



Department of Environmental Protection

Lawton Chiles
Governor JUL 02 1997

Southeast District
P.O. Box 15425
West Palm Beach, Florida 33416

Virginia B. Wetherell
Secretary

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

FILE

Mr. Michael D. Vardeman
Cement Division, Environmental Manager
Rinker Materials Corporation
1200 N.W. 137th Avenue
Miami, FL 33182

Dade County
SW - Rinker Materials Corp.
Permit File

RE: Modification, Permit Number SO13-300512
File Number SO13-308094

Dear Mr. Michael D. Vardeman:

The Department is in receipt of your request to modify the referenced permit. The permit has been modified as given below.

FROM:

TO CONSTRUCT AND OPERATE: A solid waste resource recovery and management facility for volume reduction and materials recovery via a thermal soils desorption treatment unit for receiving and treating non-hazardous contaminated soils. Non-hazardous contaminated soils, as defined in Chapter 62-730, Florida Administrative Code, for this facility are only those soils that contain coal tar from the distillation of coal. Non-hazardous contaminated soils will be accepted by the Rinker Materials Corporation (RMC) facility, only after RMC determines via analytical testing that the soils are non-hazardous. After RMC has determined that the soils are non-hazardous, the soils will be accepted and dumped into the storage building. The building "A" is an existing 33,660 square-foot covered structure with a 12-inch thick concrete floor. RMC will operate this facility seven days a week, 24 hours a day. The total hours of operation shall not exceed 8,760 hours per year and RMC shall not process greater than 40 tons/hour of soils contaminated with non-hazardous coal tar residue or petroleum contaminated soil at this facility. The maximum operating limit of this facility shall be 350,400 tons per year of soil contaminated with non-hazardous coal tar residue or petroleum contaminated soil, or a combination of the two (not to exceed 350,400 tons per year). The cement manufacturing process is initiated with the quantitative and qualitative processing of raw materials (limestone, rock, sand, bottom ash and slag) into a high solids slurry. The slurry is introduced into two 475 foot long rotary kilns for processing into clinker. The slurry remains in the kiln for 3.0 to 3.5 hours where it is heated, dried and calcined at material temperatures reaching 2750 degrees Fahrenheit. The feed materials fuse into a mineralogical product called "clinker". The clinker (approximately 1700 tons/day) is cooled and ground with gypsum and other admixtures to produce Portland cement (approximately 1900 tons/day). All hydrocarbon contaminated soils that are received by RMC are first thermally processed to remove the hydrocarbon contaminants and are then consumed completely in the production of Portland cement as a substitute (12%) of a portion of the raw materials (limestone, sand, clay). All thermally processed coal tar contaminated soil will be used as a substitute raw material in the production of Portland Cement.

TO:

TO CONSTRUCT AND OPERATE: A solid waste resource recovery and management facility for volume reduction and materials recovery via a thermal soils desorption treatment unit for receiving and treating non-hazardous contaminated soils. Non-hazardous contaminated soils, as defined in Chapter 62-730, Florida Administrative Code, for this facility are only those soils that contain coal tar from manufactured gas plant sites. Non-hazardous contaminated soils will be accepted by the Rinker Materials Corporation (RMC) facility, only after RMC determines via analytical testing that the soils are non-hazardous. After RMC has determined that the soils are non-hazardous, the soils will be accepted and dumped into the storage building. The building "A" is an existing 33,660

square-foot covered structure with a 12-inch thick concrete floor. RMC will operate this facility seven days a week, 24 hours a day. The total hours of operation shall not exceed 8,760 hours per year and RMC shall not process greater than 40 tons/hour of soils contaminated with non-hazardous coal tar residue or petroleum contaminated soil at this facility. The maximum operating limit of this facility shall be 350,400 tons per year of soil contaminated with non-hazardous coal tar residue or petroleum contaminated soil, or a combination of the two (not to exceed 350,400 tons per year). The cement manufacturing process is initiated with the quantitative and qualitative processing of raw materials (limestone, rock, sand, bottom ash and slag) into a high solids slurry. The slurry is introduced into two 475 foot long rotary kilns for processing into clinker. The slurry remains in the kiln for 3.0 to 3.5 hours where it is heated, dried and calcined at material temperatures reaching 2750 degrees Fahrenheit. The feed materials fuse into a mineralogical product called "clinker". The clinker (approximately 1700 tons/day) is cooled and ground with gypsum and other admixtures to produce Portland cement (approximately 1900 tons/day). All non-hazardous coal tar contaminated soils that are received by RMC are first thermally processed to remove the hydrocarbon contaminants and are then consumed completely in the production of Portland cement as a substitute (12%) of a portion of the raw materials (limestone, sand, clay). All thermally processed coal tar contaminated soil will be used as a substitute raw material in the production of Portland Cement.

This letter must be attached to the original permit and becomes a part of the permit.

A person whose substantial interests are affected by this modification may petition for an administrative proceeding (hearing) in accordance with Section 120.57, Florida Statutes (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 at 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000, within 14 days of receipt of this Modification. Petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. Failure to file a petition within this time period shall constitute a waiver of any right such person may have to request an administrative determination (hearing) under Section 120.57, F.S.

The Petition shall contain the following information:

- (a) The name, address, and telephone number of each petitioner, the applicant's name and address, the Department 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 facts which petitioner contends warrant reversal or modification of the Department's action or proposed action;
- (f) A statement of which rules or statutes petitioner contends require reversal or modification of the Department's action or proposed action; and
- (g) A statement of the relief sought by petitioner, stating precisely the action petitioner wants the Department to take with respect to the Department's action or proposed action.

If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, the Department's final action may be different from the position taken by it in this modification. Persons whose substantial interests will be affected by any decision of the Department with regard to the application have the right to petition to become a party to the proceeding. The petition must conform to the requirements specified above and be filed (received) within 14 days of receipt of this notice in the Office of General Counsel at the above address of the Department. Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Section 120.57, F.S., and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 28-5.207, F.A.C.

This modification is final and effective on the date filed with the Clerk of the Department unless a petition is filed in accordance with the above paragraphs or unless a request for extension of time in which to file a petition is filed within the time specified for filing a petition and conforms to Rule

62-103.070, F.A.C. Upon timely filing of a petition or a request for an extension of time this modification will not be effective until further Order of the Department.

When the Order (Modification) is final, any party to the Order has the right to seek judicial review of the Order pursuant to Section 120.68, Florida Statutes, by the filing of a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate procedure, with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000; and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The Notice of Appeal must be filed within 30 days from the date the Final Order is filed with the Clerk of the Department.

Should you have any questions, please contact Mr. Joseph Lurix of this office, telephone number (561)-681-6669.

Executed in West Palm Beach, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

Vivek Kamath 7/1/97
Vivek Kamath, P.E. Date
Waste Programs Administrator
Southeast District

VK/LH/jl
jk

CERTIFICATE OF SERVICE

This is to certify that this NOTICE OF PERMIT MODIFICATION and all copies were mailed before the close of business on JUL 02 1997 to the listed persons.

FILING AND ACKNOWLEDGMENT: FILED, on this date, pursuant to §120.52, Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.

D. Castiglione JUL 02 1997
Clerk Date

Copies furnished to:

Jeff Brown, OGC/TLH
Paul Lasa, MCDERM
Lee Casey, MDCDSWM
Lee Martin, WCS/SED
John B. Koogler, P.E.

DOCUMENT APPROVAL SLIP

(Attach to Document File Copy)

PROJECT: Rinker Materials Corp.

LOCATION: Dade Co.

PERMIT or CASE NO: Minor Mod. 5013-300512

SUBJECT: Minor Mod.

DATE: 7-1-97

DOCUMENT ORIGINATOR SIGNATURE: J. Linn

APPROVED BY: Lee C. Hooper

APPROVED BY: _____

APPROVED BY: _____

FOR SIGNATURE BY DISTRICT MANAGER/ASST. DISTRICT MANAGER