



### Beneficial Use Determination – Request for Renewal

**OFFICIAL USE ONLY**

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PROJECT NUMBER

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STAFF INITIALS

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DATE

6 NYCRR Part 360.12(d)(7), effective November 4, 2017, states that case-specific beneficial use determinations (BUDs) are valid for no longer than 5 years from date of approval. Individual case-specific BUDs may include an expiration period shorter than this maximum. Paragraph 360.12(d)(7) also states a case-specific BUD may be renewed upon review and approval of the Department. This form can be used to assist preparation of a renewal request. Note that any renewal request for a case-specific BUD must show compliance with all current Department regulations applicable to beneficial use. It is strongly recommended to submit a renewal request at least three months prior to expiration.

This form is based on petition requirements in 6 NYCRR Part 360.12(d). It does not cover other federal, state, or local approvals that may be necessary for use of the waste, residual or by-product material.

### BUD Holder Information

**Full Name:** \_\_\_\_\_  
*Last First M.I.*

**Affiliation:** \_\_\_\_\_  
*Company Title*

**Primary Address:** \_\_\_\_\_  
*Street Address City/Town*

\_\_\_\_\_ *County Zip Code*

**Primary Phone:** (    ) \_\_\_\_\_ **Primary Email:** \_\_\_\_\_

### Waste, Residual or By Product Information

**BUD Information**

\_\_\_\_\_ *Number*      \_\_\_\_\_ *Effective Date of Original BUD*      \_\_\_\_\_ *Date of Most Recent Modification or Renewal*

**Waste Information:** \_\_\_\_\_ *Type of Waste, Residual or By-Product*      \_\_\_\_\_ *Estimated Total Quantity (in tons or cubic yards)*

**Source or Generation Facility:** \_\_\_\_\_ *Facility Name*      \_\_\_\_\_ *DEC Facility Authorization, if any (DEC registration; DEC permit; Out of State; Other)*

\_\_\_\_\_ *Source Facility Location (Address, Town, County)*

**Details of Use:** \_\_\_\_\_ *Brief Description of How Material is Being Used*      \_\_\_\_\_ *Requested renewal period (up to 5 years- can be renewed)*

**Location(s) of Use:** \_\_\_\_\_ *Location of use, if applicable (Name and Address)*      \_\_\_\_\_ *Quantity in tons or cubic yards at this location*

**NOTE: Attach additional sheets to list other sources of materials and locations of use, if applicable.**

## Renewal Request Attachments

Attached N/A

Physical description of waste, residual or by-product material proposed for beneficial use, including weight and volume annually

Details concerning how the waste will be used as a substitute for a commercial product or raw material. Figures may be helpful; for example, a diagram or flowchart for a manufacturing process, or a plan drawing for use of a material at a construction site.

Detailed description of source, process or treatment system from which the waste originates. Include any and all process chemicals added and their quantity.

Representative physical/geotechnical testing results for the waste with comparison to industry or government standard(s) applicable to the proposed use.

Analytical data concerning the chemical and physical characteristics of the waste.

Analytical data concerning the chemical and physical characteristics of each type of proposed product.

Analytical data concerning the chemical and physical characteristics of any analogous raw material or commercial product for which the waste is proposed to be an effective substitute/

Justification that the waste functions as an effective substitute for the commercial product or raw material and that the use meets or exceeds government or industry standards or specifications.

Demonstration of ongoing market (see 360.12(d)(2)(vi)).

Comparison of chemical and physical characteristics of the waste to applicable or relevant and appropriate criteria for beneficial use. For materials placed on the land as fill or cover, note requirements of 360.12(d)(3)(vi).

Describe any other potential adverse effects from use of the waste (including but not limited to odors, roots or seeds of invasive species).

Waste Control Plan:

1. Procedure for periodic testing of the waste, and if necessary the product(s).
2. Type of storage of waste and maximum anticipated storage volume. Note: Storage cannot exceed 365 days without Department approval.
3. Procedures for run-on and run-off control in storage areas.
4. What best management practices will be followed to minimize uncontrolled dispersion of the waste prior to and during beneficial use?

**If Renewal Request Attachments are not applicable state why. Attach additional sheets as necessary.**

## Solid Waste Facility Permit Requirements

Yes  
(Permit may be required )

No

Will the proposed material require decontamination, special handling or processing before beneficial use?

Will a fee be charged for use by any receiving site for acceptance and use of the material?

## Certification

I hereby affirm under penalty of perjury that information provided on this form (including attached statements and exhibits) was prepared by me or under my supervision and direction and is true to the best of my knowledge and belief, and that I have authority or am authorized to sign this application pursuant to 6 NYCRR Part 360. I am aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law and ECL Section 3-0301(2)(Q).

Signature

Print Name

Date

***Before you submit this application, please verify:***

- All fields of the application are complete (indicate N/A (not applicable) if appropriate).
- You have signed and dated above.
- You have enclosed all supporting information.

Send this completed form and any supporting attachments to the **Materials Management Supervisor** in your DEC Region (for help, see <https://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](mailto:benuse@dec.ny.gov) if you have any questions about renewing a case-specific BUD.