

May 6, 2015

Mr. James Oppenheim
Evergreen Resources Management Operations
2 Righter Parkway, Suite 200
Wilmington, DE 19803

Re: Approval of Risk Assessment Report
Site-Specific Standard for Lead in Soil
Philadelphia Refinery
eFACTS PF No. 780190
3144 West Passyunk Avenue
City and County of Philadelphia

Dear Mr. Oppenheim:

The Department of Environmental Protection (DEP) has reviewed the February 24, 2015, document titled "Human Health Risk Assessment Report" for the Philadelphia Energy Solutions Refining & Marketing, LLC facility located at 3144 West Passyunk Avenue, Philadelphia. 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) and it constitutes a Risk Assessment Report as defined in Chapter 3.

DEP hereby approves the Risk Assessment Report in accordance with the provisions of Act 2. The report establishes a nonresidential direct contact site-specific numerical standard for lead in soil of 2240 mg/kg.

Please feel free to contact Mr. C. David Brown, P.G., 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,

A handwritten signature in blue ink, appearing to read "Stephan Sinding", is written over a faint, illegible typed name.

Stephan Sinding
Regional Manager
Environmental Cleanup and Brownfields

cc: Mr. Barksdale, Philadelphia Energy Solutions
Mr. McKeever, Langan Engineering and Environmental Services
Mr. Bilash, U.S. EPA Region 3
Mr. Brown, P.G.
Ms. Warren
Ms. Bass
City of Philadelphia Department of Public Health
Regional File
(eh15ecb)126-2