



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)(2)(iii):

*“The following cease to be waste when received at the location of use as described in this paragraph...(iii) **street sweepings, car wash grit, and water system catch basin materials that consist of sand and gravel and are free from litter and objectionable odors, when used in the following applications: (a) as a substitute for commercial aggregate for the construction of roads or parking areas; (b) as backfill for utilities within transportation corridors other than potable water utility lines; (c) or in commercial or industrial land use locations as defined by subparagraphs 375-1.8(g)(2)(iii) and (iv) of this Title**”*

Transportation of more than one ton of this material per vehicle per shipment **requires** a Part 364 Waste Transporter permit or registration.

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