

# **Beneficial Use Determinations Update**

**Presented by  
Doug Clay**

# What is a Beneficial Use Determination (BUD)?

- **Section 22.54 of the Illinois Environmental Protection Act**
- **Confirmation from Illinois EPA that the material is being used in a beneficial manner and therefore not a waste.**

# **What is a Beneficial Use Determination (BUD)? (cont'd)**

- **Explains what point in the process the material is no longer regulated as waste.**
- **A written determination that only applies to specific material, specific circumstances and specific people identified in the application.**

# What is required in a BUD Application?

- **Chemical/physical properties of the material comparable to commercially available materials.**
- **Market demand for the material.**
- **Material is “legitimately beneficially used.”**

# Limitations on the Beneficial Use Determination

- **May only be issued for up to 5 years.**
- **Only applies to specific process and people identified in the application/approval.**
- **You must re-apply if any of the facts in the application change.**
- **Material must be handled in accordance with any conditions of approval.**

# **BUDs cannot be used for:**

- **Hazardous waste**
- **Coal combustion waste and by-products**
- **Sludges applied to the land**
- **Potentially infectious medical waste**
- **Used oil**

## **BUDs cannot be used for (cont'd):**

- **Material burned for energy recovery.**
- **Material used to produce a fuel or otherwise contained in a fuel.**
- **Waste from the steel foundry industry that is otherwise covered by Illinois Pollution Control Board rules.**

# Example

**For more information go to our  
website at:**

**<http://www.epa.state.il.us/land/>**

- **Questions on BUD applications can be directed to Disposal Alternatives Unit in the Bureau of Land, Permit Section, 217-524-3300.**

# Questions