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)(v):

“The following cease to be waste when the material meets the requirements for the intended use identified in this paragraph…(v) coal combustion fly ash which meets an industry standard acceptable to the department for use in concrete, concrete products, light-weight block, light-weight aggregate and flowable fill.”

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.