



CHAPTER 102 INSPECTION REPORT

PA Department of Environmental Protection

Permit No.: PAD510225

Report No.: 03

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Clear Report

GENERAL INFORMATION

Project/Site Name:	<u>Alliance 51st Street, Philadelphia</u>	Permit Issuance Date:	<u>9/5/2023</u>
Site Address:	<u>1656 S. 51st St.</u>	Permit Expiration Date:	<u>9/4/2028</u>
Site City, State, ZIP:	<u>Philadelphia, PA 19143</u>	Permit Type:	<u>NPDES IP</u>
RP/Permittee Name:	<u>Eric Carlson</u>	Site Municipality(ies):	<u>Philadelphia</u>
RP/Permittee Address:	<u>40 Morris Ave., Suite 230</u>	Site County(ies):	<u>Philadelphia</u>
RP/Permittee City, State, ZIP:	<u>Bryn Mawr, PA 19010</u>	Earth Disturbance:	<u>11.54</u> acres
RP/Permittee Email:	<u>ecarlson@alliancehp.com</u>	Site Latitude:	<u>39.935278</u>
Surface Water(s):	<u>Schuylkill River</u>	Site Longitude:	- <u>75.209236</u>
Special Protection?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complaint Inspection?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Construction Stage:	<u>Bulk earthwork</u>	Activity:	<u>Construction ≥ 1 ac.</u>

Operator Name	Operator Company	Operator Email	Approved
Bruce Price	Arco Design/Build	brprice@arcodb.com	<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>

INSPECTION INFORMATION

Inspection Date:	<u>8/8/2024</u>	Inspection Time:	<u>10:25</u> <input checked="" type="checkbox"/> AM <input type="checkbox"/> PM
Lead Inspector Name:	<u>Linda Mackey</u>	Inspector Email:	<u>lmackey@pa.gov</u>
Inspector Title:	<u>Compliance Specialist</u>	Inspector Phone:	<u>484.250.5148</u>
Other Inspector(s):	<u>Robert Page, Env. Grp. Mgr.</u>	Weather:	<u>Rain, 75°F</u>

Was a representative of the project on-site during the inspection? Yes No

Representative Name:	<u>n/a</u>	Email:	<u>n/a</u>
Representative Company:	<u>n/a</u>	Phone:	<u>n/a</u>

Type of Inspection: Initial Follow-up (Previous Report #) Photographs attached

Brief description of the site and summary of observations:

Robert Page and Linda Mackey (DEP) conducted a Chapter 102 follow-up inspection of this industrial redevelopment site (previous inspections 7/18/24 and 7/29/24). Upon arrival we met with Bruce Price of ARCO Design & Build, who granted us access to the site. Mr. Price did not accompany us during the inspection. Before we began our inspection, Mr. Price stated that Bao Nguyen of Philadelphia Water Dept. had been there every day since Monday 8/5/24 to inspect.

We observed the previously installed compost filter sock and rock filters to be remaining in place. The compost filter sock on the southern, long side of the fill stockpile is almost full in areas, due to stockpile erosion. This side is currently contained within the rock check dams and swale on this side of the stockpile.

The same fill stockpile, on the lower side and trail side, is eroding, with no stabilization, after at least 2 weeks of exposure. Rills have begun to form in the stockpile, creating increased potential for slope failure and sediment-laden run-off in heavy rain.

INSPECTION FINDINGS	
	<input type="checkbox"/> No violations observed at this time.
a.	<input type="checkbox"/> Failure to implement and/or maintain E&S BMPs for earth disturbance (§§ 102.4(b)(1), 102.22(a)(1)).
b.	<input type="checkbox"/> Failure to develop and/or implement a written E&S Plan (§ 102.4(b)(2)).
c.	<input type="checkbox"/> Failure to have a person trained and experienced in E&S control methods develop an E&S Plan (§ 102.4(b)(3)).
d.	<input type="checkbox"/> Failure to have the E&S Plan and/or inspection/monitoring reports on-site and available for review (§ 102.4(b)(8)).
e.	<input type="checkbox"/> Failure of permittee to obtain all necessary approvals/permits from DEP/CCD prior to commencing earth disturbance (§ 102.4(d)).
f.	<input type="checkbox"/> Failure to hold a pre-construction meeting and/or invite DEP/CCD staff and/or provide at least 7 days' notice (§ 102.5(e)).
g.	<input type="checkbox"/> Failure of an operator to submit a co-permittee acknowledgement form (§ 102.5(h)).
h.	<input type="checkbox"/> Failure to prepare and/or implement and/or provide upon request a PPC Plan when required (§ 102.5(l)).
i.	<input checked="" type="checkbox"/> Failure to temporarily stabilize areas where there will be a cessation of earth disturbance activities for at least 4 days (§ 102.22(b)).
j.	<input type="checkbox"/> Failure to complete or accurately complete visual site inspections as required by the permit (CSL § 402(b)).
k.	<input type="checkbox"/> Failure to implement PCSM BMPs as specified in the approved PCSM Plan (§ 102.8(a)).
l.	<input type="checkbox"/> Failure to operate and maintain PCSM BMPs as specified in an approved PCSM Plan or deed (§ 102.8(a)).
m.	<input type="checkbox"/> Failure to have the PCSM Plan, inspection reports, and/or monitoring records available for review (§ 102.8(j)).
n.	<input type="checkbox"/> Failure to have a licensed professional or a designee present on-site during critical stages of PCSM BMPs (§ 102.8(k)).
o.	<input type="checkbox"/> Failure to record an instrument for PCSM BMPs (§ 102.8(m)(2)).
p.	<input type="checkbox"/> Failure to meet riparian forest buffer criteria (§ 102.14(b)).
q.	<input type="checkbox"/> Failure to permanently stabilize a project site or any phase or stage thereof (§ 102.22(a)).
r.	<input type="checkbox"/> Failure to remove temporary E&S BMPs once permanent stabilization has been established (§ 102.22(a)(1)).
s.	<input type="checkbox"/> Failure to obtain NPDES permit prior to commencing earth disturbance activity with at least one acre of disturbance (§ 102.5(a)).
t.	<input type="checkbox"/> Failure to obtain E&S permit prior to commencing earth disturbance activity with at least 25 acres of disturbance for timber harvesting and road maintenance (§ 102.5(b)).
u.	<input type="checkbox"/> Failure to obtain E&S permit prior to commencing earth disturbance activity with at least 5 acres of disturbance for oil and gas activities (§ 102.5(c)).
v.	<input type="checkbox"/> Failure of activity not requiring a permit to comply with Chapter 102 requirements (§ 102.5(k)).
w.	<input type="checkbox"/> Failure to follow the approved construction sequence in an E&S or PCSM Plan (CSL § 402(b)).
x.	<input type="checkbox"/> Failure to submit a Notice of Termination (NOT) (§ 102.7(a)).
y.	<input type="checkbox"/> Unauthorized discharge of polluting substances to waters of the Commonwealth resulting in pollution (CSL § 401).

z.	<input type="checkbox"/>	Failure to comply with the terms and conditions of a permit or order (CSL § 402(b)).
aa.	<input type="checkbox"/>	Failure to remove building materials and/or wastes from the site for recycling or disposal in accordance with DEP regulations as required by the permit (CSL § 402(b)).
bb.	<input type="checkbox"/>	Failure to comply with DEP regulations or the Clean Streams Law (CSL § 611).
cc.	<input type="checkbox"/>	Failure to take necessary measures to prevent pollutants from reaching waters of the Commonwealth (§ 91.34(a)).
dd.	<input type="checkbox"/>	Failure to notify DEP of new or expanded earth disturbance not identified in an NPDES permit application (§ 92a.24(b)).
ee.	<input type="checkbox"/>	Failure to notify and/or obtain authorization from DEP/CCD for changes to NPDES permitted activities (§ 92a.41(a)(12)).
ff.	<input type="checkbox"/>	Other:
	<input type="checkbox"/>	During the inspection violations of Chapter 105 were observed and are identified in a separate Chapter 105 inspection report.
	<input type="checkbox"/>	E&S BMPs were evaluated and appear to be functioning as designed.
	<input type="checkbox"/>	PCSM BMPs were evaluated and appear to be functioning as designed.
	<input type="checkbox"/>	Form 3800-FM-BCW0531a was used to document the PCSM BMP evaluation.
	<input type="checkbox"/>	There is a need for modifications to the E&S Plan, PCSM Plan, or permit coverage. Describe:

COMPLIANCE ASSISTANCE RECOMMENDATIONS

We noted that the large fill dirt stockpile on site remained unstabilized at the time of this inspection, with downslope filter sock being the only best management practice in place to protect the Bartram's Garden trail from sedimentation. Failure to temporarily stabilize an earth disturbance activity or any stage or phase of an activity where cessation of activities exceeds four (4) days is a violation of 25 Pa. Code, Section 102.22(b).

During the 7/29/24 inspection, ARCO representatives indicated that they would begin installation of erosion control blanketing on 8/1/24 (in lieu of the ability to obtain vegetative germination due to quality of stockpile material and seasonal dry weather). Then, in an email from an ARCO representative on 8/6/24, ARCO indicated that they would begin to seed and mat the stockpile on the date of this inspection, 8/8/24. Upon our unannounced inspection today, 8/8/24, the ARCO representative, Bruce Price, stated that the erosion control blanket was not arriving to the site until next week, on 8/13/24. DEP advised that this delay would require, per the approved plans, temporary mulching to occur until the erosion control blanket could be installed.

In addition, Mr. Price stated that ARCO would continue to monitor for sediment leaving the site every day. Per the site's approved NPDES Individual Permit, visual site inspection reports should be completed after every runoff event and weekly; and be made available upon request.

ADDITIONAL COMMENTS


n/a

NOTICE AND SIGNATURES

This report is official notification that a representative of the Department of Environmental Protection (DEP) has conducted an inspection of your earth disturbance activity to determine compliance with 25 Pa. Code Chapter 102 and the Pennsylvania Clean Streams Law. This representative may be an employee of a County Conservation District (CCD), which by delegation agreement with DEP is authorized to investigate complaints, inspect earth disturbance activities and conduct compliance actions. Any violations observed by DEP/CCD have been noted in this report and constitute unlawful conduct as defined in Section 611 of the Clean Streams Law. Failure to take corrective actions to resolve the violations may result in administrative, civil and/or criminal penalties being assessed by DEP as specified at Section 602 of the Clean Streams Law. The Clean Streams Law provides for up to \$10,000 per day in civil penalties, up to \$10,000 in summary criminal penalties, and up to \$25,000 in misdemeanor criminal penalties for each violation. This report does not constitute an Order or appealable action of DEP. Nothing contained herein shall be deemed to grant or imply immunity from legal action for any violation noted herein. For further information or assistance contact the DEP/CCD inspector.

*The Project Site Representative's signature acknowledges that they have read the report and were given an opportunity to discuss the report with the inspector. **The signature does not necessarily mean the signee agrees with the report.** All comments by the inspector are based on visual site observations and do not constitute professional practice under applicable law.*


- Violations are documented in this report and this report serves as a Notice of Violation (NOV).
- A follow-up inspection will occur on or about: ongoing



Site Representative Signature

8/12/2024

Date



Inspector Signature

8/9/24

Date

cc: **Philadelphia Water Department**
ARCO Design & Build