



State of Ohio Environmental Protection Agency

Southeast District Office

2195 Front Street
Logan, Ohio 43138

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www.epa.state.oh.us

Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korleski, Director

October 13, 2009

**RE: MUSKINGUM COUNTY
SITE - BURLEY CLAY**

Burley Clay Products
Attn.: Peter Petratsas
455 Gordon Street
Roseville, Ohio 43777

Dear Mr. Petratsas:

On September 16, 2009, the Ohio Environmental Protection Agency (Ohio EPA) met with you and Klemn Ungemach regarding the solid waste management practices currently being employed at Burley Clay Products. During this meeting, you and Mr. Ungemach shared with Ohio EPA historical information regarding the products manufactured at the site. Also, you and Mr. Ungemach shared what material is being placed in the historical dump site from the current operation. These materials are dirty clay, broken ware, broken fire ware, and old or broken plaster molds. The placement of these materials behind the facility is considered open dumping.

Burley Clay Products is in violation of Ohio Revised Code (ORC) chapter 3734.03 and Ohio Administrative Code (OAC) 3745-27-05(C).

ORC 3734.03 states in part:

ORC 3734.03 - No person shall dispose of solid wastes by open dumping or open burning.

OAC 3745-27-05(C) states:

OAC 3745-27-05(C) - No person shall conduct, permit, or allow open dumping.

The solid waste must be removed from the above-mentioned property and disposed of at either a licensed solid waste disposal facility or taken to a legitimate recycling facility. Copies of receipts for disposal or recycling should be submitted to this office for proof of disposal.

Please respond to this correspondence within 14 days of receipt. Your response should include details of your actions taken to properly dispose or recycle the current waste on your property. Also, please provide in writing to Ohio EPA, in detail, how the waste management practices at your facility will change in order to be in compliance with Ohio's open dumping regulations.

If you have any questions, please feel free to contact me at this office. You can reach me either by mail or by calling me at (740) 380-5443.

Sincerely,

Trevor L. Irwin, R.S.
Environmental Specialist II
Division of Solid and Infectious Waste Management

TLI/jg

cc: Klemn Ungemach, ACCCO
451 Gordon Street
Roseville, Ohio 43777