



December 21, 2004

Ms. Trina L. Vielhauer
Chief Bureau of Air Regulation
Department of Environmental Protection
Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, FL. 32399-2400

RECEIVED

DEC 23 2004

BUREAU OF AIR REGULATION

Re: DEP File No. 0250014-016-AC (PSD-FL-324A)
Miami Cement Plant – Public Notice

Dear Ms. Vielhauer:

Enclosed is the certified notice of intent for the above referenced action published on December 14, 2004.

If there are any questions please contact me at 305-229-2955 between the hours of 8 AM and 5 PM. Thanks for your assistance in this matter.

Sincerely,

Michael D. Vardeman
Cement Division Environmental Manager

Rinker Materials

PO Box 650679 | 1200 N.W. 137 Avenue | Miami, FL 33182 | 305.221.7645 | Fax 305.229.8015
www.rinker.com

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DEC 23 2004

BUREAU OF AIR REGULATION

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
O.V. FERBEYRE, who on oath says that he or she is the
SUPERVISOR, 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 of advertisement,
being a Legal Advertisement of Notice in the matter of

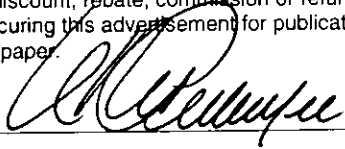
INTENT TO ISSUE AIR CONSTRUCTION PERMIT
CSR RINKER MATERIALS CORP. DEP FILE NOS. 0250014-016-AC

(SEE ATTACHED)

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

12/14/2004

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 he or
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

14 day of DECEMBER, A.D. 2004



(SEAL)



Maria I. Mesa
My Commission DD293855
Expires March 04, 2008

O.V. FERBEYRE personally known to me

**PUBLIC NOTICE OF INTENT TO ISSUE
AIR CONSTRUCTION PERMIT
FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION
CSR RINKER MATERIALS CORPORATION
MIAMI CEMENT PLANT
MIAMI-DADE COUNTY
DEP FILE NOS. 0250014-016-AC (PSD-FL-324A)**

The Department of Environmental Protection (Department) gives notice of its intent to issue an Air Construction Permit to CSR Rinker Materials Corporation (Rinker) to increase production at the Miami Cement Plant. A review under the rules for the Prevention of Significant Deterioration of Air Quality (PSD) and a Best Available Control Technology (BACT) determination were not required. The applicant's name and address are CSR Rinker Materials Corporation, 1200 Northwest 137th Avenue, Miami, Florida 33182.

In 2000 Rinker replaced two wet process cement kilns and associated clinker coolers having an annual capacity of 650,000 tons per year (TPY) of clinker with a single dry process coal and petroleum coke-fired kiln with preheater, calciner, and clinker cooler with an annual capacity of 1,200,000 TPY. Rinker requests an increase in its hourly clinker production limit from 137 tons per hour (TPH) averaged over 24 hours to a peak production rate of 162 TPH. Rinker requests an increase in the annual clinker production to 1,300,000 TPY.

Pollution control equipment consists of a common fabric filter system (baghouse) for particulate emissions from the kiln and cooler; absorption of sulfur compounds and metals into the product; combustion controls for volatile organic compounds (VOC) and carbon monoxide (CO); indirect firing, multiple burn points and a Low NO_x calciner for NO_x; and baghouses for particulate emissions from other process emission units.

Although the capacity of the plant was increased and will further increase, actual and potential emissions of most pollutants will either decrease or will not increase significantly with respect to PSD compared to the original wet process. The primary reason is that substantially less fuel is required per unit of product when using the dry process rather than the wet process. This is because there is no need to make raw material slurry and then evaporate the water. The preheater/calciner technology offers better combustion control of the process and dry scrubbing of sulfur dioxide. The new baghouses are more efficient than previous particulate control equipment.

Following are the net emission increases and decreases over a contemporaneous five year period that includes the shutdown of the wet process kilns, startup of the new kiln and the requested production increase of the new kiln.

<u>Pollutant</u>	<u>Increases</u>	<u>Decreases</u>	<u>Net Emission Increases (Decreases)</u>	<u>PSD Significant Emission Rate</u>
	<u>Dry Process at Proposed Capacity</u>	<u>Wet Process Actual Emissions</u>		
PM	163	165	(2)	25
PM ₁₀	130	140	(10)	15
SO ₂	425	1383	(1058)	40
NO _x	2600	2571	29	40
CO	1827	1735	92	100
VOC	78	47	31	40
H ₂ SO ₄	13	13.4	- 0	7
Hg	0.09	Assumed 0	<0.09	0.1
Pb	0.195	Assumed 0	<0.195	0.6

A PSD Review and BACT determination is not required because the net emission increases are less than the respective significant emission rates for all pollutants except for VOC. The Department conducted a BACT determination for VOC in 2002. The limit is 0.12 pounds of VOC per ton of clinker. A new BACT determination is not required. The present VOC BACT limit is low compared with recent BACT determinations for new kilns throughout the country. It is also much lower than the cement industry Maximum Achievable Control Technology (MACT) standard of approximately 0.3 pounds per ton applicable to new kilns at new sites.

Emission tests were authorized by the Department and conducted by Rinker at greater operating rates than currently permitted. One of the key findings is that SO₂ emissions are very low. Another is that NO_x emissions are fairly constant in terms of pounds per hour at production rates between 100 and 150 TPH. NO_x emissions in terms of pounds per ton of clinker are lower at production rates between 133 and 150 TPH than at production rates between 100 and 132 TPH. CO emissions will increase with increased production. NO_x, SO₂, VOC and visible emissions will be monitored by continuous emission monitoring systems (CEMS) at the stack. Set points will be adjusted by Rinker for an existing process CO monitor in the preheater so that a control room electronic alarm will be triggered when short-term CO concentrations at the preheater approach values equivalent to the allowable emission limits at the stack.

Additional changes allowed by the permit include introduction of fly ash directly into the calciner, replacement of an induced draft fan, and replacement of certain other minor equipment to more reliably achieve the requested production rate.

The Department will issue the FINAL Permit 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." Written comments should be provided to the Department's Bureau of Air Regulation at 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:

Department of Environmental Protection	Department of Environmental Protection	Miami-Dade County Department of
Bureau of Air Regulation	Southeast District Office	Environmental Resources Management
111 S. Magnolia Drive, Suite 4	400 North Congress Avenue	33 Southwest 2 nd Avenue, Suite 900
Tallahassee, Florida, 32301	West Palm Beach, Florida 33401	Miami, Florida 33150-1540
Telephone: (850) 488-0114	Telephone: 407/681-6600	Telephone: 305/372-6925
Fax: (850) 922-6979	Fax: 407/681-6755	Fax: 305/372-6954

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, South Permitting Section at 111 South Magnolia Drive, Suite 4, Tallahassee, Florida 32301, or call 850/921-9523, for additional information. Key documents can be viewed at www.dep.state.fl.us/air/permitting/construction.htm by clicking on the Rinker Cement, Miami-Dade link.

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