

February 22, 2024

Max Ryan
Alliance 51st Street LLC
40 Morris Avenue, Suite 230
Bryn Mawr, PA 19010
Email: mryan@alliancehsp.com

Re: Remedial Action Plan Approval
Storage Tank System Release August 17, 2021
Facility ID No. 51-10420
Incident No. 56662
51st Street Terminal
1630 South 51st Street
City of Philadelphia

Dear Mr. Ryan:

The Department of Environmental Protection (DEP) has reviewed the November 2023 document titled Remedial Action Plan for the release referenced above. This document was prepared by Arcadis and submitted as a Remedial Action Plan (RAP) as required by 25 Pa. Code Section 245.311. You selected the site-specific standard as the remediation standard for soil and groundwater.

DEP approves the RAP in accordance with 25 PA Code Section 245.311(c)(1).

25 Pa. Code Section 245.312(a) requires that remedial action shall be implemented upon approval of the RAP according to the schedule contained in the RAP. Remedial action should, therefore, commence immediately upon receipt of this letter and proceed in accordance with the schedule in the RAP until the selected remediation standard is attained.

Remedial Action Progress Reports (RAPRs) must be submitted to DEP in accordance with 25 Pa. Code Section 245.312(b-d) by the 30th day of the month following the end of each quarter (April 30, July 30, October 30 and January 30). The final RAPR is submitted as part of the Remedial Action Completion Report. Your first RAPR should be submitted no later than June 21, 2024.

Failure to implement remedial action or submit complete progress reports in accordance with the schedule outlined above may result in enforcement action by DEP. If you wish to modify any part of this Remedial Action Plan or select a new remediation standard, you must prepare and submit a new or modified Remedial Action Plan to DEP in accordance with 25 Pa. Code Section 245.312(e).

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.

If you have any questions, please contact Rebecca Flannery by email at rflannery@pa.gov or by telephone at 484.250.5779.

Sincerely,

Ragesh R. Patel

Ragesh R. Patel
Regional Manager
Environmental Cleanup and Brownfields

cc: Philadelphia Department of Public Health
City of Philadelphia L&I
Mr. Brunt, Arcadis
Mr. Staron
Ms. Flannery
OnBase