



January 14, 2022

Mr. Brian M. Stearns  
National Grid  
300 Erie Blvd. West  
Syracuse, NY 13202

Re: Disapproval of Report  
Philadelphia Coke Plant  
eFACTS PF No. 831308  
4501 Richmond Street  
City & County of Philadelphia

Dear Mr. Stearns:

The Department of Environmental Protection (DEP) has reviewed the October 28, 2021 document titled "Remedial Investigation Report and Cleanup Plan" (report) for the property referenced above. The report was amended on December 21, 2021, January 7, 10, and 11, 2022. The report and plan are for a former coking operation and a former bulk petroleum handling facility. The report, as amended, was prepared by Arcadis U.S., Inc. and submitted to DEP in accordance with the Land Recycling and Environmental Remediation Standards Act (Act 2), and it constitutes a Remedial Investigation Report and Cleanup Plan as defined in Chapter 3.

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

1. The report lacked a sufficient ecological evaluation for threatened and endangered species identified in the Pennsylvania Natural Diversity Inventory review. 25 Pa. Code Sections 250.402(c), 250.404(a)
2. The cleanup plan was unclear on how soil material saturated with viscous tar or oil-like material that is disturbed by construction activities will be managed. Such materials must be handled in accordance with DEP's Waste Management regulations. 25 Pa. Code Sections 250.3(a), 250.410(a)
3. The cleanup plan proposed to cap only areas where exceedances of direct contact medium-specific concentrations were found in the soil characterization. No remedy was proposed and no human health risk assessment was performed for other areas with soil exceedances. 25 Pa. Code Section 250.410(a), 250.405(a)
4. The cleanup plan did not detail the locations and extent of the proposed cap. A map depicting the cap area(s) is required. 25 Pa. Code Section 250.410(b)(3)

5. No remedy was proposed and no human health risk assessment was performed for potential future excavations beneath the cap. 25 Pa. Code Sections 250.410(a), 250.405(a)
6. The cleanup plan did not include specifications for the proposed vapor barrier to be installed for vapor intrusion mitigation in the new construction. 25 Pa. Code Section 250.410(b)(3)
7. The cleanup plan did not specify the frequency of cap inspections in the post-remediation care plan. 25 Pa. Section Code 250.410(b)(5)

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.***

Please feel free to contact Sarah Pantelidou, P.G. by email at [spantelido@pa.gov](mailto:spantelido@pa.gov) or by telephone at 484.250.5778 if you have any questions regarding this correspondence.

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. Bilash, US EPA Region III  
Mr. Guerin, National Grid  
Mr. Sheehan, P.E., Arcadis  
Ms. Rainford, MPH, Philadelphia Dept. of Health  
Mr. Bram, Esq.  
Mr. Brown, P.G.  
Ms. Pantelidou, P.G.  
Ms. Bass