

Department of Environmental Protection

Jeb Bush
Governor

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

Colleen M. Castille
Secretary

October 11, 2004

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Ed Allsopp
Vice President of Cement Operations
CSR Rinker Materials Corporation
1200 Northwest 137th Avenue
Miami, Florida 33182

Re: DEP File No. 0250014-016-AC
Miami Cement Plant

Dear Mr. Allsopp:

The Department received your request, submitted through Koogler and Associates, to permanently increase the feed rate and clinker production rate at the Miami Cement Plant. The Department has determined that the application is incomplete and requires the submittal of additional information as described below.

The plant is still operating under the temporary permit to conduct testing until October 31, 2004 at feed rates and production rates up to 260 and 162 tons per hour (TPH) respectively on a 24-hour basis. Beyond that date, feed and production will revert to the values authorized in the present Title V Air Operation Permit of 220 and 137 TPH respectively on a 24-hour basis. We have since received a request to extend the test period and are reviewing that request.

We appreciated the opportunity to meet with environmental and plant personnel on October 7 to discuss the status of the request for the permanent increase and the conditions of the temporary capacity test permit. On October 11, we received the reports for the stack tests conducted while 245 TPH were fed to the pyroprocessing system on a short term basis and while approximately 147 TPH of clinker were produced. We are reviewing those reports.

Following are the items required to process the permanent production increase application.

1. Satisfaction of Specific Condition 18 of Permit 0250014-014-AC (Capacity Test Permit) which reads:

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.

"More Protection, Less Process"

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A tab was included in the application for a "Plant Capacity Verification" to be provided as Attachment 003. Rinker is still conducting testing and may not yet have prepared such a report. This is the kind of information that will allow Rinker and the Department to determine whether or not the engineering features of the existing pyroprocessing system will allow continued operation at the requested rate while still meeting all air pollution emission limits.

[Basis is: Permit 0250014-014-AC; Rule 62-4.070, F.A.C., Standards for Issuing and Denying Permits; and Rule 62-212.400, F.A.C., Prevention of Significant Deterioration]

2. Satisfaction of Specific Condition 19 of Capacity Test Permit which reads:

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. (Emphasis added)

This also relates to the blank Attachment 003. Again, since Rinker is still testing, the report may not yet have been prepared. However submittal of this report is a requirement for evaluation of the permanent production increase application. We did receive a statement from Rinker that was prepared by the kiln manufacturer that reads:

"The kiln has already been producing clinker at its authorized limit of 3288 short tons per day (137 TPH average). Although this is well above the rated capacity of 2755 STPD (115 TPH average), F.L. Smidth provides for additional capacity above and beyond the guarantees provided by the manufacturer. F.L. Smidth provides reasonable assurance that the kiln system can physically produce substantially more clinker than allowed by the present production limitations. Apart from the inherent "overdesign" of the original configuration, F.L. Smidth provides reasonable assurance that the kiln system is physically capable of being fed at a preheater feed rate of up to 267 short tons per hour without major structural failure of the kiln, cooler and preheater proper."

This statement does not fulfill the requirements of an engineering report and did not address electrical and process features. It did not, for example, address adequacy of the raw mill with respect to grinding enough raw material to allow continuous feed to the pyroprocessing system of 267 TPH or the capability of the induced draft fan, etc. The Department must evaluate this information to determine if sustained operations at the requested operating rate will allow continuous compliance with air pollution emission limits. In addition, any necessary physical projects required to sustain operations and emission limits could be authorized by the requested construction permit and not unnecessarily trigger another permitting review.

[Basis is: Permit 0250014-014-AC; Rule 62-4.070, F.A.C., Standards for Issuing and Denying Permits; and Rule 62-212.400, F.A.C., Prevention of Significant Deterioration]

3. Submission of five year contemporaneous emission calculations.

This relates to the information submitted in Attachment 002 as "Air Pollution Netting Calculations". The original permit issued in 1997 for the modernization relied on a tabulation of emissions reductions (shutdowns of old wet systems) and increases (including the new dry system) so that net emissions reductions were achieved. The production increase application relies on a comparison of past permitted emissions to future permitted emissions which will be reduced. However this procedure is not applicable to all of the pollutants. Updated contemporaneous emission calculations are required based on reductions and increases from 2000 to 2004, inclusive.

[Basis is: Rule 62-212.400, F.A.C., Prevention of Significant Deterioration]

Rule 62-4.050(3), F.A.C. requires that all applications for a Department permit must be certified by a professional engineer registered in the State of Florida. This requirement also applies to responses to Department requests for additional information of an engineering nature. Please note that per Rule 62-4.055(1): "The applicant shall have ninety days after the Department mails a timely request for additional information to submit that information to the Department Failure of an applicant to provide the timely requested information by the applicable date shall result in denial of the application."

If you have any questions regarding this matter, please call me at 850/921-9523 or Tom Cascio at 850/921-9526.

Sincerely,



A. A. Linero, Program Administrator
South Permitting Section

Cc: John Koogler, P.E.
Mike Vardeman, Rinker
H. Patrick Wong, Miami-Dade-DERM

U.S. Postal Service
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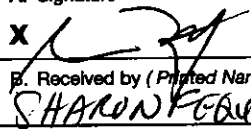
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Mr. Ed Allsopp, Vice President
~~CSR Rinker Materials Corporation~~
1200 Northwest 137th Avenue
City, State, ZIP+4
Miami, Florida 33182

PS Form 3800, May 2000

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