



April 18, 2017

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

Re: Disapproval of Remedial Investigation Report  
Philadelphia Refinery AOI 9  
eFACTS PF No. 778379  
Mingo Avenue  
City of Philadelphia  
Philadelphia County

Dear Ms. Doerr:

The Department of Environmental Protection (DEP) has reviewed the February 8, 2017, document titled "Remedial Investigation Report Addendum, Area of Interest 9" (report) for the Schuylkill River Tank Farm located on Mingo Avenue, Philadelphia. AOI 9 is part of the Philadelphia Energy Solutions refinery complex. The report was prepared by Langan Engineering and Environmental Services, Inc. and submitted to DEP in accordance with the Land Recycling and Environmental Remediation Standards Act (Act 2). The report constitutes an amended remedial investigation report (RIR) as defined in Chapter 3 of Act 2.

The report amends a previously submitted RIR dated December 31, 2015 and supplementary material dated March 22, 2016.

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

1. Site characterization data indicate that groundwater contamination occurs at the western property boundary, along Essington Avenue, and at the southwestern property boundary. Evergreen has not delineated this contamination outside the property boundaries to determine its extent offsite. Delineating the horizontal extent of groundwater contamination is required by Title 25 Pa. Code Sections 250.408(a), (b), and (e).
2. A better understanding of offsite groundwater flow and the extent of groundwater contamination is necessary to assess potentially complete current and future exposure pathways as per Title 25 Pa. Code Section 250.404.

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.***

If you wish to discuss these deficiencies, please contact C. David Brown by email at [cdbrown@pa.gov](mailto:cdbrown@pa.gov) or by telephone 484.250.5796.

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  
Mr. McKeever - Langan  
Mr. Bilash - EPA Region 3  
Philadelphia Department of Health  
Mr. Brown, P.G.  
Ms. Kennedy, P.G.  
Ms. Leone, Esq.  
Ms. Warren  
Ms. Bass  
Regional File  
Re 30 (rc17ecb) 108.3