



July 2, 1997

Mr. C.H. Fancy, P.E., Chief
Bureau of Air Regulation
Department of Environmental Protection
111 S. Magnolia Drive, Suite 4
Tallahassee, Florida 32301

Dear Mr. Fancy:

Attached please find the proof of publication of the "PUBLIC NOTICE OF INTENT TO ISSUE AIR CONSTRUCTION PERMIT".

If you have any questions please give me a call at (305) 229-2955.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael D. Vardeman".

Michael D. Vardeman
Cement Division Environmental Manager

MDV:lg

Mesa Heron, BAR
cc: *Kroger & Assoc.*
Dade Co.
SED
EPA
NPS

RECEIVED

JUL 03 1997

**BUREAU OF
AIR REGULATION**

**PUBLISHED DAILY
MIAMI-DADE-FLORIDA**



**STATE OF FLORIDA
COUNTY OF DADE**

The Miami Herald Publishing Company

Before the undersigned authority personally
appeared:

ROSEMARY PINO

who on oath says that he/she is"

CUSTODIAN OF RECORDS

of The Miami Herald, a daily newspaper published at
Miami in Dade County, Florida; that the attached
copy of advertisement was published in said
newspaper in the issues of:

JUNE 28, 1997

Affiant further says that the said The Miami Herald
is a newspaper published at Miami, in the said Dade
County, Florida and that the said newspaper has
heretofore been continuously published in said Dade
County, Florida each day and has been entered as
second class mail matter at the post office in Miami,
in said 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 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
newspapers(s).

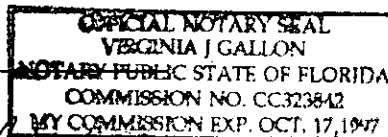
Sworn to and subscribed before me this

30th DAY OF JUNE, 1997

My Commission

Expires: October 17, 1997

Virginia J. Gallon

Notary

PUBLIC NOTICE OF INTENT TO ISSUE AIR CONSTRUCTION PERMIT

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

DRAFT Permit No. 0250014-002-AC Rinker Materials Corporation Dade County

The Department of Environmental Protection (Department) gives notice of its intent to issue an air construction permit to Rinker Materials Corporation (RMC) for a modernization project at its cement manufacturing facility located at 1200 Northwest 137th Avenue, Miami, Dade County. A Best Available Control Technology (BACT) determination and a PSD review were not required pursuant to Rule 62-212.400, F.A.C. and 40 CFR 52.21, Prevention of Significant Deterioration (PSD). The applicant's name and address are: Rinker Materials Corporation, 1200 Northwest 137th Avenue in Miami, Dade County, Florida.

The proposed project consists of replacement of 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, precalciner, and clinker cooler with an annual capacity of 1,200,000 TPY. Other equipment to be replaced or added includes primary crusher, raw material handling system, raw mill and raw meal handling and storage, clinker handling and storage equipment, finish mill, and a coal and petroleum coke preparation system. Fuels and materials previously approved for use under their existing permits include coal, gas, fuel oil, used oil, tires and solid waste. This draft permit also specifies burning of oil filters, booms and rags from spill cleanup, unused diapers, paper products, non-chlorinated plastic wastes, and sewage sludge from publicly-owned treatment works within the scope of solid waste.

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 other combustion controls for NO_x; and baghouses for particulate emissions from other process emission units.

Although the capacity of the plant will increase, actual and potential emissions of most pollutants will either decrease or will not increase significantly with respect to PSD. 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 a raw material slurry and then evaporate the water. The preheater/precalciner technology offers better combustion control of the process. New and better baghouses will be installed.

Total emissions of PSD criteria pollutants shall not exceed the following limits in tons per year:

Pollutant	Maximum Emissions	Net Emissions Change	PSD Significant Emission Rate
PM	353	-163.3	25
PM ₁₀	285	9.8	15
SO ₂	1340	-108.0	40
NO _x	2970	11.8	40
CO	1807	57.6	100
VOC	60	32.9	40
H ₂ SO ₄	8.4	-13.4	7
Hg	<0.056	<0	0.1
Pb	<0.18	<0	0.6
Be	0.0004	0.0002	0.0004

Based on review of actual emission data from similar plants in Florida, the Department projects that emissions of SO₂ and NO_x will be significantly lower than the maximum values given above. In addition to the required continuous opacity monitor, RMC has agreed to install continuous emission monitors for SO₂ and NO_x as well as process monitors to insure good combustion practices are followed at all times.

The Department will issue the FINAL Permit, in accordance with the conditions of the DRAFT Permit 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 DRAFT Permit issuance action for a period of 30 (thirty) days from the date of publication of this Notice. Written comments should be provided to the Department's Bureau of Air Regulation, 2600 Blair Stone Road, Mail Station #5505, Tallahassee, Florida 32399-2400. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in this DRAFT Permit, the Department shall issue a Revised DRAFT Permit and require, if applicable, another Public Notice.

The Department will issue FINAL Permit with the conditions of the DRAFT Permit unless a timely petition for an administrative hearing is filed pursuant to Sections 120.569 and 120.57 F.S. or a party requests mediation as an alternative remedy under Section 120.573 before the deadline for filing a petition. Choosing mediation will not adversely affect the right to a hearing if mediation does not result in a settlement. The procedures for petitioning for a hearing are set forth below, followed by the procedures for requesting mediation.

Rinker

0250014-02-AC

A person whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative hearing in accordance with Sections 120.569 and 120.57 F.S. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000, telephone: 904/488-9370, fax: 904/487-4938. Petitions 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. A petitioner must 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 (or a request for mediation, as discussed below) 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 28-5.207 of the Florida Administrative Code.

A petition must contain the following information: (a) The name, address, and telephone number of each petitioner, the applicant's name and address, the Permit File Number and the county in which the project is proposed; (b) A statement of how and when each petitioner received notice of the Department's action or proposed action; (c) A statement of how each petitioner's substantial interests are affected by the Department's action or proposed action; (d) A statement of the material facts disputed by petitioner, if any; (e) A statement of the facts that the petitioner contends warrant reversal or modification of the Department's action or proposed action; (f) A statement identifying the rules or statutes that the petitioner contends require reversal or modification of the Department's action or proposed action; and (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wants the Department to take with respect to the Department's action or proposed action addressed in this notice of intent.

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 of intent. 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 person whose substantial interests are affected by the Department's proposed permitting decision, may elect to pursue mediation by asking all parties to the proceeding to agree to such mediation and by filing with the Department a request for mediation and the written agreement of all such parties to mediate the dispute. The request and agreement must be filed in (received by) the Office of General Counsel of the Department, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000, by the same deadline as set forth above for the filing of a petition.

A request for mediation must contain the following information: (a) The name, address, and telephone number of the person requesting mediation and that person's representative, if any; (b) A statement of the preliminary agency action; (c) A statement of the relief sought; and (d) Either an explanation of how the requester's substantial interests will be affected by the action or proposed action addressed in this notice of intent or a statement clearly identifying the petition for hearing that the request has already filed, and incorporating it by reference.

The agreement to mediate must include the following: (a) The names, addresses, and telephone numbers of any persons who may attend the mediation; (b) The name, address, and telephone number of the mediator selected by the parties, or a provision for selecting a mediator within a specified time; (c) The agreed allocation of the costs and fees associated with the mediation; (d) The agreement of the parties on the confidentiality of discussions and documents introduced during mediation; (e) The date, time, and place of the first mediation session, or a deadline for holding the first session, if no mediator has yet been chosen; (f) The name of each party's representative who shall have authority to settle or recommend settlement; and (g) The signatures of all parties or their authorized representatives.

As provided in Section 120.573 F.S., the timely agreement of all parties to mediate will toll the time limitations imposed by Sections 120.569 and 120.57 F.S. for requesting and holding an administrative hearing. Unless otherwise agreed by the parties, the mediation must be concluded within sixty days of the execution of the agreement. If mediation results in settlement of the administrative dispute, the Department must enter a final order incorporating the agreement of the parties. Persons whose substantial interests will be affected by such modified final decision of the Department have a right to petition for a hearing only in accordance with the requirements for such petitions set forth above. If mediation terminates without settlement of the dispute, the Department shall notify all parties in writing that the administrative hearing processes under Sections 120.569 and 120.57 F.S. remain available for disposition of the dispute, and the notice will specify the deadlines that then will apply for challenging the agency action and electing remedies under those two statutes.

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
Bureau of Air Regulation
111 S. Magnolia Drive, Suite 4
Tallahassee, Florida 32301
Telephone: 904/488-1334
Fax: 904/922-6979

Dade County Department of
Environmental Resources Mgt.
Suite 900
33 Southwest Second Avenue
Miami, Florida 33130-1540
Telephone: 305/372-6925
Fax: 305/372-6954

Department of Environmental Protection
 Southeast District Office
 400 North Congress Avenue
 West Palm Beach, Florida 33401
 Telephone: 407/681-6600
 Fax: 407/681-6755
 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, New Resource Review Section at 111 South Magnolia Drive, Suite 4, Tallahassee, Florida 32301, or call 904/488-1344, for additional information.