



Jeb Bush  
Governor

# Department of Environmental Protection

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

David B. Struhs  
Secretary

October 27, 2000

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Dr. John Koogler, P.E.  
Koogler and Associates  
4014 Northwest 13<sup>th</sup> Street  
Gainesville, Florida 32609

Re: DEP File No. 0250014-002-AC  
Clarification of Permit Conditions

Dear Dr. Koogler:

The Department reviewed your request dated September 20, 2000 regarding the appropriate test methods for measurement of volatile organic compounds (VOC) from the new Rinker kiln and their required frequency.

We agree that according to the permit either Method 25 or 25A can be used to demonstrate compliance with the VOC emission limits. Method 25A was referenced in the referenced Table 2-1 but not in Specific Condition B.13. We will provide further clarification on test methods when we act on the separate air construction permit modification (extension) presently under review.

If Method 25A is chosen by Rinker, there is no provision in the permit for "correcting" the Method 25A result by deducting methane emissions from Method 25 results or, for that matter, adding chlorinated VOC not detected by Method 25A. This matter was discussed with you and Miami-Dade DERM in our conversation soon after receipt of the request. We believe that Method 25A is, nevertheless, the more accurate method for this process and the expected concentrations.

We will also clarify the test frequency requirement when we act on the previously mentioned extension. Please provide a copy of any notices sent to DERM regarding future testing. We intend to have a representative of the Department present when the remaining tests and certification are conducted.

If you have any questions regarding this matter, please call me at 850/921-9523.

Sincerely,

A. A. Linero, P.E. Administrator  
New Source Review Section

Cc: Sharon DeHays, Rinker  
Mike Vardeman, Rinker  
Steve Cullen, P.E., Koogler & Associates  
Isidore Goldman, DEP SED  
Mallika Muthiah, DERM

"More Protection, Less Process"

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<p>1. Article Addressed to:</p> <p><b>John Koogler, Ph.D., P.E.</b>  <b>Koogler and Associates</b>  <b>Environmental Services</b>  <b>4014 NW 13 St.</b>  <b>Gainesville, FL 32609</b></p>	<p>C. Signature <u>John Koogler</u> <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No          If YES, enter delivery address below: _____</p>
<p>2. Article Number (Copy from service label)  <u>7099 3400 0000 1453 1439</u></p>	<p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail</p> <p><input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>

PS Form 3811, July 1999

Domestic Return Receipt

102595-99-M-1789

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Restricted Delivery Fee (Endorsement Required) _____	
To: <b>John Koogler, Ph.D., P.E.</b>	
Narr. <b>Koogler and Associates</b>	
Stre. <b>Environmental Services</b>	
City. <b>4014 NW 13 St.</b>	
<b>Gainesville, FL 32609</b>	
PS Form 3800, July 1999	See Reverse for Instructions

7099 3400 0000 1453 1439

# INTEROFFICE MEMORANDUM

**Sensitivity:** COMPANY CONFIDENTIAL

**Date:** 27-Oct-2000 05:03pm

**From:** Alvaro Linero TAL  
LINERO\_A

**Dept:** Air Resources Management

**Tel No:** 850/921-9523

**To:** Echanique, Frank (DERM) ( EchanF@co.miami-dade.fl.us )  
**CC:** muthim@co.miami-dade.fl.us@in

**Subject:** Re: Notice of Final Permit, Final Determination

Frank: Hola!

Looks good, except that I recommend the date November 30, 2000 for the other testing. When I suggested December 31, I did not know they had officially advised by letter dated August 28 to DERM that they were starting their initial compliance tests in September.

November 30 is the date they requested in Koogler's letter dated October 3, 2000 to Frank Delgado for deferrel of the initial tests by 60 days. A response has not been sent to that request and your notice is one possible way of acting on it. (you might mention their letter too)

We need the test results to act on their extension request.

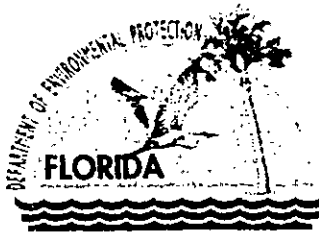
I don't really believe they needed even 60 days because of "construction activities" getting in the way. They need to provide tests ASAP especially if there is reason to believe they are operating out of compliance.

I am sending another letter to Koogler in response to one he sent me about a related matter.

Thank you very much for the opportunity to comment on this final notice.

Your friend and colleague.

Al Linero.



Jeb Bush  
Governor

# Department of Environmental Protection

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

David B. Struhs  
Secretary

October 11, 2000

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Ms. Sharon DeHays  
Vice President of Cement Operations  
Rinker Materials Corporation  
1200 Northwest 137th Avenue  
Miami, Florida 33182

Re: DEP File No. 0250014-002-AC  
Modernization Project, Permit Extension

Dear Ms. DeHays:

The Department is reviewing the air construction permit extension request received on September 8, 2000. The request is to extend the construction permit until March 31, 2002.

Our understanding is that Rinker must conduct more work to achieve full production, solve plugging problems, install a tire feed system, etc. Furthermore we understand that the wet process kilns have been shut down and that they are not included in the Proposed Title V Operation Permit under review by EPA Region IV.

Per Rule 62-4.080, F.A.C., an extension for a construction permit shall be granted if the applicant can demonstrate reasonable assurances that upon completion, the extended permit will comply with the standards and conditions required by applicable regulation. One element of reasonable assurance would be the results of the compliance testing presently underway at the plant. Please provide the results of those tests to the Department (in addition to Miami-Dade DERM) as soon as they are available. Without these results, we can extend the construction permit for only a brief period of time.

A Draft Compliance Plan is already included in the Proposed Title V Operation Permit that is presently being reviewed by EPA Region IV. It will be administratively corrected, if necessary, by the Permitting Authority to reflect the conditions of the air construction permit extension upon issuance of the Final Title V Permit.

If you have any questions regarding this matter, please call me at 850/921-9523.

Sincerely,

A. A. Linero, P.E. Administrator  
New Source Review Section

Cc: Patrick Wong, DERM  
Steve Cullen, Koogler & Associates  
Isidore Goldman DEP SED

"More Protection. Less Process"

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	C. Signature	<input type="checkbox"/> Agent <input type="checkbox"/> Addressee
1. Article Addressed to:  Ms. Sharon DeHayes Vice President of Cement Operations Rinker Materials Corp. 1200 NW 137 Ave. Miami, FL 33182	<input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Registered <input type="checkbox"/> Insured Mail	<input type="checkbox"/> Express Mail <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> C.O.D.
	4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
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*Sharon DeHayes, V.P., Rinker Cement Corp.*

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Return Receipt Fee (Endorsement Required)		
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Name (Please Print Clearly) (to be completed by mailer)  
*Sharon DeHayes*  
 Street, Apt. No., or PO Box No.  
*1200 NW 137 Ave*  
 City, State, ZIP+4  
*Miami, FL 33182*

PS Form 3800, July 1999 See Reverse for Instructions



**KOGLER & ASSOCIATES**

**ENVIRONMENTAL SERVICES**

4014 NW THIRTEENTH STREET  
GAINESVILLE, FLORIDA 32609  
352/377-5822 • FAX/377-7158

PROJECT 263-00-09

FAX TRANSMITTAL FORM

TO: A. Linceo  
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\_\_\_\_\_  
\_\_\_\_\_

FAX NO. \_\_\_\_\_  
FROM: John Koogler  
DATE: 10/4/00 SENT BY: Nandy

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REMARKS: \_\_\_\_\_  
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**KOOGLER & ASSOCIATES**  
**ENVIRONMENTAL SERVICES**

4014 NW THIRTEENTH STREET  
GAINESVILLE, FLORIDA 32609  
352/377-5822 • FAX/377-7150

KA 263-00-09

October 3, 2000

VIA FAX AND MAIL (305-372-6954)

Mr. Frank Delgado  
Metropolitan Dade County  
Environmental Resources Management  
33 SW 2<sup>nd</sup> Avenue  
Miami, FL 33130-1540

Subject: CSR Rinker Materials  
Miami Cement Plant  
1200 NW 137<sup>th</sup> Avenue  
Permit No. 0250014-002-AC  
Initial Air Emissions Compliance Tests

Dear Mr. Delgado:

This to notify you of an amendment to the schedule for the initial air emissions compliance tests at the CRS Rinker Materials (Rinker) Miami cement plant forwarded to you in our letter dated August 28, 2000. Our Initial schedule envisioned the compliance testing, including certification of continuous emission monitors, to be conducted during the period September 14, 2000 through approximately September 30, 2000. These compliance tests were scheduled knowing the contractor for the cement plant was still on site fine tuning the plant to achieve the designed mechanical and production operations of the plant. We optimistically estimated that this fine tuning would not significantly interfere with the scheduled compliance testing.

We found, however, when our test crew arrived on site that the on-going work by the contractor could very well affect our ability to accurately and reliably measure emission rates of certain regulated air pollutants. Additionally, operational difficulties with certain instrumentation have precluded the certification of all of the continuous monitors. Because of the continuing work of the contractor and for logistical reasons, we are requesting an extension of up to an additional 60 days to complete all of the initial compliance testing and continuous monitor certifications.

Mr. Frank Delgado  
Metropolitan Dade County

October 3, 2000  
Page 2

Specifically, we are requesting additional time to complete the certification of the continuous stack gas flow monitor, to complete visible emissions observations on certain emission points throughout the plant, and to complete the initial emissions measurements for acid mist, carbon monoxide, VOCs and metals from the kiln/raw mill/cooler.

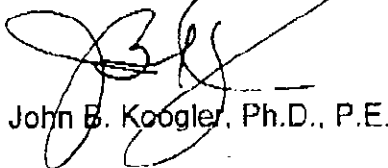
We have been able to complete some of the tests as scheduled in our letter of August 28, 2000, without interference from the work being done by the contractor. We were able to complete the certification of the SO<sub>2</sub> and NO<sub>x</sub> CEMS and the opacity monitor (COMS) on the kiln/raw mill/ cooler stack. Additionally, we have been able to conduct visible emissions observations on several of the emission points throughout the plant, and were able to conduct the particulate matter and visible emissions tests on the kiln/raw mill/cooler stack as required by Permit 0250014-002-AC and 40 CFR 60.8. It is also anticipated that we will be able to conduct a NO<sub>x</sub> compliance test on the kiln/raw mill/cooler during this week (week of October 2, 2000) to satisfy the requirements of Consent Order OGC 96-1751 (DEP 96-0574).

As required by permit and Department rule, test reports for the compliance tests that have been completed will be submitted to your office within 45 days of completion of the testing.

I appreciate your understanding and cooperation on this matter. If there are questions, please feel free to contact me at 352-377-5822.

Very truly yours,

KOOGLER & ASSOCIATES



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

JBK:wa

C: Mr. A. Linero, FDEP  
Mr. M. Vardeman, Rinker  
Mr. S. Benyon, Rinker



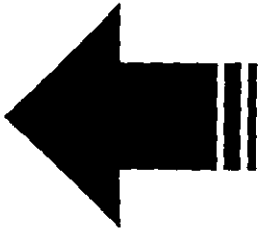




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ENVIRONMENTAL SERVICES

4014 NW THIRTEENTH STREET  
GAINESVILLE, FLORIDA 32609  
352/377-5822 • FAX/377-7158

KA 263-00-09

September 20, 2000

RECEIVED

SEP 25 2000

BUREAU OF AIR REGULATION

VIA FAX

Mr. Al Linero  
Florida Department of  
Environmental Protection  
2600 Blair Stone Road  
Tallahassee, FL 32399-2400

Subject: FDEP File No. 0250014-002-AC  
Rinker Materials Corporation  
Request for Clarification of Permit Condition

Dear Al:

We are preparing to conduct the initial compliance tests on the modernized Rinker cement plant as required by the referenced air construction permit. In reviewing the permit requirements for the tests, a conflict was noted for which we request your clarification. -Specific Condition B.13 (page 10 of 17) of the permit states:

For emissions other than NO<sub>x</sub> and SO<sub>2</sub>, compliance with the allowable emission limiting standards listed in Table 1-2 shall be determined by using the following reference methods as described in 40 CFR 60, Appendix A (1996 Version) and 40 CFR 61, Appendix B (1996 Version) adopted by reference in Chapter 62-204, F.A.C.

....

**Method 25** Determination of Volatile Organic Emissions from Stationary Sources (I) and (A).

....

Further in this same condition, it is stated:

... Table 2-1, Compliance Requirements (attached) also lists the EPA Methods.

It should be noted that in Specific Condition B.13, the (I) refers to the initial compliance test and the (A) refers to annual compliance testing thereafter.

In Table 2-1 which is referenced in Specific Condition B.13, the EPA test methods specified for VOC emission measurements on the kiln/cooler/raw mill are EPA Methods 25 or 25A. Furthermore, in Table 2-1, the testing frequency for VOC emissions is specified as initial testing only and footnote [2] states:

VOC emission shall be tested initially to comply with the condition of this permit. Thereafter, (VOC) compliance will be assumed provided the CO allowable emission rate is reached.

We are requesting that the conflicting VOC test requirement be clarified as soon as possible. Our preference is to have the option of using Method 25A to measure total hydrocarbons (as allowed by Table 2-1 of the referenced air construction permit) and to use Method 25 to measure methane emissions which can be subtracted from the total hydrocarbon emissions to obtain non-methane hydrocarbon emissions (or VOC emissions). The use of Method 25A for VOC emissions is consistent with the requirements of the permit recently to the Suwannee American Cement Company and consistent with the modification recently made to the air construction permit for Florida Rock Industries. Furthermore, the use of a Method 25A type monitor (an FID-type continuous emission monitor) is specified in the MACT standard for measuring total hydrocarbon emissions from Greenfield Portland cement plants.

It is our opinion that Method 25A is the most appropriate method for measuring total hydrocarbon emissions from a Portland cement plant, and it is further our opinion that it is necessary to have a test method (Method 25) that can be used to determine the methane fraction of hydrocarbon emissions from Portland cement plants. Measurements recently made at other Portland cement plants indicate methane emissions in the range of 0.05 pounds per ton of clinker. This compares with the VOC emission limit for the Rinker plant of 0.1 pounds per ton of clinker. Potentially, methane emissions can account for half of the total permitted VOC emissions. This demonstrates the necessity for allowing a test method (Method 25) that can be used to identify methane emissions so that they can be subtracted from the measured total hydrocarbon emissions.

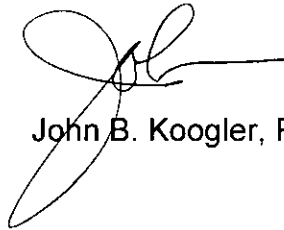
As a result of the facts just presented, our preference for VOC emission measurement methods for all Portland cement plants would be the use either Method 25 or 25A or the use a combination of methods. We are also requesting

clarification on the frequency of VOC emission measurements at Rinker; i.e., initial testing only as specified in Table 2-1 or initial and annual testing as specified in Specific Condition B.12. Our preference would be the adoption of the testing frequency specified in Table 2-1.

Again, your clarification on these matter is requested as soon as possible as compliance testing is underway at Rinker. Please call me at 352-377-5822 if you have questions regarding this matter.

Very truly yours,

KOOGLER & ASSOCIATES



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

JBK:wa

C: Mr. Scott Benyon  
Mr. Michael Vardeman, Rinker



RECEIVED

September 7, 2000

SEP 08 2000

Mr. A.A. Linero, PE     **BUREAU OF AIR REGULATION**  
Administrator, New Source Review Section  
Department of Environmental Protection  
Twin Towers Office Building, MS 5505  
2600 Blair Stone Road  
Tallahassee, Florida 32399-2400

**Subject:**     DEP File No. 0250014-002-AC  
                 CSR Rinker Materials Corporation – Miami Cement Plant  
                 Modernization Project Permit Extension

Dear Mr. Linero:

In accordance with Specific Condition A.6 of Permit No. 0250014-002-AC and with good cause, CSR Rinker is requesting that this permit be extended. A check for \$50 is included as the applicable processing fee. This letter also includes a request to amend Consent Order OGC 96-1751, as necessary.

The request for extension is until March 31, 2002, in order to be consistent with the Compliance Plan of the PROPOSED Title V Permit No. 0250014-003-AV. In your letter of June 29, 1999 you state that the expiration date can be extended upon submittal of information showing the status of the project and expected milestones. You also requested certain information during your meeting with Michael Vardeman on August 30, 2000. The requested information is attached to this letter.

The requested extension will allow the incorporation of the emissions units addressed in the referenced construction permit into the PROPOSED Title V permit, to be issued by Dade County DERM on or about September 8, 2000. The incorporation of the emissions units will be accomplished by the inclusion of a compliance plan in the Title V permit.

My review of the Consent Order suggests that Department approval of an extension of time will satisfy the requirements of Paragraph 12(d), that states in pertinent part:

- (d)     In the event that the Department issues Rinker a permit to convert to dry process technology, Rinker shall complete construction of a new kiln and associated facilities within 36 months of the date on which the construction permit becomes final, or within such other time limit as is allowed by the Department after a written request for extension of time by Rinker.  
[emphasis added]

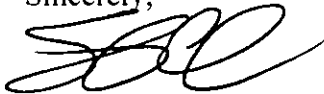
Likewise, the requirements of Paragraph 13 are met by the issuance of a Title V operating permit by DERM (DRAFT permit issued July 28, 2000; PROPOSED

permit expected September 8, 2000). The Compliance Plan of the PROPOSED Title V Permit incorporates the compliance schedule of Paragraph 12.

If you and your staff determine that the Consent Order needs specific amendment, this letter requests any such amendment to reflect the additional time required to submit the certificate of completion, test results, and etc.

Thank you in advance for your consideration and approval of this request. If you have any questions, please contact me.

Sincerely,



Steven C. Cullen, PE  
Koogler & Associates

attachment

copy to: Michael Vardeman – CSR Rinker Materials Corporation

cc: J. Yaron  
M. Muthiah, DERM  
D. Goldman, SED

1. The installation of all new emission units has been completed. Systems testing has now begun and maximum production has yet to be reached.
2. We intend to commence compliance testing at the maximum rated capacity we can reach currently, utilizing coal, starting September 20, 2000. A future test will be required when 90-100 % capacity is reached . An additional test will be conducted when we reach 100% capacity.
3. The wet kilns were shut down in mid-April 2000 and there is no plan to restart them unless a major problem would occur in the new kiln.
4. Currently Rinker is working achieve rated production  
These efforts include:
  - Raw Material Testing – currently occurring, and
  - Review of two types of bypass systems for installation

Either bypass could require more fueling than we are running at this moment but in either case the current estimate is that it would still be below the amount allowed in the permit. This is under review at this time.

The resulting cement kiln dust would be used in the finish grinding system for producing product.

5. Tire burning will be occurring after full sustained production is achieved. Design will begin at the end of that period or within 12 months. The hope is to be ready to burn tires within 1.5 years. It is planned for tires to be the main alternative fuel.
- For the next 3 to 6 months we will be trying various raw materials to resolve production limiting issues.
  - The design work to further improve chloride reduction system (bypass) is starting now. Two different systems are being reviewed at this time. Currently estimated completion is 8-15 months .
  - Design work for the tire/waste burning handling system will begin within 12 months with anticipated completion of construction within 18 to 24 months.

JOHN B KOGLER, PA  
DBA KOGLER & ASSOCIATES

PH 352 377-5822  
4014 NW 13TH ST  
GAINESVILLE, FL 32609

1312

63-139/631  
BRANCH 004

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ORDER OF

*FDEP*

DATE

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MILLHOPPER OFFICE  
4040 N.W. 16TH BLVD.  
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FOR

*CSR Ranker 0250014-002-AR*

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**BEFORE THE MIAMI-DADE COUNTY ENVIRONMENTAL QUALITY CONTROL BOARD**

**IN RE:** : **Board Order No. 99-55**  
:  
:  
**Rinker Materials Corporation** :

THIS MATTER came before the Board as a request by Petitioner Rinker Materials Corporation for variances from the requirements of Section 24-12.1 of the Code of Miami-Dade County, Florida. The request is to allow the continued operation of a resource recovery facility located on the subject property which is situated within the Northwest Wellfield protection area. Resource recovery facilities as well as the use, storage, disposal of, discharge, handling or generation of hazardous materials or waste, are not permitted within the Northwest Wellfield protection area. Additionally, the existing use is not one of the uses permitted by the Code within the aforesaid wellfield protection area. The property is located at 1200 NW 137<sup>th</sup> Avenue, Miami-Dade County, Florida, and is more particularly described in Exhibit "A" attached hereto and incorporated herein by reference.

Section 24-12.1(10) of the Code regulates land uses within wellfield protection areas. Section 24-12.1(11) of the Code prohibits the approval, granting, modifying or issuing of any permit, certificate of use and occupancy, platting action or zoning action for any resource recovery and management facility within the Northwest Wellfield, the West Wellfield, the basic wellfield protection area of any public utility potable water supply well or the maximum day pumpage wellfield protection area of the Alexander Orr, Snapper Creek and Southwest wellfield complex; or the maximum day pumpage wellfield protection area of the Miami Springs Upper, Miami Springs Lower, John E. Preston and Hialeah wellfield complex.

Section 24-3(113) defines a resource recovery and management facility as any facility the purpose of which is disposal, recycling, incineration, processing, storage, transfer or treatment of solid or liquid waste.

The Board finds that the subject facility is a large cement manufacturing plant that has been in operation for many years at the present location. The cement manufacturing process requires a number of different input materials, some of which may be defined as solid wastes under the definitions of the Code.

The Board finds that the Northwest Wellfield Protection Area went into operation in 1983. The current wellfield protection boundary was modeled in 1993 at a pumpage of 225 million gallons per day (MGD). This was based on the installed capacity of the Northwest Wellfield, 15 wells, each with a high speed capacity of 15 MGD. The modeling that brought the Petitioner's property within the wellfield protection boundary was performed in 1985. Pumpage for this wellfield is regulated by the South Florida Water Management District (SFWMD) through the

Consumptive Use Permit process; since its inception, the permitted withdrawal for this wellfield have varied from 75 MGD to 165 MGD to the current maximum day pumpage of 235 MGD, which includes pumpages from the Hialeah-Preston-Miami Springs wellfield complex. The Board finds that although that the assumptions made in modeling the wellfield protection boundary for the subject wellfield are conservative, the wellfield protection area has been properly defined. The Board further finds that the boundary is defined by a 0.25 feet drawdown, therefore, the actual cone of depression extends beyond the currently regulated area.

The Board also finds that the subject facility has been in operation prior to 1983. It has demonstrated that it historically accepted certain waste materials as alternative fuels for the production of cement. The Petitioner has stated that these materials, while varying in composition, did not exceed more than 30% of its total energy needs. Accordingly, DERM administratively approved the continued acceptance of non-hazardous contaminated soils as part of the operation, subject to permit conditions, including an impervious storage area and a groundwater monitoring program. The impervious area for storage of the soils was located outside of the Northwest Wellfield Protection Area as an additional groundwater protection mechanism. Several years later, the facility tested the use of tires as supplemental fuel. Stack tests conducted at the facility indicated compliance with applicable air pollution standards. Accordingly, the permit was modified to accommodate the acceptance of tires, subject to additional conditions.

The Board finds that recently DERM met with the Petitioner to discuss Petitioner's plans to construct a new kiln, which will improve the operations and, overall, reduce their air emissions by more than 300 tons per year. Additional input and supplemental fuel materials were proposed for use with the new kiln. It was determined that these materials and the tires currently accepted were defined as a solid waste and therefore could not be administratively approved or permitted. The Board also finds that these solid waste materials will be beneficially used in the cement production process and with proper design and operation should not result in adverse impacts.

Finally, the Board finds that based on the foregoing, granting the requested variance will not be detrimental to the public health, welfare and safety, will not create a nuisance and will not materially increase the level of pollution in this County.

### ACCORDINGLY, IT IS

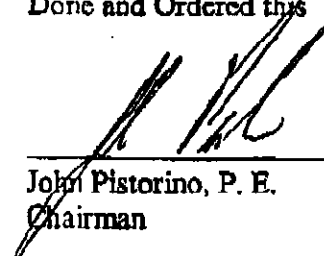
ORDERED AND ADJUDGED that based upon the evidence and testimony presented and the foregoing findings, Petitioner's requested variance be and the same is hereby granted, subject to the following conditions:

1. Solid Wastes accepted by the facility as alternative fuel and process materials shall be limited to non-hazardous materials (i.e., not determined to be a characteristically hazardous waste by applicable Florida and EPA regulations). Said fuel and materials shall be limited to those specifically approved and permitted by DERM for use as substitute materials or supplemental fuel (not as startup fuel). These solid wastes may include DERM approved petroleum-contaminated soils (excluding PCB-contaminated waste), whole tires and tire-derived fuel, booms and rags from clean petroleum spill cleanups, oil filters, unused paper by-products, and clean non-

chlorinated plastic byproducts as specifically approved by DERM. Furthermore, solid wastes accepted shall be source-separated so that other waste materials will not be transported to the subject site.


2. Materials shall be stored and received in containers or on an impervious surface under roof outside the Northwest Wellfield Protection Area. A spill contingency plan shall also be submitted to DERM for review and approval prior to operation.
3. Solid waste accepted and used as alternative fuels shall be limited to those quantities that do not constitute more than 30 % (132 million BTU per hour calculated on a monthly average) of its total fuel usage. Petroleum-contaminated soils processed as a raw material substitute shall not exceed 350,400 tons per year as required in the Florida Department of Environmental Protection (FDEP) Permit No. SO13-300512. During the first twelve months from the date of this approval, the Petitioner shall report the types and quantities of contaminated soils and alternative fuels, with their respective BTU values, utilized in the facility in its Monthly Operating Report to DERM. Thereafter, the Petitioner shall report this information on a quarterly basis or as specifically approved by DERM.
4. Prior to the commencement of the new kiln operations, the Petitioner shall provide to DERM a summary of current groundwater conditions, including the materials storage area, for review and approval. The monitoring plan may be revised by DERM, based on the resultant data and the proposed operations. Thereafter, the Petitioner shall continue the groundwater program, in accordance with DERM approval and permit conditions.
5. The subject facility shall be connected to a public water main and a public sanitary sewer within one (1) year from the date of this order.

Done and Ordered this 9th day of December, 1999 in Miami-Dade County, Florida.

  
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John Pistorino, P. E.  
Chairman

FILING AND ACKNOWLEDGEMENT

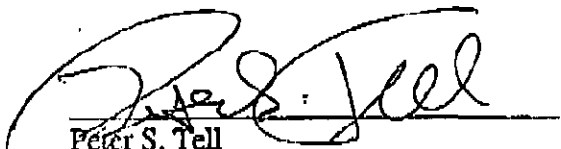
Filed on this 9<sup>th</sup> day of December, 1999 with the Secretary of the Board as Clerk of the Environmental Quality Control Board, receipt of which is hereby acknowledged and the seal of the Board affixed below.

  
John W. Renfrow, P.E.  
Secretary and Clerk

SEAL

Approved as to form and legal sufficiency:

Robert A. Ginsburg  
County Attorney  
Attorney for the Board

  
Peter S. Tell  
Assistant County Attorney