



Pennsylvania  
Department of Environmental Protection

October 3, 2025

Ms. Anne R. Garr  
Bellwether District Holdings, LLC  
111 South Wacker Drive, Suite 3000  
Chicago, IL 60606

Re: Disapproval of Final Report  
Philadelphia Energy Solutions Refinery Units 136/137  
eFACTS PF No. 850105  
3144 West Passyunk Avenue  
City and County of Philadelphia

Dear Ms. Garr:

The Department of Environmental Protection (DEP) has reviewed the April 2025 document titled “Remedial Investigation and Final Report for the 136 Naphtha Release Area (Girard Point)” for the property referenced above. The report as amended by information received on August 8, 2025 was prepared by Terraphase Engineering, Inc. 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.

DEP notes the following deficiencies in the report and disapproves it in accordance with the provisions of Act 2:

The original deficiency noted in DEP’s June 9, 2025 letter was not resolved. The 2024 post-excavation soil samples do not meet the 75%/10x rule for attainment of the Statewide health standard in accordance with 25 Pa. Code Section 250.707(b)(1)(i). Information was presented to suggest that an area of soil contamination is related to legacy impacts in the vicinity of the 2019 light naphtha release. However, the information provided was insufficient to determine if the concentrations observed in sample 136N-SB15 and the borings completed to the south in October 2024 are legacy impacts or related to the 2019 naphtha release.

In order for your site to be in compliance with applicable requirements of Act 2, these items must be addressed. DEP is willing to work with you to develop an approvable submittal. ***Please note that the required fee(s) must be repaid and public notification must be repeated for all new submittals.***

Please feel free to contact Matthew Sabetta by email at [msabetta@pa.gov](mailto:msabetta@pa.gov) or by telephone at 484.250.5788 if you have any questions regarding this correspondence.

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://www.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.**

Sincerely,

**C. David Brown, P.G.** Digitally signed by C. David Brown, P.G.  
Date: 2025.10.03 09:47:50 -04'00'

C. David Brown, P.G.  
Regional Manager  
Environmental Cleanup and Brownfields

cc: Mr. Long (Terraphase Engineering, Inc.)  
City of Philadelphia  
Mr. Glass, Esq.  
Mr. Bilash - USEPA  
Mr. Devan, P.G.  
Mr. Sabetta, P.G.  
Ms. Henderson