Pennsylvania
Department of Environmental Protection

December 5, 2024

Anne Garr
Philadelphia Energy Solutions Refining and Marketing LLC
3144 W Passyunk Avenue
Philadelphia, PA 19145-5208

Re: Individual NPDES Permit
The Bellwether District Industrial: Major Amendment 3
NPDES Permit No. PAD510217 A-3
City of Philadelphia, Philadelphia County

Dear Anne Garr:

Under the authority of the federal Clean Water Act and Pennsylvania's Clean Streams Law, the Department of Environmental Protection (DEP) approves your application for a major amendment of your Individual NPDES Permit for Discharges of Stormwater Associated with Construction Activities. Your permit is enclosed. The latest versions of the permit application and all supporting documents, including the Erosion and Sediment Control (E&S) Plan and Post-Construction Stormwater Management (PCSM) Plan, are incorporated into this approval, including the following plan drawings:

- The E&S Plan drawings, for "Philadelphia Energy Solutions Refining and Marketing LLC," dated March 29, 2024, and last revised July 19, 2024.

- The PCSM Plan drawings for "Philadelphia Energy Solutions Refining and Marketing LLC," dated March 29, 2024, and last revised July 19, 2024.

Your permit, which has been assigned NPDES Permit No. PAD510217 A-3, is effective on **December 5, 2024,** and will expire on **December 5, 2027**. **If stormwater discharges associated with construction activities are expected to continue beyond the expiration date of the permit, you must apply to renew your permit at least 180 days prior to the expiration date, unless otherwise approved by DEP**.

Please review the permit carefully and contact this office if you have any questions. Please pay particular attention to the following requirements of the permit:

Prior to commencing earth disturbance activities resulting in stormwater discharges you must complete all of the following:

1. You must obtain all other state and local permits.

2. You must record a legal instrument disclosing planned PCSM stormwater control measures (SCMs) on applicable properties with the Recorder of Deeds and receive written authorization from DEP prior to scheduling the pre-construction meeting.

3. You must hold a pre-construction meeting unless waived by DEP, in writing.

You must record the following information with the Recorder of Deeds Office and submit the information recorded as well as proof of recording to DEP within 45 days of this letter**:**

- An instrument that is consistent with DEP's Sample Instrument for the Declaration of Restrictions and Covenants, available on DEP's website (visit www.dep.pa.gov/constructionstormwater and select E&S Resources).

- Approved PCSM Plan Drawing(s) identifying stormwater control measures (SCMs) or other documentation that identifies the location of the SCMs on the relevant properties; the planned size (length, width, depth) of the SCMs; depictions of the inlet and outlet structures of the SCMs, as applicable; construction materials and media, as applicable; and the planned vegetation for the SCMs, as applicable.

- Long-Term Operation & Maintenance (O&M) Plans for the SCMs, if separate from PCSM Plan Drawings.

You will need to visit DEP's website to download and use the following forms throughout your term of permit coverage. Go to www.dep.pa.gov/constructionstormwater, select E&S Resources, and click on the links under "Published Forms."

- **Visual Site Inspection Report (3800-FM-BCW0271d)** – You must use this report or an alternative document or electronic form that collects and retains identical information to document self-inspections of your project site. Inspections must occur weekly, following storm events of at least 0.25 inch, and in response to deficiencies. You must maintain these reports on-site and submit the reports upon request.

- **New Property Owner Notification Form (3800-FM-BCW0271i)** – If you sell property within your project site that contains a PCSM SCM, you must submit this form to DEP within 30 days of the date of the sale.

- **SCM Construction Certification Form (3800-FM-BCW0271j)** – You must submit this form to DEP within 30 days of the completion of any structural PCSM SCM, as determined by a licensed professional. The permittee and licensed professional responsible for oversight of critical stages of SCM construction must sign the form.

- **Annual Report (3800-PM-BCW0405e)** – You must submit the annual report by December 7 of each year; your first report is due **December 7, 2025**.

- **Notice of Termination (NOT) (3800-PM-BCW0229b)** – You must submit the NOT following installation of erosion and sediment control (E&S) best management practices (BMPs) and PCSM SCMs; permanent stabilization of earth disturbance activities; and removal of temporary E&S BMPs.

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.

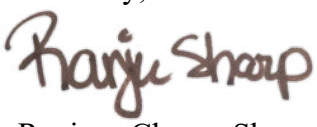
A Notice of Appeal form and the Board's rules of practice and procedure may be obtained online at https://ehb.pa.gov or by contacting the Secretary to the Board at 717-787-3483. The Notice of Appeal form and the Board's rules are also available in braille and on audiotape from the Secretary to the Board.

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.

If you have questions, please contact Anahid Damerau by e-mail at adamerau@pa.gov or by telephone at 484.250.5159 and refer to Permit No. PAD510217 A-3.

Sincerely,



Ranjana Chopra Sharp, P.E.
Environmental Program Manager
Southeast Regional Office

cc: John C Medendorp IV, P.E. – Pennoni (approval letter and page 1 of permit only)
Philadelphia Water Department (approval letter and permit only)
Christopher Smith, P.E. – DEP
Ana Damerau - DEP

Enclosures: Individual NPDES Permit