pennsylvania
DEPARTMENT OF ENVIRONMENTAL PROTECTION

April 26, 2024

Ms. Anne Garr
Philadelphia Energy Solutions Refining and Marketing LLC
111 S. Acker Drive, Suite 3000
Chicago, IL 60606

Re: Statewide Health Standard Final Report Approval
Philadelphia Energy Solutions
860 Unit Cooling Tower and Hartranft Street – Point Breeze
eFACTS PF No. 854903
eFACTS Activity No. 57458
3144 West Passyunk Ave
City of Philadelphia
Philadelphia County

Dear Ms. Garr:

The Department of Environmental Protection (DEP) reviewed the March 2024 document titled "Final Report | 860 Unit Cooling Tower and Hartranft Street," (report) for the property referenced above. The report was prepared by Terraphase Engineering and submitted to DEP in accordance with the Land Recycling and Environmental Remediation Standards Act (Act 2), and it constitutes a final report as defined in Chapter 3 of Act 2.

DEP hereby approves this final report for the substances identified and remediated to an Act 2 standard within the site(s) specified. 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).

This project attained a nonresidential Statewide health standard for benzene, toluene, ethylbenzene, xylenes, cumene, 1,2,4-trimethylbenzene, 1,3,5-trimethylbenzene, anthracene, benzo(a)anthracene, benzo(a)pyrene benzo(b)fluoranthene, benzo(g,h,i)perylene, chrysene, fluorene, naphthalene, phenanthrene, and pyrene in soil.

Please refer to the enclosed Standard Attachment for other DEP program requirements for considerations which may be applicable to the referenced site.

Thank you for your cooperation in working with DEP in the remediation of this site. If you have any questions or need further information regarding this matter, please contact Chelsea Fazzino at cfazzino@pa.gov or by telephone at 484.250.5791.

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.

Sincerely,

Ragesh R Patel

Ragesh R. Patel
Regional Manager
Environmental Cleanup and Brownfields

Enclosure: Standard Attachment

cc: Philadelphia Department of Health
Ms. Connolly, HRP
Mr. Jeray, HRP
Mr. Long, Terraphase
Mr. Brown, P.G.
Ms. Fazzino, P.G.
Ms. Bass