



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

JAN 28 2002

RECEIVED

FEB 04 2002

4 APT-APB

Mr. C.H. Fancy, P.E.
Florida Department of Environmental Protection
Mail Station 5500
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

BUREAU OF AIR REGULATION

Dear Mr. Fancy:

Thank you for your letter dated December 14, 2001, transmitting a draft prevention of significant deterioration (PSD) construction permit modification (PSD-FL-324) for the Miami Cement Plant owned by CSR Rinker Materials Corporation (Rinker). Our comments on the draft permit modification are as follows:

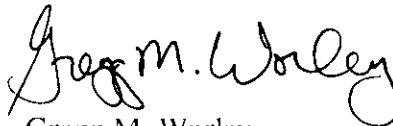
1. We strongly support the revision to permit condition B.10 which indicates that compliance with the volatile organic compounds (VOC) limits in Table 1-2 will be determined with the continuous emission monitoring systems (CEMS) after June 30, 2002. The permit requires both stack testing and the installation of a CEMS, and due to the 30-day averaging time for the applicable VOC limit, the only practical way to determine compliance is to use the CEMS. The stack testing provision requires that Rinker conduct three one-hour runs using either U.S. Environmental Protection Agency (EPA) Method 25 or 25A, and the CEMS provision requires that Rinker install equipment to measure both stack gas total hydrocarbon (THC) concentrations and stack gas flow rates on a continuous basis. Although EPA Method 25 or 25A can be used to collect the data for a THC monitor relative accuracy test audit, these results cannot be used for determining compliance with the applicable VOC limit since the permit specifies a test duration of only three hours. Because of the 30-day averaging time for the VOC limit, the only practical way of determining compliance is to use the results from the THC and stack flow rates monitors which collect data on a continuous basis.
2. Since compliance with the VOC limit in the permit is determined on a 30-day rolling average basis, we recommend that two issues regarding the calculation of these averages be clarified in the permit.
 - a. The first issue that should be addressed is the treatment of days when the kiln is not operating. We recommend that the permit be revised to specify that only kiln operating days be considered when calculating the 30-day rolling average emission rate. The basis for this recommendation is that calculating the 30-day emission rate on a calendar day basis makes complying with the rule more difficult if there is an extended shutdown and there is a spike in emissions on one or more of the days

during which the unit does operate. Calculating the average emission rate using 30 operating days tends to "smooth out" the impact of such spikes because of the amount of data used in the calculation. Calculating the average emission rate using 30 calendar days, however, would tend to magnify the impact of any emission rate spikes since fewer data would be used in the calculation.

- b. The second clarification that should be added to the permit regarding the calculation of the 30-day rolling average emission rate involves whether compliance is calculated by adding up 30 daily average emission rates and dividing by 30 or is calculated by summing all of the valid hourly data in the 30-day averaging period and dividing by the number of valid hourly readings. Since these calculation approaches will yield different results, it is important that Rinker and the Florida Department of Environmental Protection have the same understanding regarding how the averages will be calculated. If the averages are calculated using 30 daily emission rate values, days during which the unit operates for as little as an hour would have the same impact on the average as days during which the unit operates for a full 24 hours. Therefore, we recommend that the permit require that the 30-day average emission rate be calculated as the average of all the valid hourly data in each 30-day operating period. This is the same approach used for calculating average sulfur dioxide and nitrogen oxides emission rates under 40 C.F.R. part 60, subpart Db (Standards of Performance for Industrial-Commercial-Institutional Steam Generating Units). We recommend this approach because it results in the average being calculated on an operating hour weighted basis when there are days during the averaging period when the kiln does not run for 24 hours. See 40 C.F.R. § 60.46b(e)(2) for an example of language that describes how to calculate the 30-day rolling average emission rate using the approach recommended for Rinker.

If you have any questions regarding the comments in this letter, please call David McNeal at (404) 562-9102.

Sincerely,



Gregg M. Worley
Chief
Air Permits Section



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

FACSIMILE TRANSMITTAL SHEET

To	Al Linero - FDEP
Fax Number	(850) 922-6979
From	Jim Little Air Planning Branch, Air Permits Section Phone: (404) 562-9118 Fax: (404) 562-9019 E-mail: little.james@epa.gov
Subject	Rinker Materials - Miami Cement Plant
Date	January 28, 2002
Pages	3 (including this sheet)

We will mail the original letter.

RECEIVED

JAN 29 2002

BUREAU OF AIR REGULATION



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 4
ATLANTA FEDERAL CENTER
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ATLANTA, GEORGIA 30303-8960

JAN 28 2002

4 APT-APB

Mr. C.H. Fancy, P.E.
Florida Department of Environmental Protection
Mail Station 5500
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

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 - a. The first issue that should be addressed is the treatment of days when the kiln is not operating. We recommend that the permit be revised to specify that only kiln operating days be considered when calculating the 30-day rolling average emission rate. The basis for this recommendation is that calculating the 30-day emission rate on a calendar day basis makes complying with the rule more difficult if there is an extended shutdown and there is a spike in emissions on one or more of the days

Internet Address (URL) • <http://www.epa.gov>

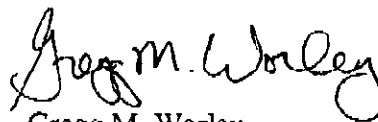
Recycled/Recyclable • Printed with Vegetable Oil Based Inks on Recycled Paper (Minimum 30% Postconsumer)

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If you have any questions regarding the comments in this letter, please call David McNeal at (404) 562-9102.

Sincerely,



Gregg M. Worley
Chief
Air Permits Section



ENVIRONMENTAL RESOURCES MANAGEMENT
AIR QUALITY MANAGEMENT DIVISION
33 S.W. 2nd AVENUE
SUITE 900
MIAMI, FLORIDA 33130-1540
TELEPHONE: (305) 372-6925
FAX: (305) 372-6954

January 24, 2002

CERTIFIED MAIL NO. 7000 0600 0027 7981 6298
RETURN RECEIPT REQUESTED

RECEIVED

JAN 30 2002

BUREAU OF AIR REGULATION

Department of Environmental Protection
Division of Air Resources Management
2600 Blair Stone Road
Tallahassee, Florida 32399-2400
Attn: Alvaro Linero, P.E.

Re: Comments on DRAFT Air Construction Permit Modification
FDEP File Nos.0250014-007 & 008-AC, PSD-FL-324
Rinker Materials Corporation, Miami Cement Plant, Miami-Dade County

Dear Mr. Linero:

The Miami-Dade Department of Environmental Resources Management (DERM) received the Draft Air Construction Permit Modification issued by DEP on December 14, 2001, for the Rinker Materials Corporation facility in Miami. DERM also received a copy of John Koogler's memo dated December 21, 2001 regarding said permit.

DERM staff discussed some of the terms and conditions of this permit and Mr. Koogler's memo with Alvaro Linero and Gregory De Angelo of DEP. Pursuant to the public notice published on December 27, 2001, and subsequent discussions with DEP staff, our comments for your consideration regarding this draft permit are as follows:

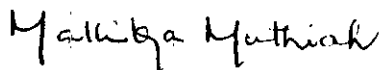
1. As the compliance authority for Miami-Dade County, we concur with DEP that there must be a mechanism specified clearly in the final construction permit to determine compliance with the VOC emissions limit. DERM recommends that DEP specify in the construction permit one of the following methods for compliance determination:
 - a. Option 1: CEMS shall be used to determine compliance with the VOC emissions limit of 0.12 lb/ton of clinker, proposed in the construction permit. Rinker would have the option of installing appropriate CEMS to measure non-methane total hydrocarbons (NMTHC). Rinker could choose to install CEMS to measure total hydrocarbons, and in that case, the total hydrocarbons will be considered as all VOCs.

Or

- b. Option 2: Rinker would install VOC CEMS for the purpose of reasonable assurance. In that case, the following must be required of Rinker for compliance determination:
 - i. A Relative Accuracy Test Audit, RATA, for the VOC CEMS on an annual basis. Stack gas emissions should be used for all RATA certification samples.
 - ii. An annual VOC compliance testing requirement to include Method 25 or Method 25A in conjunction with Method 18.
2. In Condition B-10, use the correct abbreviation "NMTHC" instead of "THC" when referencing non-methane total hydrocarbons (NMTHC).
3. Clearly specify the "averaging period" of CEMS for VOC measurements as one (1) hour averages determining the 30-day rolling average in the text of Specific Condition B-10 and in Table 1-2, Air Pollutant Standards and Terms. Explain hourly averaging by specifying the minimum number of hourly data points in Table 2-1, Compliance Requirements. DERM recommends the 30-day averaging be calculated by adding the hourly VOC measurements during a 30-day averaging period and dividing it by the total number of hours operated.
4. Condition B-13 requires Method 25 or Method 25A to determine VOC emissions from Stationary Sources. It requires such testing on a quarterly basis from the fourth quarter 2001 through second quarter 2002. Considering that December (fourth quarter) 2001 has ended, DERM suggests the following modified language to indicate compliance testing until VOC CEMS is installed, whether for compliance or reasonable assurance:
 - a. "A Method 25 or 25A test be conducted within 30 days of issuance of the final construction permit, and continued quarterly thereafter until the CEMS is installed, tested and certified."
5. The annual Relative Accuracy Test Audit, RATA, must be included as an item in Table 2-1.
6. Appropriate changes (depending upon the option chosen in comment 1 of this letter) must be made to Table 2-1 with regards to VOC to reflect the requirements on the test methods, testing time frequency, CMS compliance, etc.

If you have any questions regarding these comments, please contact me at (305) 372-6921.

Sincerely,



Mallika Muthiah, P.E., Chief
DERM Air Facilities Section

METROPOLITAN DADE COUNTY, FLORIDA



Department of Environmental Resources Management
33 S.W. 2nd Avenue
Miami, FL. 33130-1540

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SEND TO:

Name: AL LINERO / GREG DE ANGELO

Company/Department: DEP

Phone Number: (850) 921-9523/9506

Fax Number: (850) 922-6979

Message: Attached please find DERM's
comments to the recently issued construction
permit for Rinker, Miami

FROM:

Name: MALLIKA MUTHIAH

Division/Section: AIR FACILITIES

Phone Number: (305) 372-6921

Fax Number: (305) 372-6954

Date: 1-24-02

Number of Pages (including this one): 3

MIAMI-DADE COUNTY, FLORIDA



January 24, 2002

CERTIFIED MAIL NO. 7000 0600 0027 7981 6298
RETURN RECEIPT REQUESTED

ENVIRONMENTAL RESOURCES MANAGEMENT
AIR QUALITY MANAGEMENT DIVISION
33 S.W. 2nd AVENUE
SUITE 900
MIAMI, FLORIDA 33130-1540
TELEPHONE: (305) 372-6925
FAX: (305) 372-6954

Department of Environmental Protection
Division of Air Resources Management
2600 Blair Stone Road
Tallahassee, Florida 32399-2400
Attn: Alvaro Linero, P.E.

Re: Comments on DRAFT Air Construction Permit Modification
FDEP File Nos. 0250014-007 & 008-AC, PSD-FL-324
Rinker Materials Corporation, Miami Cement Plant, Miami-Dade County

Dear Mr. Linero:

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DERM staff discussed some of the terms and conditions of this permit and Mr. Koogler's memo with Alvaro Linero and Gregory De Angelo of DEP. Pursuant to the public notice published on December 27, 2001, and subsequent discussions with DEP staff, our comments for your consideration regarding this draft permit are as follows:

1. As the compliance authority for Miami-Dade County, we concur with DEP that there must be a mechanism specified clearly in the final construction permit to determine compliance with the VOC emissions limit. DERM recommends that DEP specify in the construction permit one of the following methods for compliance determination:
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If you have any questions regarding these comments, please contact me at (305) 372-6921.

Sincerely,

Mallika Muthiah
Mallika Muthiah, P.E., Chief
DERM Air Facilities Section



RECEIVED

JAN 03 2002

BUREAU OF AIR REGULATION

January 2, 2002

Department of Environmental Protection
Bureau of Air Regulation
111 South Magnolia Drive, Suite 4
Tallahassee, Florida 32301

Administrator New Resource Review:

Enclosed is the notarized copy of the Notice of Intent to Issue published in the Miami Daily Review on 12/27/01 for modification of the air construction permit for Rinker Materials Cement Plant in Miami Dade. Your Department File # 0250014-007 AC PSD-FL-324.

If there are any questions, please contact me at 305-229-2955.

Very truly yours,

Michael D. Vardeman
Environmental Manager
Cement Division

cc: B. DeAngelis ✓
C. Holladay ✓
J. Sittle, DEP SED
P. Wong, DERM
B. Worley, EPA
Q. Rumpak, NPS

Rinker Materials

MIAMI DAILY BUSINESS REVIEW

Published Daily except Saturday, Sunday and
Legal Holidays
Miami, Miami-Dade County, Florida

STATE OF FLORIDA COUNTY OF MIAMI-DADE:

Before the undersigned authority personally appeared SOOKIE WILLIAMS, who on oath says that she is the VICE PRESIDENT, Legal Notices of the Miami Daily Business Review f/k/a Miami Review, a daily (except Saturday, Sunday and Legal Holidays), newspaper, published at Miami in Miami-Dade County, Florida; that the attached copy or advertisement, being a Legal Advertisement of Notice in the matter of

INTENT TO ISSUE AIR CONSTRUCTION PERMIT MODIFICATION

DEP FILE NOS. 0250014-007 & 008-AC PSD-FL-324

in the XXXX Court,
was published in said newspaper in the issues of

12/27/2001

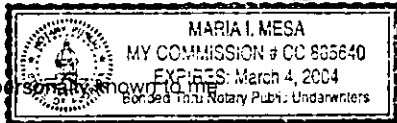
Affiant further says that the said Miami Daily Business Review is a newspaper published at Miami in said Miami-Dade County, Florida and that the said newspaper has heretofore been continuously published in said Miami-Dade County, Florida, each day (except Saturday, Sunday and Legal Holidays) and has been entered as second class mail matter at the post office in Miami in said Miami-Dade County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me this

27 day of DECEMBER, A.D. 2001

(SEAL)

SOOKIE WILLIAMS personally known to me



PUBLIC NOTICE OF INTENT TO ISSUE AIR CONSTRUCTION PERMIT MODIFICATION STATE OF FLORIDA

DEPARTMENT OF ENVIRONMENTAL
PROTECTION

DEP FILE NOS. 0250014-007 & 008-AC

(PSD-FL-324)

CSR RINKER MATERIALS CORPORATION

MIAMI CEMENT PLANT

MIAMI-DADE COUNTY

The Department of Environmental Protection (Department) gives notice of intent to issue an Air Construction Permit Modification to CSR Rinker Materials Corporation (Rinker). A Best Available Control Technology (BACT) determination and a review for the Prevention of Significant Deterioration (PSD) was required for emissions of volatile organic compounds (VOC) pursuant to Rule 62-212.400, F.A.C. The applicant's name and address are CSR Rinker Materials Corporation, 1200 Northwest 137th Avenue, Miami, Florida 33182.

The main changes proposed in this action are removal of the beryllium limit modification of the VOC emission limit included in the original permit to modernize the plant issued in September 1997. The federal PSD program no longer requires regulation of beryllium. Beryllium is now regulated under the recently promulgated federal cement industry maximum achievable control technology (MACT) standards and only at cement kilns that (unlike Rinker) burn hazardous waste.

The original VOC limit was 0.1 pounds per ton of clinker (lb/ton) and at this value avoided the need for a BACT determination when the modernization was authorized. Rinker requests an increase to 0.12 lb/ton of clinker. The proposed limit is relatively low compared with recent BACT determination for new kilns throughout the country. It is also much lower than the mentioned cement industry VOC MACT standard of approximately 0.3 lb/ton applicable to new kilns at greenfield plants.

Additional changes in the modified permit include: a condition to reflect addition of equipment to reduce operational problems (scale formation) within the kiln; expression of certain emission limitations using industry conventions; and adoption of additional conditions related to monitoring hydrocarbon in raw materials and VOC emissions from the stack. Sewage sludge will be removed from the previously approved slate of waste fuels at the facility.

A notice by the Miami-Dade County Department of Environmental Resources Management incorporating the above changes into the facility Title V Operation Permit is being provided simultaneously will be published separately.

The Department will issue the FINAL permit modification with the attached conditions unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

The Department will accept written comments concerning the proposed permit issuance action for a period of fourteen (14) days from the date of publication of "Public Notice of Intent to Issue Air Construction Permit Modification." Written comments should be provided to the Department's Bureau of Air Regulation of 2600 Blair Stone Road, Mail Station #5505, Tallahassee, FL 32399-2400. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in the proposed agency action, the Department shall revise the proposed permit and require, if applicable, another Public Notice.

The Department will issue the permit with the attached conditions unless a timely petition for an administrative hearing is filed pursuant to Sections 120.569 and 120.57 F.S., before the deadline for filing a petition. The procedures for petitioning for a hearing are set forth below. Mediation is not available in this proceeding.

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative proceeding (hearing) under sections 120.569 and 120.57 of the Florida Statutes. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida, 32399-3000. Petitions filed by the permit applicant or any of the parties listed below must be filed within fourteen days of receipt of this notice of intent. Petitions filed by any persons other than those entitled to written notice under section 120.60(3) of the Florida Statutes must be filed within fourteen days of publication of the public notice or within fourteen days of receipt of this notice of intent, whichever occurs first. Under section 120.60(3), however, any person who asked the Department for notice of agency action may file a petition within fourteen days of receipt of that notice, regardless of the date of publication. A petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under sections 120.569 and 120.57 F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205 of the Florida Administrative Code.

A petition that disputes the material facts on which the Department's action is based must contain the following information: (a) The name and address of each agency affected and each agency's file or identification number, if known; (b) The name, address, and telephone number of the petitioner, the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination; (c) A statement of how and when petitioner received notice of the agency action or proposed action; (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate; (e) A concise statement of the ultimate facts alleged, as well as the rules and statutes which entitle the petitioner to relief; (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action; and (g) A statement of the relief sought by the Petitioner, stating precisely the action petitioner wishes the agency to take with respect to the agency's proposed action.

A petition that does not dispute the material facts upon which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Department's final action may be different from the position taken by it in this notice. Persons whose substantial interests will be affected by any such final decision of the Department on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

A complete project file is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at:

Dept. of Environmental Protection Bureau of Air Regulation 111 S. Magnolia Drive, Suite 4 Tallahassee, Florida, 32301 Telephone: (850) 488-0114 Fax: (850) 922-6979	Dept. of Environmental Protection Southeast District Office 400 North Congress Avenue West Palm Beach, Florida 33401 Telephone: 407/681-6600 Fax: 407/681-6755	Miami-Dade County Department of Environmental Resources Management 33 Southwest 2nd Avenue, Suite 900 Miami, Florida 33150-1540 Telephone: 305/372-6925 Fax: 305/372-6954
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The complete project file includes the application, technical evaluations, Draft Permit, and the information submitted by the responsible official, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact the Administrator, New Resource Review Section at 111 South Magnolia Drive, Suite 4, Tallahassee, Florida 32301 or call 850/488-0114, for additional information. Key documents can be viewed at www.dep.state.fl.us/air/permitting/construction.htm by clicking on the Southeast Region of the Florida map.



KOGLER & ASSOCIATES
ENVIRONMENTAL SERVICES
4014 NW THIRTEENTH STREET
GAINESVILLE, FLORIDA 32609
352/377-5822 • FAX/377-7158

Project No. 263-01-10

Fax

RECEIVED

DEC 24 2001

BUREAU OF AIR REGULATION

To: <u>Al Limerio</u>	
<u>FDEP</u>	
Fax No.: <u>850-922-6979</u>	
From: <u>Dr Kogler</u>	Fax No.: 352-377-7158
Date: <u>12-21-01</u>	Time: <u>5:00 pm</u>
Sent By: <u>JEL</u>	

*This message consists of 3 page(s) PLUS this cover sheet.
If you experience difficulties with this transmission, please call 352-377-5822.*

Remarks:

This message is intended for use only by the individual to whom it has been addressed, and may contain confidential or privileged information. If you are not the intended recipient, please note that the use, copying or distribution of this information is not permitted. If you have received this FAX in error, please destroy the original and notify the sender immediately at 352-377-5822 so we can prevent any recurrence. Thank you.




KOOGLER & ASSOCIATES
ENVIRONMENTAL SERVICES
4014 NW THIRTEENTH STREET
GAINESVILLE, FLORIDA 32609
352/377-5822 • FAX/377-7158

263-01-10

Memorandum

TO: Greg DeAngelo
Florida Department of Environmental Protection, Tallahassee

FROM: John B. Koogler, Ph.D., P.E. 

DATE: December 21, 2001

SUBJECT: DEP File No. 0250014-007 & 8-AC (PSD-FL-324)
Rinker Materials Corporation, Miami Cement Plant
Comments on Draft Air Construction Permit

As we've discussed during recent telephone conversations, Rinker is requesting an amendment to the conditions of the above-captioned air construction permit related to continuous emission monitoring for Total Hydrocarbons. Specifically, Rinker is requesting that the Continuous Emission Monitoring System (CEMS) for Total Hydrocarbons (THC) required by permit be used to provide reasonable assurance rather than being used to demonstrate compliance. Our reasons are set forth in the following paragraphs.

Specific Condition B.10 of the above-captioned air construction permit states in part:

"...to measure and record the emissions of non-methane Total Hydrocarbons (THC) as the surrogate for VOC emissions from the kiln/raw mill..."

While there is instrumentation available to measure non-methane THC (the Thermo Environmental Systems Model 55C Hydrocarbon Analyzer, for example) there is no CEMS available which will make this measurement. To the best of our knowledge, the only hydrocarbon analyzers rugged enough to function as an integral part of a CEMS are total hydrocarbon analyzers; i.e., analyzers which measure methane plus non-methane hydrocarbons. As we have discussed with the Department, Rinker will install a CEMS for THC and calibrate, maintain and operate the system as specified in Specific Condition B.10 of the above-captioned air construction permit. It must be recognized, however, that the system Rinker selects will be a THC CEMS and not a non-methane hydrocarbon CEMS.

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This being the case, it is inconsistent to use a THC CEMS (methane plus non-methane hydrocarbons) to demonstrate compliance on a continuing basis with the VOC (non-methane hydrocarbon) emission limit established for Rinker's Miami Cement Plant and cited in revised Table 1-2 of the above-captioned permit.

Because of the restrictions imposed by instrumentation, and to be consistent with permit requirements and the monitoring requirements of other recently permitted Portland Cement Plants in Florida, Rinker proposes the following language for the second paragraph of Specific Condition B.10:

By June 30, 2002, permittee shall install, calibrate, maintain and operate a CEMS in the kiln/raw mill/cooler stack to measure and record the emissions of Total Hydrocarbons (THC) from the kiln/raw mill/cooler. After June 30, 2002, the CEMS shall be used to provide reasonable assurance that the facility will continue to meet the VOC emission limit established by permit (Revised Table 1-2.). The CEMS shall be of the extractive type using a flame ionization detector for monitoring THC. Fuel used for the flame ionization process shall consist of a hydrogen/helium mix specified by the CEMS manufacturer. The CEMS shall be installed, certified, operated and maintained in accordance with Performance Specification 8A, 40 CFR 60, Appendix B. The CEMS data shall be quality assured using the procedures of 40 CFR 60, Appendix F. The CEMS shall be used in conjunction with a flow rate sensor certified in accordance with Performance Specification 6, 40 CFR 60, Appendix B, to calculate THC emission rates. The owner or operator shall report no later than the 15th day following each calendar quarter a summary of the 30-day rolling average THC emissions for the days of that calendar quarter to the Miami-Dade County Department of Environmental Resource Management. These data shall be reported as pounds per hour (propane equivalent) and pounds per ton of clinker (propane equivalent) [Rule 62-4.070, F.A.C.].

The third paragraph of Specific Condition B.10 must also be amended to be consistent with the above-stated amendment.



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Also, in the third paragraph of Specific Condition B.10, it is stated that quarterly VOC emission measurements are to be conducted in accordance with EPA Method 25 or 25A until such time that the THC CEMS is installed and certified. It states that these measurements are to begin the fourth quarter of 2001. Given today's date, it is not possible to conduct a VOC emission test at Rinker during the fourth quarter of 2001. It is suggested that this condition be restated as:

“...and (60 days from the effective date of this permit and quarterly thereafter until the THC CEMS is certified).”

The requirements stated in Revised Table 2-1 related to VOCs must also be amended to be consistent with the above requested amendments.

I appreciate your consideration of these requests. If you have questions or comments regarding this matter, please do not hesitate to contact me at 352-377-5822.

JBK/jhm

cc: Al Linero, FDEP, Tallahassee
Mallika Muthiah, DERM
Scott Benyon, Rinker
Mike Vardeman, Rinker
Segundo Fernandez, OHFC



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PAUL A. LEHRMAN
OF COUNSEL

RECEIVED

December 21, 2001

DEC 27 2001

VIA HAND DELIVERY

BUREAU OF AIR REGULATION

Jack Chisolm, Deputy General Counsel
Office of General Counsel
Florida Department of Environmental Protection
3900 Commonwealth Blvd.
Tallahassee, FL 32399-3000

Re: CSR Rinker Materials Corporation
DEP File No. 0250014-007-AC
DEP File No. 0250017-008-AC
Miami Cement Plant
Notice of Permitting Determination

Dear Jack:

We represent CSR Rinker Materials Corporation with respect to the above-referenced matter. The company received the Department's "Draft Air Construction Permit Modification," the "Technical Evaluation," the "Intent to Issue Air Construction Permit Modification," and the "Public Notice of Intent to Issue Air Construction Permit Modification," all dated December 14, 2001, on or about December 17, 2001. A copy of the Department's documents are attached hereto as Exhibit A.

Previously, the company received the Department's Notice of Permitting Determination, dated September 28, 2001, on October 1, 2001. A copy of the Department's previous Notice is attached hereto as Exhibit B.

The point of entry to Administrative Proceedings set forth on page 2 of 3 of Exhibits A and B provides that any petition must be filed with the Department within fourteen (14) days of receipt of the Notice.

CSR Rinker Materials Corporation has had continuing discussions with Department staff on the subject of the Notices. The Company requested an extension of time, to

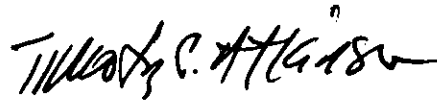
Jack Chisolm, Deputy General Counsel
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October 29, 2001, by letter dated October 5, 2001. Also, the Company requested an extension of time, to December 28, 2001, by letter dated October 22, 2001.

Pursuant to Rule 28-106.111, Florida Administrative Code, we hereby file this request for an extension of time to file a petition for administrative hearing with respect to the Department's "Draft Air Construction Permit Modification," the "Technical Evaluation," the "Intent to Issue Air Construction Permit Modification," and the "Public Notice of Intent to Issue Air Construction Permit Modification," all dated December 14, 2001, attached hereto as Exhibit A, and the Notice of Permitting Determination dated September 28, 2001, and attached hereto as Exhibit B, for a two-month period, up to and including Thursday, February 28, 2002. This additional time request was discussed and agreed on December 21, 2001, by John Koogler, Ph.D., P.E., of Koogler & Associates, Gainesville, and DEP air staff. The Department's staff is in the process of revising the Intent language, which should address all outstanding issues.

Thank you for your consideration of this matter. If you have any questions, please feel free call us.

Sincerely,



Segundo J. Fernandez
Timothy P. Atkinson

c: Howard Rhodes
C.H. Fancy, P.E.
A. A. Linero, P.E.
Stacey Cowley
Sharon DeHays
Mike Vardamann
Scott Benyon
John Koogler, Ph.D., P.E.