



November 24, 2021

Ms. Tiffani L. Doerr, PG
Evergreen Resources Management
2 Righter Parkway, Suite 120
Wilmington, DE 19803

Re: Approval of Public Involvement Remedial Investigation Report
PESRM - Evergreen
eFACTS PF No. 780190
3144 Passyunk Avenue
City of Philadelphia
Philadelphia County

Dear Ms. Doerr:

The Department of Environmental Protection (DEP) has reviewed the March 31, 2021 document titled "Former Philadelphia Refinery, Public Comment Remedial Investigation Report" for the property referenced above. This report was amended by the August 28, 2021 document titled "PADEP Comments, Public Involvement Remedial Investigation Report." The report was prepared by Evergreen Resources Management and submitted to DEP in accordance with the Land Recycling and Environmental Remediation Standards Act (Act 2), and it constitutes an amended Remedial Investigation Report as defined in Chapter 3.

The subject report and addendum consist of public comments and responses by the remediator, Evergreen Resources Management, concerning various Act 2 remedial investigation and risk assessment reports submitted between 2011 and 2017. The documents address the public involvement requirements of Act 2 (35 P.S. Section 6026.304(o)). DEP issued a technical deficiency letter on June 29, 2021 for the March 31, 2021 report; the August 28, 2021 addendum responded to those deficiencies.

DEP hereby approves the Public Involvement Remedial Investigation Report, as amended, in accordance with the provisions of Act 2.

Please feel free to contact Lisa Strobridge by email at lstrobridg@pa.gov or by telephone at 484.250.5796 with any questions or if further clarification is needed regarding this matter.

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://ehb.courtapps.com> 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,

Ragesh R Patel

Ragesh R. Patel
Regional Manager
Environmental Cleanup and Brownfields

cc: Mr. Cullinan, PE (Evergreen)
Ms. Garr (Philadelphia Energy Solutions Refining & Marketing, LLC)
Ms. Costello, PG, (Sanborn, Head & Associates, Inc.)
Philadelphia Department of Health
City of Philadelphia
Mr. Brown, PG
Ms. Strobridge, PG
Mr. Glass, Esq.
Mr. Bilash, U.S. EPA
Ms. Bass