

November 10, 2016

Ms. Tiffani Doerr
Evergreen Resources Management Operations
2 Righter Parkway, Suite 200
Wilmington, DE 19803

Re: Approval of Risk Assessment Report
Philadelphia Energy Solutions Refinery, AOI 10
eFACTS PF No. 720775
3144 Passyunk Avenue
City of Philadelphia
Philadelphia County

Dear Ms. Doerr:

The Department of Environmental Protection (DEP) has reviewed the June 2016 document titled "AOI 10 Ecological Risk Assessment Report for Sediment in Lands Creek," for the property located at 3144 Passyunk Avenue, Philadelphia, PA. The AOI 10 site is also known as the Point Breeze West Yard. The report was prepared by GHD Services, Inc., and it was submitted to DEP in accordance with the Land Recycling and Environmental Remediation Standards Act (Act 2). The report constitutes a risk assessment report as defined in Chapter 3.

DEP hereby approves the report in accordance with the provisions of Act 2.

Please feel free to contact Mr. C. David Brown at 484.250.5796 with any questions or if further clarification is needed regarding this matter.

Any person aggrieved by this action may appeal, pursuant to Section 4 of the Environmental Hearing Board Act, 35 P.S. Section 7514, and the Administrative Agency Law, 2 Pa.C.S. Chapter 5A, to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, 717.787.3483. TDD users may contact the Board through the Pennsylvania Relay Service, 800.654.5984. Appeals must be filed with the Environmental Hearing Board within 30 days of receipt of written notice of this action unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in braille or on audiotape from the Secretary to the Board at 717.787.3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

If you want to challenge this action, your appeal must reach the Board within 30 days. You do not need a lawyer to file an appeal with the Board.

Important legal rights are at stake, however, so 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 (717.787.3483) for more information.

Sincerely,



Sachin Shankar, P.E.
Assistant Regional Director

cc: Mr. Barksdale - PES
Ms. Costello - GHD
Mr. Bilash - EPA Region 3
Philadelphia Department of Health
Mr. Brown, P.G.
Ms. Warren
Ms. Bass
Regional File
Re 30 (cm16ecb) 315-1