**Philadelphia Energy Solutions Refining and Marketing LLC**
**c/o Hilco Redevelopment Partners**
**111 South Wacker Drive, Suite 3000**
**Chicago, Illinois 60606**

February 9, 2024

Via Electronic Mail

Dr. Mohamad Mazid
PA Department of Environmental Protection
South East Regional Office
2 East Main Street
Norristown, PA 19104

RE: Revised Supplement to the Closure Plan for the Point Breeze Hazardous Waste Container Storage Pad, the Girard Point Hazardous Waste Container Storage Pad, and the Two Girard Point Hazardous Waste Aboveground Storage Tanks (EPA ID #PAD049791098)

Dear Dr. Mazid:

Philadelphia Energy Solutions Refining and Marketing LLC ("PESRM") hereby submits to the Pennsylvania Department of Environmental Protection ("Department") this Supplement to the Closure Plan for the Point Breeze Hazardous Waste Container Storage Pad, the Girard Point Hazardous Waste Container Storage Pad, and the Two Girard Point Hazardous Waste Aboveground Storage Tanks located at 3144 Passyunk Avenue, Philadelphia, PA 19145 and identified in the Resource Conservation and Recovery Act ("RCRA") Part B Permit #PAD049791098 (the "Permit").

PESRM is pursuing closure of the hazardous waste storage areas in accordance with the Permit. Following the demolition of the concrete pads in each storage area, PESRM collected samples of the underlying soil in accordance with PADEP-approved soil sampling plans submitted in December 2021 and August 2022. The samples were submitted for laboratory analysis to assess whether soil has been impacted by previously unidentified releases to the environment from historic operations of the hazardous waste storage areas.

Part II.I of the Permit provides that "The Permittee shall close the facility as required by 40 CFR 264.111 and in accordance with the Closure Plan." On September 13, 2023, PESRM and the Department amended the January 15, 2020, Consent Order and Agreement ("CO&A") to clarify that the United States Environmental Protection Agency ("USEPA") has interpreted 40 CFR 264.111 to allow for a risk-based clean closure. The following describes how PESRM intends to evaluate the results of soil samples collected from the former hazardous waste storage areas and is provided as a Supplement to the Closure Plan for the Point Breeze Hazardous Waste Container Storage Pad, the Girard Point Hazardous Waste Container Storage Pad, and the Two Girard Point Hazardous Waste Aboveground Storage Tanks located at 3144 Passyunk Avenue, Philadelphia, PA 19145 and identified under RCRA Permit #PAD049791098:

(1) Chemical concentrations in soil will first be compared to PADEP Statewide Health Standard (SHS) Medium Specific Concentrations (MSCs) for non-residential soil direct contact and non-residential soil-to-groundwater (used aquifer) protection. If soil sampling results from a given storage area are less than or equal to MSCs, the area is considered to have met the requirements for risk-based clean closure.

(2) If the results from soil samples collected from a former hazardous waste storage area exceed these PADEP SHS MSCs, PESRM will pursue risk-based clean closure through performance of human health and ecological risk assessment in accordance with PADEP and USEPA risk assessment guidance:

a. The first step in the risk assessment will be identification of constituents of potential concern (COPC) associated with the hazardous waste storage areas. Because the hazardous waste storage areas are within Areas of Interest subject to environmental investigation and cleanup being conducted by Evergreen Resources Management Operations, a series of Evergreen Resources Group, LLC ("Evergreen") under PADEP Land Recycling Program (Act 2) and the One Cleanup Program, chemical concentrations in soil exceeding PADEP SHS MSCs may be the result of pre-existing contamination associated with historical refinery operations or the presence of historic fill and not with previously unidentified releases associated with operation of the hazardous waste storage areas. Data collected as part of the closure of the hazardous waste storage areas will be compared to data generated by Evergreen. Multiple lines of evidence will be used to evaluate whether MSC exceedances are associated with releases from hazardous waste storage areas or previously documented contamination. These lines of evidence may include comparison of the following characteristics between the hazardous waste storage area data set and the data set for Evergreen's broader AOI (1) which constituents are detected above MSC, (2) the magnitude of concentrations detected, (3) the spatial distribution of concentrations detected, and (4) forensics and/or fingerprinting data, if applicable.

b. Human health risk assessment will include evaluation of complete or potentially complete exposure pathways for COPCs associated with releases from hazardous waste storage areas using appropriate exposure factors and chemical-specific toxicity information to demonstrate that cumulative excess lifetime cancer risk (ELCR) and noncancer hazard index (HI) are less than or equal to risk management limits (ELCR $\leq 1x\ 10^{-6}$ and HI $\leq 1$) in accordance with 25 Pa Code Section 250.402. Ecological risk assessments will be conducted in accordance with Section II.B.2.e of the Act 2 guidance to screen for potential impacts to ecological receptors identified in 25 Pa Code Section 250.311(a).

If the data from a given hazardous waste storage area indicate ELCR and/or HI estimates equal to or less than these risk management limits, the area is considered to have met the requirements for risk-based clean closure.

(3) If the data evaluation conducted in accordance with Items 1 and 2 above indicates that previously unidentified releases to the environment have resulted in an unacceptable risk to human health or the environment, remedial actions will be performed, and the data evaluation process will be repeated until the clean closure performance standard has been achieved.

In accordance with the CO&A between PESRM and the Department dated January 15, 2020, as amended, this Supplement to the Closure Plan will be published on PESRM's website. PESRM will hold a public meeting prior to June 30, 2024 to discuss the soil sampling results and the results from the data evaluation for each storage area. PESRM will provide public notice of the meeting at least 30 days prior to the meeting and will submit a summary of the meeting to the Department as part of its Request for Closure Certification for each hazardous waste storage area.

If you have any questions or comments concerning the information presented in this letter, please do not hesitate to contact Julianna Connolly at (617)-240-8695 or via email at jconnolly@hilcoglobal.com. We appreciate the Department's consideration.

Sincerely,



Anne R. Garr
Assistant Secretary

cc: Sachin Shankar
Patrick Patterson
Shawn Mountain
Brian Glass
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Amy Piccone
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