



Environmental Permitting Fact Sheet

Beneficial Use Determination (BUD) Approval

Approval Overview

Beneficial Use Determination (BUD) Approvals are issued under the authority of and administered by the Department of Energy and Environmental Protection's (DEEP's) Bureau of Materials Management and Compliance Assurance. BUD Approvals are 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.

Authorizing Statutes

[Section 22a-209f\(b\)\(2\) of the Connecticut General Statutes](#) (CGS). Pursuant to CGS section 22a-209f(b)(2), the guidelines ([link](#)) were published on June 7, 2010 on DEEP's website for 30 days for public review and comment.

Who Must Apply?

Any generator of a solid waste material that wants to provide such material to others for beneficial use, or any facility that wants to accept and process solid waste materials for beneficial use must apply for a BUD approval.

If an existing permitted facility wants to accept and process solid waste materials for beneficial use, a modification to their existing permit must be requested. Contact Solid Waste Permitting Beneficial Use Determination (860-424-3366) with any questions.

How is a BUD Approval obtained?

The person (the "applicant") will receive a BUD approval after DEEP has received a *complete* [application form](#), including all supporting documents, with the appropriate fee and has reviewed and approved the proposal for beneficial use. This activity is authorized only on or after the date the commissioner issues a written approval with respect to such activity.

All applicants must comply with the conditions set forth in their specific BUD approval, which include how a solid waste material may be processed and used as a substitute for a commercial product or used in a manufacturing process to make a product. Additional conditions may also be included to ensure the protection of human health and safety, as well as the environment. Read the BUD approval carefully to be sure you can operate in compliance with its conditions. If you fail to comply with the conditions in the BUD approval, you are in violation of the authorization and potentially subject to legal action.

How many approvals can be requested on one form? Use one application form per approval.

Is an Approval transferable? An applicant may not transfer an Approval to another person. The new generator or owner/operator of the facility must complete a new application form and submit it along with the applicable fee.

Fees

How much does it cost to apply? The fee to apply is dependent on the annual quantity of solid waste materials either generated or accepted for processing at a facility. For quantities less than or equal to 120 tons per year, the application fee is \$1000.00; for quantities between 120 and 1200 tons per year, the application fee is \$2500.00; for quantities over 1200 tons per year, the application fee is \$5000.00; Renewals/modifications are half of the initial application fee. There are no fees for municipalities.

Is there an annual fee? No.

Are application fees refundable? Application fees are non-refundable.

Approval Duration

The BUD approval will be valid for a period of ten years from the date of issuance. To renew an Approval for a facility, a new application form and fee must be received no later than 180 days prior to the expiration date of the Approval. The same form should be used for either a new application or for a renewal or modification of an existing Approval.

Contact Address

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This overview is designed to answer general questions and provide basic information. You should refer to the appropriate statutes and regulations for the specific regulatory language of the different permit programs. This document should not be relied upon to determine whether or not an environmental permit is required. It is your responsibility to ensure that all required permits have been obtained.