



State of Ohio Environmental Protection Agency

**Southeast District Office**

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Logan, Ohio 43138

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

May 6, 2009

**RE: TUSCARAWAS COUNTY  
SITE-SEMPCO**

Stebbens Engineering  
363 Eastern Blvd.  
Watertown, NY 13601

Attn.: Mr. Frank Stroman

**RE: March 12, 2009, inspection**

Dear Mr. Stroman:

On February 4, 2009, Mike Check of the Tuscarawas County Health District and I met with Mr. Clifford McPherson to inspect the SEMCO Ceramics facility located at 4778 Belden Drive SE, Uhrichsville, Ohio. At the time of inspection, we viewed an onsite dump for off specification, unfired-brick, as well as fired-brick. The dump site was located to the north of the main office. It was explained by site personnel at the time I was viewing this area that raw unfired-brick has been routinely disposed of in the disposal area.

On March 12, 2009, I was accompanied by Mike Check of the Tuscarawas County Health District as well as Elizabeth Herron to inspect the production facilities. At the time of our inspection, it was determined that barium is added to the clay during the production process. As discussed with you at the time of our inspection, raw clay with other materials added and discarded is a residual of the industrial operation, and is a solid waste.

OAC 3745-27-01(43) states " solid waste means such unwanted residual solid or semisolid material, including, but not limited to, garbage, scrap tires, combustible and noncombustible material, street dirt, and debris, as results from industrial commercial, agricultural, and community operations, excluding earth or material from construction, mining, or demolition operations, or other waste materials of the type that normally would be included in demolition debris, nontoxic fly ash and bottom ash, including at least ash that results from combustion of coal, and ash that results from the combustion of coal in combination with scrap tires where scrap tires comprise not more than fifty per cent of heat input in any month, spent nontoxic foundry sand, and slag and other substances that are not harmful or inimical to public health. Solid waste does not include any material that is an infectious waste or a hazardous waste.

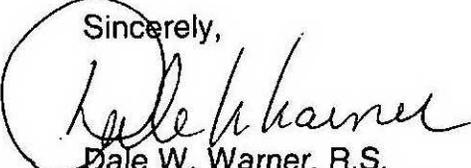
The unfired-brick with other materials added is an unwanted residual of the industrial brick making process. It is a solid waste. Please provide a list of all waste streams that have been placed into the onsite disposal area including time frames and parameters for each waste that has been disposed on site. Please develop and submit a plan for delineating the physical limits of the on-site disposal area.

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The disposal of solid waste anywhere other than a licensed solid waste facility is a violation of OAC 3745-27-05(C) which prohibits the open dumping of a solid waste.

Please provide a written response detailing your intentions and actions taken to address the violation of Ohio's solid waste rules within fifteen (15) days. If you have any questions, please feel free to contact me at (740) 380-5435.

Sincerely,

A handwritten signature in cursive script, appearing to read "Dale W. Warner". The signature is written in black ink and is partially enclosed by a hand-drawn circle.

Dale W. Warner, R.S.  
Environmental Specialist  
Division of Solid and Infectious Waste

DW/jg

cc: Tuscarawas County Health Department