



New York State Department of Environmental Conservation
Division of Materials Management

USE OF PREDETERMINED BENEFICIAL USE DETERMINATION
Pursuant to 6 NYCRR 360.12(c)

To Whom It May Concern:

This material is being used in compliance with the pre-determined beneficial use determination described at 6 NYCRR 360.12(c)(1)(iv):

“The following cease to be waste when used as described in this paragraph... (iv) navigational dredged material (NDM) used outside ecologically sensitive areas, as commercial aggregate in place of sand or gravel if the NDM contains at least 90 percent sand and gravel, as determined by a standard grain size analysis method approved by the department and performed by an independent laboratory, and if the NDM contains less than 0.5 percent total organic carbon.”

Transportation of this material **does not** require a Part 364 Waste Transporter permit or registration.

With any questions, please contact (518) 402-8678 or benuse@dec.ny.gov .