

Beneficial Use Determination Petition – Cement Kiln Feedstock

Instructions and Notes to Petitioner:

For Department use only		
Date Petition Received		
mm	dd	yyyy
NYSDEC BUD Petition Number		
NYSDEC Reviewer (Initial, Last Name, CO / RO#)		
Response Date		
mm	dd	yyyy

1. This form must be completed by a generator or potential user seeking a case-specific Beneficial Use Determination (BUD) for the use of a regulated solid waste as a cement kiln feedstock, pursuant to Part 360.12(d).
2. Petitions for a Cement Kiln Feedstock BUD will ONLY be reviewed for materials that are non-hazardous, non-putrescible, and non-regulated medical wastes ready to be fed into a kiln upon delivery; that are a useful source of one or more of the mineral ingredients of Portland cement; that have COC concentrations that pass TARs evaluation, and that have an existing or reasonably probable market in New York State.
3. Unless specifically requested in the petition and approved, these BUD materials cease to be considered as solid waste, pursuant to 6 NYCRR 360.12(d)(4), upon arrival at the cement manufacturing facility.
4. Submission of this form does not satisfy any applicable federal, state, or local approval requirements for the beneficial use of this material.

BUD Petitioner / Contact Information

Petitioner Name and Title:	Last	First	M.I.	Title
Petitioner Affiliation:	Company Name			
Petitioner Mailing Address:	Street Address		City/Town	
	County		Zip Code	
Petitioner Phone:	() _____		Petitioner Email: _____	
Petitioner type:	<input type="checkbox"/> Waste Generator <input type="checkbox"/> BUD Material User <input type="checkbox"/> Other _____			

Contact Name and Title:	Last	First	M.I.	Title
	Company Name			
Contact Mailing Address:	Street Address		City/Town	
	County		Zip Code	
Contact Phone:	() _____		Contact Email: _____	

BUD Petition Information

Petition Type:	<input type="checkbox"/> New Petition <input type="checkbox"/> Modification <input type="checkbox"/> Renewal without Modification <input type="checkbox"/> Renewal with Modification
Petition Duration Requested:	<input type="checkbox"/> One Time Use <input type="checkbox"/> Short Term Use <input type="checkbox"/> Continuous Process/ Permanent (5 years) ¹ Start Date: mm / dd / yyyy End Date: mm / dd / yyyy
	Notes: 1. The maximum duration for which a BUD will be granted is 5 years. For continuous processes, a renewal petition must be submitted no less than 90 days prior to the expiration date of the BUD, as defined in the BUD conditions. 2. For BUDs that also require other NYSDEC permits such as Part 360, Air or SPDES permits, a renewal petition must be submitted at the same time as a permit renewal application.

Regulated Solid Waste Information	
Description of Regulated Waste:	<p><i>Describe the regulated solid waste to be beneficially used, as required by 6NYCRR Part 360.12(d)(2)(i).</i></p> <p>Alumina substitute: <input type="checkbox"/> Spent Refinery Catalyst <input type="checkbox"/> Alumina Tri-nitrate Dust <input type="checkbox"/> Alumino-silica Clay <input type="checkbox"/> Dust Collector Fines <input type="checkbox"/> Steel Ladle Slag <input type="checkbox"/> Lime Filter Cake <input type="checkbox"/> WWTP Sludge Filter Cake <input type="checkbox"/> Aluminum Production Dross <input type="checkbox"/> Other: _____</p> <p>Silica substitute: <input type="checkbox"/> Petroleum-contaminated Soil <input type="checkbox"/> Off-spec Glass Wool <input type="checkbox"/> Other: _____</p> <p>Iron substitute: <input type="checkbox"/> Spent Abrasive <input type="checkbox"/> Other: _____</p> <p>Calcium substitute: _____</p>
Source of Regulated Waste Generation:	<p>_____ <i>Facility Name(s)</i> <i>Facility Type(s) (i.e. WWTP, type of manufacturer, etc.)</i></p> <p>_____ <i>Facility Location(s) (Street Address, Town, NYS County(ies))</i></p>
Estimated Beneficial Use Quantity:	<p>_____ <i>include units (cy/yr, tons/yr)</i></p>
Point of Regulated Waste Cessation:	<p><input type="checkbox"/> Manufacturing Facility <input type="checkbox"/> Other (<i>describe</i>): _____</p> <p>_____ <i>Facility Name(s) and Address(es)</i></p> <p><input type="checkbox"/> Part 364 Permit(s) in effect <input type="checkbox"/> Waste control plan attached</p>
Description of Regulated Waste Characteristics:	<p><i>Describe the chemical and physical characteristics of the waste, as required by 6NYCRR Part 360.12(d)(2)(iv). (Note any significant variability of characteristics in waste generated throughout the year.)</i></p> <p>Waste analyzed for COCs: <input type="checkbox"/> Total Priority Pollutant Metals <input type="checkbox"/> Organics/ Other: _____</p> <p><input type="checkbox"/> Waste is non-hazardous for COCs: Sb, As, Be, Cd, Cr, Cu, Hg, Pb, Ni, Se, Ag, Ti, Zn</p> <p><input type="checkbox"/> COCs have direct value in the process? No Yes: Explain _____</p> <p><input type="checkbox"/> Waste analyzed for __ alumina (___ %) __ silica (___ %) __ calcium (___ %) __ iron (___ %)</p> <p><input type="checkbox"/> Waste is non-putrescible <input type="checkbox"/> Waste is non-medical <input type="checkbox"/> Waste meets ASTM C 150 and CSA A3000-03</p> <p><input type="checkbox"/> Analyses conducted by NYSDOH ELAP-certified lab in accordance with NYSDEC ASPs</p> <p><input type="checkbox"/> Lab reports are attached in a format acceptable to NYSDEC</p> <p><input type="checkbox"/> Sampling plan (COCs, frequency, test methods, etc.) to periodically sample / analyze waste is attached.</p>
BUD Material Information	
Description of BUD Material Processing and Final Usable Product:	<p><i>Describe how this material will be beneficially used by being transformed into a usable product, or will be used as an effective substitute for an analogous raw material, and requires no decontamination or other special handling or processing prior to addition to a commercial process, as required by 6NYCRR Part 360.12(d)(1) & (3).</i></p> <p>Raw material mineral substitute for cement: <input type="checkbox"/> Alumina <input type="checkbox"/> Silica <input type="checkbox"/> Calcium <input type="checkbox"/> Iron <input type="checkbox"/> Other: _____</p> <p>Feed rate required by cement manufacturer for the mineral to be substituted (tons/day): _____</p>
List NYSDEC Permitting Required for Processing BUD Material:	<p><input type="checkbox"/> Waste Transporter Permit¹ <input type="checkbox"/> SW Facility Permit <input type="checkbox"/> SW Facility Registration <input type="checkbox"/> Air permit <input type="checkbox"/> SPDES permit <input type="checkbox"/> Other/status: _____</p> <p>¹Unless requested and granted a different point of waste cessation, regulated waste that is transported for beneficial use is considered solid waste until the point of use in processing; therefore, a current Part 364 permit is required for transportation.</p>
Location(s) of Beneficial Use Processing in NYS:	<p>_____ <i>Facility Name(s)</i> <i>Cement Manufacturer</i> <i>Facility Type(s) (i.e., type of manufacturer, etc.)</i></p> <p>_____ <i>Facility Location(s) (Street Address(es), Town(s), County(ies))</i></p>

End Use Product Information	
Description of Proposed End Use Product Characteristics:	Describe the chemical and physical characteristics of the proposed product, as required by 6NYCRR Part 360.12(d)(2)(iv). (Note any significant variability of characteristics in product generated throughout the year.)
	<input type="checkbox"/> Product has same characteristics as waste (SKIP to Demonstration of Market section) <input type="checkbox"/> Product analyzed for: <input type="checkbox"/> Total Priority Pollutant Metals <input type="checkbox"/> Organics/ Other: _____ <input type="checkbox"/> Product is non-hazardous for Sb, As, Be, Cd, Cr, Cu, Hg, Pb, Ni, Se, Ag, Tl, Zn <input type="checkbox"/> COCs have direct value in the product? No Yes: Explain _____ <input type="checkbox"/> Product meets ASTM C 150 and CSA A3000-03 <input type="checkbox"/> Analyses conducted by NYSDOH ELAP-certified lab in accordance with NYSDEC ASPs <input type="checkbox"/> Lab reports are attached in a format acceptable to NYSDEC <input type="checkbox"/> Sampling plan (COCs, frequency, test methods, etc.) to periodically sample / analyze product is attached.
Demonstration of Market:	Demonstrate an existing or reasonably certain market for the proposed product, as required by 6NYCRR Part 360.12(d)(2)(vi) & (3)(v), by providing one or more of the following : a contract to purchase the proposed product, a demonstration that the proposed product meets industry standards and specifications, or other documentation that a market for the proposed product exists.
	Cement Company: _____ <div style="text-align: center; font-size: small;">Company/ Facility Name(s) and Address(es)</div> Supporting documentation (as described above) <input type="checkbox"/> attached <input type="checkbox"/> N/A
Waste Control Plan	
Waste Control Plan	Demonstrate that the management of this waste will not adversely affect human health and safety, the environment, and natural resources by providing a waste control plan, as required by 6NYCRR Part 360.12(d)(2)(vii)(a).
	<input type="checkbox"/> waste control plan attached
Signature and Verification	
Signature of Responsible Company Official (<i>NOTICE: Pursuant to ECL Section 3-0301(2)(Q): False statements made on this application, are punishable pursuant to Section 210.45 of the New York State Penal Code.</i>)	
_____	<u>mm/dd/yyyy</u>
Signature	Date
Printed Name and Title of Responsible Company Official _____	
Verification	
<input type="checkbox"/>	All fields of the application are complete (indicate N/A if appropriate).
<input type="checkbox"/>	Application is signed and dated above.
<input type="checkbox"/>	Record of Compliance Form attached

Send this completed petition form and any supporting attachments, such as a completed waste control plan form (next page), to the **Materials Management Supervisor** in your DEC Region (for Regional Office contact information, see <http://www.dec.ny.gov/about/558.html>), with a copy to:

Kathleen Prather, P.E.
 NYSDEC Division of Materials Management Bureau of Solid Waste Management
 625 Broadway, 9th Floor
 Albany, NY 12233-7260

Please contact Ms. Prather at (518) 402-8678 or benuse@dec.ny.gov if you have any questions about petitioning for a case-specific BUD.

