


Memorandum

Florida Department of Environmental Protection

TO: Michael G. Cooke

THROUGH: Trina L. Vielhauer
Al Linero

FROM: Teresa Heron 

DATE: September 1 2004

SUBJECT: CSR Rinker Materials Corporation
Permit No. 0250014-014-AC Test Protocol

Attached is the final construction permit package for the test protocol approval to the Rinker Cement Plant in Miami. A publicly noticed permit to conduct this test protocol (No. 0250014-011-AC) was originally issued on January 16, 2004 with an expiration date of March 1, 2004. Rinker did not conduct the tests and let the permit expire. A permitting action (No. 0250014-012-AC) extending the expiration date to September 30, 2004 to conduct the test protocols was re-issued on June 14, 2004. On July 26, 2004, Rinker applied again to remove the language implying 60-consecutive test days to be replaced by 60 operating days of test within the previously established life of the permit which is September 30, 2004. An approval for this last request was issued on August 9, 2004 (No. 0250014-013-AC).

According to the present request (No. 0250014-014-AC), Rinker experienced some down time as a result of equipment malfunctions and is unable to evaluate the requested plant production capacity. Therefore, Rinker wishes to increase the allowable test period to October 31, 2004 to continue to evaluate different factors, particularly the feed mix and the effect of this mix on preheater plugging while operating at higher rates. Few specific conditions will be modified but permit No. 0250014-012-AC will be re-issued since it will expire September 30, 2004.

Following the recent, unexpected, and acute shortage of cement in Florida, Rinker wishes to follow up with a formal permit application for a permanent production rate increase.

The recently constructed dry process kiln replaced two less efficient wet kilns in 2000 without significant increases in total emissions. Currently the plant is operating under Title V Operation Permit No. 0250014-003-AV. That permit limits the preheater feed rate to 220 tons per hour and the clinker production rate to 137 tons per hour on a 24-hour basis. Rinker will conduct short-term production capacity tests at higher production rates to determine the actual production capacity of the kiln system. The production rates will not exceed 260 tons per hour of material to the preheater or 162 tons per hour of clinker production on a 24-hour basis.

During the testing, the pound per hour emissions limits and all other requirements except production rates in the Title V permit will continue to apply. Rinker has continuous emission monitors for nitrogen oxides, sulfur dioxide, and total hydrocarbons. These will record most of the emission data during the production capacity test program.

Rinker will submit the production and emission results of the test program and a sealed engineering report describing any physical changes associated with a permanent increase and the technical rationale for uprating the kiln capacity. The Department will at that time make a determination regarding the applicability of New Source Review and will require a public notice prior to permanent authorization of a production increase.

We recommend your approval and signature.

TLV/th

Florida Department of
Environmental Protection

Memorandum

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
NOTICE OF PERMIT

In the Matter of an
Application for Permit

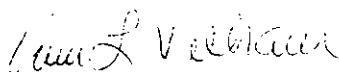
Mr. Ed Allsopp, VP
Rinker Materials Corporation
1200 Northwest 137th Avenue
Miami, Florida 33182

DEP File No. 0250014-014-AC
Production Capacity Test Protocol
Miami Cement Plant
Dade County

Enclosed is the Permit Number 0250014-014-AC to evaluate the feasibility of a clinker production rate increase by conducting a production capacity test at the Rinker Materials Corporation, Miami Cement Plant, 1200 Northwest 137th Avenue, Miami, Dade County. This permit is issued pursuant to Chapter 403, Florida Statutes.

Any party to this order (permit) has the right to seek judicial review of the permit pursuant to Section 120.68, F.S., by the filing of a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Legal Office; and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The Notice of Appeal must be filed within 30 (thirty) days from the date this Notice is filed with the Clerk of the Department.

Executed in Tallahassee, Florida.



Trina L. Vielhauer, Chief
Bureau of Air Regulation

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this NOTICE OF FINAL PERMIT (including the FINAL permit) was sent by certified mail (*) and copies were mailed by U.S. Mail before the close of business on 9/2/04 to the person(s) listed:

Ed Allsopp, VP, Rinker*
Mike Vardeman, Rinker
Gregg Worley, EPA
John Bunyak, NPS
Tom Tittle, DEP SED
H. Patrick Wong, Miami-Dade DERM
John Koogler, P.E., K&A

Clerk Stamp

FILING AND ACKNOWLEDGMENT FILED. on this date, pursuant to §120.52(7), Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.


(Clerk)

9/2/04
(Date)

FINAL DETERMINATION

**CSR RINKER MATERIALS CORPORATION
PORTLAND CEMENT MANUFACTURING FACILITY
PERMIT No. 0250014-014-AC
Dade County**

An Intent to Issue an air construction permit to CSR Rinker Materials Corporation (Rinker), to evaluate the feasibility of a clinker production rate increase by conducting a continuous production capacity test at the Miami Cement Plant through October 31, 2004, was distributed on August 16, 2004. The Public Notice of Intent to Issue Air Construction Permit was published in The Miami Herald on August 17, 2004. The facility is located at 1200 Northwest 137th Avenue in Miami, Dade County.

No comments were submitted by the U.S.EPA, the National Park Service, Dade County DERM, or the public during the public notice period.

The final action of the Department will be to issue the permit as noted during the public notice period.



Department of Environmental Protection

Jeb Bush
Governor

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Colleen M. Castille
Secretary

PERMITTEE:

CSR Rinker Materials Corporation
Miami Cement Plant
1200 Northwest 137th Avenue
Miami, FL 33182

FID No.	0250014
SIC No.	3241
Permit No.	0250014-014-AC
Expires:	October 31, 2004

Authorized Representative:

Ed Allsopp, Vice-President of Cement Operations

PROJECT AND LOCATION:

This permit authorizes CSR Rinker to conduct a continuous production capacity test at the Miami Cement Plant through October 31, 2004. This permit replaces previous permitting actions No. 0250014-012-AC and No. 0250014-013-AC. The facility is located at 1200 Northwest 137th Avenue, Miami, Dade County. UTM coordinates are Zone 17; 558.20 km E ; 2851.20 km N.

STATEMENT OF BASIS:

This air pollution construction permit is issued under the provisions of Chapter 403 of the Florida Statutes (F.S.), and Chapters 62-4, 62-204, 62-210, 62-212, 62-296, and 62-297 of the Florida Administrative Code (F.A.C.). The permittee is authorized to conduct the production capacity test in accordance with the conditions of this permit and as described in the request. Apart from the increase in production during the test period and decrease in certain mass per unit of production limits, the permittee shall operate the facility in accordance with the previously approved drawings, plans, issued permits, and other documents on file with the Florida Department of Environmental Protection (DEP, or "the Department"). This permit supplements all other air construction and operation permits for the affected emissions units and does not alter any requirements from such previously issued air permits.

CONTENTS

- Section 1. General Information
- Section 2. Administrative Requirements
- Section 3. Emissions Unit Specific Conditions
- Section 4. Appendices

Michael G. Cooke

Michael G. Cooke, Director
Division of Air Resource Management

9/1/04

(Date)

"More Protection, Less Process"

Printed on recycled paper.

SECTION 1. GENERAL INFORMATION
AIR CONSTRUCTION PERMIT MODIFICATION NO. 0250014-014-AC

FACILITY AND PROJECT DESCRIPTION

The currently permitted CSR Rinker Miami Cement Plant facility consists of the following: a quarry, limestone crushing system, material receiving facilities both by rail and truck, open short-term material storage piles, a storage building for intermediate raw material and clinker storage, a stone dryer, raw mill system, kiln feed slurry system, six finish mills, two packhouses, thirty two cement silos, a rail and truck bulk loadout facility, and a liquid fuel tank farm. In 1997-2000, the facility replaced the existing two wet process cement kilns and clinker coolers with a single dry-process kiln with pre-heater, precalciner and clinker cooler, capable of producing approximately 1,200,000 tons per year of clinker.

Currently the plant is operating under Title V Permit 0250014-003-AV, which limits the preheater feed rate to 220 tons per hour and the clinker production rate to 137 tons per hour; both on a 24-hour basis. Rinker will evaluate the feasibility of a future permanent clinker production rate increase by conducting a production capacity test. Rinker will test the pyroprocessing system at a preheater feed rate of 260 tons per hour and a clinker production rate to 162 tons per hour; both on a 24-hour basis. Existing permitted emission limits remain unchanged and in effect during testing.

EMISSION UNITS

This permit addresses the following emission unit system:

Emission Unit No.	Emission Unit Description
ARMS No. 018	Raw Mill, Dry Process Kiln with Preheater (PH) Precalciner (PC), and Clinker Cooler: Main stack

REGULATORY CLASSIFICATION

Title III: The Rinker Miami Cement Facility is also classified as a "Major Source" per 40 CFR 63.2, Definitions (adopted and incorporated by reference by the Department at Paragraph 62-204.800(11)(d)) because it consists of a group of stationary sources located within a contiguous area and under common control that emit or have the potential to emit considering controls, in the aggregate, 10 tons per year or more of any hazardous air pollutant or 25 tons per year or more of any combination of hazardous air pollutants. The facility is subject to the National Emission Standards for Hazardous Air Pollutants (NESHAP) from the Portland Cement Manufacturing Industry, Code of Federal Regulations (CFR) Title 40, Part 63, Subpart LLL.

Title V: Because potential emissions of at least one regulated pollutant exceed 100 tons per year, the existing facility is a Title V major source of air pollution in accordance with Chapter 62-213, F.A.C. Regulated pollutants include pollutants such as carbon monoxide (CO), nitrogen oxides (NO_x), particulate matter (PM/PM₁₀), sulfur dioxide (SO₂), and volatile organic compounds (VOC).

Prevention of Significant Deterioration (PSD): This facility is located in an area (Dade County) designated as "attainment" for all criteria pollutants and maintenance area for Ozone (O₃). The facility is considered a "Portland Cement Plant," which is one of the 28 PSD source categories with the lower PSD applicability threshold of 100 tons per year (see Table 212.400-1, Rule 62 212.400, F.A.C.). Potential emissions of at least one regulated pollutant exceed 100 tons per year. Therefore, the facility is classified as a Major Facility with respect to Rule 62-212.400, F.A.C.

New Source Performance Standards (NSPS): The facility is subject to: 40 CFR 60 Subpart F, Standards of Performance for Portland Cement Plants; 40 CFR 60, Subpart Y, Standards of Performance for Coal Preparation Plants; 40 CFR 60, Subpart OOO, Standards of Performance for Nonmetallic Mineral Processing Plants; and 40 CFR 60, Subpart Kb, Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced after July 23, 1984.

SECTION 1. GENERAL INFORMATION
AIR CONSTRUCTION PERMIT MODIFICATION NO. 0250014-014-AC

RELEVANT DOCUMENTS

The documents listed below are the basis of this permit. The permit application and additional information referenced are not a part of this permit, but the information is specifically related to this permitting action and the following documents are on file with the Department.

- Air Construction Permit 0250014-002-AC, issued September 11, 1997.
- Title V Operation Permit No. 0250014-003-AV, issued October 31, 2000.
- Air Construction Permits Nos. 0250014-007-AC and 0250014-008-AC (PSD-FL-324 issued March 1, 2002).
- Title V Operation Permit Revision No. 0250014-009-AV issued January 16, 2004.
- Air Construction Permit 0250014-010-AC issued November 5, 2003.
- Air Construction Permit 0250014-011-AC for a 60-day production capacity test issued on January 16, 2004.
- New application for a 60-day production capacity test received on June 4 (complete on June 10, 2004) to extend the expiration date of permit No. 0250014-011-AC. This permit was re-issued on June 14, 2004 as permit No. 0250014-012-AC
- New application request to change the 60 calendar days to 60 operating days received on July 26, 2004. Letter authorizing this request (DEP File No. 0250014-013-AC) issued August 9, 2004.
- New application request received on August 5, 2004 (complete on August 10, 2004), for an extension to October 31, 2004 of the production capacity evaluation test period.

SECTION 2. ADMINISTRATIVE REQUIREMENTS
AIR CONSTRUCTION PERMIT MODIFICATION NO. 0250014-014-AC

1. Permitting Authority: All applications for permits to construct or modify an emission unit(s) subject to the Prevention of Significant Deterioration or Nonattainment (NA) review requirements should be submitted to the Bureau of Air Regulation (BAR), Florida Department of Environmental Protection (FDEP), 2600 Blairstone Road, Tallahassee, Florida 32399-2400 (phone number 850/488-0114). All documents related to applications for permits to operate and minor modifications shall be submitted to the Air Division of the Dade County Department of Environmental Resources Management (DERM), Suite 900, 33 Southwest Second Avenue, Miami, Florida 33130-1540 (phone number: 305/372-6925).
2. Compliance Authority: All documents related to compliance activities such as reports, tests, and notifications shall be submitted to the Air Division of the Dade County Department of Environmental Resources Management (DERM), Suite 900, 33 Southwest Second Avenue, Miami, Florida 33130-1540 (phone number: 305/372-6925).
3. Appendices: The following Appendices are attached as part of this permit: Appendix CF (Citation Format) and Appendix GC (General Conditions).
4. Applicable Regulations, Forms, and Application Procedures: Unless otherwise indicated in this permit, the construction and operation of the subject emissions unit shall be in accordance with the capacities and specifications stated in the application. The facility is subject to all applicable provisions of Chapter 403, F.S., and Chapters 62-4, 62-204, 62-210, 62-212, 62-213, 62-296, and 62-297, F.A.C. The terms used in this permit have specific meanings as defined in the applicable chapters of the F.A.C. The permittee shall use the applicable forms listed in Rule 62-210.900, F.A.C., and follow the application procedures in Chapter 62-4, F.A.C. Issuance of this permit does not relieve the permittee from compliance with any applicable federal, state, or local permitting or regulations. [Rules 62-204.800, 62-210.300, and 62-210.900, F.A.C.]
5. New or Additional Conditions: For good cause shown and after notice and an administrative hearing, if requested, the Department may require the permittee to conform to new or additional conditions. The Department shall allow the permittee a reasonable time to conform to the new or additional conditions, and on application of the permittee, the Department may grant additional time. [Rule 62-4.080, F.A.C.]
6. Modifications: No emissions unit or facility subject to this permit shall be constructed or modified without obtaining an air construction permit from the Department. Such permit shall be obtained prior to beginning construction or modification. [Rules 62-210.300(1) and 62-212.300(1)(a), F.A.C.]
7. Title V Permit: The scope of this temporary project is to develop information in support of a permanent project. A future request for permanent authorization to increase production would then require a revision to the Title V air operation permit. [Rule 62-213.400, F.A.C.]

SECTION 3. EMISSIONS UNIT SPECIFIC CONDITIONS
AIR CONSTRUCTION PERMIT NO. 0250014-014-AC

This section of the permit addresses the following existing emissions units.

ARMS Emissions Unit No. 018	Maximum Test Rate
Kiln Preheater Feed Rate (kiln _{ph}) (TPH) on a 24-hour basis	260
Kiln Heat Input (MMBtu/hr) on a 24-hour basis	437
Clinker Production Rate (TPH) on a 24-hour basis	162
Cooler Throughput Rate (TPH) on a 24-hour basis	162

AUTHORIZATION

1. Relation to Other Permits: The conditions of this permit are in addition to those of any other air construction or operation permits. [Rules 62-4.210, 62-4.030), and 62-210.300(1)(b), F.A.C.]
2. Production Capacity Testing at Higher Production Rate: Subject to the conditions of this permit, the permittee is temporarily authorized to conduct a testing program to determine site specific emission characteristics and technical feasibility of increasing production in the No. 2 kiln system. Emission Unit No. 018 shall remain subject to the conditions of all existing permits related to air pollution and control equipment during the temporary testing program.
[Rule 62-4.070(3), F.A.C.]
3. Expiration: The test to evaluate continuous production capacity shall end no later than October 31, 2004. Upon the expiration of this permit (October 31, 2004), permittee shall cease to operate at the production/process rates in excess of current Title V Operating Permit. [Rule 62-4.070(3), F.A.C.]
4. Schedule: Before the production capacity testing, the permittee shall submit to the Permitting and Compliance Authorities a preliminary schedule detailing the test protocol. The permittee shall submit updates to the test protocol and schedule as necessary. [Rule 62-4.070(3), F.A.C.]

PERFORMANCE RESTRICTIONS

5. Authorized Fuels: Subject to the conditions of this permit, the permittee is allowed to test at a higher production rate while using all authorized fuels. [Rule 62-4.070(3), F.A.C.]
6. Heat Input Rate: The maximum total heat input rate for the No. 2 kiln system remains at 437 MMBtu per hour. [Rule 62-4.070(3), F.A.C.]
7. Production Capacity Test Rates: During the production capacity test, the kiln clinker production rate shall not exceed 162 tons per hour (TPH) on a 24-hour basis as determined by material balance. During the production capacity test, the maximum preheater feed shall not exceed 260 TPH on a 24-hour basis.
[Rule 62-210.200, F.A.C. (Definitions - Potential Emissions), Rule 62-4.070(3), F.A.C.]

EMISSIONS STANDARDS

8. Emissions Standards: This permit does not establish any new emissions standards for Kiln No. 2 system. The Kiln No. 2 system shall continue to comply with the requirements of all existing, valid Department permits during the production capacity test. [Rules 62-4.030, 62-4.070(3), and 62-210.300(1)(b), F.A.C.]
9. Fugitive Dust Emissions: The permittee shall continue to minimize emissions of unconfined PM from the storage and handling system as specified in permit 0250014-009-AV. This permit does not establish any new emissions standards for any other emission unit at this facility.
[Rule 62-296.320(4)(c), F.A.C.]

**SECTION 3. EMISSIONS UNIT SPECIFIC CONDITIONS
AIR CONSTRUCTION PERMIT NO. 0250014-014-AC**

TESTING AND MONITORING REQUIREMENTS

10. **Emissions Tests:** Within the electrical, structural, process, and mechanical capabilities of the kiln and within the previously permitted conditions, the permittee shall conduct tests (one for each pollutant) using the methods approved in the present Title V Operation Permit to determine actual NO_x, SO₂, CO, and PM/PM₁₀, VOC, acid mist, mercury, lead, THC, dioxin/furans and VE emissions while producing 147 ± 5 and 157 ± 5 tons of clinker per hour. Each NO_x, SO₂, CO, and PM/PM₁₀, VOC, acid mist, mercury, lead, THC, dioxin/furans and VE test shall consist of at least three, 1-hour test runs. CEMS data may be used to substitute for in stack tests provided that the instruments are in proper calibration pursuant to the requirements of the Title V Operation Permit. [Rule 62-4.070(3), F.A.C.]
11. **CEMS Data:** The permittee shall provide the Department with data disks containing all CEMS data and production data for the duration of the capacity test. The permittee shall provide a description to decipher and review the data. The data should indicate when the raw mill is on (compound operation) and when it is off. [Rule 62-4.070(3), F.A.C.]
12. **Monitoring:** During the test, the permittee shall continuously monitor and record all the required parameters stated in the existing construction/operation permits. [Rule 62-4.070(3), F.A.C.]
13. **Fuel Sampling:** During each required emission test, a representative fuel sample of each fuel of each fuel used shall be taken and analyzed for the following fuel properties: heating value (Btu/lb), moisture (% by weight), nitrogen (% by weight), sulfur (% by weight), ash (% by weight), and mercury (ppm by weight). [Rule 62-4.070(3), F.A.C.]
14. **Test Notification:** The permittee shall provide a 15-day advance notice of any scheduled stack tests to afford the Compliance Authority the opportunity to witness the tests. If unavoidable circumstances occur that would delay the stack tests, the permittee shall keep the Compliance Authority informed of the delays and the new schedule. [Rule 62-297.310(7)(a)9, F.A.C.]
15. **Test Methods:** Required tests shall be performed in accordance with the following reference test methods. The following methods are described in 40 CFR 60, Appendix A, and adopted by reference in Rule 62-204.800, F.A.C. Other equivalent methods may be used only if written approval is obtained from the Bureau of Air Regulation prior to conducting the tests.

Method	Description
1 – 4	Traverse Points, Velocity and Flow Rate, Gas Analysis, and Moisture Content <i>{Permitting note: Tests performed as necessary to support other methods.}</i>
5 or 201/201A	Particulate Matter (PM/PM10)
6C	Sulfur Dioxide (SO ₂)
8	Sulfuric Acid Mist (SAM)
7E	Nitrogen Oxides (NO _x)
10	Carbon Monoxide (CO)
29	Mercury (Hg), Lead (Pb)
23	Dioxin and Furans
9	Visible Emissions (VE)
25, 25 A or 18 CEMS (PS 8A)*	Volatile Organic Compounds (VOC) THC [Refer to 40 CFR 63.1349 (b)(4)]

[Rules 62-204.800 and 62-297.100, F.A.C.: 40 CFR 60, Appendix A]

SECTION 3. EMISSIONS UNIT SPECIFIC CONDITIONS
AIR CONSTRUCTION PERMIT NO. 0250014-014-AC

* The owner or operator of an affected source subject to limitations on emissions of THC shall demonstrate initial compliance with the THC limit by operating a continuous emission monitor in accordance with Performance Specification 8A of appendix B to part 60 of this chapter.

16. Operating Conditions. Emission testing shall be performed at the kiln/cooler main stack during a period when the kiln precalciner, cooler, raw mill and preheater are operating simultaneously and under normal operating conditions. [Rule 62-4.070(3), F.A.C.]

RECORDS AND REPORTS

17. Stack Test Reports: The permittee shall prepare and submit reports for all required stack tests in accordance with the requirements in Rule 62-297.310(8), F.A.C. All stack test data collected during the temporary testing program shall be submitted for review. For each test run, the report shall also indicate the information required by this permit. The permittee shall submit a written report that summarizes the results within 45 days of completing the stack tests. [Rule 62-297.310(8), F.A.C.]
18. Final Report: Within 90 days of the permit expiration date, the permittee shall submit a technical report summarizing the following: a description of the production capacity test; pollutant emissions when operating at higher rates; ambient conditions during each test; feed rates; and heat input rates. The final report shall also detail any operational problems as well as mechanical, electrical, structural, and process limitations identified during the course of the test. [Rule 62-4.070(3), F.A.C.]
19. Future Permit Requests: Any future applications for permanent production increases shall include an engineering report describing the full capability of the kiln to sustain the requested production rates while meeting proposed emission rates. The report shall be sealed by professional engineers or other experts as appropriate in structural, mechanical, electrical, process, and environmental disciplines. A single report from the kiln manufacturer would suffice to fulfill this requirement. [Rule 62-4.070(3), F.A.C.]

SECTION 4. APPENDICES
CONTENTS

- Appendix A. Citation Formats
- Appendix B. General Conditions

SECTION 4. APPENDIX A
CITATION FORMATS

The following examples illustrate the format used in the permit to identify applicable permitting actions and regulations.

REFERENCES TO PREVIOUS PERMITTING ACTIONS

Old Permit Numbers

Example: Permit No. AC50-123456 or Air Permit No. AO50-123456

Where: "AC" identifies the permit as an Air Construction Permit
"AO" identifies the permit as an Air Operation Permit
"123456" identifies the specific permit project number

New Permit Numbers

Example: Permit Nos. 099-2222-001-AC, 099-2222-001-AF, 099-2222-001-AO, or 099-2222-001-AV

Where: "099" represents the specific county ID number in which the project is located
"2222" represents the specific facility ID number
"001" identifies the specific permit project
"AC" identifies the permit as an air construction permit
"AF" identifies the permit as a minor federally enforceable state operation permit
"AO" identifies the permit as a minor source air operation permit
"AV" identifies the permit as a Title V Major Source Air Operation Permit

PSD Permit Numbers

Example: Permit No. PSD-FL-317

Where: "PSD" means issued pursuant to the Prevention of Significant Deterioration of Air Quality
"FL" means that the permit was issued by the State of Florida
"317" identifies the specific permit project

RULE CITATION FORMATS

Florida Administrative Code (F.A.C.)

Example: [Rule 62-213.205, F.A.C.]

Means: Title 62, Chapter 213, Rule 205 of the Florida Administrative Code

Code of Federal Regulations (CFR)

Example: [40 CFR 60.7]

Means: Title 40, Part 60, Section 7

SECTION 4. APPENDIX B
GENERAL CONDITIONS

The permittee shall comply with the following general conditions from Rule 62-4.160, F.A.C.

1. The terms, conditions, requirements, limitations, and restrictions set forth in this permit are "Permit Conditions" and are binding and enforceable pursuant to Sections 403.161, 403.727, or 403.859 through 403.861, Florida Statutes. The permittee is placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of these conditions.
2. This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviation from the approved drawings, exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department.
3. As provided in Subsections 403.087(6) and 403.722(5), Florida Statutes, the issuance of this permit does not convey and vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, nor any infringement of federal, state or local laws or regulations. This permit is not a waiver or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in the permit.
4. This permit conveys no title to land or water, does not constitute State recognition or acknowledgment of title, and does not constitute authority for the use of submerged lands unless herein provided and the necessary title or leasehold interests have been obtained from the State. Only the Trustees of the Internal Improvement Trust Fund may express State opinion as to title.
5. This permit does not relieve the permittee from liability for harm or injury to human health or welfare, animal, or plant life, or property caused by the construction or operation of this permitted source, or from penalties therefore; nor does it allow the permittee to cause pollution in contravention of Florida Statutes and Department rules, unless specifically authorized by an order from the Department.
6. The permittee shall properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed or used by the permittee to achieve compliance with the conditions of this permit, as required by Department rules. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the permit and when required by Department rules.
7. The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, upon presentation of credentials or other documents as may be required by law and at a reasonable time, access to the premises, where the permitted activity is located or conducted to:
 - a. Have access to and copy and records that must be kept under the conditions of the permit;
 - b. Inspect the facility, equipment, practices, or operations regulated or required under this permit, and,
 - c. Sample or monitor any substances or parameters at any location reasonably necessary to assure compliance with this permit or Department rules.

Reasonable time may depend on the nature of the concern being investigated.

8. If, for any reason, the permittee does not comply with or will be unable to comply with any condition or limitation specified in this permit, the permittee shall immediately provide the Department with the following information:
 - a. A description of and cause of non-compliance; and
 - b. The period of noncompliance, including dates and times; or, if not corrected, the anticipated time the non-compliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the non-compliance.

The permittee shall be responsible for any and all damages which may result and may be subject to enforcement action by the Department for penalties or for revocation of this permit.

9. In accepting this permit, the permittee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this permitted source which are submitted to the Department may be used by the Department as evidence in any enforcement case involving the permitted source arising under the Florida Statutes or Department rules, except where such use is prescribed by Sections 403.73 and 403.111, Florida

SECTION 4. APPENDIX B
GENERAL CONDITIONS

- Statutes. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.
10. The permittee agrees to comply with changes in Department rules and Florida Statutes after a reasonable time for compliance, provided, however, the permittee does not waive any other rights granted by Florida Statutes or Department rules.
 11. This permit is transferable only upon Department approval in accordance with Florida Administrative Code Rules 62-4.120 and 62-730.300, F.A.C., as applicable. The permittee shall be liable for any non-compliance of the permitted activity until the transfer is approved by the Department.
 12. This permit or a copy thereof shall be kept at the work site of the permitted activity.
 13. This permit also constitutes:
 - a. Determination of Best Available Control Technology (Not Applicable, covered in previous permits);
 - b. Determination of Prevention of Significant Deterioration (Not Applicable, covered in previous permits); and
 - c. Compliance with New Source Performance Standards (Not Applicable, covered in previous permits).
 14. The permittee shall comply with the following:
 - a. Upon request, the permittee shall furnish all records and plans required under Department rules. During enforcement actions, the retention period for all records will be extended automatically unless otherwise stipulated by the Department.
 - b. The permittee shall hold at the facility or other location designated by this permit records of all monitoring information (including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation) required by the permit, copies of all reports required by this permit, and records of all data used to complete the application or this permit. These materials shall be retained at least three years from the date of the sample, measurement, report, or application unless otherwise specified by Department rule.
 - c. Records of monitoring information shall include:
 - 1) The date, exact place, and time of sampling or measurements;
 - 2) The person responsible for performing the sampling or measurements;
 - 3) The dates analyses were performed;
 - 4) The person responsible for performing the analyses;
 - 5) The analytical techniques or methods used; and
 - 6) The results of such analyses.
 15. When requested by the Department, the permittee shall within a reasonable time furnish any information required by law which is needed to determine compliance with the permit. If the permittee becomes aware that relevant facts were not submitted or were incorrect in the permit application or in any report to the Department, such facts or information shall be corrected promptly.

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete Item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
Mr. Ed Allsopp, Vice President
Rinker Materials Corporation
1200 Northwest 137th Avenue
Miami, Florida 33182

2. Article Number **7000 1670 0013 3110 3025**
(Transfer from service label)

PS Form 3811, August 2001

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X *[Signature]* Agent Addressee

B. Received by (Printed Name) **SHARON FERLICKS** C. Date of Delivery **9/10/04**

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

7000 1670 0013 3110 3025

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Postmark
Here

Sent To
Mr. Ed Allsopp, Vice President
Rinker Materials Corporation
1200 Northwest 137th Avenue
 City, State, ZIP+4
Miami, Florida 33182

PS Form 3800, May 2000

See Reverse for Instructions