



**State of Connecticut  
Department of Environmental Protection  
Bureau of Material Management and Compliance Assurance  
Waste Engineering and Enforcement Division**

## **GUIDELINES FOR BENEFICIAL USE DETERMINATION (BUD) AUTHORIZATIONS**

Pursuant to section 22a-209f(b)(1) CGS, the Department of Environmental Protection (Department) may issue individual authorizations for the beneficial use of solid waste in a manufacturing process to make a product or as an effective substitute for a commercial product provided (A) such authorization does not allow an activity for which an individual or general permit has been issued, (B) such authorization is not inconsistent with the requirements of the federal Resource Conservation and Recovery Act (42 USC 6901 et seq.), and (C) the commissioner finds that such solid waste can be reused without harming or presenting a threat of harm to public health, safety or the environment.

To apply for this authorization or BUD approval, an applicant must submit a complete application form, including all supporting documents with the appropriate fee to the Department. It is the applicant's responsibility to demonstrate to the Department how this proposed BUD provides reuse of the subject solid waste material without harming or presenting a threat of harm to public health, safety, or the environment.

A BUD approval is effective on the date it is signed by the commissioner for a term of ten (10) years or as otherwise approved in writing by the commissioner. The fee schedule for BUD approval applications is dependent upon the annual quantity of solid waste material that is expected to be reused and the fees are listed in the following table:

<b>Quantity</b>	<b>Initial Fee *</b>	<b>Renewal/Modification Fee *</b>
<b>&lt; 120 tons per year</b>	<b>\$1,000</b>	<b>\$500</b>
<b>120 tons per year to 1200 tons per year</b>	<b>\$2,500</b>	<b>\$1,250</b>
<b>&gt; 1200 tons per year</b>	<b>\$5,000</b>	<b>\$2,500</b>

\* In accordance with section 22a-209f(b)(3) CGS, there will be no fee charged to municipalities.

DEP will not process the BUD application unless the required fees have been paid.

There is no annual fee once a BUD has been approved.

To renew a BUD approval, a new application form and fee must be received no later than 180 days prior to the expiration date of the current BUD approval.

Pursuant to Section 22a-209f(b)(2) CGS, the Department will utilize the following guidelines to assist in determining whether a proposed BUD is protective of public health, safety and the environment. When an application for a BUD approval is submitted, the Department will consider the following:

1. Has the applicant identified the type of solid waste material proposed to be beneficially used, how it is generated and the quantities (tons) generated annually?
2. Has the applicant adequately described historically (or up to this point) how and where this solid waste material has been disposed of and/or managed?
3. Has the applicant adequately described specifically how this solid waste material will be beneficially used? Has the applicant described the proposed testing/monitoring that will be conducted on this solid waste material? As a beneficial use, has the applicant described the proposed reuse to demonstrate the ability of this solid waste material to be effectively used in a manufacturing process or to be used as an effective substitute in a commercial product?
4. Has the applicant provided a summary of information available that serves as the rationale for the material being suitable for beneficial use? Specifically, has the applicant identified any chemical constituents that are present in the solid waste material that you are proposing to reuse, including life cycles and potential environmental or health impacts? Has the applicant submitted any solid waste characterization studies that have been conducted? Is it similar to the analogous raw material or product? Does it contain constituents not found in the analogous raw material/product (or at higher concentrations)? Does it exhibit hazardous characteristics that the analogous raw material/product does not? Are there any toxic constituents that would be inherent in the final product? Does it contain levels of recoverable material similar to the analogous raw material/product? Is it as effective as the raw material or product it replaces? Has the applicant identified the proposed mixing ratios for this specific BUD? Has the applicant described any differences in amounts used for the process between the raw material/product and the solid waste that is the subject of this BUD request? Does the solid waste that is the subject of this BUD request require any processing prior to this proposed beneficial use? What degree of processing is required to produce the final product?
5. Does the solid waste material have economic value comparable to the raw material/product that normally enters the process? What are the economics of the recycling/reuse process? Does most of the revenue come from charging the generator of the solid waste material or from the sale of the final product?
6. Has the applicant listed any approvals, individual permits and/or general permits that you have applied for or received from CT DEP or from any other state for this specific type of beneficial use?
7. Has the applicant provided documentation of a market for the final product? Has the applicant submitted any contracts and/or letters of agreement/commitment/interest from others willing to purchase/use the final product? Is the final product a recognized commodity? Are there industry-recognized quality specifications for the final product?
8. Any other pertinent data in support of the BUD application.

The Department may also request additional information from an applicant depending on the complexity and/or innovative nature of the specific BUD proposal.

For further guidance, applicants should contact the Bureau of Materials Management & Compliance Assurance, Solid Waste Permitting Unit at 860-424-3372.