



Pennsylvania
Department of Environmental Protection

October 2, 2025

VIA E-MAIL: AGarr@hilcoglobal.com

Ms. Anne R. Garr
Assistant Secretary
Bellwether District Holdings, LLC
3144 Passyunk Avenue
Philadelphia, PA 19145

Re: Notification of Closure for Hazardous Waste Storage Areas
Bellwether District Holdings LLC Facility (formerly known as Philadelphia Energy
Solutions Refining & Marketing LLC Facility)
RCRA - Part B Permit No. PAD049791098
APS No. 827965, AUTH No. 1529848
City of Philadelphia, Philadelphia County

Dear Ms. Garr:

On May 29, 2025, the Pennsylvania Department of Environmental Protection (DEP) received a document entitled “Notification of Closure 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” (Closure Notification) for the hazardous waste storage areas within the Bellwether District Holdings LLC Facility, a closed petrochemical facility located at 3144 Passyunk Avenue, in the City of Philadelphia, Philadelphia County. The Closure Notification was submitted by Bellwether District Holdings, LLC (BDH), formerly known as Philadelphia Energy Solutions Refining & Marketing, LLC (PESRM), to certify and document that the closure activities at the facility that is identified by the Resource Conservation and Recovery Act (RCRA) Part B Permit No. PAD049791098 (Permit) were performed in accordance with the Permit approved Closure Plans (Closure Plan) and January 15, 2020 Consent Order and Agreement (CO&A). The Closure Notification was submitted as required in Part II Section I (Part II.I) of the Facility’s Permit in accordance with the Code of Federal Regulations (CFR) Title 40, Part 264.115, as well as the requirements in 25 Pa. Code §§ 264a.115 and 166.

A “Closure Plan and Management of Waste Containers and Tanks Procedures” was submitted to DEP on February 28, 2018. Part II.I of the Permit indicated that “The Permittee shall close the facility as required by 40 C.F.R. 264.111 and in accordance with the [Closure Plan].” On September 13, 2023, PESRM and DEP amended the January 15, 2020, CO&A to clarify that the United States Environmental Protection Agency (EPA) has interpreted 40 CFR 264.111 to allow for a risk-based clean closure. This was documented in the 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 (i.e., Spent Caustic Tanks 1086 and 1087), under RCRA Permit ID No. PAD049791098, dated February 9, 2024.

The Closure Notification included:

1. DEP Form HW-B – Professional Certification - Hazardous Waste Facility Construction, Repair or Closure Activity and supporting documentations for the Point Breeze Hazardous Waste Container Storage Pad, which documented the subject storage pad was cleaned and demolished in February 2022 and a sample of the demolition debris was collected on February 28, 2022. In addition, a Site Investigation Report Technical Memorandum for the Point Breeze Hazardous Waste Container Storage Pad, dated July 15, 2024, was submitted and documented that the underlying soils were not impacted.
2. DEP Form HW-B – Professional Certification - Hazardous Waste Facility Construction, Repair or Closure Activity and supporting documentations for the Girard Point Hazardous Waste Container Storage Pad, which documented the subject storage pad was cleaned and demolished in April 2023 and a sample of the demolition debris was collected on May 2, 2023. In addition, a Site Investigation Report Technical Memorandum for the Girard Point Hazardous Waste Storage Pad, dated July 15, 2024, was submitted and documented that the underlying soils were not impacted.
3. DEP Form HW-B – Professional Certification - Hazardous Waste Facility Construction, Repair or Closure Activity and supporting documentations for the Two Girard Point Hazardous Waste Aboveground Storage Tanks (i.e., Spent Caustic Tanks 1086 and 1087), which documented the subject storage tanks were cleaned and demolished in June 2022. In addition, a Site Investigation Report Technical Memorandum for the Girard Point Hazardous Waste Storage Pad, dated July 15, 2024, was submitted and documented that the underlying soils were not impacted.

A request for closure certification from DEP is considered a Class 3 permit modification, which is subject to the public notice and comment requirements, pursuant to 25 Pa. Code § 264a.167. Accordingly, the applicant held a virtual public meeting on June 3, 2024, to update the public and discuss any comments that they may have on the closure investigations of the hazardous waste storage areas at the facility.

Based on a site inspection performed by DEP's staff on October 7, 2024, and our review of the aforementioned Closure Notification, DEP determines that BDH has satisfied the closure requirements in BDH's RCRA Facility Part B Permit No. PAD049791098, pursuant to 40 CFR Part 264.115, as well as 25 Pa. Code §§ 264a.115 and 166. However, a closure certification from DEP is not issued as of this determination and may not take effect until one (1) year after receipt of DEP's determination [25 Pa. Code § 264a.166(c)].

Please be advised that a closure certification is not a guarantee of future performance nor does it constitute a waiver or release of bond liability or other liability existing in law for adverse environmental conditions or conditions of noncompliance existing at the time or which might occur at a future time, for which the owner or operator shall remain liable, pursuant to 25 Pa. Code § 264a.166(d). At least 6 months prior to expiration of the 1-year liability period following closure, DEP will conduct an inspection of the facility as required in 25 Pa. Code §264a.166(g).

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 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 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.

If you have any questions about the enclosed permit or requirements of the Solid Waste Management Act, please contact Dr. Mohamad Mazid, P.E., Chief, Technical Services, by e-mail at mmazid@pa.gov or by telephone at 484.250.5768.

Thank you for your cooperation.

Sincerely,

A handwritten signature in dark ink, appearing to read "Shawn E. Mountain". The signature is fluid and cursive, with the first name "Shawn" and last name "Mountain" clearly distinguishable.

Shawn Mountain
Environmental Program Manager
Waste Management

cc: Ms. Rainford – Philadelphia Department of Public Health
Ms. Connolly – Bellwether District Holdings, LLC
Ms. Eggert – Hilco Redevelopment Partners
Ms. Rolison, P.E. – Stantec Consulting, Inc.
Ms. Piccone – Hilco Redevelopment Partners
Mr. Long – Terraphase Engineering Inc.
Mr. Scala – Terraphase Engineering Inc.
Mr. Mellott
Mr. Clancy
Mr. Glass
Dr. Mazid, P.E.
Mr. Bower
Mr. K. Bauer
Ms. Wilson
Dr. Ou, P.E.
Re 30 (hmw25wm) 275