



New York State Department of Environmental Conservation
Division of Materials Management

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

COMPANY NAME:	
COMPANY ADDRESS:	
LOCATION/ADDRESS OF SITE OF REUSE:	
<p>This material is being used in compliance with the pre-determined beneficial use determination described in the NYSDEC September 19, 2019 Enforcement Discretion Letter (EDL) Paragraph II:</p> <p><i>“The Department will utilize its enforcement discretion with respect to the use of recycled aggregate from bricks, concrete pavement and/or asphalt pavement when used in or under asphalt pavement or other paved surface, if separated from other waste prior to processing and subsequently processed and stored in a separate area as a discrete material stream...these materials, when destined for and/or managed prior to reuse at facilities subject to the requirements of 6 NYCRR Subpart 361-5 may be managed as a commercial product or raw material and are not subject to Part 360 or Part 361.”</i></p> <p>Transportation of greater than one ton of this material per vehicle per shipment requires Part 364 Waste Transporter registration and tracking.</p>	
CONTACT NAME:	TITLE:
COMPANY NAME:	
PHONE:	EMAIL:
SIGNATURE:	DATE:

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