Code.

Ana Barrio
Digitally signed by Ana Barrio
Date: 2022.05.13 15:30:32 -04'00'

Deputy Commissioner

05-13-2022

Signature

Title

Date

Send completed form and any supporting attachments, **on or before March 1, 2022**, to: **Materials Management Supervisor in your DEC Region** (for help, see <http://www.dec.ny.gov/about/558.html>),

with a copy to:

Kathleen Prather, P.E.
Bureau of Solid Waste Management
Division of Materials Management
NYSDEC
625 Broadway, 9th Floor Albany, NY
12233-7260

Please contact Ms. Prather at (518) 402-8678 or benuse@dec.ny.gov if you have any questions concerning this form. Thank you for your continued cooperation in providing the above information.