

Division of Materials Management

Beneficial Use Determination Petition - Brine for Road Treatment

OFFICIAL USE ONLY					
DATE RECEIVED					
PROJECT NUMBER					
STAFF INITIALS					
DATE					

6 NYCRR Part 360.12 addresses materials which, when used in the manner noted in that subdivision, are not considered solid wastes (for the purposes of Parts 360-369)In the case of production brine from gas or oil wells, or brine from liquid-petroleum-gas (LPG) storage facilities: individuals, companies or municipalities wanting to use brine to treat road surfaces need to petition for a beneficial use determination (BUD) pursuant to 6 NYCRR Part 360.12(f). This form has been developed to assist you in obtaining a case-specific BUD for these types of brine as road treatment materials.

Note: This form is intended to address the requirements of 6 NYCRR Part 360.12(f) and does not cover any other local, State or Federal regulations and requirements.

Petitioner Information

Full Name:					
	Last first M.I.				
Association:					
	Company		Title		
Primary Address:					
	Street Address		City/Town		
	County		Zip Code		
	County	Data and Encold	zip code		
Primary Phone:	()	Primary Email:			
Are you a:	Waste Producer	Waste Hauler	Municipality	Other	
Road Treatment Brine Information					
Type of Waste:	Gas Well Brine	Oil Well Brine Storag	e Cavern Brine	Other	
Proposed Use:	Dust Control	Road Stabilzation	e-icing Other		
List the source of					
the waste,					
including address.					
If from a well or					
multiple wells, list					
well I.D.					
number(s). If a					
storage pond, give					
the facility					
address.					
Please note that					
flow-back fluids					
are not allowed to					
be road spread.					

Analysis

Pursuant to 6 NYCRR Part 360.12(f)(vi), a chemical analysis from the proposed point of use of brine must, at minimum, include results on a brine sample for chlorides, sulfates, sodium, calcium, lead, iron, barium, oil & grease, TDS (total dissolved solids), benzene, ethyl-benzene, toluene, and xylene. The analysis must be completed by a NYSDOH-approved laboratory and must be completed within the previous 12 months. Please submit the complete analysis as an attachment to this form. Is the laboratory analysis attached?

Road Spreading Plan

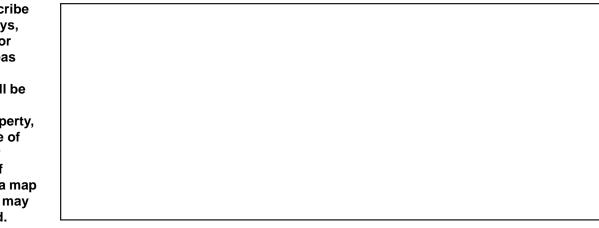
The road spreading plan is designed to keep excessive waste from seeping through or flowing off of the road surface.

Describe the equipment used to road-spread the BUD material. This should include a spreader bar with shut-off controls in the cab of the truck. For dust control on gravel roads, spreading must be limited to no closer than 50 feet to a stream, creek, lake or other body of water. Dust control BUD materials may only be applied between sunrise and sunset. BUD materials may not be applied on wet roads, or when rain is imminent. BUD materials may not be applied on steep grades where run-off is likely. For road de-icing, BUD materials should be used in accordance with NYSDOT guidelines for anti-icing.

Describe the proposed rate and frequency of application. The rate should be given in lane-mile terms. Frequency is the anticipated number of applications in a year.

Road Treatment Destination Information

List or describe the roadways, driveways or parking areas where the material will be spread. If a private property, list the type of property or business. If necessary a map or diagram may be attached.



If private property, you must include a letter of approval to spread a waste material from the property owner. Verification of ownership may also be required. If municipal property, the appropriate municipal signature must be included.

Is this approval letter attached?

Material Storage Plan

List procedures for annual sample collection and analysis pursuant to 6 NYCRR Part 360.12(f)(3)(ix).

List provisions for secondary containment or other means of spill prevention and response.

List procedures for petroleumbrine separation, if applicable.

> Part 364 Waste Hauler Permit Number, if required.

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.

Signature

Date

Send this completed form and any supporting attachments to the **Materials Management Supervisor** in your DEC Region (for help, see <u>http://</u>www.dec.ny.gov/about/558.html), with a copy to:

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

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