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Regulatory and Economic Resources

Environmental Resources Management

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April 13, 2015

Mr. Luis G. Lopez
CEMEX Construction Materials Florida, LLC
1200 NW 137th Ave
Miami, FL 33182

CERTIFIED MAIL NO.7014 1200 0002 0822 8531
RETURN RECEIPT REQUESTED

Re: Notification dated February 12, 2015 requesting closure of the Cemex Construction Materials Florida LLC Soil Treatment Facility permits (FDEP Permit No. 0133892-009-SO / WACS No. 59293 / DERM Permits No. SW-1117) for the facility located at, near, or in the vicinity of 1200 NW 137th Ave, Miami, Miami-Dade County, Florida.

Dear Mr. Lopez:

The Environmental Permitting Section (EPS) of the Department of Regulatory and Economic Resources (RER) - Division of Environmental Resources Management (DERM) acknowledges the receipt of the referenced notification on February 13, 2015. Based on the review of said submittal in accordance with the provisions of Rule 62-713.600 F.A., the permittee is hereby required to provide the following information to commence the closure process for the site:

1. Pursuant to Rule 62-713.600(1) through (4), F.A.C., provide the following:
 - a) Confirmation that all tanks, piping, secondary containment and ancillary equipment of the soil treatment operation will be (or have been) cleaned or removed from the site.
 - b) As applicable, confirmation that storage and process tanks and integral piping will be (or have been) closed in accordance with Chapter 62-761, F.A.C.
 - c) Confirmation that any remaining soils or leachate on the site, including in situ soils that have become contaminated during facility operations, will be (or have been) treated or removed so that it poses no significant threat to human health or the environment.
 - d) The date that the final shipment of contaminated soil was received at the site for treatment purposes.
 - e) Closure activities shall be completed within one hundred eighty (180) days after receiving the final shipment of contaminated material. Upon completion of closure activities, the permittee shall provide a written certification that closure is complete. Said certification shall be signed, dated and sealed by a professional engineer registered under Chapter 471, F.S. Be advised that the department will conduct an inspection within 30 days after receipt of the closure certification report to verify that closure was conducted in accordance with the provisions of Rule 62-713.600, F.A.C.
2. Pursuant to Rule 62-713.600(5) F.A.C., long term care requirements are applicable to the facility unless the responsible official can demonstrate that site-specific conditions make it unlikely that any ground water or surface water standards or criteria will be violated. This demonstration shall be signed, dated and sealed by a professional engineer registered under Chapter 471, F.S., or a professional geologist registered under Chapter 492, F.S. If said demonstration is deemed acceptable upon review, the department will notify the permittee in writing that long term requirements are not applicable to the facility. In the event that the demonstration is not deemed acceptable, the permittee will be required to maintain long term care in accordance with Rule 62-713.600(6), F.A.C. for a minimum of five (5) years.
3. The referenced submittal indicates that the storage building is currently being used for the storage of Alternative Fuel Materials (AFM) such as "dried wood, tire fluff" and that other "additional AFMs and non-hazardous material" may be stored there in the future. Based on this information, be advised that CEMEX is hereby required to submit permit modification applications to modify both the DERM permit No. SW-1808 and FDEP Permit No. 0146251-005-WT to reflect the necessary operational modifications. Said permit applications shall be accompanied by their respective review fees made payable to "Miami-Dade County".

Additionally, be advised of the following:

- A. If needed, a meeting may be requested with this office to discuss the additional requirements noted. Said request shall be made within seven (7) days of receipt of this letter.

- B. Based on the information to be provided in response to the above comments, be advised that additional information may be required in addition to reviews/approvals from other sections of DERM that may be applicable to the facility's closure activities.

Therefore, two (2) copies of the herein requested information shall be submitted to the EPS within thirty (30) days of receipt of this letter. If you have any questions regarding the above, please contact Johnny Vega, P.E. or Francisco Teresa Calleja of the EPS at (305) 372-6600 or via email respectively at vegajo@miamidade.gov and callef@miamidade.gov.

Sincerely,



Rashid Z. Istambouli, P.E., Chief
Pollution Regulation Division

cc: Johnny Vega, P.E., Patti Emad, Francisco Teresa-Calleja, Mayra Flagler, Ryan Briggie – DERM
Kevin Slapp, P.G., Zachary Bamman - DERM
SW Financial Coordinator – FDEP (via e-mail: Solid.Waste.Financial.Coordinator@dep.state.fl.us)
Charles Waltz - CEMEX Construction Materials Florida, LLC (via email: charles.walz@cemex.com)
Tammy Reed – Koogler and Associates, Inc. (treed@kooglerassociates.com)
Maxwell R. Lee, Ph.D., P.E. – Koogler and Associates, Inc. (via email: mlee@kooglerassociates.com)

DERM File No. SW-1117