



**MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY  
REQUEST FORM FOR A BENEFICIAL USE DETERMINATION**

**Part I – General Applicant Information**

1. Name of Applicant: \_\_\_\_\_

2. Address of Applicant: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

3. Name of Contact Person: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Telephone Number: (\_\_\_\_) \_\_\_\_\_ Fax: (\_\_\_\_) \_\_\_\_\_

4. Please indicate below which of the following best describes the applicant's involvement with the proposed material/use:

Generator of the By-product     Distributor of the By-product     End User of the By-product

5. Please indicate below which of the following best describes the manner in which the applicant intends to beneficially use the proposed material:

Construction Use (Category II Use)     Land application for soil amendment use (Category III Use)     Other proposed use (Category IV Use) Describe below: \_\_\_\_\_

6. Please provide a general description of the material proposed for use (e.g. lime mud, coal combustion ash, foundry sand, etc.).

\_\_\_\_\_

To the best of my knowledge and belief, I certify that the information provided in this application including attachments is true, accurate, and correct. I further certify that I possess the authority to request this beneficial use determination on behalf of the applicant.

Prepared by (print): \_\_\_\_\_ Title: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

**For additional information, please contact:**  
Solid Waste Policy, Planning & Grants Branch  
Mississippi Department of Environmental Quality  
P. O. Box 2261, Jackson, MS 39225, Ph. (601) 961-5171, Fax (601) 961-5785



## MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY REQUEST FORM FOR A BENEFICIAL USE DETERMINATION

### Part II.a – Specific Information for Construction Use (Category II)

In a separate attachment(s), the applicant should provide the following additional information:

1. Please provide a description of the process that generates the material proposed for use. Include information confirming that the material is consistent with the regulation definition of a "by-product", as defined by the Regulations for the Beneficial Use of Nonhazardous Solid Waste. A "by-product" is a solid waste material that is generated as a result of the manufacture of a primary product that, barring any form of alternate or beneficial use of that material, would otherwise be discarded at a landfill or other solid waste disposal facility.
2. Provide a description of each construction application(s) in which the material is proposed to be beneficially used.
3. Provide written verification signed by the generator of the by-product that conveys permission to the applicant to obtain a Beneficial Use Determination from the Department and subsequently manage and/or distribute the by-product for the proposed use(s). This verification is not required if the applicant is also the generator of the by-product.
4. Provide an estimate of the quantity of the by-product produced by the generator per year and an estimate of the quantity of by-product intended to be distributed for beneficial use each year. Be sure to include units (e.g. dry tons, pounds, cubic yards, etc.).
5. Provide the chemical and physical by-product characterization, including total metals analysis and pH testing results as required by Section III.C.3 of the Regulations for the Beneficial Use of Nonhazardous Solid Waste. The characterization should also identify the primary composition of the materials and should disclose any other parameters of concern.
6. Provide a narrative that describes the chemical and/or physical properties of the by-product that make it suitable for the proposed use. This narrative should compare and contrast the proposed by-product's attributes with the raw material it is replacing. Attach written certification from a professional engineer licensed in the State of Mississippi that the by-product has physical or chemical properties suitable for the proposed construction or civil engineering use(s).
7. Provide a description of how the material is applied, installed or combined into the construction process. Provide a description of the rate of use and how that rate was determined.
8. Provide verification that the by-product proposed for use is not a putrescible waste, meaning that the waste does not decompose with such rapidity to cause odors or gases.
9. Provide the ASTM or other industry recognized standard as it relates to the proposed by-product construction use(s) (where available) and confirmation that the by-product meets that standard.
10. Provide a description that a viable end-use market exists for the proposed construction use(s) and indicate whether those uses are expected to be temporary or long term.
11. Provide a description of how the material will be packaged and distributed (bulk, small bags, etc). This description should include detailed information on by-product storage, transportation and handling techniques as compared to the raw material it is intended to replace.

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## MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY REQUEST FORM FOR A BENEFICIAL USE DETERMINATION

### Part II.b – Specific Information for Agricultural Soil Amendment Uses (Category III)

In a separate attachment(s), the applicant should provide the following information:

1. Please provide a description of the process that generates the material proposed for use. Include information confirming that the material is consistent with the definition of a “by-product”, as defined by the Regulations for the Beneficial Use of Nonhazardous Solid Waste. A “by-product” is a solid waste material that is generated as a result of the manufacture of a primary product that, barring any form of alternate or beneficial use of that material, would otherwise be discarded at a landfill or other solid waste disposal facility.
2. Provide a written description of the manner in which the material is proposed to be employed as a soil amendment. Include a copy of the “Best Management Practice (BMP’s)” guidelines on the use of this material that will be distributed to any end user of the product.
3. Provide written verification that the generator of the by-product has given the applicant permission to apply for and obtain a Beneficial Use Determination from the Department and subsequently manage and/or distribute the by-product for the proposed use(s). This verification is not required if the applicant is also the generator of the by-product.
4. Provide an estimate of the quantity of the by-product produced by the generator per year and an estimate of the quantity of by-product intended to be distributed for beneficial use each year. Be sure to include units (e.g. dry tons, pounds, cubic yards, etc.).
5. Provide the chemical and physical by-product characterization, including total metals analysis and pH testing results as required by Section III.C.3 of the Regulations for the Beneficial Use of Nonhazardous Solid Waste. Additional testing of the by-product for metals listed in Appendix 2 that are also listed in Appendix 1 is NOT required when the by-product has been previously tested for these metals as required by Section III.C.3.b. In cases where additional federal or state standards apply, additional analysis may be required for by-product characterization (e.g. 40 CFR Part 503).
6. Provide a narrative description of the chemical and/or physical properties of the by-product that make it suitable for the proposed use. This narrative should compare and contrast the proposed by-product’s attributes with the raw material it is replacing. Attach a nutrient analysis demonstrating that chemical properties of the by-product are comparable to the raw product being replaced.
7. Provide verification that the by-product proposed for use is not a putrescible waste, meaning that the waste does not decompose with such rapidity to cause odors or gases.
8. Describe the expected rate at which the material would be applied (e.g. tons per acre) and a written description of how that loading rate was calculated.
9. If the by-product is to be used as an additive in a composite material, provide a description of the composition of the soil amendment material.
10. Provide a description of the type(s) of crop(s) the material would be applied to.
11. Provide a written confirmation that a viable end-use market exists for the proposed soil amendment use(s) and indicate whether those uses are expected to be temporary or long term.
12. Provide a description of how the material will be packaged and distributed (bulk, small bags, etc). This description should include detailed information on by-product storage, transportation and handling techniques as compared to the raw material it is intended to replace.

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