



**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

April 25, 2023

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
NYCDEP Case-Specific Beneficial Use Determination
BUD No. 1462-2-03 – 2022 Annual Report

Dear Mr. Brezner:

The Case-Specific Beneficial Use Determination (BUD) was approved by the New York State Department of Environmental Conservation for construction (Contract HP-238) at the Hunts Point Wastewater Resource Recovery Facility and the Barretto Point Site on March 4, 2021. The issued BUD (1462-2-03) includes Item 8 stating, "The New York City Department of Environmental Protection (NYCDEP) 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 2022. Due to an oversight, NYCDEP overlooked the requirement to submit this annual report by March 1st. We apologize for this oversight.

The HP-238 construction contractor was issued a notice to proceed in April 2022. Mobilization and construction activities at the project site commenced in June 2022. During the 2022 calendar year, approximately 8,000 cubic yards of material was excavated from the area of the former paint and varnish factory. This excavated material is currently being stockpiled on the Barretto Point Site in accordance with Item 6 of the approved BUD for future placement inside existing Digester No. 4.

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

Sincerely,



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

Demarcated Clean Fill

Type of Waste, Residual or By-Product

Beneficial Use:

Fill Material

Brief Description of Approved Beneficial Use(s)

Annual Reporting for January 1, 2022 through December 31, 2022

Total Quantity of
Material Used
Pursuant to this BUD

8,000

Quantity

cubic yards

Units

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

During the 2022 calendar year, 8,000 cubic yards of BUD material was excavated under Contract HP-238. The BUD material is being stockpiled on the Barretto Point Site for future placement inside existing Digester No. 4.

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.

Kenneth Moriarty
for Ana Barrio

Digitally signed by Kenneth
Moriarty for Ana Barrio
Date: 2023.04.27 11:09:16
-04'00'

(Acting) Deputy Commissioner

4/25/2023

Signature

Title

Date

Send completed form and any supporting attachments, **on or before March 1, 2023**, 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.