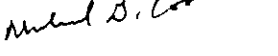



Florida Department of
Environmental Protection

Memorandum

TO: Michael G. Cooke 

THRU: Trina L. Vielhauer

FROM: Al Linero 

DATE: September 4, 2003

SUBJECT: Permit Revision for Nailite International, Inc.
Permit No. 0250407-007-AC (PSD-FL-289B)

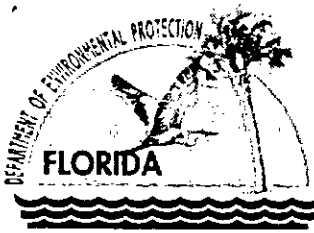
Attached for approval and signature is the final permit package that revises certain conditions in Nailite's existing air construction permit

Nailite requested: authorization to further modify Lines 1 and 2 in order to increase VOC capture efficiency of the system; indefinite future operation of Line 1; and to use results from emissions testing (to be conducted) subsequent to the construction of additional line modifications to establish capture and destruction efficiency requirements.

The further modifications of Lines 1 and 2 are already authorized by the existing construction permit and only an extension is required. The information allowing the Department to make a decision on the indefinite operation of Line 1 will not be available until April 2004. Therefore I recommend extending the construction permit until June 30, 2004 and authorizing operation of Line 1 only through that date.

I incorporated the Compliance Plan that was included by Miami-Dade DERM in the Proposed Title V Operation Permit that is presently under review by EPA. It addresses the specific measures and milestones to allow Nailite to comply with the design specifications of the construction permit. At the completion of the Compliance Plan, they will submit another construction permit application to set final collection and destruction efficiency. At that time, they will be in a better position to request indefinite operation of Line 1 and we will have a better basis for making a decision on the matter.

I recommend your approval.



Jeb Bush
Governor

Department of Environmental Protection

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

David B. Struhs
Secretary

September 4, 2003

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. John Perry
Vice President of Operations
Nailite International, Inc.
1111 NW 165th Street
Miami, Florida 33169

Re: Request to Re-Issue and Modify Construction Permit
DEP File Nos. 0250407-005-AC and 0250407-007-AC (PSD-FL-289B)

Dear Mr. Perry:

The Department received Nailite's request on April 21 (complete April 25) requesting re-issuance and modification of the air permit to construct Line 2 at and relocate Line 1 to the new building at 1111 NW 165th Street in Miami.

Specifically, Nailite requested: authorization to further modify Lines 1 and 2 in order to increase VOC capture efficiency of the system; indefinite future operation of Line 1; and to use results from emissions testing (to be conducted) subsequent to the construction of additional line modifications to establish capture and destruction efficiency.

The further modifications of Lines 1 and 2 are already authorized by the existing construction permit and only an extension is required. The information allowing the Department to make a decision on the indefinite operation of Line 1 will not be available until April 2004. After receiving this information, the Department will consider whether indefinite operation of Line 1, based on the described emission testing program, should be authorized.

The expiration date of Air Construction Permit Number 0250407-005-AC is hereby extended from December 31, 2003 to June 30, 2004. Specific Condition 2 is hereby modified as follows:

The maximum amount of coating applied shall be 300,000 gallons per line per year. The No. 1 Spray Coating Line (EU-001) shall be allowed to operate through ~~December 31, 2003~~ June 30, 2004, and not thereafter. EU-001 shall only operate while appropriately connected to the Regenerative Thermal Oxidizer (RTO) so that its emissions are controlled along with those from Emissions Unit 004. Total hourly and annual emissions of volatile organic compounds (VOC) and hazardous air pollutants (HAPs) from the RTO shall be established within 45 days of receipt of the emission test results required in Specific Conditions Nos. 3 and 4 below.
[Rules 62-4.070(3), 62-204.800(10)(d)2., 62-210.200 (PTE), F.A.C., and 62-204.800(11)(d)2 (MACT), F.A.C.]

The following Compliance Plan is hereby incorporated into and made a part of this permit.

"More Protection, Less Process"

Printed on recycled paper.

Compliance Plan

Background:

The owner or operator was unable to demonstrate compliance with the terms and conditions of their air construction permit, No. 0250407-005-AC/PSD-FL-289A, related to the VOC (volatile organic compounds) capture efficiency requirements of a Regenerative Thermal Oxidizer (RTO) system. Specifically, initial testing results indicated collection efficiencies from Paint Lines 1 and 2 in the range of 80 to 85 percent, which are below the design values of 95 percent indicated in the construction permit. The Florida Department of Environmental Protection (FDEP) has determined that further construction, measures (as stated below) and testing are required prior to finalizing collection and destruction efficiency limits for the RTO.

Conceptual Proposal:

1. Nailite has agreed to substantially improve capture efficiency in accordance with a plan submitted to DERM and FDEP on May 1, 2003. Nailite's plan to improve capture of VOCs, proposes enclosing the existing open areas as follows:
 - i) Enclose the following existing open areas in Paint Line 1 to capture the flashed off solvent, and send the air/solvent mixture to the RTO:
 - a. The conveyor system between the booths.
 - b. The conveyor system between the final paint booth and the entrance of the curing oven.
 - c. Infrared curing oven.
 - d. The conveyor cleaning system.
 - ii) Enclose the following existing open areas in Paint Line 2 to capture the flashed off solvent, and send the air/solvent mixture to the RTO:
 - a. The conveyor system between the booths.
 - b. The conveyor system between the final paint booth and the entrance of the curing oven.
 - c. The conveyor cleaning system.

Compliance Plan:

1. The purpose of this Compliance Plan is to set appropriate milestones/requirements for the company to follow in order to complete construction and testing necessary to establish final collection and destruction efficiency limits for the RTO.
 - i) Nailite shall make necessary modifications to improve collection of VOC vapors from Paint Lines 1 and 2;
 - ii) After making any system modifications, Nailite shall conduct performance testing to determine the capture and destruction efficiencies of the RTO System and submit the applicable test results to the DERM and FDEP within 45 days after the last test run pursuant to Rule 62-297.310(8), F.A.C., but no later than April 1, 2004. Nailite shall notify FDEP and the DERM in writing at least 15 days prior to any performance tests pursuant to Rule 62-297.310(7)(a)9., F.A.C. The FDEP's address for notification is noted in condition 1. iii), below. DERM's address for notification is:

Ms. Mallika Muthiah, Chief
Air Facilities Section
33 S.W. 2 Avenue, Suite 900
Miami, Florida 33130-1540

Any performance tests shall be conducted using approved methodology established in the AC and as agreed upon with Miami-Dade County DERM.

iii) Nailite shall apply for an air construction permit revision to establish final collection and destruction values for the RTO from the New Source Review Section of the FDEP pursuant to Rules 62-4.050, 62-4.070, 62-210.300(1), 62-212.400(2)(d) and 62-212.400(7)(a), F.A.C., by June 30, 2004. All construction permit applications must be submitted to:

Ms. Trina L. Vielhauer, Chief
Bureau of Air Regulation
2600 Blair Stone Road
Mail Station #5505
Tallahassee, Florida 32399-2400

2. Title V Air Operation Permit Revision or Air Operation Permit. Nailite shall submit an application for a Revision to the Title V Air Operation Permit to DERM to incorporate the terms and conditions established in the AC issued pursuant to paragraph 1(iii), above, within 30 days of the AC's issue date, Pursuant to Rules 62-4.050, 62-4.070, 62-210.300(2), 62-212.400(7)(b) and 62-213.420, F.A.C.
3. Nailite shall operate the facility no more than 7,280 hours per year such that it does not constitute a Major Facility for purposes of Chapter 62-212, F.A.C.

A copy of this letter shall be filed with the referenced permit and shall become part of the permit. This permitting decision is issued pursuant to Chapter 403, Florida Statutes.

Any party to this permitting decision (order) has the right to seek judicial review of it under section 120.68 of the Florida Statutes, by filing a notice of appeal under Rule 9.110 of the Florida Rules of Appellate Procedure with the clerk of the Department of Environmental Protection in the Office of General Counsel, Mail Station #35, 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 must be filed within thirty days after this order is filed with the clerk of the Department.

Executed in Tallahassee, Florida.



Michael G. Cooke, Director
Division of Air Resources
Management

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this PERMIT MODIFICATION was sent by certified mail (*) and copies were mailed by U.S. Mail before the close of business on 9/5/03 to the person(s) listed:

Howard Wasserman, NII*
John Perry, NII*
Victor Rossinski, CRB*
Tom Tittle, DEP SED
Mallika Muthiah, Miami-Dade DERM

Clerk Stamp

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

Victoria Gibson / *September 5, 2003*
(Clerk) (Date)

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Mr. John Perry
 Vice President, Operations
 Nailite International
 1111 NW 165th Street
 Miami, FL 33169-5819

2. Art:

7001 0320 0001 3692 6136

PS Form 3811, July 1999

Domestic Return Receipt

102595-99-M-1789

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) B. Date of Delivery

9/8

C. Signature

MacKee

- Agent
- Addressee

D. Is delivery address different from item 1? Yes

If YES, enter delivery address below: No

3. Service Type

- Certified Mail Express Mail
- Registered Return Receipt for Merchandise
- Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

**U.S. Postal Service
 CERTIFIED MAIL RECEIPT**

(Domestic Mail Only; No Insurance Coverage Provided)

7001 0320 0001 3692 6136

[Redacted]

Postage	\$	Postmark Here
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$	

Sent To
 John Perry
 Street, Apt. No.,
 or P.O. Box No. NW 165th St.
 City, State, ZIP+4
 Miami, FL 33169

PS Form 3800, January 2001 See Reverse for Instructions

**U.S. Postal Service
 CERTIFIED MAIL RECEIPT**

(Domestic Mail Only; No Insurance Coverage Provided)

7001 0320 0001 3692 6136

[Redacted]

Postage	\$	Postmark Here
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$	

Sent To
 Victor Rossinsky
 Street, Apt. No.,
 or P.O. Box No. Ponce DeLeon Blvd.
 City, State, ZIP+4
 Coral Gables, FL 33146

PS Form 3800, January 2001 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Victor Rossinsky, Jr., Ph.D., P. G.
 Senior Project Manager
 CRB
 4573 Ponce DeLeon Blvd.
 Coral Gables, FL 33146

2.

7001 0320 0001 3692 6143

PS Form 3811, July 1999

Domestic Return Receipt

102595-99-M-1789

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) B. Date of Delivery

9/8/03

C. Signature

Barbara Twinn

- Agent
- Addressee

D. Is delivery address different from item 1? Yes

If YES, enter delivery address below: No

3. Service Type

- Certified Mail Express Mail
- Registered Return Receipt for Merchandise
- Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	A. Received by (Please Print Clearly)	B. Date of Delivery 9/8
<p>1. Article Addressed to:</p> <p>Mr. Howard Wasserman President & CEO Nailite International, Inc. 1111 NW 165th Street Miami, FL 33169-5819</p>	<p>C. Signature X <i>Wasserman</i></p> <p><input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p>	
<p>2. 7001 0320 0001 3692 5337</p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>	
	<p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>	
	<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>	

PS Form 3811, July 1999

Domestic Return Receipt

102595-99-M-1789

U.S. Postal Service CERTIFIED MAIL RECEIPT <i>(Domestic Mail Only; No Insurance Coverage Provided)</i>	
OFFICIAL USE	
Postage \$	
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees \$	
<p>Sent To Howard Wasserman Street, Apt. No. or P.O. No. NW 165th St. City, State, ZIP+4 Miami, FL 33169-5819</p>	
PS Form 3800, January 2001	See Reverse for Instructions

7001 0320 0001 3692 5337

Postmark
Here