**Beneficial Use Determination Petition – Cement Kiln Feedstock**

**Instructions and Notes to Petitioner:**

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 CO\textsubscript{2} 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.

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### BUD Petitioner / Contact Information

<table>
<thead>
<tr>
<th>Petitioner Name and Title:</th>
<th>Last</th>
<th>First</th>
<th>M.I.</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>Petitioner Affiliation:</td>
<td>Company Name</td>
<td></td>
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<tr>
<td>Petitioner Mailing Address:</td>
<td>Street Address</td>
<td>City/Town</td>
<td></td>
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<tr>
<td>Petitioner Phone:</td>
<td>(       )</td>
<td>Petitioner Email:</td>
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</tr>
<tr>
<td>Petitioner type:</td>
<td>□ Waste Generator  □ BUD Material User  □ Other</td>
<td></td>
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</tr>
<tr>
<td>Contact Name and Title:</td>
<td>□ Same as Petitioner, skip to BUD Petition Information</td>
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### BUD Petition Information

| Petition Type: | □ New Petition  □ Modification  □ Renewal without Modification  □ Renewal with Modification |
| Petition Duration Requested: | □ One Time Use  □ Short Term Use  □ Continuous Process/ Permanent (5 years)\textsuperscript{1} |
| 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.  \textsuperscript{1}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

<table>
<thead>
<tr>
<th>Description of Regulated Waste:</th>
<th></th>
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</thead>
<tbody>
<tr>
<td><strong>Alumina substitute:</strong></td>
<td>- Spent Refinery Catalyst  - Alumina Tri-nitrate Dust  - Alumino-silica Clay  - Dust Collector Fines  - Steel Ladle Slag  - Lime Filter Cake  - WWTP Sludge Filter Cake  - Aluminum Production Dross  - Other:</td>
</tr>
<tr>
<td><strong>Silica substitute:</strong></td>
<td>- Petroleum-contaminated Soil  - Off-spec Glass Wool  - Other:</td>
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<tr>
<td><strong>Iron substitute:</strong></td>
<td>- Spent Abrasive  - Other:</td>
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<tr>
<td><strong>Calcium substitute:</strong></td>
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<table>
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<tr>
<th>Source of Regulated Waste Generation:</th>
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<tbody>
<tr>
<td><strong>Facility Name(s)</strong></td>
<td><strong>Facility Type(s) (i.e. WWTP, type of manufacturer, etc.)</strong></td>
</tr>
<tr>
<td><strong>Facility Location(s) (Street Address, Town, NYS County(ies))</strong></td>
<td></td>
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<tr>
<th>Estimated Beneficial Use Quantity:</th>
<th></th>
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<tbody>
<tr>
<td><strong>Facility Name(s) and Address(es)</strong></td>
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<tr>
<th>Point of Regulated Waste Cessation:</th>
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<tr>
<td><strong>Facility Name(s) and Address(es)</strong></td>
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### Description of Regulated Waste Characteristics:

- **Facility Name(s)**
- **Facility Type(s) (i.e. WWTP, type of manufacturer, etc.)**
- **Facility Location(s) (Street Address, Town, NYS County(ies))**

**Include units (cy/yr, tons/yr)**

- **Part 364 Permit(s) in effect**
- **Waste control plan attached**

**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.)**

- Waste analyzed for COCs:  - Total Priority Pollutant Metals  - Organics/ Other:
- Waste is non-hazardous for COCs: Sb, As, Be, Cd, Cr, Cu, Hg, Pb, Ni, Se, Ag, Ti, Zn
- COCs have direct value in the process? No Yes: Explain
- Waste analyzed for ___ alumina (___ %) ___ silica (___ %) ___ calcium (___ %) ___ iron (___ %)
- Waste is non-putrescible  - Waste is non-medical  - Waste meets ASTM C 150 and CSA A3000-03
- Analyses conducted by NYSDOH ELAP-certified lab in accordance with NYSDEC ASPs
- Lab reports are attached in a format acceptable to NYSDEC
- Sampling plan (COCs, frequency, test methods, etc.) to periodically sample / analyze waste is attached.

### BUD Material Information

**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).**

**Raw material mineral substitute for cement:**
- Alumina  - Silica  - Calcium  - Iron  - Other:

**Feed rate required by cement manufacturer for the mineral to be substituted** (tons/day): _____

**List NYSDEC Permitting Required for Processing BUD Material:**
- Waste Transporter Permit
- SW Facility Permit
- SW Facility Registration
- Air permit
- SPDES permit  - Other/status:

**Location(s) of Beneficial Use Processing in NYS:**
- **Facility Name(s)**
- **Facility Type(s) (i.e., type of manufacturer, etc.)**
- **Facility Location(s) (Street Address(es), Town(s), County(ies))**

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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.
### End Use Product Information

**Description of Proposed End Use Product Characteristics:**

- [ ] Product has same characteristics as waste *(SKIP to Demonstration of Market section)*
- [ ] Product analyzed for:  
  - Total Priority Pollutant Metals
  - Organics / Other: _____________________
- [ ] Product is non-hazardous for Sb, As, Be, Cd, Cr, Cu, Hg, Pb, Ni, Se, Ag, TI, Zn
- [ ] COCs have direct value in the product? No Yes: Explain__________________________________________________________
- [ ] Product meets ASTM C 150 and CSA A3000-03
- [ ] Analyses conducted by NYSDOH ELAP-certified lab in accordance with NYSDEC ASPs
- [ ] Lab reports are attached in a format acceptable to NYSDEC
- [ ] 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:**______________________________________________________________

Company/ Facility Name(s) and Address(es)_______________________________________________________________________

Supporting documentation (as described above) [ ] attached [ ] N/A

### 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).

[ ] waste control plan attached

### Signature and Verification

**Signature of Responsible Company Official** *(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.)*

___________________________  mm/dd/yyyy  
Signature  Date

Printed Name and Title of Responsible Company Official

**Verification**

- [ ] All fields of the application are complete (indicate N/A if appropriate).
- [ ] Application is signed and dated above.
- [ ] 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/558.html](http://www.dec.ny.gov/about/558.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.
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

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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