pennsylvania
DEPARTMENT OF ENVIRONMENTAL PROTECTION

February 20, 2024

Ms. Anne Garr, Esq.
Hilco Redevelopment Partners
111 S. Wacker Drive, Suite 3000
Chicago, IL 60606

Via email at: agarr@hilcoglobal.com

Re: 310(b) Site Characterization Report Approval
Storage Tank System Release June 29, 2023
Facility ID No. 51-11557
Incident No. 59035
Philadelphia Refinery Schuylkill River Tank Farm (Tank 022A)
3144 West Passyunk Avenue
City of Philadelphia

Dear Ms. Garr:

The Department of Environmental Protection (DEP) has reviewed the December 2023 document titled *Abbreviated 310B Site Characterization Report* for the release referenced above. This document was prepared by Ramboll US Consulting, Inc. and submitted as a Site Characterization Report (SCR) under 25 Pa. Code Section 245.310(b), which states that soil is the only media of concern and which contains data that the interim remedial actions have attained the nonresidential Statewide health standard for fuel oil nos. 2 and 6 in accordance with 25 Pa. Code Chapter 250 and the Land Recycling and Environmental Remediation Standards Act (Act 2).

In accordance with 25 Pa. Code Section 245.310(c)(1), DEP approves the SCR for the substances identified and remediated. Chapter 5, Section 501 of Act 2, provides the liability protection where attainment of Act 2 cleanup standards is demonstrated. The cleanup liability protection provided by this chapter applies to the current and future owner or any other person who participated in the remediation; a person who develops or occupies the property; successor or assign of any person to whom liability protection applies; and a public utility to the extent the public utility performs activities on the identified property(ies).

Any person aggrieved by this action may appeal the action to the Environmental Hearing Board (Board), pursuant to Section 4 of the Environmental Hearing Board Act, 35 P.S. § 7514, and the Administrative Agency Law, 2 Pa.C.S. Chapter 5A. The Board's address is:

Environmental Hearing Board
Rachel Carson State Office Building, Second Floor
400 Market Street
P.O. Box 8457
Harrisburg, PA 17105-8457

TDD users may contact the Environmental Hearing Board through the Pennsylvania Relay Service, 800.654.5984.

Appeals must be filed with the Board within 30 days of receipt of notice of this action unless the appropriate statute provides a different time. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

A Notice of Appeal form and the Board's rules of practice and procedure may be obtained online at http://ehb.courtapps.com or by contacting the Secretary to the Board at 717.787.3483. The Notice of Appeal form and the Board's rules are also available in braille and on audiotape from the Secretary to the Board.

IMPORTANT LEGAL RIGHTS ARE AT STAKE. 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 AT 717.787.3483 FOR MORE INFORMATION. YOU DO NOT NEED A LAWYER TO FILE A NOTICE OF APPEAL WITH THE BOARD.

IF YOU WANT TO CHALLENGE THIS ACTION, YOUR APPEAL MUST BE FILED WITH AND RECEIVED BY THE BOARD WITHIN 30 DAYS OF RECEIPT OF NOTICE OF THIS ACTION.

Thank you for your actions in remediating this release. If you have any questions, please contact Chelsea Fazzino by email at cfazzino@pa.gov or by telephone at 484.250.5791.

Sincerely,

Ragesh R. Patel

Ragesh R. Patel
Regional Manager
Environmental Cleanup and Brownfields

cc: Philadelphia Department of Public Health
Philadelphia L&I
Ms. Julianna Connolly, HRP
Ms. Amy Piccone, HRP
Ms. Taylor Carroll, Ramboll
Mr. Richard Staron