



Guidance for Determining Beneficial Use

**Arkansas Dept. of Environmental Quality
Solid Waste Management Division**

Solid Waste Management Division (SWMD) staff recognizes that the final use of certain materials may provide benefits to the environment and may offer a cost effective management alternative to disposal. However, the environmental risks associated with the disposition of materials of concern must be fully taken into account prior to final placement or use. Documentation must be developed showing that the material has beneficial use as a soil amendment, road base or other application will have no potential short or long-term environmental impacts and/or threats to the environment. In some cases, a satisfactory operations plan must be developed for handling, storing and applying the material. Should these conditions not be met satisfactorily, the material may be classified as a waste and would be required to be properly disposed in accordance with Regulation 22.

The following is only a general guideline for determining the beneficial use of any non-inert waste stream, and for demonstrating that the use of the material will not constitute disposal of a solid waste. Please direct specific questions on specific materials to the Solid Waste Management Division.

1. For SWMD approval of land application of a material, the waste stream must be certified as having a beneficial use as a product. If no beneficial use of the material as a soil amendment can be demonstrated, the material will be classified as a waste and must be properly disposed in a permitted facility.
2. The beneficial use certification must include testing and written documentation from a qualified soil scientist or agronomist that describes in detail the beneficial use of the material. The person certifying that the waste stream is acceptable for land application or use as a soil amendment must determine and comment on the potential long-term effects the material will have on surface water, ground water, human health and the environment in and around the land application site(s). The certification must include the recommended loading rates for the material in allowable quantities per acre based on existing soil conditions and the waste stream analysis.
3. Analytical results must show what compounds or nutrients are present in the material, the concentrations of those elements on a per weight basis, and describing the beneficial characteristics of the constituents.
4. The petitioner must also submit a Beneficial Use Plan that would address the details of storage prior to the implementation of the Beneficial Use. For example, the plan may include, but not be limited to, storage pond liners; surface runoff controls at storage, staging areas and disposal areas; how the material is transported to the Beneficial Use site; how the material is applied; what equipment is utilized; determination of appropriate buffer zones; locations of proposed land application areas; the proposed number of acres available for land application; property ownership records and right-of-entry documentation; any site restrictions; etc.
5. Authorization allowing beneficial use is not a release from any environmental liability. Any unauthorized waste or waste disposal shall be subject to penalties as defined by the Arkansas Code Annotated 8-6-204 et seq., and the Arkansas Solid Waste Management Regulation 22.