

## Beneficial Use Determination Petition – Soil Amendment

OFFICIAL USE ONLY			
DATE RECEIVED			
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STAFF INITIALS			
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6 NYCRR Part 360-1.15(b) addresses 16 pre-determined materials which, when used in the manner noted in that subdivision, are not considered solid wastes (for the purposes of Part 360). In situations where a particular proposed reuse is not specifically identified in that subdivision, material generators and potential users may petition the Department for a case-specific beneficial use determination (BUD) under Part 360-1.15(d). This form has been developed to assist applicants in obtaining a case-specific BUD for the use of various materials to provide nutrients, lime value, or other desirable characteristics for soil that aid in soil quality as it relates to the growth of plants.

Note: This form is intended to address the requirements of 6 NYCRR 360-1.15(d) and does not cover regulations governing commercial fertilizers that are administered by the New York State Department of Agriculture & Markets. This BUD does not govern the use of material for fill, nor the use of solid waste on agricultural lands subject to regulation under Part 360-4.

**Petitioner Information**

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

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

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

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

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

**Soil Amendment Information**

**Waste Information:** \_\_\_\_\_  
*Type of solid waste to be used as a soil amendment* *Estimated Quantity Generated (i.e. tons/year)*

**Source of Generation:** \_\_\_\_\_  
*Generator Name* *Facility Type (i.e. Processor, Manufacturer, etc.)*

\_\_\_\_\_ *Generator Location(s) (Address, Town, County)*

**Details of Use:** \_\_\_\_\_  
*Soil benefit (i.e. liming value, specific nutrients, etc.)* *Duration of use (up to 5 years)*

**Location(s) of Use:** \_\_\_\_\_  
*Location of use, if applicable (Address)* *Application Rate*

\_\_\_\_\_ *Application Rate*

\_\_\_\_\_ *Application Rate*

**Description of Soil Amendment:**

*Describe the chemical and physical characteristics of the solid waste. Include any significant variability in generation throughout the year. Attach laboratory reports, as appropriate.*

**Waste generation process:**

*For industrial facilities, describe the location in the process where the waste is generated and any additives prior to generation.*

**Value Justification:**

*Provide justification that the material has value as a soil amendment for the crop being grown. (Note: Moisture holding capacity alone is not typically sufficient to justify a material as a soil amendment.) Attach documents as necessary.*

**Product Information\*:**

*Describe the final product created with the petitioned material. Attach documents, as necessary.*

**Market Information:**

*Describe how the material will be marketed and justification that there is a sufficient market for the material.*

**Storage:**

*Describe any storage of the material that will occur prior to use, along with storage structure information.*

**End User:**

*Describe how information will be provided to the end users to ensure that the application rates are appropriate.*

**Hauling/ Unloading:**

*Describe how the material will be hauled and unloaded to its end use location or storage.*

**\*Include a minimum of 3 analyses of the material for the parameters found in Groups A and B of Table 1 in 360-5.10.**

Note that the material must not exceed the monthly limits found in Table 7 of Part 360-5.10. For pollutants not found in the table, the Department will determine the allowable level.

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

\_\_\_\_\_  
*Signature*

\_\_\_\_\_  
*Title*

\_\_\_\_\_  
*Date*

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

- All fields of the petition are complete (indicate N/A (not applicable) if appropriate).
- You have signed and dated above.
- You have submitted a Record of Compliance (if required).

Send this completed form and any supporting attachments to the **Materials Management Supervisor** in your DEC Region (for help, see <http://www.dec.ny.gov/about/50230.html>), with a copy to:

Gus Carayiannis, P.E.  
Bureau of Permitting and Planning  
Division of Materials Management  
NYSDEC  
625 Broadway, 9th Floor  
Albany, NY 12233-7260

Please contact Mr. Carayiannis or Kathleen Prather at (518) 402-8678 or [benuse@dec.ny.gov](mailto:benuse@dec.ny.gov) if you have any questions about petitioning for a case-specific BUD.