



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IV

345 COURTLAND STREET, N.E.
ATLANTA, GEORGIA 30365

RECEIVED

FEB 08 1990

FEB 12 1990

Mr. Satish Kastury
Environmental Administrator
Hazardous Waste Regulation
Florida Department of Environmental
Regulation
Twin Towers Office Building
2600 Blair Stone
Tallahassee, Florida 32399-2400

3/26/91
References
HAZARDOUS WASTE
PERMITTING

RE: Thermal Processing of Soils, Sludges, and Still Bottoms in
Rotary Kiln/Afterburner System
Mid Florida Mining Company
EPA I.D. No. FLD 991 275 355

Dear Mr. Kastury:

It has recently come to our attention that Mid Florida Mining has applied to the Florida Department of Environmental Regulation's (FDER) Division of Air Resources Management for a permit to construct an afterburner as an addition to the currently operated rotary kiln clay dryer. This rotary kiln/afterburner system will then be used for the thermal destruction of volatile and semi-volatile organic compounds in soils, sludges, and still bottoms containing hydrocarbon products. The Draft Air Permit clearly states that these wastes will be non-hazardous. However, we are concerned about the effect of these activities on the facility's current standing under the Resource Conservation and Recovery Act (RCRA) regulations.

Mid Florida Mining currently has an FDER-issued RCRA permit for the storage of hazardous waste fuels prior to burning them in the rotary kiln for energy recovery. It was determined that the rotary kiln met the definition of an industrial furnace in 40 CFR §260.10 and, therefore, did not require a RCRA permit. An industrial furnace is defined as an enclosed device which is an integral part of a manufacturing process.

From reviewing the FDER's Draft Air Permit, it appears that of the 8,760 potential operating hours per year, Mid Florida Mining will be allowed to conduct soil decontamination for 8,300 hours, or approximately 95% of the operating time (see enclosure). The primary purpose of the unit will then be for incineration of the contaminated media, rather than use as an industrial furnace.

This distinction is reflected in the FDER Air Division's "Technical Evaluation and Preliminary Determination (Amended)", dated September 29, 1989. When operating the rotary

Department of Environmental Regulation
Routing and Transmittal Slip

To: (Name, Office, Location)

1. Willard Hanks BAR TT 310E
- 2.
3. FAX: (305) 223-5403
- 4.

Remarks:

I have enclosed a copy of an EPA letter sent out last year to address a similar situation to that of Rinker. EPA is interpreting that off-spec used oil used to decontaminate soils cannot be burned without first obtaining a RCRA incinerator permit. I don't necessarily agree with this, because if the contaminated soils are not a hazardous waste and the off-spec used oil is not a hazardous waste, why would a hazardous waste incinerator permit be necessary? I can discuss this with you further.

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MAR 27 1991
DER-BAQM

From:

Bill News

Date

3/26/91

Phone

8-0300


kiln/afterburner system as a two-chamber incinerator, the Source Classification Codes are "Incineration-Multiple Chamber" and "Incineration-Sludge." When operating the rotary kiln only, the Source Classification Codes are "In-Process Fuel Use-Residual Oil-General" and "Mining and Quarrying of Nonmetallic Minerals-Ore Dryer."

Since 40 CFR Part 266 limits the burning of hazardous waste fuels and off-specification used oil to boilers and industrial furnaces only, the burning of such materials in the rotary kiln/afterburner system when it is used as an incinerator would be in violation of these regulations.

We suggest that Mid Florida Mining be contacted to determine whether their proposed operating practices are as we have interpreted. If so, the facility should be informed that hazardous waste fuels and off-specification used oil may be burned in the rotary kiln only when it is being used as an industrial furnace, i.e., when manufacturing clay aggregate. When used as a solid waste incinerator, hazardous waste fuels and off-specification used oil may not be burned in either the rotary kiln or the afterburner without first obtaining a RCRA permit for operation of a hazardous waste incinerator.

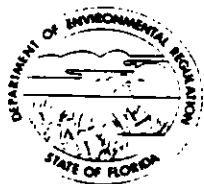
Please copy my office on any correspondence between the FDER and Mid Florida Mining regarding this issue. Should you have any questions, please contact Robin Mitchell at (404) 347-3433.

Sincerely yours,


James H. Scarbrough, P.E.
Chief, RCRA Branch
Waste Management Division

Enclosure

cc: Laxsamee Levin, FDER, Central District



State of Florida
DEPARTMENT OF ENVIRONMENTAL REGULATION

For Routing To Other Than The Addressee	
To: _____	Location: _____
To: _____	Location: _____
To: _____	Location: _____
From: _____	Date: _____

Interoffice Memorandum

TO: Clair Fancy, DARM, T.L.H.
 FROM: I. Goldman, SEFD *IG*
 DATE: March 12, 1991
 SUBJECT: Rinker Portland Cement - Contaminated Soils

RECEIVED
 MAR 14 1991
 DER-BACOM

We have been informed by Rinker that you verbally indicated that they could process contaminated soils in their kilns. The permit for this facility does not presently provide for contaminated soils processing.

Willard Hanks has advised us that the only application related to contaminated soils at this facility deals with the rock dryer which was to be ducted to the kiln so that the VOC loaded fumes could be reduced.

Since there is no written approval for the contaminated soils being processed in the Rinker kilns, we have no way of assuring that Rinker is in compliance with the conditions which formed the basis for such approval.

Processing contaminated soils through the rock dryer followed by processing the evaporated VOCs through one of the kilns is very different from processing the contaminated soils directly in the kiln.

Since this office has no written evidence that an approval has been granted for their use of a kiln to process contaminated soils, this office is contemplating enforcement action to bring the source into compliance with its permit.

If authorization has been given verbally for the subject operations, please provide this office with a copy of your written approval and the conditions for such approval. If not in the form of an enforceable permit modification, please provide us with the regulation which would enable us to enforce the conditions of any such approval.

Please provide the information requested above by March 29, 1991 if you wish enforcement action against Rinker to be avoided.

cc: Jim Pennington, DARM
 Bill Voshell, Rinker Materials Corporation

*Willard
 for permit file
 Clair*

ENVIRONMENTAL QUALITY MANAGEMENT, INC.

3109 University Drive • Suite B

Durham, North Carolina 27707

(919) 489-5299

FAX (919) 489-5552

March 5, 1991

Mr. Willard Hanks
State of Florida
Department of Environmental Regulation
Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

RECEIVED
MAR 11 1991
DER-BAQM

Re: Rinker Cement Permit Application Dryer/Roaster

Dear Mr. Hanks:

Per our telephone conversation on March 5, 1991, concerning the sulfur content of the soils to be processed in the roaster/dryer, Rinker Portland Cement proposes to limit the maximum sulfur dioxide emissions from the soil to 2.68 lb/h. These emissions would occur if soil containing 800 ppm residual oil at 2.1 percent sulfur were processed at 40 tons/h.

Please note that the 850 ppm and 2.86 lb/h values in the first paragraph of page D-1 are in error and should be 800 ppm and 2.68 lb/h. Also the equation on page D-3 should also reflect 800 ppm and 2.68 lb/h.

I hope this clarifies the sulfur dioxide emissions from the soils. If you have any questions, please give me a call at (919) 489-5299.

Sincerely,

ENVIRONMENTAL QUALITY MANAGEMENT, INC.

Ronald Hawks

Ronald L. Hawks
Director, Compliance and Engineering

cc: M. Vardeman
W. Voshell

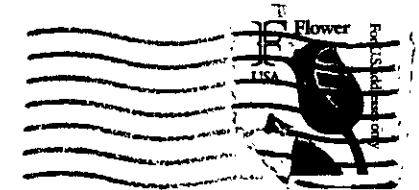
RLH/drd

C: HANKS

EQ

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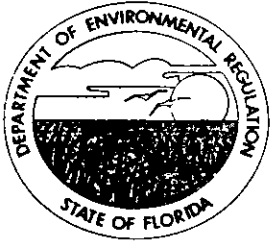
ENVIRONMENTAL QUALITY MANAGEMENT, INC.
3109 University Drive • Suite B
Durham, North Carolina 27707



MR. Willard Hanks
State of Florida
Department of Environmental Regulation
~~Twin Towers Office Building~~
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

EQ





file

Florida Department of Environmental Regulation

Twin Towers Office Bldg. • 2600 Blair Stone Road • Tallahassee, Florida 32399-2400

Lawton Chiles, Governor

Carol M. Browner, Secretary

March 8, 1991

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. James S. Jenkins III
Rinker Materials Corporation
Post Office Box 650679
Miami, Florida 33265-0679

Dear Mr. Jenkins:

Re: File No. AC 13-187599, Rock Dryer Modification

The Department has completed its preliminary review of your application for permit to modify the existing rock dryer at your plant located in Miami, Dade County, Florida. We find the application is now substantially complete.

Applicants for permits to construct soil remediation units are required to publish a Notice of Application on submittal of a complete application. Your Notice of Application is enclosed. You must publish the notice in a newspaper having general circulation in Dade County and provide the Department with proof of the publication. You will also be required to publish a Notice of Intent to Issue in the same newspaper should the Department approve your application.

We cannot complete the processing of your application until we receive the proof of publication. If you have any questions on this matter, please write to me or call Willard Hanks at 904-488-1344.

Sincerely,

C. H. Fancy, P.E.
Chief
Bureau of Air Regulation

CHF/WH/plm

Attachment

c: I. Goldman, SED
P. Wong, DERM

Notice of Application

The Department of Environmental Regulation announces receipt of an application for a permit from Rinker Material Corporation to construct (modify) an existing rock dryer to evaporate and burn petroleum fuels and lubricants from soils contaminated by leaking fuel tanks, spills, etc. This stationary unit will operate in the cement manufacturing plant located at 1200 NW 137th Avenue, Miami, Dade County, Florida 33265-0679.

The application is being processed at the Department of Environmental Regulation, BAR, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. Copies of the application are available for public inspection at this office and the following offices during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays:

Department of Environmental Regulation
Southeast District
1900 S. Congress Avenue, Suite A
West Palm Beach, Florida 33406

Dade County Department of Environmental
Resources Management
111 NW 1st Street, Suite 1310
Miami, Florida 33128-1971

Any person may send written comments on the proposed action to Mr. Barry Andrews at the Department's Tallahassee address.

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.
 Put your address in the "RETURN-TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. Show to whom delivered, date, and addressee's address. (Extra charge) 2. Restricted Delivery (Extra charge)

3. Article Addressed to: Mr. James S. Jenkins III Rinker Materials Corp. P.O. BOX 650679 Miami, FL 33265-0679	4. Article Number P407852929
Type of Service: <input type="checkbox"/> Registered <input type="checkbox"/> Insured <input checked="" type="checkbox"/> Certified <input type="checkbox"/> COD <input type="checkbox"/> Express Mail <input type="checkbox"/> Return Receipt for Merchandise	
RECEIVED	
5. Signature - Addressee X <i>[Signature]</i>	8. Addressee's Address (ONLY if postage and fee paid) MAR 22 1991 DER : BAQM
6. Signature - Agent X <i>[Signature]</i>	
7. Date of Delivery MAR 14 1991	

PS Form 3811, Apr. 1989 U.S.G.P.O. 1989-238-816 DOMESTIC RETURN RECEIPT

P 407 852 929
RECEIPT FOR CERTIFIED MAIL
 NO INSURANCE COVERAGE PROVIDED
 NOT FOR INTERNATIONAL MAIL
 (See Reverse)

U.S.G.P.O. 1989-234-555	Sent to <i>James S. Jenkins</i>
	Street and No. <i>Rinker Materials</i>
	P.O., State and ZIP Code <i>Miami, FL</i>
	Postage 1 S
	Certified Fee
	Special Delivery Fee
	Restricted Delivery Fee
	Return Receipt showing to whom and Date Delivered
	Return Receipt showing to whom, Date, and Address of Delivery
	TOTAL Postage and Fees S
PS Form 3800, June 1985	Postmark or Date <i>3-8-91</i> <i>AC13-187599</i>