



John R. Kasich, Governor  
Mary Taylor, Lt. Governor  
Scott J. Nally, Director

February 5, 2013

CERTIFIED MAIL

Mr. Brian Miller, President  
Mr. Keith Yutzy, Vice President of Operations  
Provia Walnut Creek Facility  
2150 State Route 39  
Sugar creek, OH 44681

RE: RESOLUTION OF VIOLATION - restriction to employ only water and exempt solvents as cleanup material at (R009) stain booth

Facility ID: 0238000159  
Provia Walnut Creek Facility  
Location: 2150 State Route 39  
Sugar creek, OH 44681  
Holmes County

Dear Mr. Miller and Mr. Yutzy:

This letter is in response to the Notice of Violation (NOV) issued to the above referenced facility on 7/16/2012. In the NOV, a compliance plan and schedule for achieving compliance was requested from the facility. The subsequent plan was received on 8/09/2012 and the appropriate steps were taken to bring the source(s) into compliance. The following information summarizes the violations cited, and the resolution of each.

Use of a lacquer thinner, Chemical Solvent, Inc. LT224, which has a volatile organic compound (VOC) content of 5.66 lbs. VOC/gal, as a cleanup material at (R009) stain booth is a violation of the restriction, specified in Permit-to-Operate (PTO) term A.2.c., to employ only water and exempt solvents as cleanup material. The 8/09/2012 Provia letter stated that as of 8/08/2012 the use of LT224, which was employed to clean brushes, was stopped immediately. Instead, the use of acetone, an exempt solvent, would be used to clean brushes at R009. It was also stated that Provia's paint supplier was searching for another exempt solvent.

MR. BRIAN MILLER, PRESIDENT  
MR. KEITH YUTZY, VICE PRESIDENT OF OPERATIONS  
FEBRUARY 5, 2013  
PAGE 2

With the corrective action(s) taken to bring the source(s) into compliance, as indicated above, the referenced violations are considered resolved. Please note, however, that this does not preclude Ohio EPA's authority from seeking civil penalties pursuant to ORC section 3704.06 for these violations. The decision on whether to pursue or decline to pursue such penalties regarding this matter is dependent on several factors, one of which is the company's future compliance with applicable Ohio EPA requirements.

If you have any questions, please contact me at (330) 963-1205 or via e-mail at [Christine.McPhee@epa.ohio.gov](mailto:Christine.McPhee@epa.ohio.gov).

Sincerely,



Christine McPhee  
Environmental Specialist  
NEDO, DAPC, Ohio EPA

CM:bo

cc: Bruce Weinberg, Central Office, DAPC, Ohio EPA  
William MacDowell, Region 5 U.S. EPA

ec: Alan Beckley, Provia Walnut Creek Facility, Safety Coordinator,  
[Alan.Beckley@ProviaProducts.com](mailto:Alan.Beckley@ProviaProducts.com)  
Misty Koletich, NEDO, DAPC, Ohio EPA  
Tim Fischer, NEDO, DAPC, Ohio EPA