



COMPLIANCE ORDER

OPERATOR NAME Nicholas Meat LLC			DEP DOCKET NUMBER (Office Use Only)
ADDRESS 508 East Valley Road, Loganton, PA 17747			PERMIT NUMBER N/A
FACILITY OR SITE Seth Ulmer Property, Web Log North 2 Fields			LICENSE NUMBER (Transporter) N/A
FACILITY OR SITE LOCATION Spruce Run Road, Greene Township, Clinton County			MUNICIPALITY Greene Twp.
NAME AND TITLE OF PERSON SERVED Doug Nicholas			COUNTY Clinton County
DATE OF INSPECTION 2/8/2021	TIME OF INSPECTION FROM 1025 A.M. TO 1100 P.M.	DATE OF SERVICE 2/9/2021	DEP REGION AND PHONE NUMBER NCRO - 570-327-3636

The Department of Environmental Protection is the agency with authority to administer and enforce the Solid Waste Management Act, Act of July 7, 1980, P.L. 380, 35 P.S. Section 6018.1 *et seq.*, and the Rules and Regulations of the Environmental Quality Board adopted thereunder.

The undersigned authorized representative of the Department has conducted an inspection of the above site on the above date and has determined that violations listed in attachment(s) exist. This Order constitutes a separate order for each violation listed.

Pursuant to Section 602 of the Solid Waste Management Act 35 P.S. 6018.602, and Section 1917-A of the Administrative Code (71 P.S. §510-17), it is hereby ordered that the operator shall perform the corrective actions listed in the attachment within the designated abatement time.

Under Section 608 of the Solid Waste Management Act, upon completion of the actions required by the Order, you are required to submit a written report describing the means by which the violations noted herein were corrected.


APPEAL NOTICE

Any person aggrieved by this action may appeal, pursuant to Section 4 of the Environmental Hearing Board Act, 35 P.S. Section 7514, and the Administrative Agency Law, 2 Pa C.S. Chapter 5A, to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Environmental Hearing Board within 30 days of receipt of written notice of this action unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

IF YOU WANT TO CHALLENGE THIS ACTION, YOUR APPEAL MUST REACH THE BOARD WITHIN 30 DAYS. YOU DO NOT NEED A LAWYER TO FILE AN APPEAL WITH THE BOARD.

IMPORTANT LEGAL RIGHTS ARE AT STAKE, HOWEVER, SO YOU SHOULD SHOW THIS DOCUMENT TO A LAWYER AT ONCE. IF YOU CANNOT AFFORD A LAWYER, YOU MAY QUALIFY FOR FREE PRO BONO REPRESENTATION. CALL THE SECRETARY TO THE BOARD (717-787-3483) FOR MORE INFORMATION.

Nothing contained in the order shall be construed to relieve or limit the obligations of the above mentioned operator to comply with the terms and conditions of any permit existing or hereafter issued by the Department to the operator or to limit any civil or criminal liability of the operator. Additional requirements may be imposed in the future by subsequent Department orders or other actions. Your prompt compliance with this order will be considered when assessing a civil penalty for the violation(s) which is (are) the subject of this order.

The undersigned operator/authorized representative, hereby acknowledges receipt of this order and attachment(s) hereto. This signature does not constitute an acknowledgement that any or all of the violations listed in the attachment(s) have occurred or continue to occur.	Department Representative Patrick Brennan Program Manager
	Operator/Representative Signature 



DEP Docket Number

**ORDER (Continuation)
PARAGRAPH -**

Description of Violation:

Food Processing Residuals (FPR) generated by Nicholas Meat LLC are being applied to snow covered fields. The Department has prepared a manual for the management of food processing waste which identifies best management practices, and it specifically states that "[f]ield application of FPRs is not permitted on snow-covered ground." The failure to implement best management practices is a violation of 25 Pa Code Chapter 287.101(b)(2).

Location of Violation:

Web Log North 2 Fields – Spruce Run Road, Greene Township, Clinton County

Provisions of Regulation, Statute or Permit Violated: 25 PA Code 287.101(b)(2)

Corrective Action Required or Activity to be Ceased:

1. Immediately cease land application of FPR to snow covered fields
- 2.
- 3.

Required Abatement Date:

1. 2/9/2021
- 2.
- 3.

Date of Service: 2/9/2021

Department Representative: 