

Beneficial Use Determination Petition – Cement Kiln Feedstock

Instructions and Notes to Petitioner:

For Department use only		
Date Petition Received		
<i>mm</i>	<i>dd</i>	<i>yyyy</i>
NYSDEC BUD Petition Number		
NYSDEC Reviewer (Initial, Last Name, CO / RO#)		
Response Date		
<i>mm</i>	<i>dd</i>	<i>yyyy</i>

1. This form must be completed by a generator or potential user seeking a case-specific Beneficial Use Determination (BUD) for the use of a regulated solid waste as a cement kiln feedstock, pursuant to Part 360.12(d).
2. Petitions for a Cement Kiln Feedstock BUD will ONLY be accepted for materials that are non-hazardous, non-putrescible, and non-regulated medical wastes ready to be fed into a kiln upon delivery; that are a useful source of one or more of the mineral ingredients of Portland cement; that have COC concentrations that pass TARs evaluation, and that have an existing market.
3. A BUD is not necessary for materials excluded from Part 360 regulations, or that have a pre-determined BUD, including mill scale and coal combustion fly or bottom ash used in the manufacture of cement.
4. Unless specifically requested in the petition and approved, these BUD materials cease to be considered as solid waste, pursuant to 6 NYCRR 360.12(d)(4), upon arrival at the cement manufacturing facility.
5. Submission of this form does not satisfy any applicable federal, state, or local approval requirements for the beneficial use of this material.

BUD Petitioner / Contact Information

Petitioner Name and Title:	Last	First	M.I.	Title
Petitioner Affiliation:	Company Name			
Petitioner Mailing Address:	Street Address		City/Town	
	County		Zip Code	
Petitioner Phone:	() _____		Petitioner Email: _____	
Petitioner type:	<input type="checkbox"/> Waste Generator <input type="checkbox"/> BUD Material User <input type="checkbox"/> Other			

Contact Name and Title:	Last	First	M.I.	Title
	Company Name			
Contact Mailing Address:	Street Address		City/Town	
	County		Zip Code	
Contact Phone:	() _____		Contact Email: _____	

BUD Petition Information

Petition Type:	<input type="checkbox"/> New Petition <input type="checkbox"/> Modification <input type="checkbox"/> Renewal without Modification <input type="checkbox"/> Renewal with Modification
Petition Duration Requested:	<input type="checkbox"/> One Time Use <input type="checkbox"/> Short Term Use <input type="checkbox"/> Continuous Process/ Permanent (5 years) ¹ Start Date: mm / dd / yyyy End Date: mm / dd / yyyy
	Notes: 1. The maximum duration for which a BUD will be granted is 5 years. For continuous processes, a renewal petition must be submitted no less than 90 days prior to the expiration date of the BUD, as defined in the BUD conditions. 2. For BUDs that also require other NYSDEC permits such as Part 360, Air or SPDES permits, a renewal petition must be submitted at the same time as a permit renewal application.

Regulated Solid Waste Information

Description of Regulated Waste:	<i>Describe the regulated solid waste to be beneficially used, as required by 6NYCRR Part 360.12(d)(2)(i).</i>
	Alumina substitute: <input type="checkbox"/> Spent Refinery Catalyst <input type="checkbox"/> Alumina Tri-nitrate Dust <input type="checkbox"/> Alumino-silica Clay <input type="checkbox"/> Dust Collector Fines <input type="checkbox"/> Steel Ladle Slag <input type="checkbox"/> Lime Filter Cake <input type="checkbox"/> WWTP Sludge Filter Cake <input type="checkbox"/> Aluminum Production Dross <input type="checkbox"/> Other: _____ Silica substitute: <input type="checkbox"/> Petroleum-contaminated Soil <input type="checkbox"/> Off-spec Glass Wool <input type="checkbox"/> Other: _____ Iron substitute: <input type="checkbox"/> Spent Abrasive <input type="checkbox"/> Other: _____ Calcium substitute: _____
Source of Regulated Waste Generation:	_____ <i>Facility Name(s)</i> <i>Facility Type(s) (i.e. WWTP, type of manufacturer, etc.)</i>
	_____ <i>Facility Location(s) (Street Address, Town, NYS County(ies))</i>
Estimated Beneficial Use Quantity:	_____ <i>include units (cy/yr, tons/yr)</i>
Point of Regulated Waste Cessation:	<input type="checkbox"/> Manufacturing Facility <input type="checkbox"/> Other (<i>describe</i>): _____ _____ <i>Facility Name(s) and Address(es)</i>
	<input type="checkbox"/> Part 364 Permit(s) in effect <input type="checkbox"/> waste control plan attached
Description of Regulated Waste Characteristics:	<i>Describe the chemical and physical characteristics of the waste, as required by 6NYCRR Part 360.12(d)(2)(iv). (Note any significant variability of characteristics in waste generated throughout the year.)</i>
	Waste analyzed for COCs: <input type="checkbox"/> Total Priority Pollutant Metals <input type="checkbox"/> Organics/ Other: _____ <input type="checkbox"/> Waste is non-hazardous for COCs: Sb, As, Be, Cd, Cr, Cu, Hg, Pb, Ni, Se, Ag, Tl, Zn <input type="checkbox"/> COCs have direct value in the process? No Yes: Explain _____ <input type="checkbox"/> Waste analyzed for __ alumina (___ %) __ silica (___ %) __ calcium (___ %) __ iron (___ %) <input type="checkbox"/> Waste is non-putrescible <input type="checkbox"/> Waste is non-medical <input type="checkbox"/> Waste meets ASTM C 150 and CSA A3000-03 <input type="checkbox"/> Analyses conducted by NYSDOH ELAP-certified lab in accordance with NYSDEC ASPs <input type="checkbox"/> Lab reports are attached in a format acceptable to NYSDEC <input type="checkbox"/> Sampling plan (COCs, frequency, test methods, etc.) to periodically sample / analyze waste is attached.

BUD Material Information

Description of BUD Material Processing and Final Usable Product:	<i>Describe how this material will be beneficially used by being transformed into a usable product, or will be used as an effective substitute for an analogous raw material, and requires no decontamination or other special handling or processing prior to addition to a commercial process, as required by 6NYCRR Part 360.12(d)(1) & (3).</i>
	Raw material mineral substitute for cement: <input type="checkbox"/> Alumina <input type="checkbox"/> Silica <input type="checkbox"/> Calcium <input type="checkbox"/> Iron <input type="checkbox"/> Other: _____ Feed rate required by cement manufacturer for the mineral to be substituted (tons/day): _____
List NYSDEC Permitting Required for Processing BUD Material:	<input type="checkbox"/> Waste Transporter Permit ¹ <input type="checkbox"/> SW Facility Permit <input type="checkbox"/> SW Facility Registration <input type="checkbox"/> Air permit <input type="checkbox"/> SPDES permit <input type="checkbox"/> Other/status: _____ ¹ Unless requested and granted a different point of waste cessation, regulated waste that is transported for beneficial use is considered solid waste until the point of use in processing; therefore, a current Part 364 permit is required for transportation.
Location(s) of Beneficial Use Processing in NYS:	_____ <i>Facility Name(s)</i> <i>Cement Manufacturer</i> _____ <i>Facility Type(s) (i.e., type of manufacturer, etc.)</i>
	_____ <i>Facility Location(s) (Street Address(es), Town(s), County(ies))</i>

End Use Product Information	
Description of Proposed End Use Product Characteristics:	Describe the chemical and physical characteristics of the proposed product, as required by 6NYCRR Part 360.12(d)(2)(iv). (Note any significant variability of characteristics in product generated throughout the year.)
	<input type="checkbox"/> Product has same characteristics as waste (SKIP to Demonstration of Market section) <input type="checkbox"/> Product analyzed for: <input type="checkbox"/> Total Priority Pollutant Metals <input type="checkbox"/> Organics/ Other: _____ <input type="checkbox"/> Product is non-hazardous for Sb, As, Be, Cd, Cr, Cu, Hg, Pb, Ni, Se, Ag, Tl, Zn <input type="checkbox"/> COCs have direct value in the product? No Yes: Explain _____ <input type="checkbox"/> Product meets ASTM C 150 and CSA A3000-03 <input type="checkbox"/> Analyses conducted by NYSDOH ELAP-certified lab in accordance with NYSDEC ASPs <input type="checkbox"/> Lab reports are attached in a format acceptable to NYSDEC <input type="checkbox"/> Sampling plan (COCs, frequency, test methods, etc.) to periodically sample / analyze product is attached.
Demonstration of Market:	Demonstrate an existing or reasonably certain market for the proposed product, as required by 6NYCRR Part 360.12(d)(2)(vi) & (3)(v), by providing one or more of the following : a contract to purchase the proposed product, a demonstration that the proposed product meets industry standards and specifications, or other documentation that a market for the proposed product exists.
	Cement Company: _____ <div style="text-align: center; font-size: small;">Company/ Facility Name(s) and Address(es)</div> Supporting documentation (as described above) <input type="checkbox"/> attached <input type="checkbox"/> N/A
Waste Control Plan	
Waste Control Plan	Demonstrate that the management of this waste will not adversely affect human health and safety, the environment, and natural resources by providing a waste control plan, as required by 6NYCRR Part 360.12(d)(2)(vii)(a).
	<input type="checkbox"/> waste control plan attached
Signature and Verification	
Signature of Responsible Company Official (<i>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.</i>)	
_____ <i>Signature</i>	_____ <i>Date</i>
_____ Printed Name and Title of Responsible Company Official	
Verification	
<input type="checkbox"/>	All fields of the application are complete (indicate N/A if appropriate).
<input type="checkbox"/>	Application is signed and dated above.
<input type="checkbox"/>	Record of Compliance Form attached

Send this completed petition form and any supporting attachments, such as a completed waste control plan form (next page), to the Materials Management Supervisor in your DEC Region (for Regional Office contact information, see <http://www.dec.ny.gov/about/50230.html>), with a copy to:

Kathleen Prather, P.E.
 NYSDEC Division of Materials Management Bureau of Solid Waste Management
 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 about petitioning for a case-specific BUD.

Cement Kiln Feedstock Waste Control Plan

Cement Company Facility: _____
Company/ Facility Name and Address

1. List source(s) of the regulated solid waste under review, as required by 6NYCRR Part 360.12(d)(2)(iii).
Contractual agreements between regulated waste supplier and BUD material processor: attached N/A

Facility Name(s) *Facility Type(s) (i.e. WWTP, type of manufacturer, etc.)*

Facility Location(s) (Street Address, Town, NYS County)

2. List the procedures for periodic testing (and analysis) of the regulated solid waste and of the proposed product, including frequency, to ensure that the composition of the product would not be significantly different than that of the granted BUD, as required by 6NYCRR Part 360.12(d)(2)(vii)(a)(1).

Regulated waste and proposed product composition will remain uniform and require no testing.
Describe: _____

Waste analysis annually for: Total priority pollutant metals (EPA SWA 46 Method 6010B (EPA Method 7471 for mercury))
 Organics / Other (COCs, Method: _____)

Product analysis annually for: Total priority pollutant metals (EPA SWA 46 Method 6010B (EPA Method 7471 for mercury))
 Organics / Other (COCs, Method: _____)

3. Describe the type of storage to be in-place (e.g., tank or pile) and the maximum anticipated inventory (not to exceed 90 days' worth) before the BUD material will be used, as required by 6NYCRR Part 360.12(d)(2)(vii)(a)(2).

No storage will be in-place.

List storage types (e.g., tank or pile) and maximum anticipated inventory:
Storage Type: _____ Maximum Inventory: _____ (tons/ # days' worth)
Storage Type: _____ Maximum Inventory: _____ (tons/ # days' worth)

Additional storage types attached as page(s) ____ of this plan.

4. Describe procedures, including system to be in-place, for run-on and run-off control of rainwater or other liquids for the BUD material storage areas, as required by 6NYCRR Part 360.12 (d)(2)(vii)(a)(3).

No run-on and run-off control needed

List the procedures for run-on and run-off control of the storage areas:

Additional procedures attached as page(s) ____ of this plan.

5. Describe the best management practices (BMPs) to be in-place to prevent loss or dispersion of the BUD material during storage and/or beneficial use, as required by 6NYCRR Part 360.12 (d)(2)(vii)(a)(4).

Other BMPs attached as page(s) ____ of this plan
 BMPs implementation schedule attached as page(s) ____ of this plan