



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)(3)(ix):

*“The following cease to be waste when the material meets the requirements for the intended use identified in this paragraph.... **(ix) recycled material or residue generated from uncontaminated asphalt pavement and asphalt millings which meets a municipal or state specification or standard for use as an ingredient in asphalt pavement or other paved surface construction and maintenance uses if separated from other waste prior to processing and subsequently processed and stored in a separate area as a discrete material stream.**”*

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 .