BEFORE THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

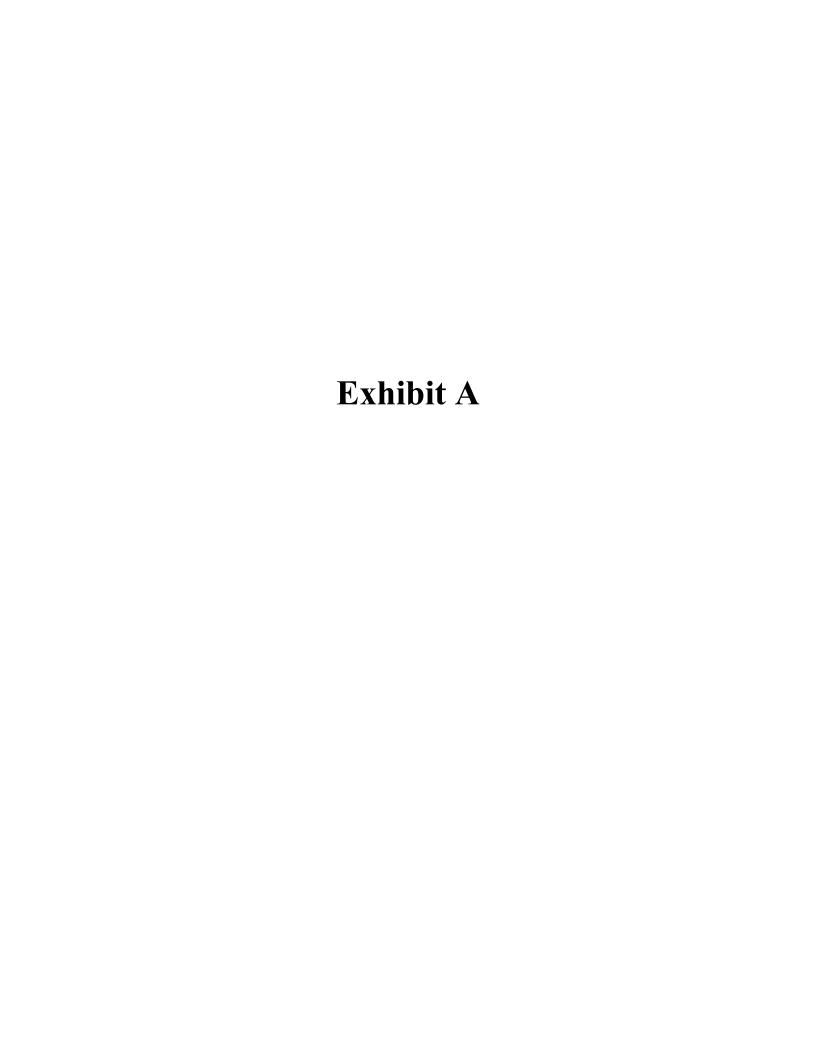
)
) EPA DOCKET NO.
) CERCLA-03-2022-0129LL)))
) PROCEEDING UNDER SECTION
 107(<i>l</i>) OF THE COMPREHENSIVE ENVIRONMENTAL, RESPONSE, COMPENSATION, AND LIABILITY ACT, 42 U.S.C. § 9607(<i>l</i>)

U.S. Environmental Protection Agency's Response to Owner, MAS Management, LLC's Request for a Meeting on a Perfected Superfund Lien

Exhibits

Exhibits

- A City of Philadelphia Archives, 2710 Lefevre Street, Philadelphia, PA;
- B April 14, 2009 POLREP and Special Bulletin, Lefevre Street Container Site;
- C September 29, 2009 Closeout Special Bulletin, Lefevre Street Container Site;
- D Sample Location Map (with results), Removal Site Evaluation, August 28, 2018;
- E POLREP (Pollution Report ("POLREP") #1, June 2, 2020 (Doc. 2303805 of Administrative Record for 2020 Action Memorandum, available at https://semspub.epa.gov/work/03/2303857.pdf;
- F June 11, 2020 email correspondence to Ed Paul, counsel for MAS, from Robert Hasson, Assistant Regional Counsel, EPA Region 3;
- G. June 18, 2020 email correspondence to Ed Paul, counsel for MAS, from Robert Hasson, Assistant Regional Counsel, EPA Region 3;
- H. Best Management, LLC's Response to Comfort Letter Questionnaire, August 1, 2022;
- I. September 12, 2022 email correspondence from Robert Hasson, Assistant Regional Counsel, to Joseph P. Howard, Esq.;
- J. September 28, 2022 email correspondence from Robert Hasson, Assistant Regional Counsel, to Joseph P. Howard, Esq., with Order of Assignment and Certificate of Service;
- K. April 27, 2020 correspondence from Ed Paul, Esq., to Robert Hasson, Assistant Regional Counsel;
- L. January 31, 2020 email from Zahra Saeed, MAS, to EPA OSC Jack Kelly;
- M. Subsurface Sampling Results, Lefevre Street Container Site, November 2, 2018; and
- N. August 24, 2018 email from OSC Jack Kelly to Amer and Zahra Saeed, MAS.



BOX NUMBER:



0000001305

02710

LEFEVRE

ST

HANSEN NUMBER:



(21)	1-9-7) 7
	PPLICATION FOR ISE REGISTRATION PERMIT	CITY OF PHILADELPHIA DEPARTMENT OF LICENSES AND INSPECTIONS MUNICIPAL SERVICES BUILDING – CONCOURSE 1401 JOHN F. KENNEDY BOULEVARD PHILADELPHIA, PA 19102 For more information visit us at www.phila.gov
DDEVIOUS ADDITIONAL	ON NO	76-1439
PREVIOUS APPLICATION (Applicant completes at information)	on below, Print clearly and provide full details)	
LOCATION OF PROPER		L
PROPERTY OWNER'S		
>dno	Soyce	2710 Lebens
PHONE #	FAX#	LICENSE # E-MAIL:
APPLICANT: Bret	J. Downsof Deather Maison	432 B. SROGWICK St.
PHONE # 215. 783	1-9702 FAX# 60.660.6190	LICENSE # 7035 E-MAIL:
li .	-	X_DESIGN PROFESSIONALCONTRACTOREXPEDITOR
FLOOR/SPACE#	CURRENT USE OF BUILDING/SPACE	Last Previous Use Date Last Used
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	BRODOS	ED LICE OF BUILDING/SPACE
FLOOR/SPACE #	PROPOS	ED USE OF BUILDING/SPACE
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CONTINUED ON A	DDITIONAL SHEET (ATTACHED)	CCELERATED REVIEW CHECK/RECEIPT/M.O NO. 1846
IS THIS APPLICATION	ERTY (LEGAL ADDRESS) INAME STATE FAX# LICENSE# # E-MAIL: ### LOUNTSC! FAX# LICENSE# # E-MAIL: #### LOUNTSC! ###################################	
I hereby certify that the state	ments contained herein are true and correct to the best of my kn	owledge and belief. I further certify that I am authorized by the owner to make the
APPLICANT'S SIG	NATURE: UBLACK	DATE: 6 16 106
Form 81-16 (Rev., 10/05)	To provide the second s	
	•	FF \$100, CAK # 1846
	2.	6/15/06

	PRE	REQUISITE	APPROVAL:	S FOR:				
ADDRESS:	* *	APPLICA						
IF REQ'D	AGENCY	INITIALS	DATE	REMARK	(S			
	ART COMMISSION		*					
	13 TH FLOOR - 1515 ARCH STREET CITY PLANNING COMMISSION			 				
	13 TH FLOOR – 1515 ARCH STREET HISTORICAL COMMISSION							
	FAIRMOUNT PARK COMMISSION							
	STREETS DEPARTMENT							
	ROOM 940 – M.S.B. WATER DEPARTMENT							
	2 ND FLOOR -1101MARKET STREET	r						
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NO	YES (INSPECTION FEE MUST BI	E ADDED TO PERMIT	FEE)	USE FEE				
OLATION#_			·	TOTAL FEES				
nis is to certify th the provision	that I have examined the within detaile ons of the law relating to zoning in the C	ed statement, together City of Philadelphia, tha	with a copy of the at the same has be	plans relating thereto, and find the sa en approved and entered into the re-	ame to be in accorda cords of this Departm			
KAMINER: _			DA	TE APPROVED:				
ERMIT#		DATE ISSUED:		CHECK#	<u>.</u> .			

81-16 (Reverse) (Rev 10/05)



ACCELERATED REVIEW REQUEST

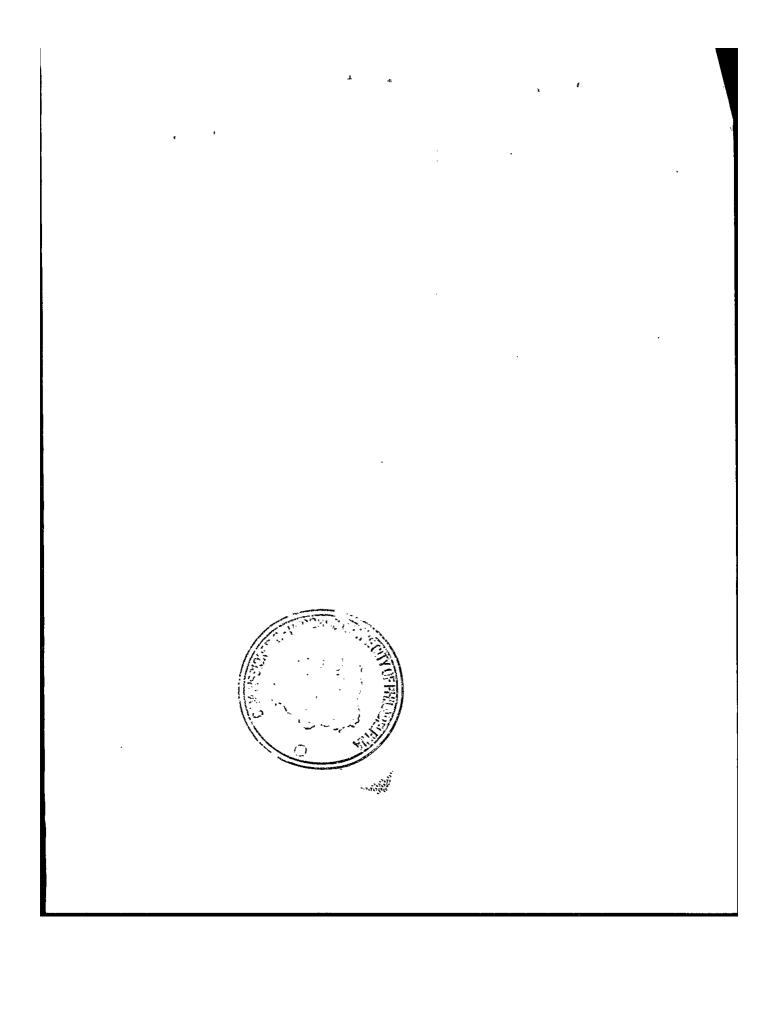
This Document is <u>NOT</u> a Permit

This document acknowledges receipt of the request and payment for an Accelerated Review of a designated type for the location and conditions shown below.



•	1 35 7 4 5000
PLEASE TYPE OR NEATLY PRINT THE FOLLOWING:	REVIEW TYPE:
PROJECT ADDRESS: 07/0 LEFEVVE ST	BUILDING
	\$540 for first four (4) hours;
APPLICATION NUMBER: 18304	\$135 for each additional hour
1180.00Min Daylock	4
AFFEIGAINT WAINE.	ZONING)
ADDRESS: 432 E. SEGGWICKST	\$420 for first four (4) hours; \$135 for each additional hour
- Phia +7 19119	
TELEPHONE NUMBER(S): 215 7839700	ELECTRICAL
FAX NUMBER(S): 610 010 5190	\$540 for first four (4) hours; \$135 for each additional hour
E-MAIL ADDRESS:	\$155 IOI each, additional model
	A STATE OF THE STA
For the address and application shown above, I request an <u>Accelerated Review of</u> submittal, I agree to pay the City of Philadelphia the minimum fee required for four specified by the Department of Licenses and Inspections.	the type specified above. At this (4) hours of overtime expenses, as
If the <u>Accelerated Review</u> of the type specified requires more than four hours of rev City of Philadelphia for the additional overtime charges necessary to complete the	riew time, I agree to reimburse the review,
I understand the results of the Accelerated Review will not be forthcoming until all a	accelerated expenses have been paid.
I acknowledge that I have been informed of the current normal review time associal have elected to submit the application on an accelerated basis. I understand that a take three to the complete.	ted with this type of application and cocceerated review of an application will
I understand that the City of Philadelphia's obligation will be complete when: a pern approved, or; a refusal has been issued, or; a request for additional information has	s been transmitted to the applicant.
I understand the required fees for all permits are in addition to the fees charged for	an Accelerated Review.
APPLICANT'S SIGNATURE: ////////////////////////////////////	0/15/00
DEPARTMENT OF LICENSES & INSPECTIONS: (Official use only)	\$100
PAID Amount: \$420 Check/Receipt# 184	6 Date: 6/15/06
Examiner: Date Assigned: Da	"/ ' '
Date: Date:	יור ביים ביים ביים ביים ביים ביים ביים ביי
Balance Due (when more than 4 hours):	02 SEP -1 PN 9:25
Check/Receipt #: Date Paid:	18.150 mg/4 2
Billing Number:	

D 1112. 174 his Indenture Ö Made the 30+h day of in the year of our Lord one thousand nine hundred and eighty-eight (1988) **B**efween MARY JOYCE (hereinafter called the Grantor), of the one part, and JOHN F. JOYCE, JR. (hereinafter called the Grantee), of the other part, , Wifttenneit That the said Grantor for and in consideration of the sum of SIXTY-TWO THOUSAND (\$62,000.00) DOLLARS lawful money of the United States of America, unto her well and truly paid by the said Grantee, at or before the sealing and delivery hereof, the receipt whereof is hereby acknowledged, has granted, burgained and sold, roleased and confirmed, and by these presents does grant, bargain and sell, release and confirm unto the said Grantee his heirs and assigns, ALL THAT CERTAIN lot or piece of ground with the buildings and improvements thereon erected, SITUATE in the 45th Ward of the City of Philadelphia, and described according to a survey and plan thereof made by J. H. Webster, Jr., Esq., Surveyor and Regulator of the 10th Survey District on the first day of March, A. D. 1905, as follows to wit: BEGINNING at a point on the Southwest side of Lefevre Street at the distance of 90' 3-1/2" Northwestward from the Northwest side of Salmon Street; thence extending Southwestward on a line parallel with the said Salmon Street 178' 2-3/8" to a point for a corner; thence extending Northwestward on a line at right angles to Edgemont Street)55' to a point for a corner; thence extending Northwestward on a line parallel with the said Salmon Street 182' 7-3/4" to a point on the said Southwest side of Lefevre Street; thence extending Southeastward along the said Southwest side of Lefevre Street 55' 2-1/8" to the first mentioned point and place of beginning. and place of beginning. No. 2710 East Lefevre Street. BEING the same premises which Peter Lumber Company, by deed dated October 21, 1955 and recorded November 15, 1955 in the County of Philadelphia in Deed Book CAB 161 page 226 conveyed to John F. Joyce and Mary Joyce, his wife, in fee. AND the said John F. Joyce departed this life on November 24, 1987, whereupon the above described premises vested in the said Mary Joyce by right of survivorship; UNDER AND SUBJECT to building restrictions as now appear of record.



PAGE 2 OF 5

CCT LOCATION STCD NUM SUF UNIT EXT ZIP CARRIER

884350250 2710 LEFEVRE ST 49920 02710 0000000 00 191372036 3704

OWNER ONE- JOYCE JOHN F JR OWNER TWO PAGE 2 OF 5

C/O NAME/ADDRESS

C/O ZIP

CENSUS TRK/B-BLK IMPROVMNT CODE 0183511 LEO IND. FACTORY MASONRY IMPV OVFLO 2 STY FR SHOP-55'2 1/8"X BEGN PNT 90'3 1/2" SE OF TOTAL AREA SHAPE DEPTH 178.19 9830.74 55.17 FOLLOW UP CODE-MKT VAL SALES PRICE SALES TYPE TITLE DATE RECORDING DATE 56800 0 62000 CERT 063088 63088 102 WORK TAX EX XAT EX --EXEMPT--ASSESSMENT IMPV LAND LAND IMPV TOTAL CODE/ DATE 14778 18176 3398 0 0 CERT

DATE OF LAST ASMT- 589 NOTICE SENT DATE- UNFIN COD- DT/LT/FM- 070502 NEXT PAGE = PF4 , PREVIOUS PAGE = PF3 , BROWSE SCREEN = PF1 EXIT = ALT/CLEAR

FROM THE DESK OF JOHN JOYCE JR. 2710 LEFEVRE STREET PHILADELPHIA PA 19137

Date: April 10, 2006.

City Of Philadelphia Licenses and Inspections General Services Building 1600 Arch Street, Concourse Level Philadelphia, PA 19103

RE:

2710 Lefevre Street Philadelphia, PA

To Whom It May Concern,

This correspondence is to authorize Brett Harman, Craig Deutsch, or representative from Harman Deutsch Architects and Planners to apply for all Zoning, Building permits and variances requests as required for the above referenced project.

Sincerely

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ACCT LOCATION 884350250 2710 LEFEVRE ST OWNER ONE- JOYCE JOHN F JR RO65VPR PAGE 2 OF 5
STCD NUM SUF UNIT EXT ZIP CARRIER
49920 02710 0000000 00 191372036 3704
OWNER TWO

C/O NAME/ADDRESS

C/O ZIP

CENSUS TRK/B-BLK IMPROVMNT CODE

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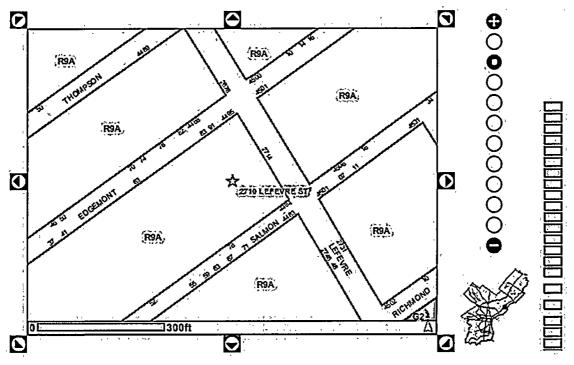
Phila.gov CityMaps Home Aerial Photo Zoning Map Service Areas Nearest Facilities Help

City Zoning Code

The red star indicates an approximate address location.

Address: 2710 LEFEVRE ST. Find

creatopdfmap 12



City Zoning Code

Last Zoning Map update: 2/23/2006

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By using this application, you are agreeing to the Terms of Use Document

If you are having problems with this application, please contact the Mayor's Office of Information Services Help Desk at mois helpdesk@phila.gov

For comments and suggestions, please contact the GIS Services Group at citymaps@phila.gov

This application was designed and developed by Avencia Incorporated and the Mayor's Office of Information Services

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NOTICE OF: ⊠REFUSAL □REFERRAL □SPECIAL USE PERMI	,	CITY OF PHILADELPHIA DEPARTMENT OF LICENSES & INSPECTIONS Municipal Services Building, Concourse Level 1401 John F. Kennedy Boulevard Philadelphia, PA 19102	DATE OF REFUSAL 10/04/06 ZONING DISTRICT(S) R-9A RESIDENTIAL	APPLICATION # 18304 DISTRICT
ADDRESS/LOCATION: 2710 LEFEVRE STREET	DEPARTMENT OF LICENSES & INSPECTIONS Municipal Services Building, Concourse Level 1401 John F: Kennedy Boulevard Philadelphia, PA 19102 ADDRESS: GOT OWNEY) ADDRESS: 432 E. SEDGWICK STREET PHILADELPHIA, PA 19119 EMOLITION OF EXISTING STRUCTURE, FOR THE ERECTION OF FIVE (5), THREE (3) WITH MAXIMUM HEIGHTS NOT TO EXCEED 35, WITH GROUND FLOOR INTERIOR AND Y PARKING FOR 27 VEHICLES. FOR USE OF THE FIVE (5) STRUCTURES AS 15 DWELLING PROPOSED THE PROPOSED USE, 15 DWELLINGS IS NOT PERMITTED IN THIS ZONING DISTRICT. THE PROPOSED FIVE (5) STRUCTURES CREATES A CONDITION OF MULTIPLE USES ON A LOT WHICH IS PROHIBITED IN THIS ZONING DISTRICT. 6' HIGH X 6' WIDE LANDSCAPED SCREENING IS REQUIRED BETWEEN EXTERIOR PARKING AND ANY RESIDENTIAL LOT LINE AND IS NOT BEING PROVIDED. THE PROPOSED FIVE (5) STRUCTURES CREATES A CONDITION OF MULTIPLE USES ON A LOT WHICH IS PROHIBITED IN THIS ZONING DISTRICT. 6' HIGH X 6' WIDE LANDSCAPED SCREENING IS REQUIRED BETWEEN EXTERIOR PARKING AND ANY RESIDENTIAL LOT LINE AND IS NOT BEING PROVIDED. THE PROPOSED FIVE (6) STRUCTURES CREATES A CONDITION OF MULTIPLE STRUCTURES ON A LOT, NO STRUCTURE HAVING ITS OWN FRONT SIDE OR REAR YARD WHICH IS PROHIBITED IN THIS ZONING DISTRICT.			
BRETT HARMAN (Arch. fo APPLICATION FOR:	or Owner)	432 E. SEDGWICK STREET PHILAD	ELPHIA, PA 19119	
FOR THE COMPLETE DE STORY STRUCTURES W	/ITH MAXI	MUM HEIGHTS NOT TO EXCEED 35, WITH G	SROUND FLOOR INTE	ERIOR AND
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Cc: JOHN F. JOYCE Jr. 2710 LEFEVRE STREET		Sulfill.	2.	
PHILADELPHIA, PA 19137			_	<u>16</u>

NOTICE TO APPLICANT:
AN APPEAL FROM THIS DECISION MUST BE MADE TO THE ZONING BOARD OF ADJUSTMENT, MUNICIPAL SERVICES BUILDING,
11TH FLOOR, 1401 JFK BOULEVARD, PHILADELPHIA, PA 19102, WITHIN THIRTY (30) DAYS OF DATE OF REFUSAL.

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NOTICE OF:		CITY OF PHILADELPHIA	DATE OF REFUSAL	APPLICATION #					
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REFERRAL		Municipal Services Building, Concourse Level 1401 John F. Kennedy Boulevard	R-9A RESIDENTI	AL DISTRICT					
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2710 LEFEVRE STREET PHILADELPHIA, PA 19137		DANTON V. WATSON		4/06					
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NOTICE TO APPLICANT:
AN APPEAL FROM THIS DECISION MUST BE MADE TO THE ZONING BOARD OF ADJUSTMENT, MUNICIPAL SERVICES BUILDING, 11TH FLOOR, 1401 JFK BOULEVARD, PHILADELPHIA, PA 19102, WITHIN, THIRTY (30) DAYS OF DATE OF REFUSAL.

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NOTICE OF:	- 1 .		ES & INSPECTIONS	DATE OF REFUSAL 10704/06	APPLICATION # 18304
□REFERRAL	i	1401 John F. Kenne	edy Boulevard		AL DISTRICT
ADDRESS/LOCATION:	REFUSAL REFERRAL SPECIAL USE PERMIT Municipal Services Building, Concourse Level 1401 Ushin F. Kennedy Boulevard 1701 Ushin F				
APPLICANT:	or Owner)		STREET PHILAI	DELPHIA. PA 19119	
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Cc: JOHN F. JOYCE Jr. 2710 LEFEVRE STREET PHILADELPHIA, PA 19137					

NOTICE TO APPLICANT:
AN APPEAL FROM THIS DECISION MUST BE MADE TO THE ZONING BOARD OF ADJUSTMENT, MUNICIPAL SERVICES BUILDING, 11TH FLOOR, 1401 JFK BOULEVARD, PHILADELPHIA, PA 19102, WITHIN THIRTY (30) DAYS OF DATE OF REFUSAL.

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NOTICE OF:		CITY OF PHILADELPHIA DEPARTMENT OF LICENSES & INSPECTIONS Municipal Services Building, Concourse Level	DATE OF REFUSAL 10/04/06 ZONING DISTRICT(S)	APPLICATION # 18304
□REFERRAL □SPECIAL USE PERM	IT	1401 John F. Kennedy Boulevard Philadelphia, PA 19102	R-9A RESIDENTI	AL DISTRICT
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14-205	THE PROP	OSED ZONING IS REFUSED FOR THE FOLLOWING:	P	b.
	ON A LO	DPOSED FIVE (5) STRUCTURES CREATES A CO OT, NO STRUCTURE HAVING ITS OWN FROI TED IN THIS ZONING DISTRICT.	ONDITION OF MULTIF NT SIDE OR REAR	PLE STRUCTÜRES YARD WHICH; IS
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ONE (1) ZONING REFUSAL THREE(3) USE REFUSALS FEE TO FILE APPEAL: \$200				
C⇔ JOHN F, JOYCE Jr.	(Dal fill		_
2710 LEFEVRE STREET PHILADELPHIA, PA 19137		DANTON V. WATSON		
ı		PLANS EXAMINER	DAT	Ε ,

NOTICE TO APPLICANT:
AN APPEAL FROM THIS DECISION MUST BE MADE TO THE ZONING BOARD OF ADJUSTMENT, MUNICIPAL SERVICES BUILDING, 11TH FLOOR, 1401 JFK BOULEVARD, PHILADELPHIA, PA 19102, WITHIN THIRTY (30) DAYS OF DATE OF REFUSAL.

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4	PETITION OF APPEAL	PROPERTY ADDRESS	the second of th
	CITY OF PHILADELPHIA & ZONING BOARD OF ADJUSTMENT	2	
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3	John F. Joyce, Ir		TELEPHONE NUMBER 7 (900 AM - 500 PM)
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1,4	. 260 S. Broad Street, 4th Floor, Philadelphia	19102	and the state of t
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ľ	To demolish existing two-story structure and co	onstruct a 15-unit multi	family dwelling
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. 3	with accessory parking for 27 vehicles		**************************************
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ı	. Literal interpretation of the Zoning Code would	d work an unnecessary ha	rdship upon the
ı	property and applicant, and the proposed devel	onmant format aantwarin t	a the health Second
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- '	and welfare of the surrounding community.		· · · · · · · · · · · · · · · · · · ·
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- ;	The Applicantarequests all variances, certific	ites and special dse per	mirs pecessary
J	for this development even if not indicated on	the refusel Anniicant	reserves the right
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	to supplement these reasons for appeal at the	zoning heating for this	matter.
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- 1	belief. I understand that if I knowingly make any false st	atement ĥerciń I am subject to	such penalties as may be
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1	81-49 (Rev. 9/98) PERMIT ISS	SUANCE .	· · · · · · · · · · · · · · · · · · ·

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27.0		Date	7-7.36		3.26.40	1	2/16/53	a/18/53	9-26-55	,			ľ		

C APPLICATION FOR ZONING PERMIT AND/OR USE REGISTRATION PERMIT

CITY OF PHILADELPHIA DEPARTMENT OF LICENSES & INSPECTIONS NOTE: The requirements for this permit are in addition to all others required by law or regulation. The issuance of this permit does not imply that a building permit or other permits will be issued if the specifications do not conform with the Building Code, Plumbing Code, Housing Code, Fire Code and all other pertinent laws or regulations.

Philadelp	ohia Zoning	Ordinance	before con	nmencing th	ie use or t	by the he work	APPLICATION NO.	77896/1
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LOCATION O	F PROPER						ZONING MAP NO	SUB.
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Priladelphia Joning Ordinance before commencing the use or the work described herein, and as shown on accompanying plan. COLOTION OF PROPERTY (Street and House Number)	-96.5							
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DRAW PLANS ON SPACE BELOW

PLANS TO BE DRAWN IN INK. SHOW:

- 1. All lot lines and dimensions.
- 2. All streets and alleys bounding property.
- 3. Curb lines and their distances from lot lines.
- 4. Location and dimensions of all driveways, curb cuts and off-street parking lots.
- Distances from building to lot lines and to other buildings on same lot.
- Draw elevations and additional plans when required.

"I hereby certify that the statements contained herein are true and correct to the best of my knowledge and belief. I further certify that I am authorized by the owner to make the foregoing application, and that, before I accept any permit for which this application is made, the owner shall be made aware of all the conditions of the permit. I understand that if I knowingly make any false statement herein I am subject to such penalties as may be prescribed by law or ordinance."

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(Applicant Sign Here)

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or partial demolition of Existing Building	and erection	on of Additi	on, structure, g	grage, acces	sory to a		··, ··
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sued by Julliam	<u>~</u>	50	Authorized by				

APPLICANT! Do not use this sheet

			EXAMIN	NER'S REPORT				
DISTRICT			TYPE OF I	PROPERTY Corner Attack	and Dsa	mi-Detached		etached
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TYES No	FAMILIES	HOW MANY	STORIES	USE APPLIED FOR	1 20025	3011		
	<u> </u>	D 111 1	%	D J	Evi-tina		Proposed	%
AREAS AND DIMENSIONS	Req. or	Permitted	70	Req. when used	Existing		Froposed	
Lot area				 				
Occupied area								-
Area rear yard	 							
" inner court				- 				+
Total open area								
Set-back front								
Set-back side				ļ	<u> </u>			
Rear yard - depth	<u> </u>			ļ				
Side yard, minimum width	ļ							
'' 'aggregate width								<u> </u>
Open court - width								
Court between wings - width								
Inner court - least dimension								•
Height - front								
" - side								
- rear								
'' - garage								
Garage - inner dimensions					1			
IS USE PERMITTED IN THIS DIS	STRICT	UNDER W	AAT PROVIS	SION			,	
Yes No								
IF USE IS NOT PERMITTED IN	THIS DISTE	RICT, UNDE	R WHAT PE	ROVISION IS IT PERMI	TTED			
ZONINI	G PERMIT			7	USE	PERMIT		
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"C" APPLICATION FOR ZONING PERMIT AND/OR USE REGISTRATION PERMIT

CITY OF PHILADELPHIA
DEPARTMENT OF LICENSES AND INSPECTIONS
SECOND FLOOR - CITY HALL ANNEX

AND/OR USE REGISTRATION PERMIT NOTE: The requirements for this permit are in addition to all others required by law or regulation. The Issuance of this permit does not imply that a building permit or other permits will be issued if the specifications do not conform with the Building Code, Plumbing Code, Housing Code, Fire Code and all other pertinent laws or regulations. Application is hereby made for the permit or permits required by the [Application No. 76F Philadelphia Zoning Ordinance before commencing the use or the Work described herein, and as shown on accompanying plan. District Designation OCATION OF PROPERTY: 2710 LEFEURE Zoning Map No. (Street and House Number) situated on SEG+ Haide of FFEURE F. A. Vol. Pl. at the distance of 1 SALMON Previous Application Front 5811 loot_ inches Depth ... If lot is irregular in shape, give deed description below: Calendar No. Zoning Refused Use Refused Appeal App. Granted Cert. App. Refused Ref. to B. of A Ref. Granted Cert. Ref. Refused Cert. This space for Official Stamp (Do not write in this space) EXPLAIN ANY ALTERATIONS OR PROPOSED CONSTRUCTION DEPARTMENT OF LICENSES AND INSPECTIONS PHILADELPHIA: **USE REGISTRATION** PERMIT NO. 67724 ISSUED 10 - 24-53 STORIES AND HEIGHTS FROM GROUND TO ROOF Proposed Addition, Alteration or New Building **Existing Building** HEIGHT Front Side Rear Front Side Rear In Feet 28 28 \mathfrak{G} 28 ¢₩ 04-77952 2 ダ In Stories D TABULATION OF USES FLOOR No. PRESENT USE LAST PREVIOUS USE WHRELOUSE GARAGE LUMBER 41 C FLOOR No. PROPOSED USE OF PRESENT BUILDING - PROPOSED USE OF ADDITION OR NEW BUILDING SALE OF ELECTRICHL POUPTMENT Additional use information, if required ...

Address

Address

JOY CE

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Pho

DRAW PLANS ON SPACE BELOW

PLANS TO BE DRAWN IN INK.
SHOW ALL LOT LINES AND DIMENSIONS.
SHOW ALL STREETS AND ALLEYS BOUNDING PROPERTY.
SHOW DISTANCES FROM BUILDING TO LOT LINES, AND TO OTHER BUILDINGS ON SAME LOT.
DRAW ELEVATIONS AND ADDITIONAL PLANS WHEN REQUIRED.

I hereby certify that I am the owner or his authorized agent qualified to make out this application and that the facts and declarations of intent set forth above are true and are intended to be relied upon by the Zoning Authorities.

(Applicant Sign Here)

*	TE OF VARIANCE WITHIN ONE (1) YEAR	CITY OF PHILADELPHIA DEPARTMENT OF LICENSES AND INSPECTIONS ZONING BOARD OF ADJUSTMENT CITY HALL ANNEX				
APPLICATION NUMBER	CERTIFICATE NUMBER	DATE	BOARD OF ADJUSTMENT APPEAL			
5376-F	VA - 2966	Oct. 21, 1955	No 3062			
J. F. Joyce		ADDRESS 2710 Lefevre St. (37)				
owner J. F. Joyce		2710 Lefevre St.				
AGENT		ADDRESS				

SUBJECT TO FOLLOWING CONDITIONS:

- 1. THIS CERTIFICATE IF GRANTED IS ONLY ON THE CONDITION THAT THE CONSTRUCTION AUTHORIZED SHALL BE IN STRICT CONFORMITY WITH THE PLANS SUBMITTED WITH THE APPLICATION FOR THE PERMIT.
- 2. THE AUTHORIZATION OF ANY USE BY THIS CERTIFICATE IS ON CONDITION THAT THE USE SHALL HAVE BEEN BEGUN WITHIN ONE (1) YEAR FROM THE DATE THEREOF, OTHERWISE THE AUTHORIZATION AND ANY PERMIT ISSUED PURSUANT TO THIS CERTIFICATE SHALL BE NULL AND YOLD.

LOCATION OF PROPERTY

2710 LEFEVRE STREET

Appeal having been made to the Board of Adjustment by the aforesaid for VARIANCE from the terms of the Philadelphia Zoning Ordinance, and the Board having held public hearing after due notice as required by law, is of the opinion that; in view of the statement set forth in the appeal and the evidence presented at the public hearing, and owing to the peculiar conditions surrounding these premises. a Permit for Use of the premises for "Storage and Sale of Electrical Equipment - Wholesale and Retails should be granted, PROVIDED NO SERVICING OF MOTORS IS DONE ON PREMISES; ALSO ALL LOADING AND UNLOADING SHALL BE DONE INSIDE EXISTING BUILDING ONLY.

The Board hereby <u>AUTHORIZES</u> the said YARIANCE, on condition that the Applicant complies with the requirements of the Fire Inspection, Building Inspection, Housing and Sanitation Sections of the Department of Licenses and Inspections, and of any other City Department having jurisdiction.

(A Use Registration Permit)

By Order of the Board of Adjustingnt

KA

Secretary, Member of the Board.

81-205 (Rev. 5/55)

(Date)	X
, —,	

CITY OF PHILADELPHIA DEPARTMENT of LICENSES and INSPECTIONS ZONING BOARD OF ADJUSTMENT

0-2510

Application No. 5376 F

CITY HALL ANNEX

Application No. 3.3.79.1
PETITION OF APPEAL TO BOARD OF ADJUSTMENT
Appellant John F. Joyce Address 35236 Brunswick Ave Drekof. (When there are a number of appellants, the additional names shall be entered on the back of this Petition.)
Attorney (if any) Geo. M. Kewlin Address 23/8 Caclaed Bllg, This
LOCATION OF PROPERTY 2710 Lefeure St
EOCATION OF FROT DATA
Owners John F. Joyce Address 3436 Brunswick Ave D. H.
AgentAddress
If the appellant is not the agent or the owner, state his interest: RECEIVED
SEP-3:0:1955
Beendahf Adjustment
Appeal is taken from the action of the Department of Licenses and Inspections in
100 Land
State objections to the refusal:
- The present of most release use has
been as a warehouse Tot working to
building materials they uso with the
for warehousing thetrees thumans.
- 1) be equipment et tog intamigable
nor Phagaedous faire well see to
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There were the no and to the trul day
- Cerefore, spice the work approved
- 1933, the case of this successing to
- storage of cooping the michigan wallets
regress approved for use as would about.

NOTE:—The specifications of Errors must state separately the Appellant's objections to the action of the Department of Licenses and Inspections with respect to each question of law and fact which is sought to be reviewed.

81-49 Rev.

•	•
Appellant	Address

Where there are a number of Appellants the additional names shall be entered below.

I hereby certify that the statements contained herein are true and correct to the best of my knowledge and belief.

I understand that if I knowingly make any false statement herein I am subject to such penalties as may be prescribed by law or ordinance.

Signed_



MEMBERS
JOHN E. POWER, JR.
CHAIRMAN
MURRAY G. IBARD
SECRITARY
REUBEN E. COHEN
LUCY B. DU VAL
ETHAN ALLEN DOTY
WALTER S. PYTKO

ZONING BOARD OF ADJUSTMENT

October 21, 1955

Mr. J. F. Joyce 2710 Lefevre St. Phila. 37, Pa.

SPECTION	5/	Jan 19
ES& A	ZONING	
RECEI OCT 2 4	ZON	<i>J</i>
A0.193	اري	
Dear	Sirı	

IN RE: APPLICATION NO. 5376-F

uppiica vioi	for a Use Registration Permit	
PREMISES: _	2710 Lefevre St.	
		
has been fa	vorable to you with PROVISO SET FORTH IN BOARD VA-2966, dated Oct.	
Yo	u may obtain permit upon presentation of this lett	ter to ZONING
	OM 226, CITY HALL ANNEX. Very truly yours, A	,

KA.

Murray G. Isard Secretary, ZONING BOARD OF ADJUSTMENT

81-201 3/53

APPLICANT! Do not use this sheet

TYPE OF PROPERTY;	Corner		ttached		Semi-detached	: :	Detached
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USE APPLIED FOR	inese+5	iaes	CCESSORY O	كرنره	TO WHAT USE?	rouper	e 1 - 11
AREAS AND DIMENSIONS	Req. or Permitted	~%	Reg! when used	2 1 2	Existing.	Proposed	7. %
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USE PERMITTED IN THIS DIST	rRICT? Yes	No	UNDER WHAT	PROVI	SION?		100 mm
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F USE IS NOT PERMITTED IN T	HIS DISTRICT, UNDI	ER WHAT PI	OVISION IS IT	9.7	* * * * * * * * * * * * * * * * * * * *	1	17 19 × 10 ·
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INSPECTOR		, ,	5 5 45	انو در ه	. 24 274	
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Date of Inspection		×	, .			
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Application No	5376-F			
Date of Refusal_	Sept. 28, 1955			

CITY OF PHILADELPHIA

6-c

DEPARTMENT OF LICENSES AND INSPECTIONS

Second Floor - City Hall Annex

NOTICE	ΩE	DEFLICAL	OF	DEDMIT

To J. F.	Joyce Applicant Address 2710 Lefevre Street
The	e permit applied for in Application No. 5376-F is hereby refused because the pro-
PREMISES:	2710 Lefevre Street - is in a "D" Residential District.
JSE:	The application is for storage and sale of electrical equipment - wholesale and retail - whereas this use is not permitted in the district.
REMARKS:	One (1) Use Refusal.
•	See App. 59604-B - Cal. M-385.
	See App. 48050 Cal. 7313 Board of Adjustment approved private gasoline service station (existing garage) April 12, 1940.
-	
,	Signed de Signed
1	For Commissioner
	INSTRUCTIONS FOR ISSUANCE OF PERMIT OR PERMITS
ZONING	
single fami	demolition of Existing Building and erection of Addition, structure, garage, accessory to a
USE	Stone + sales of trical equipment into lesale &
rorexiens	garage, size and location, equipment and capacity as shown in the application, to include
	by and subject to the conditions of Board of Adjustment Certificate, VA-2966
	Authorized by

Issued by _

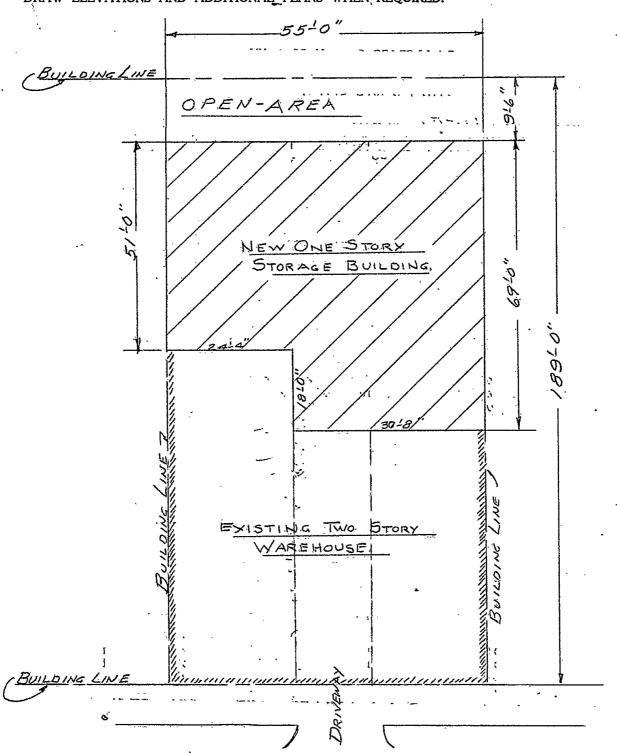
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Situated on	Ssid	le of	Lefevi	:e			Street		M-	385
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DRAW PLANS BELOW

PLANS TO BE DRAWN IN INK.

SHOW ALL LOT LINES AND DIMENSIONS.

SHOW ALL STREETS AND ALLEYS BOUNDING PROPERTY. SHOW DISTANCES FROM BUILDING TO LOT LINES, AND TO OTHER BUILDINGS ON SAME LOT. DRAW ELEVATIONS AND ADDITIONAL PLANS WHEN REQUIRED.



DTREET

I or We certify that the facts and declarations of intent set forth above are true and are intended to be relied upon by the Zoning Authorities.



DEPARTMENT OF LICENSES AND INSPECTIONS. ZONING BOARD OF ADJUSTMENT

CITY HALL ANNEX

MEMBERS
JOHN E. POWER, JR.
GHAIRMAN
MURRAY G, ISARD

PHILADELPHIA 7. PA.

REUBEN E, COHEN
MOLLY YARD GARRETT
FRANK M. STEINBERG
WALTER S. PYTKO

March 20, 1953

ZONING BOARD OF ADJUSTMENT

Shallcross Supplý Co.

2710 Le Fevre St. Philadelphia.

IN RE: APPLICATION NO. 59604-B

Dear Sir:

The decision of the Zoning Board of Adjustment regarding the above Application for a Use Registration Permit

PREMISES: 2710 Le Fevre St.

has been favorable to you with PROVISO. ZONING PERMIT REFUSED

KINDLY PRESENT THIS LETTER TO THE

ZONING DIVISION, 226

ROOM MEAN CITY HALL ANNEX

where permit may be procured.

Very truly yours,

Were truly yours,

CERTIFICATE No. VA	389
(Date) Harch 20, 1953	

Bureau of E. S. and Z.

Application No. 5960/1-B

Board of Adjustment

Appeal No. 398

CITY OF PHILADELPHIA ZONING

BOARD OF ADJUSTMENT City Hall Annex

BOARD OF ADJUSTMENT CERTIFICATE OF VARIANCE

Applicant Shallcross Supply Co.	_ Address_2710_LoFovre_Street
Owner Peter Lumber Company	Address 6263 Oxford Avenue
Agent	Address
LOCATION OF PROPERTY:	
2710 LEFEVRE STREET	
Philadelphia Zoning Ordinance, and the Board having h	ment by the aforesaid for VARIANCE from the terms of the eld public hearing after due notice as required by law, is of mply with the requirements of the Zoning Ordinan ermit should not be granted.
••	
The Board hereby REFUSES the said VARI	ZONING DIVISION ANCE; the MANUAL CONTROL OF THE CO
(A Zoning Permit)	By order of the BOARD OF ADJUSTMENT
KA - ~	Secretary, Mummary G. Tenand Member of the Board

CERTIE	ICATE	No.	VĄ.	390
/D1 -32	March	20.	1953	

Board of Adjustment:

Application No. 5960ly-B

Appeal No. 399

CITY OF PHILADELPHIA

Department of Licenses and Inspections ZONING

BOARD OF ADJUSTMENT

City Hall Annex

BOARD OF ADJUSTMENT CERTIFICATE OF VARIANCE

CONDITION:		nly on the condition that the construction authorized shall: lans submitted with the application for the permit.	Þ¢
Applicant_Sha	llcross Supply Co.	Address 2710 LeFevre Street	
		Address 6263 Oxford Avenue	
LOCATION OF	PROPERTY:	•	

2710 LEFEVRE STREET

Appeal having been made to the Board of Adjustment by the aforesaid for VARIANCE from the terms of the Philadelphia Zoning Ordinance, and the Board having held public hearing after due notice as required by law, is of the opinion that, in view of the statement set forth in the appeal and the evidence presented at the public hearing, and owing to the peculiar conditions surrounding these premises, a permit for Use of the premises for the Storage of Asphalt Roofing, Insulation, Rolled Tin and Building Materials, should be granted.

The Board hereby AUTHORIZES the said VARIANCE; the Department of Licenses and Inspections, to govern itself accordingly.

(A Use Registration Permit)

CONDITION:

The authorization of any USE by this Certificate is on condition that the USE shall have been begun within six (6) months from the date thereof; otherwise the authorization and any permit issued pursuant to this Certificate shall be null and void.

By order of the BOARD OF ADJUSTMENT

Murray G. Isard

Secretary, Member of the Board:

KA

(Date) Feb 27, 1953

3-4-53

CITY OF PHILADELPHIA DEPARTMENT of LICENSES and INSPECTIONS ZONING BOARD OF ADJUSTMENT

Application No. 59604-B

CITY HALL ANNEX

PETITION OF APPEAL TO BOARD OF ADJUSTMENT

11385

Appellant Shadlere	oss Supply Company Address 2710 LoFovro Stroot number of appellants, the additional names shall be entered on the back of this Petition.)
•	1. Ewing Remick & Saul Address 2301 Packard Building Phila 2, P
	PERTY 2710 LeFevre Street, Philadelphia, Pa.
LOCATION OF PRO	PERIX
Owners Peter Lim	mber Company Address 6263 Oxford Avenue
Agent	Address ———————————————————————————————————
If the appellant is not the Owner	he agent or the owner, state his interest: Tenant and subsidiary corporation
,	
erection of a or	ne action of the Department of Licenses and Inspections in refusal of permit for: the ne (1) story rear addition (size and location to be as shown lon), as part of a warehouse for storage of roofing material.
Til ollo appazoodi	to part of a nationada for adapta of reality maderials
State objections to the r	
Zoning - 1.	Rear set-back is in compliance with the Ordinance.
2.	Present open area results from a fire in 1938. Prior to,
	the fire and until 1938 entire premises to the extreme
	property lines was covered by a building or buildings.
3.	Variance requested, if necessary.
Use -	There has been a continuing uninterrupted non-conforming
	use of the entire premises to all extreme property lines.
RECEIVED	for more than 30 years.
KECEIVED	The state of the s
FEB 27 1953	Surrounding properties will be benefited by the proposed.
ZONING	re-construction.
Board of Adjustment	
	No extension of the present use is proposed.
NOTE: — The specificat	tions of Errors must state separately the Appellant's objections to the action of the Department

NOTE:—The specifications of Errors must state separately the Appellant's objections to the action of the Department of Licenses and Inspections with respect to each question of law and fact which is sought to be reviewed.

81-49 9/52

Appellant-	Address
Appellant	Address ———
'Appellant	Address
Appellant	Address
Appellant	Address —
Appellant	Address —
COMMONWEALTH OF PENNSYLVANIA, COUNTY OF PHILADELPHIA, Ss.	•
Before me, the subscriber, a Notary Public for the	Commonwealth of Pennsylvania, residing in the City of
Philadelphia, personally appeared Walter S. S.	Mcross who being duly sworw
according to law, doth despose and say: that all the above	statements and/or drawings and/or attached plans are true.
and subscribe to before me, this 27th day of Harmary	
A. D. 19 5 3	Halta I Dhallows
	(Appellant sign here)
- Mosakel dynd	
NOTARY PUBLIC	
My Commission Expires Japuary 20, 1000	

Where there are a number of Appellants the additional names shall be entered below.

APPLICANT! Do not use this sheet

EXAMINER'S REPORT

Is this a corner property? Attached? Detached? Develling? Other than dwelling? How many families? How many families? To what use? Walliadd Ree, or Permitted So Ree, when used Existing Proposed Socious Cocupied area Area, rear yard Inner court Total open area Set-back front Set-back side. Rear yard-depth Side yard, minimum width "aggregate width Open court-width Court between winga-width Inner court-least dimension Height front "aside "rear "aside "rear "aside "rear "aside "arear "aside "a	District / Lex	۸:۸	,				
Dwelling? Other than dwelling? How many families? How many stories? Use applied for Color Accessory To what use? Req. or Fermitted Seq. when used Existing Proposed Seq. when used Existing Proposed	Is this a corner property?	Attache			ached?	Detached?	•
Use applied for Abragath Cottuny Accessory To what use? Req. or Fermitted \$ Req. when used Estisting Proposed \$ Cocupied area Area, rear yard	Dwelling?Other_th	an dwelling?	Ho	w many families	32Hov	v many stories?	!
Req. or Permitted 56 Req. when used Existing Proposed 56	Use applied for toro	year Ko	lug	Accessory_	To what	11563	
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PREMISES OCCUPIED BY SANITARY PRODS. CO. - PAPER PRODS. MEGRFROM APPROX 1930 - 1945. FROM 1945 TO 1951 USED AS A GARAGE BY
LIBERTY CONCRETE CO. PRESENTLY USED BY SHALL CROSS SUPPLY CO. FOR
STORAGE OF ROOFING MATL'S & OTHER TYPES OF BUILDING MATL. HAVE
BEEN HERE APPROX. TWO YEARS. COULD NOT SEE ANY SUIDINGS OF AFIRE.

J. 2. Botta
(Inspector)

Date of Immedian 2-18-53

Application No. 59604-B

Date of Refusal Feb. 19, 1953

CITY OF PHILADELPHIA

ZONING

NOTICE OF REFUSAL OF PERMIT

То	Shallcross	Supply Co. Applicant. Address 2710 LeFevre St.
•		applied for in Application No. 59604–B is hereby refused because the pro- ladelphia Zoning Ordinance have not been complied with ih the following particulars:
	PREMISES:	2710 LeFevre Street - is in a D-Residential District.
	ZONING:	The application is for the erection of a one (1) story rear addition (size and location to be as shown in the application), as part of a warehouse for storage of roofing material.
		REQUIRED PROPOSED
		Open area (total) #119 sq.ft. 30% 522 sq.ft. 5%
٠	USE:	The application is for the storage of asphalt roofing, insulation, rolled tin and building materials, whereas this use is not permitted in the district.
	REMARKS:	One (1) Zoning Refusal One (1) Use Refusal
`	•	See application #47102-Cal-7138 " #48050-Cal-7313.
		THIS USE IS NOW EXISTING IN VIOLATION OF THE ZONING ORDINANCE.
		Signed L. J. Mustusons For Chief
		INSTRUCTIONS FOR ISSUANCE OF PERMIT OR PERMITS
	single family dwelli	of Existing Building and erection of Addition shucture, garage, accessory to a ng with accessory to a subject to the conditions of Board of Adjustment Certificate, VA > 8-7
	USE extension of accessory;	torus of asphall roofe, roller le single family dwelling with garage size and location, equipment and capacity as shown in the application, to include
	use of new construct Authorized by and	subject to the condition of Board of Adjustment Certificate VA - 390
	300	Authorized by LM

Approved as to form District Designation		* 1
CITY OF (PHILADELPHIA ZONING APPLICATION FOR ZONING PERMIT and or USE REGISTRATION PERMIT Application is hereby made by the Philadelphia Zoning Ordinance before commencing the use or the work described herein, and as shown on accompanying plan. 27/0 LEFEVEL Situated on Side of AFEVEL LOG Refused Cert. Ref. Granted Cert. This space of Official Stamp (Cos set with in this space) The AFEVEL SITUATION OF USES FLOOR No. PROPOSED USE OF PRESENT BUILDING PROPOSED USE OF ADDITION OR NEW BUILDING FLOOR No. PROPOSED USE OF PRESENT BUILDING PROPOSED USE OF ADDITION OR NEW BUILDING FLOOR No. PROPOSED USE OF PRESENT BUILDING PROPOSED USE OF ADDITION OR NEW BUILDING	A 200 200 200 200 200 200 200 200 200 20	Application No. 54674B
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Additional use information, if required	Additional use information, if required	
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Applicant GEN S. POWELL Address 5716 TACHAWANNA Phone CU T-1928	Applicant GEI S. POWELL Address 5716 TAC	MANNA Phone CUT-1928
Owner or Agent PRTERS LUMBER G. Address 27/0 LAFEURE (7 Phone CU 8-9/60	Owner or Agent PPTERS Lumber Gv. Address 27/0 LA	FEURE GZ Phone CU 8-9160
Contractor We Buckers of Our Address 1215 RENWYN St. Phone		
Architect Je Joseph Address 52/6 Jack anome Phone Car X - 1921	Architech Address 3	FRONCES TOOLEGE 1 - 17 CT

DRAW PLANS BELOW

PLANS TO BE DRAWN IN INK.

SHOW ALL LOT LINES AND DIMENSIONS.

SHOW ALL STREETS AND ALLEYS BOUNDING PROPERTY.

SHOW DISTANCES FROM BUILDING TO LOT LINES, AND TO OTHER BUILDINGS ON SAME LOT.

DRAW ELEVATIONS AND ADDITIONAL PLANS WHEN REQUIRED.

BUILDING LINE

I or We certify that the facts and declarations of intent set forth above are true and are intended to be relied upon by the Zoning Authorities.

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Date of Refusal Sopt 16, 1002

CITY OF PHILADELPHIA

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DEPARTMENT OF LICENSES AND INSPECTIONS

NOTICE OF REFUSAL OF PERMIT

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The application is for the erection of a one (1) story rear addition (size and location to be as shown in the application), as a storage of building supplies.

REQUIRED

Rear yard min. depth 9.0"

USB: The application is for the storage of building supplies (size and location as shown in the application), who read

this use is not possitted in the district.

REMARKS: One (1) Zoning Refusal

ZONING

See application \$47102-Cal-7138.

Signed Thatters.

An appeal from this refusal may be made to the Board of Adjustment City Hall Annex within ten (10) days, on forms furnished by the Board of Adjustment. All costs, if any, in connection with advertising hearings, to be borne by the applicant.

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	Applicator			
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APPLICANT! Do not use this sheet

District					,
Is this a corner property?	Attached?	Semi-det	ached?	Detached?	, p
Dwelling?Other th	an dwelling?				
Use applied for	to Kean and	Accessory 1		ř.	
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	Req. or Permitted / / %	Req. when used	Existing	Proposed	%
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Set-back side	-0/-//-		,		<u>:</u> -
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" " aggregate width					
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Garage — inner dimensions	- gt - gt -				
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Is Use permitted in this distri	ct?	Under what p	rovision?		
	*	<u>ءِ پ*، = </u>	<u> </u>		
If Use is not permitted in this	district, under what pro-	vision is it permitt	ed?		
				· · · · · · · · · · · · · · · · · · ·	
Zoning Permit Gra	nt Refuse	Refer	No	t Required	
Use Permit Gr		* * * /		- ·	
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INSPECTOR'S REPORT

(Inspector)

Application No	54674	-B		
Date of Refusal	Sept.	16,	1952	

CITY OF PHILADELPHIA

6-C

ZONING

NOTICE OF REFUSAL OF PERMIT

	applied for in Application No. 5467 ladelphia Zoning Ordinance have not be		
PREMISES:	2710 Le ^F evre Street - is i	n a D-Residential	District.
ZONING:	The application is for the addition (size and locations as a storage of building s	n to be as shown	e (1) story rear in the application),
		REQUIRED	PROPOSED
	Rear yard min. depth	91 Ott	O: On
USE:	The application is for the (size and location as show this use is not permitted	m in the applicat	ion), whereas
REMARKS:	One (1) Zoning Refusal One (1) Use Refusal		
	See application #47102-Cal	-7138.	•
		•	~
	·		
	Sign	$d \int \mathcal{Y}$	Vaslerson For Chief
	INSTRUCTIONS FOR ISSUANCE	OF PERMIT OR PE	RMITS
ingle family dwellir	of Existing Building and erection of Adding with accessory ; garage subject to the conditions of Board of Ad	size and location	as shown in the application
USE			
accessory,	, garage size and location, equipme	nt and capacity as sho	wn in the application, to inclu
	tion for		· · · · · · · · · · · · · · · · · · ·
Authorized by and	subject to the condition of Board of Ad	iustment Certificate	·

Authorized by_____

Issued by_____

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	BUREAU OF EN	GINEERING, SI	JRVEYS A	ND ZONING
a service		M 1223, CITY HA		
APPLICATIO	N FOR ZONING	PERMIT and	or USE	REGISTRATION PERMIT
Application is hereb	v made by F Co	efecci.		for
he permit or permi	s required by the Phil	adelphia Zoning O	rdinance befo	Security of
LOCATION OF P	ROPERTY:	27.10	Liferre	- 201007136
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t the distance of	9 1 feet	2_inchesfrom	Moulk side	Zoning Refused
Fart 5 6 foot	2 inches Den	th /7 / feet	inches	Use Refused 3:26:40 Appealed 3-28:40 Appealed 4-2-400 1/4-(/8)
f lot is irregular in	shape, give deed descri	iption below:		App. Granted - Cert.
				App. Refused Cert. Ref. to B. of A
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DRAW PLANS ON SPACE BELOW

PLANS TO BE DRAWN TO SCALE, IN INK. SHOW ALL LOT LINES AND DIMENSIONS.

SHOW ALL STREETS AND ALLEYS BOUNDING PROPERTY.

SHOW DISTANCES FROM BUILDING TO LOT LINES, AND TO OTHER BUILDINGS ON SAME LOT.

DRAW ELEVATIONS AND ADDITIONAL PLANS WHEN REQUIRED.

全部基础的1000元子,1200元的1200元子。1200元子。 GARAGE 562" PROPOSED TANK -53 9110" SALMON ST

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Commonwealth of Pennsylvania, County of Philadelphia	THIS AFFIDAT	VIT NEED ONLY REQUIRED BY	BE FILLED OUTHE BUTTAL OF	7.	
Before me, the subscriber, a Notary	Publication and Co	inmonwealth of P	ennsylvania, residi	ing in the City	of Philadelphia,
personally appeared					
who being duly account and/or attached plans are true; and do buildings and/or lot for which application	correctly state and ion for a Zoning P	show the full ext	tent of buildings a	and all uses, to	be made of the
and subscribed to bef	ore	•			
me, this.	-		-		•
day of		•		* , * * 1	** *
A. D. 193			Wrodwa g	/	

CERTIFICATE NO. VA 6685

(Date) April 12; 1940 193

TONIA LABORAL

Bureau of E. S. and Z.

Application No. 48050

Board of Adjustment

CONDITION: This payaling to 1805 granted on the condition that unless the USE

CITY OF PHILADELPHIMADY authorized is commenced within six (6) months from the date of issuance

BOARD OF ADJUSTMENT Bureau of Englacering, Surveys and

City Hall Annex

Zoning, this Certificate shall become null and void.

BOARD OF ADJUSTMENT CERTIFICATE OF VARIANCE

CONDITION:	This Certificate if granted is only on the condition that the construction authorized shall be	in	str	ict
	conformity with the plans submitted with the application for the permit.		- '	1

Applicant J. Cappecci	Address 2919 E. Thompson St.
Owner	Address 2919 E. Thompson St.
Agent	Address
Too make an anapangur	11 days

LOCATION OF PROPERTY:

2710-14 LEFEVRE ST.

Appeal having been made to the Board of Adjustment by the aforesaid for VARIANCE from the terms of the Philadelphia Zoning Ordinance, and the Board having held public hearing after due notice as required by law, is of the opinon that, in view of the statement set forth in the appeal and the evidence presented at the public hearing, and owing to the peculiar conditions surrounding these premises, and evidence having been presented that the gasoline is to be used in connection with the trucks accessory to the business conducted on the premises and is not for sale to the public, a permit for a private gasoline station for the use of the owner of the business is granted on condition that no gasoline is sold to the public.

The Board hereby AUTHORIZES the said VARIANCE; the Bureau of Engineering, Surveys and Zoning to govern itself accordingly, on condition that the requirements of the Fire Marshal, the Bureau of Building Inspection, the Division of Housing and Sanitation or any other City Bureau having jurisdiction are complied with.

(A Use Registration Permit).

By order of the BOARD OF ADJUSTMEN

Walter Antrim

Member of the Board.

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Application No	48050
• •	March 26, 1940.

(6<u>-</u>c)

CITY OF PHILADELPHIA DEPARTMENT OF PUBLIC WORKS THERALL OF ENGINEERING SURVEYS AND ZONIN

BUREAU OF ENGINEERING, SURVEYS AND ZONING ROOM 1223, CITY HALL ANNEX

NOTICE OF REFUSAL OF PERMIT

То	apecci	_		2919 E. T			
The r	permit applied for in Appl	ication No. 48050	***************************************	s hereby refuse	d because th	e provisions	of the
Philadelph	ia Zoning Ordinance hav	e not been complied	with in th	e following par	ticulars:		
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	Premises 2710-14	Lefevre Stree	t is in	a "n" resi	qehriar 1	Jistrict.	1 x
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	The application	is for a friva	ite gasoi	the servic	e station	u (size e	mo eday
vlocation	to be as shown in	the applicati	on); who	ereas this	use is n	ot permit	ted in
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REMARKS:			•				
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	See application	#47102; Cal. #	138.		·		•
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CERTIFICATE NO. VA 6510
(Date) Fobruary 28, 1940

Bureau of E. S. and Z.

Application No. 47102

Board of Adjustment

Appeal No. 6633

CITY OF PHILADELPHIA ZONING

BOARD OF ADJUSTMENT City Hall Annex

City	rian filmox	
BOARD OF ADJUSTMENT	CERTIFICATE OF VARIANCE	
,	he condition that the construction authorized shall be in str	ict
Applicant Joseph Capecci	Address 2710 Lefevre St.	
Owner Joseph Capecci	Address 2710 LoFevre St.	-
Agent	Address	
LOCATION OF PROPERTY: 2710-14 LEPZVI	B. ST.	ų
Philadelphia Zoning Ordinance, and the Board having	tment by the aforesaid for VARIANCE from the terms of the held public hearing after due notice as required by law, is loss not permit the establishment of a Gasoline of, a permit should not be granted.	OI.
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The Board hereby REFUSES the said VAF	MANCE; the Bureau of Engineering, Surveys and Zoning,	to
(A Use Registration Permit).		
-	By order of the BOARD OF ADJUSTMENT Falter Antrim Secretary,	world.

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	scriber, a Notary Public					
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Notary Public.

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INSPECTOR'S REPORT

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Application No	47102	-
Date of Refusal		40.
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DEPARTMENT OF PUBLIC WORK BUREAU OF ENGINEERING, SURVEYS AND Z		m - P. Page - 1
ROOM 1223; CITY HALL ANNEX		
NOTICE OF REFUSAL OF PERM	IT	A STANTA
Joseph Capecci 2710 Lefev	re Street	aalanaynaning 10 00
The permit applied for in Application No. 47102 is hereby refused	d because the provisi	
Philadelphia Zoning Ordinance have not been complied with in the following part		i de la companya de La companya de la co
		1134 1
Premises 2710-14 Lefevre Street is in a "D" Resid	lential Distri	ita e e e estit . ct
USE:- The application is for a Private Gasoline Service	e Station (siz	re and
location, equipment and capacity as shown in the application	ion), whereas	this

REMARKS :-

Fire Marshal's requirements? in the real of the second

use is not permitted in the district.

INSTRUCTIONS FOR ISSUANCE OF PERMIT OR PERMITS

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Approved to Story Application District Des Zoning Maj Survey Dist Previous Application CITY OF PHILADELPHIA	15028
District De	ignation Real
Zoning Maj	signation p No. 6 Sub. 118 V rict Ward 45 plication.
Previous Ar	plication
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ZONATE DIVISION DEPARTMENT OF PUBLIC W	AND ZONING
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APPLICATION FOR ZONING PERMIT and/or US	
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the permit or permits required by the Philadelphia Zoning Ordinance I	before commencing the use or the work
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situated on South side of feet Ginches from Legs str	Zoning Keiused
of Edge Mont Floring Wa	rd. Appealed
Front ## 6/ feet o inches. Depth 8 / feet O inch	
If lot is irregular in shape, give deed description below:	Ref. to B. of A.
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DRAW PLANS ON SPACE BELOW

PLANS TO BE DRAWN TO SCALE, IN INK.

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SHOW ALL STREETS AND ALLEYS BOUNDING PROPERTY.

SHOW DISTANCES FROM BUILDING TO LOT LINES, AND TO OTHER BUILDINGS ON SAME LOT.

DRAW ELEVATIONS AND ADDITIONAL PLANS WHEN REQUIRED.

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Commonwealth of Pennsylvania, County of Philadelphia
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personally appeared
who being duly according to law, doth depose and say: That all the above statements and/or drawings and/or attached plans are true, and do correctly state and show the full extent of buildings and all uses, to be made of the buildings and/or log for which application for a Zoning Permit and/or Use Registration Permit is hereby made.
and subscribed to before
me, this
day of
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(Applicant Sign Here)
Jos. /J. Nurgmany

EXAMINER'S REPORT

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INSPECTOR'S REPORT

Application	No
Date of Ref	usal

CITY OF PHILADELPHIA DEPARTMENT OF PUBLIC WORKS BUREAU OF ENGINEERING, SURVEYS AND ZONING ROOM 1223, CITY HALL ANNEX

NOTICE OF REFUSAL OF PERMIT

To	Applicant.	Address	••••
The peri	nit applied for in Application No.	is hereby refused because the provisions of th	ıe
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Authorized by......

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Applicant Shell company

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The necessity for seeking approval of this application, appears to the fact that reconstruction was not come menced which the requirement is not property was not continued or interrupted by reason of the property was not the property was not the property was continued as a storage area. It is shown to be noted that the land approximately 75% of the proposed washie the land approximately 75% of the proposed washie the land as a storage area. It is shown to be noted that the land area and approximately 75% of the proposed washie the land as a storage area. It is shown to be noted that the land as a storage area. It is shown that the land as a storage area. It is shown that the land as a storage area. It is shown that the land as a storage area. It is shown the the continued as a storage area. It is shown that the land as a storage area. It is shown that the land as a storage area. It is shown that the land as a storage area. It is shown that the land as a storage area. It is shown the thing the continued as a storage area. It is shown the the land the land area.

The applicant desires to build an addition to the rearea of the property, leaving, however, a nine foot six inch set back from the rear property line in compliance with the requirements governing a "D" residental district. The building is to concrete block construction, the purpose being to provide cover for the present open storage. The structure will not only be beneficially greater safety and better appearance insofar as for the present open storage. The structure will not only be concrete block construction, the property but will provide for the present open storage. The structure will not only be beneficial to the occupants of the property but will provide for the present open storage. The structure will be lower substantially greater in area than the portion of the existing for the present one concerned. The portion of the existing concrete block construction, the property but will provide substantially greater in area than the provide cover substantial of the conforming will be lower for the present of the formal of the contraction of the contraction substant of the present in area than the contraction of the contraction of the context of substant of the present of the conforming of the context of the cont

This application is for permission to continue a non-conforming use pursuant to Section 4 of the Philadelphia Zoning Ordinance of August 10, 1933 as amended. The property in question is located in a "D" residential district, for many years prior to the passage of the zoning ordinance, the entire last spice, the entire space in addition to the extreme property lines was occupied by a two story building in constant use as combination in the extreme property lines was occupied by a two story building in constant use as combination to the extreme property lines was occupied by a two story building extending, however, continued without in-terruption to be used as open storage space covered by the destroyed portion of the building extending, however, continued without in-terruption to be used as open storage space covered by the destroyed portion of the building extending, however, continued without in-terruption to be used as open storage space and is at present time and for some the extreme rear property. At the present time and for some storage are to the property. At the present time and for some storage of the property. At the present time and for some storage of the trade and for this property.

DEPARTMENT MEMORANDA

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Philadelphia

This is to certify that I-have examined the within detailed statement, together with a copy of the plans relating thereto, and find the same to be in accordance with the provisions of the law relating to Buildings in the City of Philadelphia, that the same has been approved and cheered in the records of this Department.

111 July 1 15 102

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The Honorable Joseph L. Zazyczny
Councilman, Sixth District
Dominic Sabatini, Commissioner
Department of Licenses and Inspections
2710:LEFEVRE STREET

Reference is made to your recent memorandum of complaint regarding unsanitary conditions at the subject commercial establishment.

The property is zoned and operating as a wholesale and retail storage and sale of electrical equipment. The Department issued six (6) Fire Code violations including the removal of unsanitary conditions on the exterior of the building.



If these violations are not complied upon reinspection, enforcement action will be initiated.

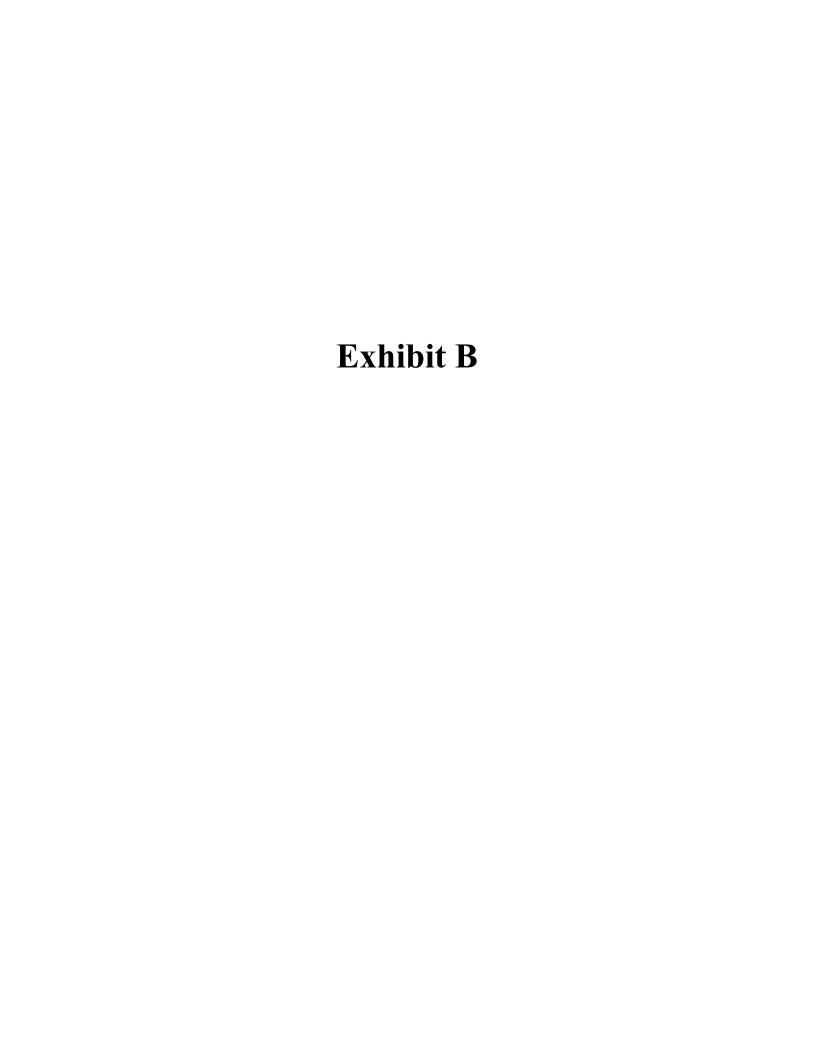
I hope this information is satisfactory.



DS/RP/EM

BC: /Mr. Paliaga Zoning File RECEIVED
DIFT. OF LIGENSES
AND INSPECTIONS
APR 28.19761

COMING



POLREP #1 and Special Bulletin A LeFevre Street Container Site 2710 LeFevre Street Philadelphia, Pennsylvania 19137

Lat: 39.999647 Long: -75.072081

DATE: April 14, 2009

FROM: Jack Kelly, On Scene Coordinator

Eastern Response Branch (3HS31)

TO: Regional Response Center

James Burke (3HS00) Dennis Carney (3HS30) Gerald Heston (3HS31)

SUBJECT: Notification of CERCLA Emergency Removal Action

1. Issue

In March 2009, the City of Philadelphia Fire Department (City Fire) and Licenses & Inspections Department (City L&I) informed the EPA Region 3 Removal Program about liquid-filled containers at an open lot in the Bridesburg section of Philadelphia. In April 2009, the On Scene Coordinator (OSC) conducted an onsite removal evaluation of the containers located at 2710 LeFevre Street (the Site) in accordance with the National Oil and Hazardous Substances Contingency Plan (NCP), 40 CFR Part 300. The evaluation revealed the potential for the release of hazardous substances to the environment posing a threat to public health or welfare or the environment. The OSC has determined that the Site meets the criteria in Section 300.415 of the NCP for initiating a Removal Action. As a result of Site conditions, an emergency removal response action pursuant to Section 104 of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), as amended, 42 USC Section 9604, is necessary at the Site. Pursuant to Delegation of Authority 14-2, the OSC is authorizing CERCLA funding in an amount not to exceed \$250,000 to initiate an emergency Removal Action to secure the Site and properly address substances present at the Site.

2. Background

The OSC first visited the Site on April 3, 2009 but did not have access to the property. From the street pavement, the OSC could observe five (5) large plastic containers (totes), ten to fifteen (10 to 15) 55-gallon metal drums, several smaller drums and a few one gallon cans. The totes obviously contained liquid. The containers were located roughly 60 yards in from the street in the corner of a vacant lot adjacent to several residential yards (see photos). The lot was roughly 60 yards by 20 yards in size and was devoid of vegetation.

A fence, reportedly placed there by a City contractor, immediately surrounded the containers. A fence also was in place along the front of the property parallel to the pavement. This fence had an opening that could be traversed. Also, the lot could easily be accessed from the street as one of two residential yards located on LeFevre Street directly adjacent to the lot had a wooden fence but the entire fence door was missing. Most of the residential yards, about 16 total, abutting the lot on each site had no fence along the lot border and residents could walk right onto the vacant lot.

The OSC was informed by City representatives that the City acted on a Court Order to demolish a warehouse that was located on what is now the vacant lot. The warehouse was demolished by a City contractor in October 2008. The brick warehouse reportedly was 2.5 stories in height, of early 1900s vintage and was most recently used to house electrical parts and components by the property owner. The warehouse had covered all of the footprint of the vacant lot except for an approximate 20 yard by 20 yard area in the back. The City representatives indicated that the liquids currently stored within the onsite containers along with an underground storage tank were discovered during the demolition activity.

In early April, the OSC reviewed a sampling analytical report from the City, prepared by a City subcontractor (letter report of 2/2/09, IForster of Criterion Labs to JMscisz of USA Environmental Management) that indicated two of the totes contained high concentrations (above 10,000 mg/kg) of Polychlorinated Biphenyls (PCBs), one contained low level PCBs (below 50 mg/kg), and two did not contain PCBs. The report states that "all of the large plastic box containers (aka totes) contain 86% diesel oil....". Only one composite sample was collected from the many drums on the site and analyzed for PCBs and diesel range organics (diesel range organics is an analytical measure for a specific type of petroleum hydrocarbons). The results revealed non-detect for PCBs but diesel range organics exceeded 95%. The OSC contacted the subcontractor employee who collected the samples and learned that the composite sample was collected from approximately five drums. The report indicated that the underground tank did not contain PCBs but had a diesel range organics level of 47%. The report estimates that the totes contain 980 gallons of liquid, the metal and plastic drums (total number reported as 14) contain 720 gallons and the underground tank contains 2200 gallons.

On April 8, the OSC met the property owner at the Site and was able to directly view the containers. The owner agreed to sign a letter acknowledging access for the day. The OSC indicated a need to have the containers placed in a storage box or trailer given the reported analytical results and proximity of the community.

The OSC provided an access agreement to the property owner requesting consent to place the containers in a large storage box, conduct sampling and analysis of the containers and arrange for disposal. The owner indicated that he would like to confer with his attorney before agreeing to sign the document. Orally, the owner agreed to placement of the totes in a storage container but questioned the need for

placement of the drums inside given the City subcontractor report indicating that PCBs were not found. The OSC responded that he could not confirm the reliability of the sampling results at this point (although he must assume the positive PCB values are accurate), it was not clear if all of the drums were sampled and analyzed (as indicated above, it was confirmed later by the OSC they were not), and if drums containing diesel oil alone were vandalized and a leak occurred, the owner may be required by the State or City to clean up any contaminated soil. The owner asked if he could collect samples from the containers and the OSC indicated that was his prerogative but recommended that EPA split samples concurrently with the owner. The OSC indicated that, if any of the containers were found to contain unadulterated oils, he would consider having the owner take custody of the containers if the owner can show he can properly transport and store the containers.

The OSC and owner parted with the understanding that EPA would be contacting the owner or owner's attorney in a day or two about an agreement to place the containers inside a storage box and that the OSC would be preparing documentation to initiate a removal action at the Site.

3. Threats to Public Health or Welfare or the Environment

Section 300.415 of the NCP lists the factors to be considered in determining the appropriateness of the Removal Action. Paragraphs (b) (2) (i), (iii), (iv), (v) (vi), and (vii) of Section 300.415 directly apply as follows to the conditions at the Site:

300.415 (b) (2) (i) Actual or potential exposure to nearby human populations, animals, or the food chain from hazardous substances, pollutants or contaminants

PCBs are the contaminants of concern at the Site. PCBs are mixtures of up to 209 individual chlorinated compounds (known as congeners). There are no known natural sources of PCBs. PCBs are either oily liquids or solids that are colorless to light yellow. Many commercial PCB mixtures are known in the U.S. by the trade name Aroclor. PCBs have been used as coolants and lubricants in transformers, capacitors, and other electrical equipment because they don't burn easily and are good insulators. The manufacture of PCBs was stopped in the U.S. in 1977 because of evidence they build up in the environment and can cause harmful health effects.

The most commonly observed health effects in people exposed to large amounts of PCBs are skin conditions such as acne and rashes. Studies in exposed workers have shown changes in blood and urine that may indicate liver damage. Most of the studies of health effects of PCBs in the general population examined children of mothers who were exposed to PCBs. Animals that ate food containing large amounts of PCBs for short periods of time had mild liver damage and some died. Animals that ate smaller amounts of PCBs in food over several weeks or months

developed various kinds of health effects, including anemia; acne-like skin conditions; and liver, stomach, and thyroid gland injuries. Other effects of PCBs in animals include changes in the immune system, behavioral alterations, and impaired reproduction. Studies of workers indicate that PCBs were associated with certain kinds of cancer in humans, such as cancer of the liver and biliary tract. Rats that ate food containing high levels of PCBs for two years developed liver cancer. The Department of Health and Human Services (DHHS) has concluded that PCBs may reasonably be anticipated to be carcinogens. The EPA and the International Agency for Research on Cancer (IARC) have determined that PCBs are probably carcinogenic to humans.

Potential exposure to nearby populations can occur as a result of the following conditions:

- The fence along the front of the Site is compromised, the residential yard adjacent to the front of the Site is missing a fence door and many adjacent residential yards abutting the lot do no not have fences. All of these conditions allow for access to the vacant lot at the Site,
- The Site is located in a densely populated neighborhood. Row homes and yards surround and are located directly adjacent to the Site,
- Although the containers are immediately surrounded by a fence erected by the City contractor, the fence is temporary and can be traversed or damaged by trespassers,
- Evidence of trespassing near the containers was observed (miscellaneous commercial items were observed on the ground near the containers during the April 8 OSC visit.)

PCBs are hazardous substances within the meaning of CERCLA because they are listed (as Aroclors) in 40 CFR Part 302.4.

300.415 (b)(2)(iii) Hazardous substances or pollutants or contaminants in drums, barrels, tanks or other bulk containers, that may pose a threat of release

Based on the analytical results presented in the City subcontractor's report, at least three of the totes contain high levels of PCBs. Tote #1 contains approximately 275 gallons of liquid and the PCB concentration (as Aroclor 1260) was reported to be 33,000 mg/kg, tote #2 contains approximately 275 gallons of liquid and was reported to contain 160,000 mg/kg PCBs (as Aroclor 1260) and tote #4 contains about 150 gallons of oil and the PCB (as Aroclor 1260) concentration was reported to be 30 mg/kg.

Although the underground tank and drums were reported to contain diesel oil and were not found to contain PCBs, only approximately five drums were analyzed as a composite sample. In addition, EPA does not have access and cannot confirm the adequacy of the sampling methods and laboratory quality assurance measures.

300.415 (b)(2)(vi) Threat of fire or explosion

The containers are easily visible from the street and could be accessed without great difficulty. Vandals could easily start a fire with readily available commercial materials. Should a fire occur, the presence of high concentrations of PCBs in the fire could easily lead to the creation of more toxic compounds that would contaminate Site soils and disperse by air through the local community.

300.415 (b)(2)(vii) The availability of other appropriate federal or state response mechanisms to respond to the release

EPA is the principal federal agency charged with evaluating incidents or releases of this type for determining the need for action. EPA was directly requested by the City of Philadelphia to assist with this situation. The City contacted EPA because past legal efforts on the City's part proved unsuccessful in having the owner safely and properly remove the containers. The City's budget is limited for the disposal of hazardous materials and the contract for demolition of the warehouse reportedly did not address the presence of liquids containing PCBs. The State of Pennsylvania has deferred to EPA in this matter as their ability to address abandoned PCB waste is limited.

4. Endangerment Determination

The OSC determined, based upon information gathered during the emergency removal assessment, and following evaluation of the City subcontractor's data, that the threat of a release of PCBs presents an imminent and substantial endangerment to public health, welfare or the environment. For this reason, the OSC initiated an emergency removal action on April 14, 2009.

5. Actions and Estimate Costs

A. Actions

- Provide/maintain site security measures (e.g. fencing) with the goal of preventing vandalism and unauthorized access to the Site and the containers holding hazardous substances ("containers").
- Improve site accessibility as needed by clearing, removing and/or disposing of non-hazardous debris or materials in order to enable efficient removal activities.
- To minimize the potential for spillage or vandalism, arrange for temporary storage of the containers in a secure, large storage box/trailer(s) until removal and/or disposal of the container contents is implemented.

- Segregate incompatible containers and adequately close, overpack and stage as necessary.
- Use necessary means, including hazardous categorization practices ("haz cat"), sampling and analyses, to identify and verify container contents for transportation, disposal and/or recycling. Bulk or consolidate similar materials based on hazard categorization and/or other sampling and analyses.
- Prepare materials for off-site transportation and disposal to include overpacking, transfer to new DOT-acceptable drums, and labeling and marking as necessary. Dispose in accordance with 40 CFR Section 300.440.
- Identify potential users of product materials (e.g. fuel oil) and prepare for off-site DOT acceptable shipping.

B. Estimated Costs:

Extramural Cost:

Regional Removal Allowance Cost Total Cleanup Contractor Cost (ERRS)

\$ 50,000

(cost includes estimates for ERRS contractors and any subcontractors, letter contracts, orders for services, notices to proceed, alternative technology contracts and interagency agreements with other Federal agencies)

Other Extramural Costs Not Funded From Regional Allowance:

Unallocated \$200,000

6. Contribution to Remedial Performance

The Removal Action is not expected to be inconsistent with or hinder any potential future remedial actions at the Site.

7. Compliance with ARARS

This Removal Action will comply with all environmental and health Applicable and Relevant and Appropriate Requirements (ARARs) to the extent practicable

given the exigencies of the situation. The OSC will confer with personnel in Region 3's Toxics Program Branch as necessary regarding Toxic Substances Control Act (TSCA) regulations concerning PCB disposal.

8. Expected Changes in the Situation Should No Action Be Taken or Action is Delayed

Inaction at the Site would result in the increased potential for vandalism of the containers. Vandalism could result in improper removal and disposal of the container liquids leading to contamination at another location, onsite spillage leading to the contamination of site soils or a fire resulting in soil contamination and airborne release of contaminants of a more toxic nature. The containers are open to public view in a densely populated neighborhood and offer a tempting presence for trespassers. Inaction may present opportunities for neighborhood youth to trespass on the Site and potentially become exposed to PCBs if leakage from the containers occurs.

9. Outstanding Policy Issues

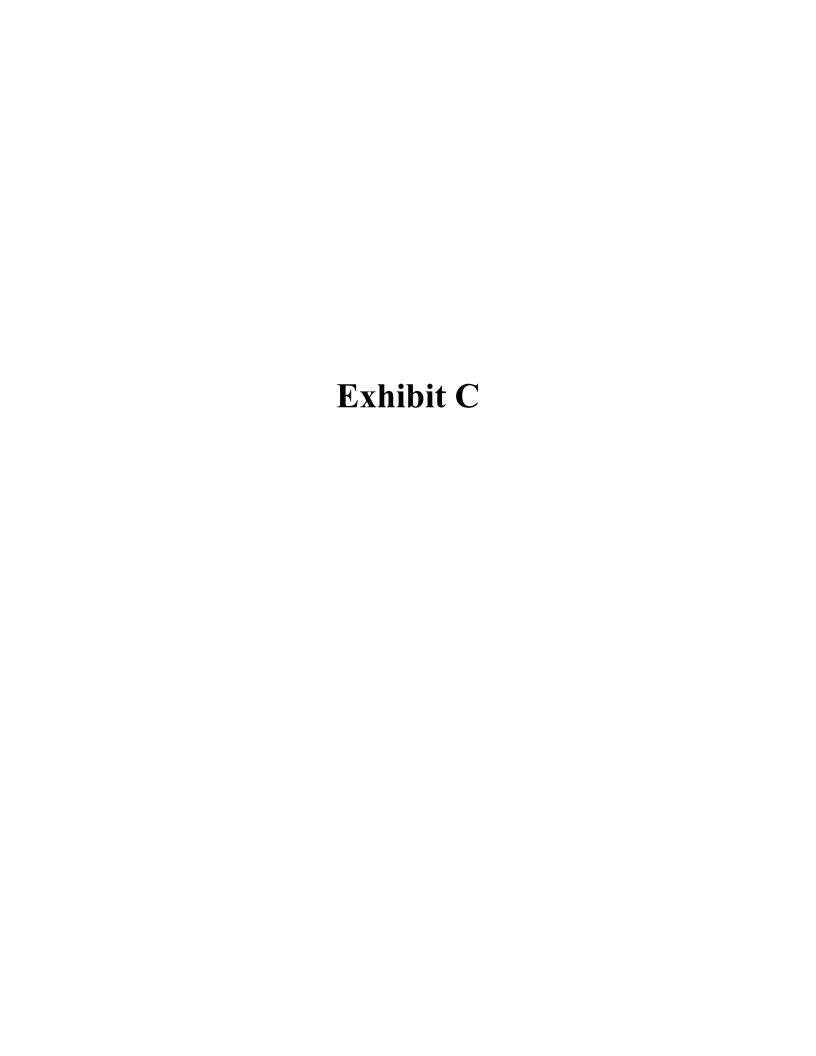
There are no known outstanding policy issues associated with the Site.

10. Enforcement

The OSC will work with the EPA Civil and Criminal Investigators assigned to this Site.

The total EPA costs for this Removal Action, as described in procedures outlined in OSWER 9630.0-42, and based on full cost accounting practices that will be eligible for cost recovery are estimated as follows:

Direct Extramural Costs (not including unallocated funds)		\$50,000
Direct Intramural Costs	Total	\$10,000 \$60,000
Indirect Costs (62.9% of above; rounded to 70%)		\$42,000
Estimated EPA costs for Removal Action		\$102,000



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REGION 3

Close-Out Special Bulletin

LeFevre Street Container Site 2710 LeFevre Street Philadelphia, PA 19137

Latitude 39.999647 Longitude -75.072801

Project Number: 656

Site ID Number: A3MZ

ATTN: Linda Marzulli, RRC Region 3 Distribution List

SITUATION: September 29, 2009

Reporting Period: This Close Out Special Bulletin provides a synopsis of work performed at the site since enactment of the Special Bulletin \$250,000 emergency activation on April 14, 2009 until completion on June 15, 2009. Work activities involved the assessment and removal of polychlorinated biphenyls (PCBs) and oils from various containers including drums, large totes and an underground tank located at an open lot in the Bridesburg section of Philadelphia.

1.0 Introduction

1.1 Background:

Based on the OSC's assessment of the site and available information, he prepared a Special Bulletin \$250,000 emergency activation on April 14, 2009. Of the \$250,000 potential ceiling, \$50,000 was funded to this project.

In March 2009, the City of Philadelphia Fire Department (City Fire) and Licenses & Inspections Department (City L&I) informed the EPA Region 3 Removal Program about liquid-filled containers at an open lot at 2710 LeFevre Street in the Bridesburg section of Philadelphia. The City had arranged for sampling of the containers and results showed the presence of PCBs in several. In April 2009, the On Scene Coordinator (OSC) conducted an onsite removal evaluation of the containers located at the Site in accordance with the National Oil and Hazardous Substances Contingency Plan (NCP), 40 CFR Part 300. The evaluation revealed the potential for the release of hazardous substances (PCBs) to the environment posing a threat to public health or welfare or the environment. The OSC determined that Site conditions met the criteria in Section 300.415 of the NCP for initiating a Removal Action. As a result of Site conditions, an emergency removal response action was intitiated.

The OSC had first visited the Site on April 3, 2009 but did not have access to the property. From the street pavement, the OSC could observe five (5) large plastic containers (totes), ten to fifteen (10 to 15) 55-gallon metal drums, several smaller drums and a few one gallon cans. The totes obviously contained liquid. The containers were located roughly 60 yards in from the street in the corner of a vacant lot adjacent to several residential yards (see file photos). The lot was roughly 60 yards by 20 yards in size and was devoid of vegetation.

A fence, reportedly placed there by a City contractor, immediately surrounded the containers. A fence also was in place along the front of the property parallel to the pavement. This fence had an opening that could be traversed. Also, the lot could easily be accessed from the street as one of two residential yards located on LeFevre Street directly adjacent to the lot had a wooden fence but the entire fence door was missing. Most of the residential yards, about 16 total, abutting the lot on each site had no fence along the lot border and residents could walk right onto the vacant lot.

The OSC was informed by City representatives that the City acted on a Court Order to demolish a warehouse that was located on what is now the vacant lot. The warehouse was demolished by a City contractor in October 2008. The brick warehouse reportedly was 2.5 stories in height, of early 1900s vintage and was most recently used to house electrical parts and components by the property owner. The warehouse had covered all of the footprint of the vacant lot except for an approximate 20 yard by 20 yard area in the back. The City representatives indicated that the liquids currently stored within the onsite containers along with an underground storage tank were discovered during the demolition activity.

In early April, the OSC reviewed a sampling analytical report from the City, prepared by a City subcontractor (letter report of 2/2/09, IForster of Criterion Labs to JMscisz of USA Environmental Management) that indicated two of the totes contained high concentrations (above 10,000 mg/kg) of PCBs, one contained low level PCBs (below 50 mg/kg), and two did not contain PCBs. The report states that "all of the large plastic box containers (aka totes) contain 86% diesel oil.....". Only one composite sample was collected from the many drums on the site and analyzed for PCBs and diesel range organics (diesel range organics is an analytical measure for a specific type of petroleum hydrocarbons). The results revealed non-detect for PCBs but diesel range organics exceeded 95%. The OSC contacted the subcontractor employee who collected the samples and learned that the composite sample was collected from approximately five drums. The report indicated that the underground tank did not contain PCBs but had a diesel range organics level of 47%. The report estimates that the totes contain 980 gallons of liquid, the metal and plastic drums (total number reported as 14) contain 720 gallons and the underground tank contains 2200 gallons.

On April 8, the OSC met the property owner at the Site and was able to directly view the containers. The owner agreed to sign a letter acknowledging access for the day. The OSC indicated a need to have the containers placed in a storage box or trailer given the reported analytical results and proximity of the community.

The OSC provided an access agreement to the property owner requesting consent to place the containers in a large storage box, conduct sampling and analysis of the containers and arrange for disposal. The owner indicated that he would like to confer with his attorney before agreeing to sign the document. Orally, the owner agreed to placement of the totes in a storage container but questioned the need for placement of the drums inside given the City subcontractor report indicating that PCBs were not found. The OSC responded that he could not confirm the reliability of the sampling results at this point (although he must assume the positive PCB values are accurate), it was not clear if all of the drums were sampled and analyzed (as indicated above, it was confirmed later by the OSC they were not), and if drums containing diesel oil alone were vandalized and a leak occurred, the owner may be required by the State or City to clean up any contaminated soil. The owner asked if he could collect samples from the containers and the OSC indicated that was his prerogative but recommended that EPA split samples concurrently with the owner. The OSC indicated that, if any of the containers were found to contain unadulterated oils, he would consider having the owner take custody of the containers if the owner could show he can properly transport and store the containers.

The OSC and owner parted on April 8 with the understanding that EPA would be contacting the owner or owner's attorney in a day or two about an agreement to place the containers inside a storage box and that the OSC would be preparing documentation to initiate a removal action at the Site.

Site No.: A3MZ

Delivery Order/Task Order No.: EP-S3-07-01 TO#19
Response Authority CERCLA, §104(a)
Response Type Time Critical
Operable Unit Site wide
Type of Removal Action RV – Removal
Lead EPA financed
NPL Status: Non-NPL

State Notification PADEP-Notified

Action Memorandum Status N/A -

Special Bulletin Activation April 14, 2009

Start Date: April 14, 2009 Demobilization Date: June 15, 2009

Completion Date: Close Out Bulletin complete

September 30, 2009

1.1.1 Incident Category: Containers holding PCBs and oils located in an open lot within a residential neighborhood. Access minimally restricted.

1.1.2 Site Description

1.1.2.1 Site Location and Removal Assessment: The Site is located at 2710 LeFevre Street in the City of Philadelphia's Bridesburg neighborhood (see Background section above and Attachment 1 - Aerial

Photograph). See above for a description of the OSC's Removal Assessment.

1.1.2.2 Description of Threat: PCBs were the identified substance of concern at the site. The PCBs were contained in several drums and totes in the rear lot of an area where a former electrical supply warehouse was demolished in October 2008. Based on the OSC's visual count, the lot contained a total of thirteen 55-gallon drums, three 30-gallon drums, five ~300 gallon totes and miscellaneous smaller containers (see POLREP #2). PCBs were ultimately discovered to be in the oils contained in five of thirteen drums and all five totes based on EPA-coordinated sampling and analyses. PCB positive results ranged from 2.4 mg/kg to 278,000 mg/kg.

Potential exposure to nearby populations may have occurred as a result of the following conditions:

- The fence along the front of the Site was compromised, the residential yard adjacent to the front of the Site is missing a fence door and many adjacent residential yards abutting the lot do no not have fences. All of these conditions allowed for access to the vacant lot at the Site,
- The Site is located in a densely populated neighborhood. Row homes and yards surround and are located directly adjacent to the Site,
- Although the containers were immediately surrounded by a fence erected by the City contractor, the fence was temporary and could be traversed or damaged by trespassers,
- Evidence of trespassing near the containers was observed (miscellaneous commercial items were observed on the ground near the containers during the April 8 OSC visit.)

PCBs are hazardous substances within the meaning of CERCLA because they are listed in Section 302.4 of the National Contingency Plan.

The most commonly observed health effects in people exposed to large amounts of PCBs are skin conditions such as acne and rashes. Studies in exposed workers have shown changes in blood and urine that may indicate liver damage. Most of the studies of health effects of PCBs in the general population examined children of mothers who were exposed to PCBs. Animals that ate food containing large amounts of PCBs for short periods of time had mild liver damage and some died. Animals that ate smaller amounts of PCBs in food over several weeks or months developed various kinds of health effects, including anemia; acne-like skin conditions; and liver, stomach, and thyroid gland injuries.

Other effects of PCBs in animals include changes in the immune system, behavioral alterations, and impaired reproduction. Studies of workers indicate that PCBs were associated with certain kinds of cancer in humans, such as cancer of the liver and biliary tract. The Department of Health and Human Services (DHHS) has concluded that PCBs may reasonably be anticipated to be carcinogens. The EPA and the International Agency for Research on

Cancer (IARC) have determined that PCBs are probably carcinogenic to humans.

2.0 Activities

- 2.1.1 Current situation: As of June 15, 2009, EPA's contractor had arranged for the removal of all containers from the Site for transport and disposal. Waste streams from the drums and containers went to several different disposal or reclamation locations dependent on material type (e.g. oil, empty containers) and PCB concentration. Roughly 1600 gallons of liquid were contained in the drums, totes and smaller containers of which approximately 1250 gallons contained PCBs. Approximately 2200 gallons of non-PCB oil was removed from an underground tank on the site (~ 5000 gallon tank) and sent offsite for reclamation.
- **2.1.2** Response activities to date: Following is a description of major activities performed at the Site:
 - The OSC frequently coordinated with the Site owner and with the City of Philadelphia about plans and upcoming activities during the period from late March through June 15, 2009,
 - A large storage container was placed onsite by ERRS on April 16 and all drums, totes and smaller containers were moved inside:
 - ERRS collected samples for waste disposal purposes from the onsite containers and underground tank on May 11 and 20;
 - A Site fact sheet was prepared and delivered by hand to adjacent homeowners on May 11. The OSC and Community Involvement Coordinator met with several residents and also with a State Representative,
 - A notice letter to the Site owner was prepared by the EPA Region 3 Cost Recovery Program on June 11, 2009 and delivered by hand on June 12,
 - The ERRS contractor removed all waste streams from the Site, including all above ground containers, for transport and disposal/reclamation on June 12, 2009 (the OSC still awaits Certificates of Disposal from the disposal facilities). The underground tank was <u>not</u> removed.
 - The large, rented storage container was removed on June 15, 2009.
 - On July 2, the OSC informed the City of Philadelphia Law Department about a claim by a reputable source that PCB oils may have been permitted to leak in the rear portion of the vacant lot. This individual, formerly employed by the City, inspected the facility in the early 1980s when the electrical parts warehouse was in operation and had obtained information suggesting this. The OSC suggested that the City make this a requirement before any future development of the property. He offered to arrange for sampling of the area if the City wished.

See project photographs in site file for progression of work.

2.1.3 Progress Metrics

Wastestream	Medium	Quantity	Containment	Disposal
PCB-	Oil	~ 1250	Drums and	PCB incinerator
contaminated oil		gallons	totes	
Various oils	Oil	~2600	Underground	Fuel
		gallons	tank, drums	blending/reclamation

2.1.4. Enforcement Activities, Identity of Potentially Responsible Parties (PRPs): EPA's Cost Recovery Program evaluated site file information and conferred with the OSC in May and June 2009. The OSC conferred with Regional Counsel as needed regarding site access and coordination with the Site owner regarding EPA removal of onsite materials. Although the OSC had previously informed the Site owner that he may be responsible for cleanup costs, a notice letter was hand-delivered by the OSC to the Site owner on June 12, 2009. The owner's attorney sent a letter to EPA on April 21, 2009 questioning the Site owner's potential liability for cleanup costs.

2.2 Planning

- **2.2.1 Anticipated activities for next reporting period:** The OSC has determined that all cleanup work at this site is complete.
- **2.2.2 Issues/Action Consequences:** Due to a medical appointment, the OSC could not be present on June 12 when the materials were removed from the Site by the ERRS subcontractor. OSC Eugene Dennis was present.
- **2.3 Logistics**: The time required to remove the materials from the site was a concern to some residents (and to the OSC). Because of the nature of the work, the OSC and ERRS personnel were onsite for only a few days during the April to June time frame.

2.4 Finance

2.4.1 Narrative

The accounting of expenditures below is an estimate based on figures known to the OSC at the time this report was written. The cost accounting provided in the table does not necessarily represent an exact monetary figure which the government may include in any claim for cost recovery. The cost table does not include direct Intramural (e.g. EPA personnel) and Indirect costs. The vast majority of the cost at this site was for the transport and disposal of materials.

2.4.2 Cost Table

	Budgeted	Cost To
		Date
ERRS Contractor	\$50,000	~\$25,500
START Contractor	0	0
Unallocated	\$200,000	0
Project Ceiling	\$250,000	~\$25,000

3.0 Participating Entities

3.1 Cooperating and Assisting Agencies:

The Pennsylvania Department of Environmental Protection (PADEP) was informed of our work at the site. The OSC conferred with the City of Philadelphia to obtain background information on the Site and kept City officials aware of ongoing cleanup activities.

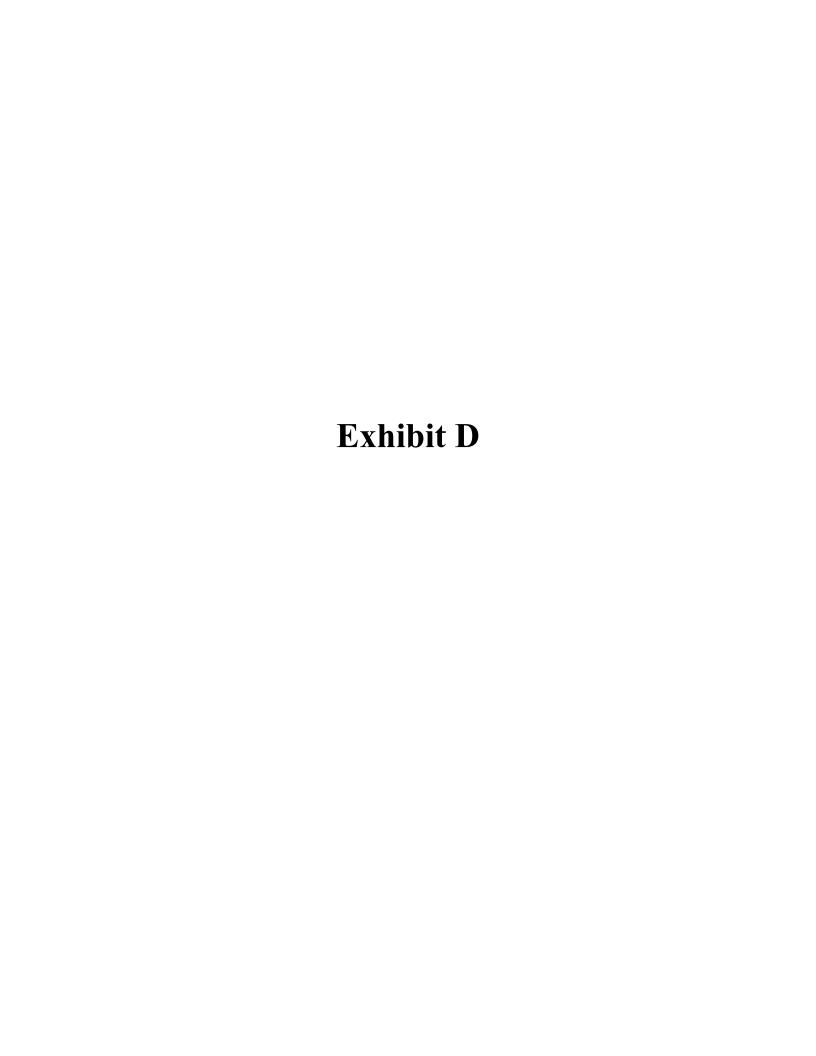
Following are the agencies/companies involved with the Site and individual agency or organization personnel:

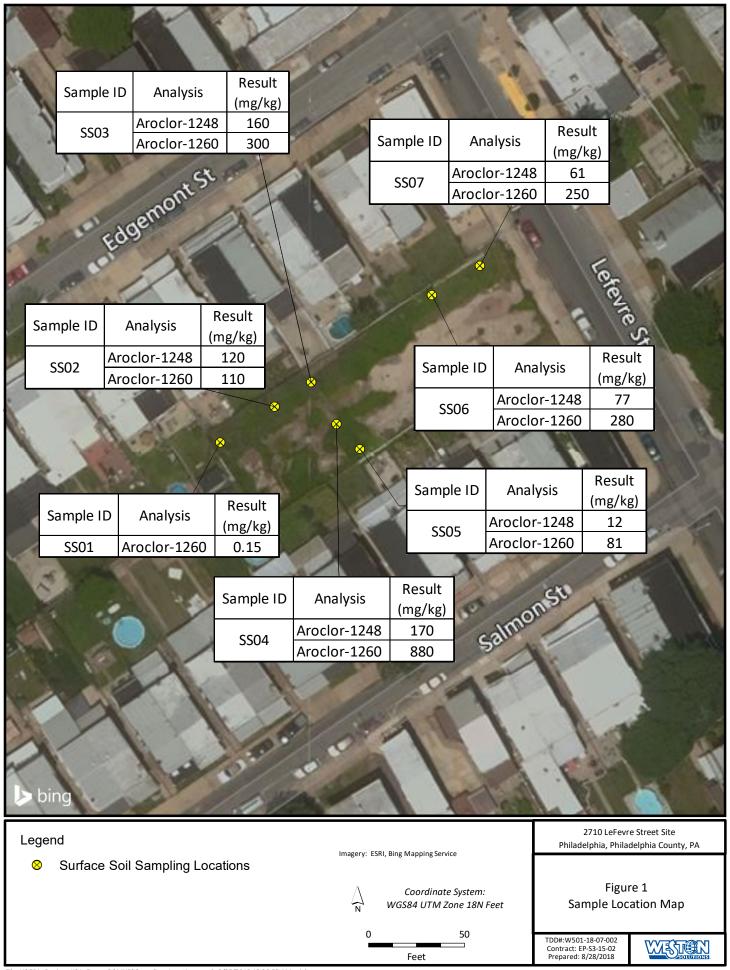
City of Philadelphia – Patrick O'Neill and Leonard Reuter, Esquire Deputy City Solicitors, Law Department 215-683-5172	Michael Roeshmam, Chief Hazardous Materials Administrative Unit Philadelphia Fire Department 215-685-8061
213-003-3172	Albert McCarthy, L&I
	215-882-5193
Prime ERRS Contractor - WRS Compass Inc. Andrew Likos, Response Manager and Scott Garpiel, Response Manager	PADEP Underground Storage Tank Program – Kathy Nagle 484-250-5718
Scott Garpier, Response Manager	PADEP Inspector for Philadelphia Area –
Greg Sulon, Project Manager	Jim Pagano
267-540-0048 (main #)	
	ERRS Subcontractor arranging for disposal:
EPA OSC – Jack Kelly 215-814-3112	Veolia Environmental Services
	3100 Hedley Street
EPA assisting when Kelly away	Phila, PA 19137
on June 12, 2009 –	215-267-3700 (Mike Smith)
Eugene Dennis, OSC 215-814-3202	Veolia used two disposal facilities for
	incineration and fuel blending of PCBs or oils:
	125 Factory Lane, Middlesex, NJ 08846 and
	Highway 73, Port Arthur, TX 77460 Veolia contracted with this company for
	fuel recovery/reclamation: Environmental
	Recovery Corp, 1076 Old Manheim Pike,
	Lancaster, PA 17601
EPA Site Attorney – Dina Kasper	EPA Civil Investigator- Larry Richardson
215-814-2688	215-814-3289

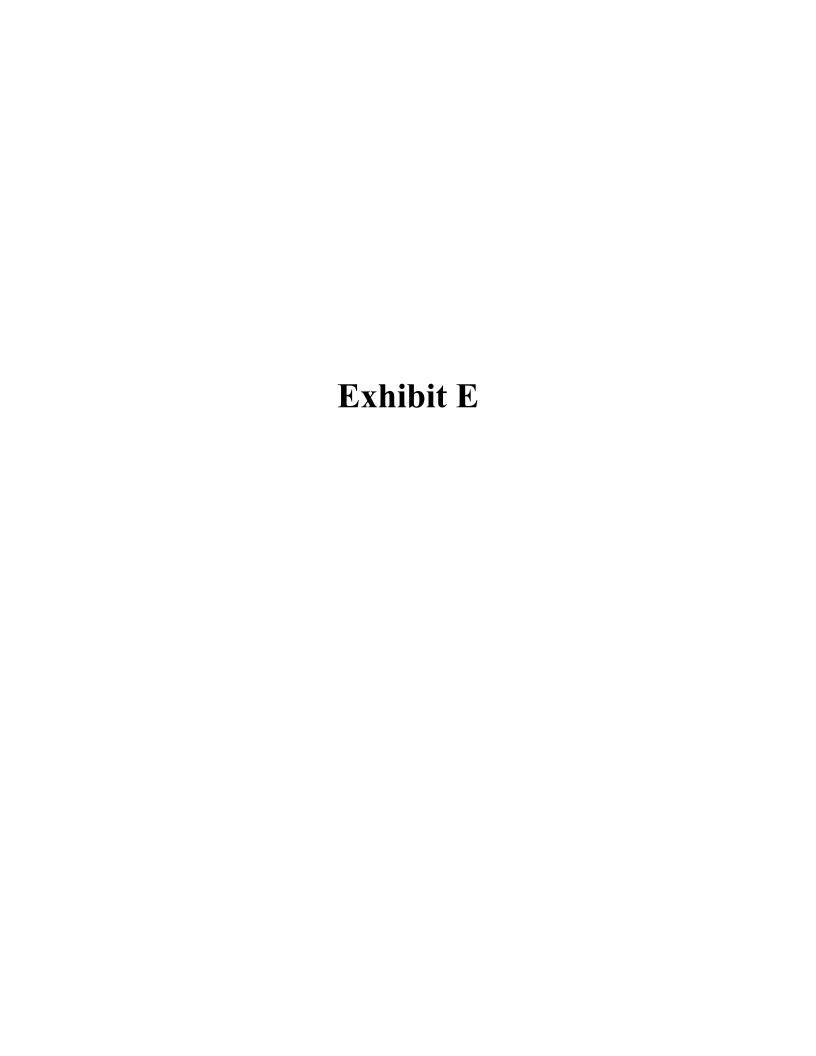
EDA Community Involvement Consideration	
EPA Community Involvement Coordinator – Trish Taylor 215-814-5539	
Site Owner - John Joyce	Attorney for Mr. Joyce
1144 Morton Ave	Douglas F. Schleicher, Esquire
Folsom, PA 19033	Klehr, Harrison, Harvey,
610-209-9114	Branzburg & Ellers LLP
	260 S. Broad Street
	Philadelphia, PA 19102
	(215) 569-2795 (phone)

- **4.0 Personnel:** Personnel at the site included the ERRS Response Manager, ERRS chemist and the OSC(s). The EPA Community Involvement Coordinator also visited the Site.
- **5.0 Source of Additional Information:** For additional information, please refer to the LeFevre Street Container Site file. The file includes sampling results, maps, photographs, cost documentation, correspondence, etc.

Attachment 1 - Aerial photograph of 4801 Stenton Avenue







U.S. ENVIRONMENTAL PROTECTION AGENCY POLLUTION/SITUATION REPORT

LeFevre Street Container SIte - Removal Polrep Initial Removal Polrep



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY Region III

Subject: POLREP #1

Initial POLREP

LeFevre Street Container SIte

A3MZ

Philadelphia, PA

Latitude: 39.9997767 Longitude: -75.0718658

To:

From: Jack Kelly, OSC Date: 6/2/2020

Reporting Period: 08/09/208 to 06/01/2020

1. Introduction

1.1 Background

Site Number: A3MZ Contract Number: D.O. Number: Action Memo Date:

Response Authority: CERCLA Response Type: Time-Critical

Response Lead: EPA Incident Category: Removal Assessment

NPL Status: Non NPL Operable Unit:

Mobilization Date: Start Date: 8/9/2018

Demob Date: Completion Date:

CERCLIS ID: RCRIS ID:

ERNS No.: State Notification: PA (Pennsylvania)

FPN#: Reimbursable Account #:

- 1.1.1 Incident Category Removal Assessment
- 1.1.2 Site Description Vacant lot in Bridesburg section of Philadelphia surrounded by row homes
- 1.1.2.1 Location 2710 LeFevre Street, Philadelphia, PA
- **1.1.2.2 Description of Threat** High levels of PCBs in surface soils directly adjacent to small residential yards; frequent trespassers access the property

1.1.3 Preliminary Removal Assessment/Removal Site Inspection Results -

In July 2018, the OSC requested permission from the new owners of the Lefevre Street Site to collect samples after learning that the Site had been approved for the construction of homes. After obtaining access, the OSC and START collected surface soil samples in August 2018 and subsurface samples in September 2018.

In August 2018, EPA collected a total of seven surface samples (surface to 6 inches below grade) at the Site. The PCB levels in mg/kg reported by the laboratory for these samples were, respectively, 0.15, 93, 230, 311, 357, 460 and 1050. Several of the samples were collected within a few feet of the Site's property boundary with the adjacent residential properties. The detected PCBs were Aroclors 1248 and 1260.

In September 2018, a total of 19 subsurface samples were collected at depths ranging from one to seven feet below grade. Eight of the results were non-detect (ND) for PCBs, eight were ND to 1 mg/kg, and three ranged from 1 to 5.5 mg/kg. All three of the values above 1 mg/kg were collected from the 2- to 2.5-foot depth range. Detected PCBs were Arcolors 1248 and 1260. EPA also performed a geophysical survey in September 2018. The underground tank identified during the removal action in 2009 was located. Several other metallic anomalies below the ground surface were noted but their significance and previous use are currently unknown.

2. Current Activities

2.1 Operations Section

2.1.1 Narrative

2.1.2 Response Actions to Date - After the sampling events in 2018, the OSC conferred with and met the current owners on several occasions regarding the PCB analytical results and the need to conduct an adequate cleanup before home construction could begin. He provided information on TSCA and CERCLA requirements, local environmental consulting firms, potential landfill locations, useful websites, and related matters. Because the owners did not have experience with environmental regulatory requirements and funding for the cleanup would present a challenge, the OSC continued to work with the owners until he determined a cleanup action could no longer be delayed. Occasional visits to the property showed

deteriorating conditions and evidence of more frequent access by trespassers who likely were teenagers. The OSC then commenced discussions with EPA management and co-workers in early April 2020 to send a formal notice letter to the property owners in an attempt to determine if the owners will perform a cleanup.

Aware that twenty residential back yards are located immediately adjacent to the Site (ten on either side), on May 15 the OSC sent letters to the thirteen homeowners with yards containing soil and grass. The letter provides some background on the Site and requests access to sample the yards for PCBs to ensure PCBs did not migrate to the yards during past warehouse operations and levels are not of health concern. The letter indicates that EPA will replace yard soils and vegetation if soil levels exceed health based criteria. As of June 1, only one positive response has been received. If a cleanup is necessary, a separate action memorandum or Special Bulletin would be needed to address the residential yards and likely be performed by EPA.

2.1.3 Enforcement Activities, Identity of Potentially Responsible Parties (PRPs) - On April 20, a general notice letter was sent to the LeFevre Street Site owners to determine their willingness or unwillngness to participate in future negotiations regarding cleanup of the Site. On April 27, legal counsel for the owners responded to EPA ORC indicating that he would confer with the owners regarding their ability to perform the cleanup at the Site. On May 29, the OSC and his supervisor participated in a conference call with the Site owner and an environmental consultant to discuss EPA's work performed to date at the Site and EPA's future expectations. The OSC provided some additional sampling information to the consultant after receiving the owner's consent. The OSC indicated that EPA was preparing an action memorandum for management signature and would forward a draft administrative order on consent (AOC) to the owner and owner's legal counsel if the owner agreed. As the OSC had previously discussed this approach with the owner, she agreed to receive the AOC and negotiations would proceed after receipt.

The previous owner of the Site is the owner of the Belgrade Transformer Site property where EPA conducted a removal action in 2018 and 2019. He is considered a PRP as he was the owner for many years when the warehouse was located on the property up until he sold it in 2018 to the current owners.

2.1.4 Progress Metrics

Waste Stream	Medium	Quantity	Manifest #	Treatment	Disposal

2.2 Planning Section

- **2.2.1 Anticipated Activities** Complete the action memorandum and obtain management concurrence. Forward the draft AOC to the Site owner and owners' legal counsel.
- 2.2.1.1 Planned Response Activities Determine if the Owner or EPA will perform the removal action.
- 2.2.1.2 Next Steps see above 2.2.1.
- 2.2.2 Issues

2.3 Logistics Section

No information available at this time.

2.4 Finance Section

2.4.1 Narrative

Below costs to date are rough estimates. Intramural costs are not provided given the difficulty in estimating these costs.

Estimated Costs *

	Budgeted	Total To Date	Remaining	% Remaining		
Extramural Costs						
TAT/START	\$18,000.00	\$10,000.00	\$8,000.00	44.44%		
Intramural Costs						
Total Site Costs	\$18,000.00	\$10,000.00	\$8,000.00	44.44%		

^{*} The above accounting of expenditures is an estimate based on figures known to the OSC at the time this report was written. The OSC does not necessarily receive specific figures on final payments made to any contractor(s). Other financial data which the OSC must rely upon may not be entirely up-to-date. The cost accounting provided in this report does not necessarily represent an exact monetary figure which the government may include in any claim for cost recovery.

2.5 Other Command Staff

No information available at this time.

3. Participating Entities

- 3.1 Unified Command
- 3.2 Cooperating Agencies City of Philadelphia

4. Personnel On Site

- EPA OSC Jack Kelly
- START Personnel during sampling events

5. Definition of Terms

No information available at this time.

6. Additional sources of information

No information available at this time.

7. Situational Reference Materials

No information available at this time.

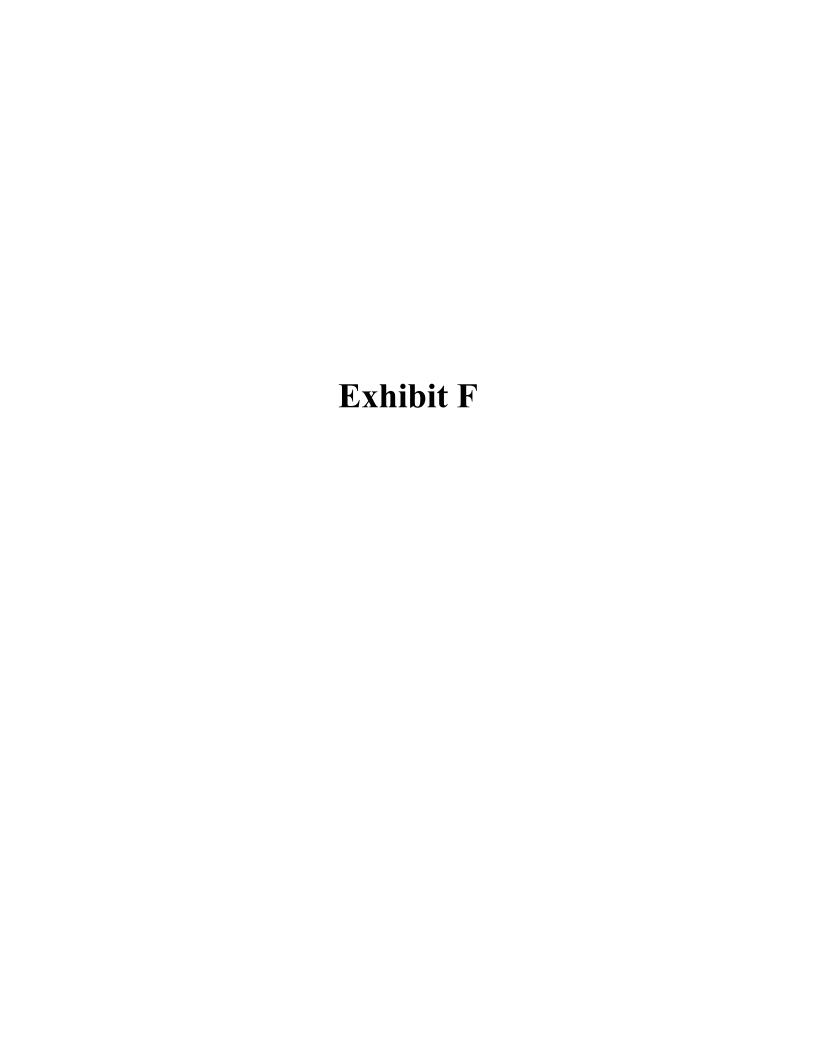


Exhibit F - EPA Response

From:Hasson, RobertTo:elp@edwardlpaulpc.comCc:veronica@edwardlpaulpc.com

Subject: RE: MAS Management LLC - Lefevre Street Container Site, Philadelphia, PA

Date: Thursday, June 11, 2020 1:16:00 PM

Attachments: Lefevre St Action Memo PHL Signed June 11 2020.pdf

Figure 1 Lefevre Subsurface Soil Sampling Results Locations.pdf
Figure 1A LeFevre Surface Soil Sampling Results Locations Redacted.pdf

Figure 2 for AM.docx 06022020LefevreStreet polrep 1.pdf Lefevre AOC draft sent June 11 2020.pdf

Dear Mr. Paul:

I am sending with this email an Action Memorandum (Action Memo) that EPA signed today, selecting a Superfund removal action for the Lefevre Street Container Site. Figures 1 and 1A to the Action Memo are separate attachments here and should provide you with the EPA sampling information you requested in your April 27, 2020 letter.

I have also attached for your review and consideration a proposed administrative settlement and order on consent for performance of the removal action by the Site's owner, MAS Management, LLC.

Finally, I have attached EPA's Pollution Report (POLREP #1) on the Agency's assessment activities at the Site.

Please contact me when you have had a chance to discuss this matter with your client.

Very truly yours,

Bob Hasson

Robert S. Hasson

Senior Assistant Regional Counsel

U.S. Environmental Protection Agency - Region III

1650 Arch Street (3RC10)

Philadelphia, PA 19103

(215) 814-2672

hasson.robert@epa.gov

From: Veronica Buckley <veronica@edwardlpaulpc.com>

Sent: Monday, April 27, 2020 12:39 PM

To: Hasson, Robert < Hasson. Robert@epa.gov>

Cc: elp@edwardlpaulpc.com

Subject: MAS Management LLC - Lefevre Street Container Site, Philadelphia, PA

Law Office of

EDWARD L. PAUL, P.C.

EDWARD L. PAUL, ESQUIRE*

*Member of PA and NJ Bar

MICHAEL A. KATZ. ESQUIRE

1103 Laurel Oak Road Suite 105C • Voorhees, NJ 08043 • Phone: 856-435-6565 • Fax: 856-435-7064

Dear Mr. Hasson:

Attached is correspondence from Edward L. Paul, Esquire in connection with

the above-referenced matter.

Thank you.

Very truly yours,

LAW OFFICE OF EDWARD L. PAUL, P.C.

By: Veronica Buckley, Legal Assistant veronica@edwardlpaulpc.com

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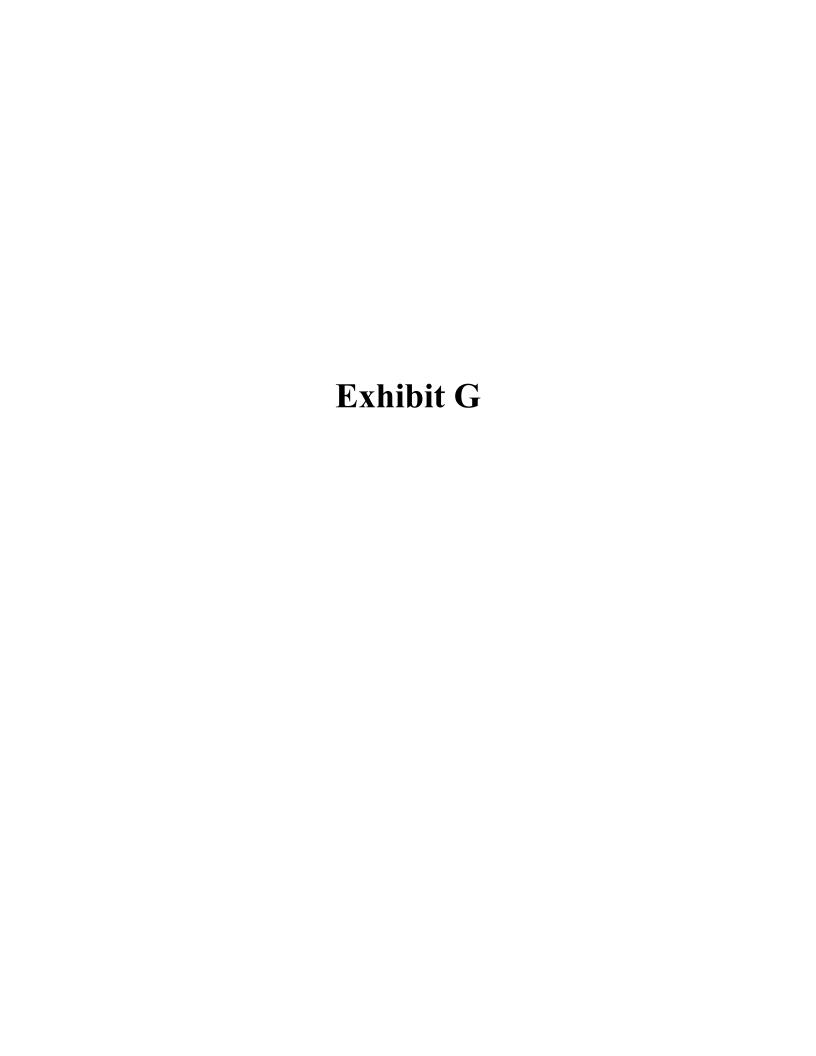


Exhibit G - EPA Response

From: Hasson, Robert

To: elp@edwardlpaulpc.com

Cc: veronica@edwardlpaulpc.com

Subject: RE: MAS Management LLC - Lefevre Street Container Site, Philadelphia, PA

Date: Thursday, June 18, 2020 11:58:00 AM
Attachments: Lefevre AOC draft sent June 11 2020.pdf

Dear Mr. Paul:

I am following up on my email of last Thursday, June 11, 2020, concerning EPA's proposed administrative settlement and order on consent for a Superfund removal action at the Lefevre Street Container Site in Philadelphia, PA. I have attached the proposed settlement for your convenience.

EPA's DECISION NOT TO USE SPECIAL NOTICE

Under Section 122(e) of CERCLA, 42 U.S.C. § 9622(e), EPA has the discretionary authority to invoke special notice procedures to formally negotiate the terms of a settlement between EPA and potentially responsible parties ("PRPs") to conduct or finance response activities. Use of these special notice procedures triggers a statutory moratorium on certain EPA activities at the Site while formal negotiations between EPA and the PRPs are conducted.

In this case, EPA has decided *not* to invoke the special notice procedures under Section 122(e) because use of such procedures is not practicable or in the public interest, nor would use of these procedures facilitate a settlement or expedite remedial action. More important, it is EPA's policy not to use the special notice procedures for removal actions, unless there would be at least a six-month planning period after the decision to respond and prior to the initiation of the action. *See*, *e.g.*, 40 C.F.R. § 300.415(b)(3)-(4). Since the planning period prior to the initiation of the removal action in this case would be less than six months, special notice procedures will not be used. Accordingly, EPA is willing to discuss settlement opportunities with MAS Management LLC without invoking a statutory moratorium. In addition, during the pendency of any negotiations with MAS Management LLC, EPA may take any response actions necessary to mitigate the threat posed by hazardous substances at the Site.

EPA will require a response from MAS Management LLC to the Agency's offer of a proposed settlement **by Friday, June 26, 2020**. After that date, EPA will begin evaluating its other cleanup and enforcement options under CERCLA.

Please do not hesitate to contact me to discuss this matter.

Very truly yours,

Robert S. Hasson

Senior Assistant Regional Counsel

U.S. Environmental Protection Agency – Region III

1650 Arch Street (3RC10) Philadelphia, PA 19103

(215) 814-2672

hasson.robert@epa.gov

From: Hasson, Robert

Sent: Thursday, June 11, 2020 1:17 PM

To: elp@edwardlpaulpc.com **Cc:** veronica@edwardlpaulpc.com

Subject: RE: MAS Management LLC - Lefevre Street Container Site, Philadelphia, PA

Dear Mr. Paul:

I am sending with this email an Action Memorandum (Action Memo) that EPA signed today, selecting a Superfund removal action for the Lefevre Street Container Site. Figures 1 and 1A to the Action Memo are separate attachments here and should provide you with the EPA sampling information you requested in your April 27, 2020 letter.

I have also attached for your review and consideration a proposed administrative settlement and order on consent for performance of the removal action by the Site's owner, MAS Management, LLC.

Finally, I have attached EPA's Pollution Report (POLREP #1) on the Agency's assessment activities at the Site.

Please contact me when you have had a chance to discuss this matter with your client.

Very truly yours,

Bob Hasson

Robert S. Hasson

Senior Assistant Regional Counsel

U.S. Environmental Protection Agency – Region III

1650 Arch Street (3RC10)

Philadelphia, PA 19103

(215) 814-2672

hasson.robert@epa.gov

From: Veronica Buckley < <u>veronica@edwardlpaulpc.com</u>>

Sent: Monday, April 27, 2020 12:39 PM

To: Hasson, Robert < Hasson.Robert@epa.gov >

Cc: elp@edwardlpaulpc.com

Subject: MAS Management LLC - Lefevre Street Container Site, Philadelphia, PA

Law Office of

EDWARD L. PAUL, P.C.

EDWARD L. PAUL, ESQUIRE*

*Member of PA and NJ Bar

MICHAEL A. KATZ. ESQUIRE

1103 Laurel Oak Road Suite 105C • Voorhees, NJ 08043 • Phone: 856-435-6565 • Fax: 856-435-7064

Dear Mr. Hasson:

Attached is correspondence from Edward L. Paul, Esquire in connection with the above-referenced matter.

Thank you.

Very truly yours,

LAW OFFICE OF EDWARD L. PAUL, P.C.

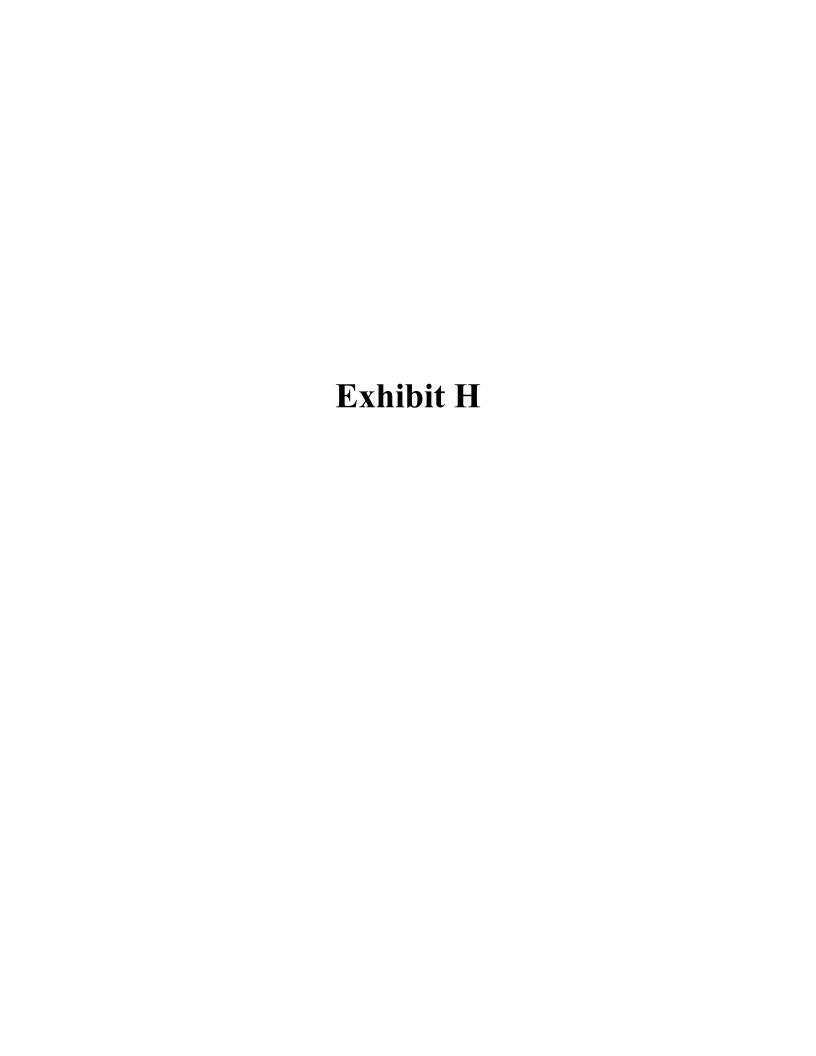
By: Veronica Buckley, Legal Assistant

veronica@edwardlpaulpc.com

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What Does EPA Need?

A written response from you will allow EPA to offer you the most help. You can mail, fax or e-mail the answers to the questions below to me.

The mailing address is:

United States Environmental Protection Agency
Region III
4 Penn Center
1600 JFK Boulevard
Philadelphia, PA 19103
Attn: Christopher P. Thomas (3SD12)

The response should include the following information:

- Name and address of the comfort letter recipient.
 BEST CHOICE MANAGEMENT, LLC AND THEIR ASSIGNS, ROBERT HUTTENLOCK, AUTHORIZED SIGNATORY 2510 ORTHODOX ST, PHILADELPHIA PA 19137
- 2. The exact location of the property (Tax Parcel Numbers, etc.)
 PARCEL # 885959960
 COMMONLY KNOWN AS 2710 LEFERVE ST AND 2708 LEFERVE ST,
 PHILADELPHIA PA 19137
- How do you intend to use the property?
 NEW CONSTRUCTION OF MULTI-FAMILY RESIDENTIAL DWELLING.
- 4. How will you acquire interest in the property?

 FEE SIMPLE VIA STANDARD PENNSYLVANIA AGREEMENT OF SALE OF VACANT LAND
- 5. Will you decide to rent any portion of the property?
 RESIDENTIAL UNITS FOR SALE OR RENT. INTENTION IN EITHER SCENARIO
 WILL BE TO PAVE/ENCAPSULATE THE PROPERTY VIA CONCRETE TO THE
 FULLEST EXTENT POSSIBLE UNDER LOCAL ZONING AND MUNICIPAL
 REQUIREMENT.

6. Describe all affiliations with the current and previous owner(s) of the property, other potentially liable parties at the Site, and identify all activities you have conducted at or in connection with the property.

NO AFFILIATION WITH CURRENT OR PREVIOUS OWNER(S) AND HAVE NOT CONDUCTED ANY ACTIVITIES AT THE SUBJECT PROPERTY.

- 7. We would appreciate any additional information that you want to volunteer.

 INTENTION IS TO DEVELOP THE CURRENT VACANT, BLIGHTED
 PROPERTY INTO DESIRABLE HOUSING WHILE PROVIDING MUCH
 NEEDED PARKING. EPA HAS PREVIOUSLY COMPLETED
 REMEDIATION EFFORTS AT THIS SITE.
- 8. Are you in contact with the State Environmental Office?
 NO
- 9. How quickly do you need a response from EPA?
 WITHIN 10 DAYS 8/2/2022 DUE TO CONTRACTUAL DEADLINES IN THE
 AGREEMENT OF SALE BETWEEN SELLER AND BUYER

Comfort Letter requested by:

8/1/2022

Best Choice Management, LLC and their Assigns By Robert Huttenlock as authorized signatory

2510 Orthodox St

Philadelphia PA 19137

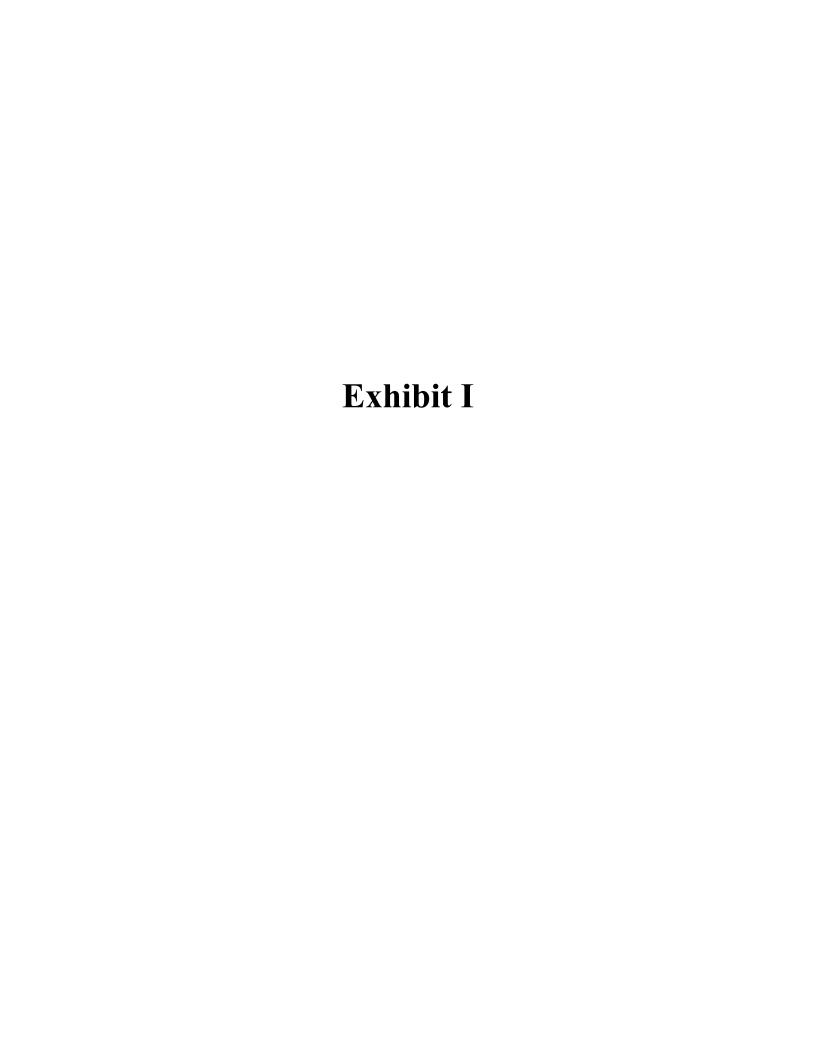


Exhibit I - EPA Response

From: <u>Hasson, Robert</u>
To: <u>Joseph Howard</u>

Subject: RE: Reg for Formal and Informal meetings re: 2710 Lefevre Street / EPA Docket #CERCLA-03-2022-0129LL.

Date: Monday, September 12, 2022 1:30:00 PM

Attachments: Lefevre Street Site - Removal Action Update - Letter to MAS.msg

Lefevre Street Site - Removal Action - Final Trip Report.msg

supplemental guidance 1993.pdf

Lefevre St Action Memo PHL Signed June 11 2020.pdf
Figure 1 Lefevre Subsurface Soil Sampling Results Locations.pdf
Figure 1A LeFevre Surface Soil Sampling Results Locations Redacted.pdf

Figure 2 for AM.docx

image003.png

Importance: High

Mr. Howard:

Thank you for your email and request for a meeting with EPA concerning the United States' Superfund lien on 2710 Lefevre Street. I have attached EPA's Supplemental Guidance on Federal Superfund Liens (July 29, 1993) for your review. The Supplemental Guidance describes EPA's practice for providing a property owner with an opportunity to have a meeting with a neutral agency official about a particular Superfund lien. Please see, in particular, Supplemental Guidance at pp. 7-9, for details about the meeting. In the near future, Regional Counsel will assign a neutral agency official to conduct the meeting you have requested. EPA will provide you with the name of this official once they have been assigned. We will also provide you with a formal response to your letter.

You have asked for certain information about the Site, namely (i) Initial Testing Report/ Phase II, (ii) EPA/PADEP Remediation Plan, and (iii) Chain of Custody for all Waste Removed. I have attached here information that is responsive to your request. In addition, the administrative record for the Superfund removal action at the Site may be found at https://semspub.epa.gov/src/collections/03/AR/PAN000306653. To address your specific requests:

- (i) EPA conducted removal site assessment and removal site evaluation at the Site in accordance with the NCP and as authorized by CERCLA. See 40 C.F.R. § 300.410 and 42 U.S.C. § 9604(b). The results of these response activities are included in the administrative record. See, e.g., documents numbered 2303804, 2303806, 2303807, and 2303814, which are listed on the index for the administrative record at https://semspub.epa.gov/work/03/2303857.pdf
- (ii) The plan for EPA's removal action, as selected, is described in the June 11, 2020 Action Memorandum. The removal action, as implemented, is described in the attached Final Trip Report. EPA has no information about a PA DEP remediation plan and would recommend that you contact DEP directly about this information.

(iii) Chain of custody records. To the extent chain of custody records are not included in the administrative record or the Final Trip Report, I recommend that you submit a request for information under the Freedom of Information Act (FOIA), 5 U.S.C. § 552. The procedures for filing a request under the FOIA are found at https://www.epa.gov/foia/foia-request-process. Please let me know if you have any questions about the FOIA process,

Finally, the Office of Regional Counsel (ORC) represents EPA in this matter. As such, I respectfully request that all communication from you, as counsel for MAS Management, come through me or another attorney in ORC. For instance, please do not communicate again directly (including "cc") with On-Scene Coordinator Jack Kelly or any other EPA employee who is not EPA's legal representative about this matter.

Sincerely,

Robert S Hasson

Senior Assistant Regional Counsel US EPA Region 3 Four Penn Center 1600 John F. Kennedy Boulevard Philadelphia, PA 19103 Phone 215-814-2672 Email hasson.robert@epa.gov

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From: Joseph Howard < jhoward@jph-law.com>

Sent: Friday, September 09, 2022 4:25 PM

To: Hasson, Robert < Hasson.Robert@epa.gov>

Cc: Legal Assistant <legalasst@jph-law.com>; Amer Saeed <masmanagementllc@gmail.com>; Kelly, Jack (R3 Phila.) <Kelly.Jack@epa.gov>; Rodrigues, Cecil <rodrigues.cecil@epa.gov>

Subject: Req for Formal and Informal meetings re: 2710 Lefevre Street / EPA Docket #CERCLA-03-2022-0129LL.

Mr. Hasson.

Please find attached correspondence from my office regarding 2710 Lefevre Street / EPA Docket #CERCLA-03-2022-0129LL.

If you have any questions or concerns, please feel free to contact the office at 856-282-1318.

Sincerely,

Joseph P. Howard, Esquire

This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. It may also contain legally privileged information or attorney work product. If you have received this email in error, please notify the Law Office of Joseph P. Howard, LLC; the contact information is located below this email disclaimer. Finally, the recipient should check this email and any attachments for the presence of viruses. The company accepts no liability for any damage caused by any virus transmitted by this email.

Law Office of Joseph P. Howard, LLC | 1920 Fairfax Avenue | Cherry Hill, NJ 08003 | Phone 856-282-1318 | Fax 856-457-8160

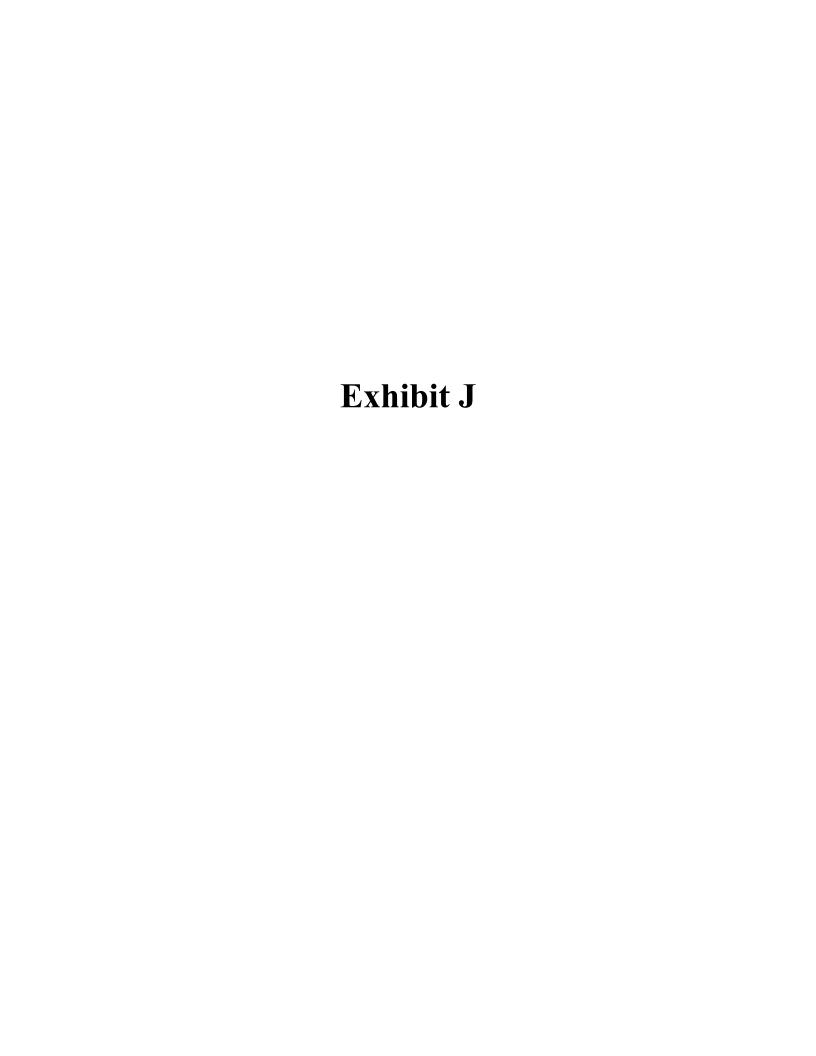


Exhibit J - EPA Response

From: Hasson, Robert
To: Joseph Howard
Cc: McCool, Catherine

Subject: Lefevre Street Container Superfund Site (Owner, MAS Management, LLC) - Assignment of Neutral EPA Official

Date: Wednesday, September 28, 2022 6:34:00 PM

Attachments: 2710 Lefevre St Superfund Lien Order of Assignment 09 28 22.pdf

Certificate of Service.pdf

image003.png

Mr. Howard:

I have attached an Order of Assignment, which designates Regional Judicial Officer, Joseph L. Lisa, as the neutral official who will preside at the meeting that was requested by MAS Management, LLC on the United States' Superfund lien. Under the Order, EPA will provide you with a formal response to your September 9, 2022 letter within 20 business days of today or by October 27, 2022.

Please do not hesitate to contact me if you have any questions about this matter.

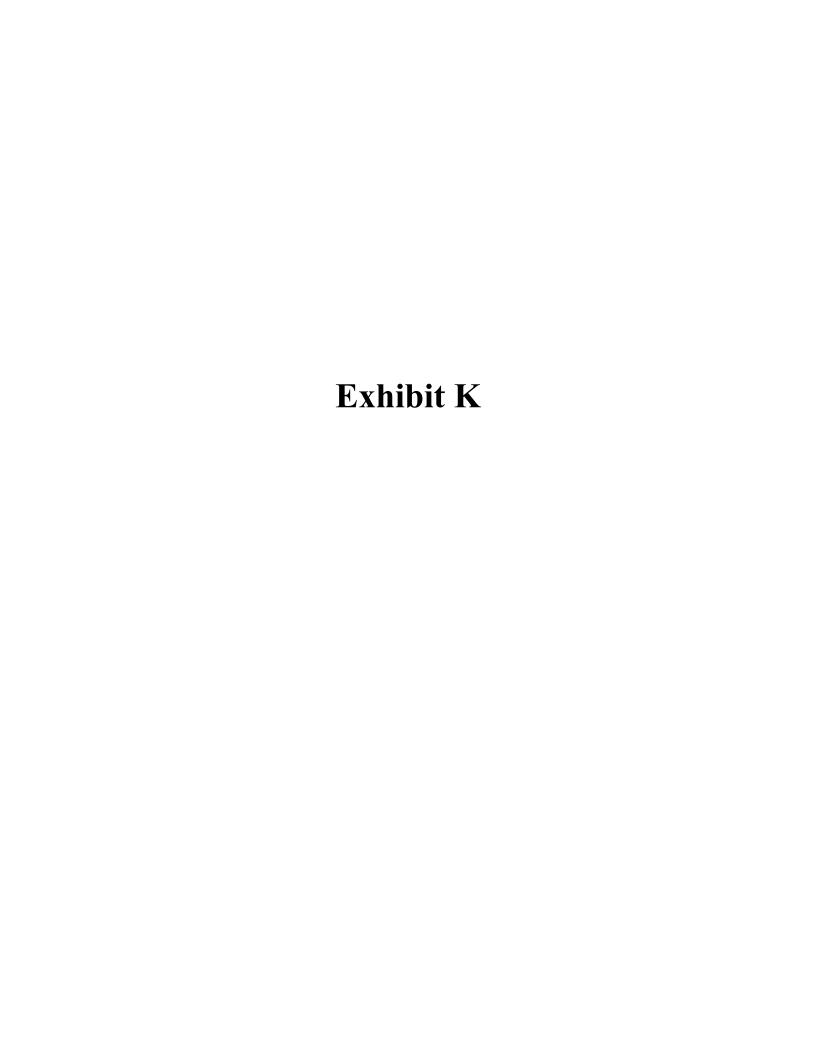
Very truly yours,

Robert S Hasson

Senior Assistant Regional Counsel US EPA Region 3 Four Penn Center 1600 John F. Kennedy Boulevard Philadelphia, PA 19103 Phone 215-814-2672

Email hasson.robert@epa.gov

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LAW OFFICE OF

EDWARD L. PAUL, P.C.

EDWARD L. PAUL, ESQUIRE*
MICHAEL A. KATZ, ESQUIRE

*MEMBER OF PA AND NJ BAR

1103 LAUREL OAK ROAD, SUITE 105C

VOORHEES, NEW JERSEY 08043

(856) 435-6565

FAX: (856) 435-7064

elp@edwardlpaulpc.com

April 27, 2020

Via Electronic Mail to hasson.robert@epa.gov

Robert Hasson United States Environmental Protection Agency Region III 1650 Arch Street Philadelphia, PA 19103-2029

Re: MAS

MAS Management LLC

Lefevre Street Container Site, Philadelphia, Pennsylvania

Dear Mr. Hasson:

It was a pleasure speaking to you last week. As we discussed, Zahra and Amer Saeed have asked that I assist them to try and resolve the issues with the Lefevre Street Container Site. You confirmed that the property that they own is only a portion of the area impacted by the contamination.

I would appreciate you providing me with any information that you have regarding the extent of the contamination so that they can try to determine whether they are able to afford the cleanup of the site.

I have requested that my clients provide me with their real estate purchase file so that I can answer some of your questions regarding their investigation of the site prior to their purchase of same.

I look forward to hearing from you and thank you for your attention and consideration in this matter.

Mil

EDWARD L. PAUL, ESQUIRE

ELP/vb

cc: MAS Management LLC

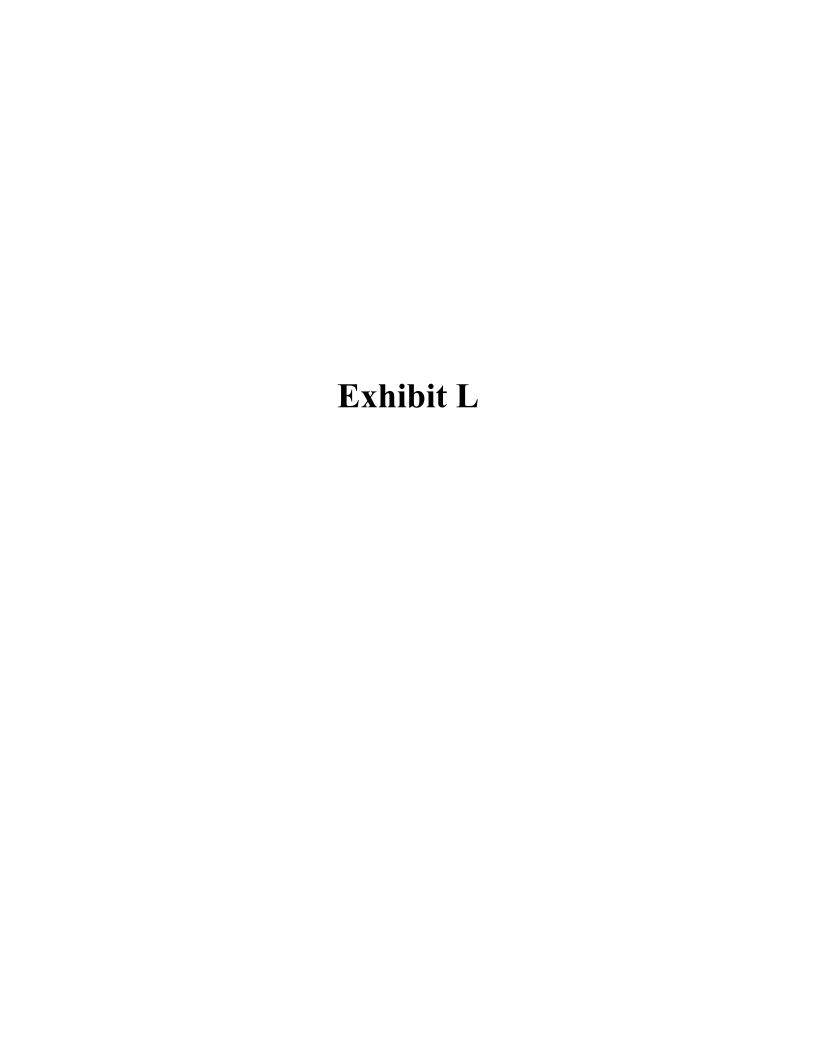


Exhibit L - EPA Response

From: Kelly, Jack (R3 Phila.)

To: Subject:

Date: Friday, January 31, 2020 2:26:36 PM

Jack Kelly

On Scene Coordinator

EPA Region 3 215-514-6792 cell

From: Zahra Saeed <zahra@zahrasaeed.com>

Sent: Friday, January 31, 2020 2:12 PM

To: Kelly, Jack (R3 Phila.) <Kelly.Jack@epa.gov>

Subject: Re: LeFevre Street

Thank you. Just call me when free. I have your number saved and will answer. Have a nice weekend.

Regards.

Sent from my iPhone

On Jan 31, 2020, at 2:05 PM, Kelly, Jack (R3 Phila.) < Kelly.Jack@epa.gov > wrote:

Yes.... but I can't give you a specific time yet.

I will be driving to the New Jersey shore to do something with my mother from 2 to 3:30 pm.

I think around 12 noon may be best.

Jack Kelly

On Scene Coordinator

EPA Region 3

215-514-6792 cell

From: Zahra Saeed < zahrasaeed.com>

Sent: Friday, January 31, 2020 2:01 PM

To: Kelly, Jack (R3 Phila.) < Kelly_Jack@epa.gov <a href="mailto:Ce:Amer Saeed Mailto:Melly_Jack@epa.gov <a href="mailto:Ce:Amer Saeed Mailto:Melly_Jack@epa.gov Melly_Jack@epa.gov Melly_Melly_Jack@epa.gov Melly_Melly_Jack@epa.gov Melly_Melly_Melly_Melly_Jack@epa.gov Melly_Melly_Melly_Melly_Melly_Melly_Melly_Melly_Melly_Melly_Melly_Melly_Melly_Melly

Subject: Re: LeFevre Street

But you can see how because your message did not get transferred over to the new owners how we totally got screwed in the process. I am sorry, I am just really aggravated. Not at you personally but at the entire situation. We take a lot of pride in how we work and we do everything by the book. It's frustrating how we got stuck in this mess.

Would you be available to talk on Monday? I can call you then.

Sent from my iPhone

On Jan 31, 2020, at 1:56 PM, Kelly, Jack (R3 Phila.) < Kelly, Jack@epa.gov > wrote:

Zahra,

I am sorry I missed your call but I was out of the building and my phone volume was down. I simply did not hear the ring.

Seeing your recent email I am not going to call you back but will answer if

you decide to call again.

I understand that you are frustrated and there are finances involved. I know that environmental contamination likely has not been an issue in your past real estate matters and addressing it can be very confusing and exasperating if it is not familiar to you. I was merely trying to follow up on the discussion we had earlier about options. I thought your attorney planned to call Bob to discuss them.

I do need to clarify one thing however. I did not inform Mr. Joyce that "everything is clear". My cleanup action in 2009 only addressed the PCB oils in the drums and containers on the property as the City had notified me of their presence (oil in the underground tank also was removed). I did not conduct sampling of the soils although I can understand that you wish I did so....and removed any soil contamination at that time. Given the current situation, I too wish that had occurred. After the drum/container cleanup, I did instruct the City that soil may be an issue if and when the property exchanged hands but, unfortunately, this message seems to have been lost over the years.

Jack Kelly On Scene Coordinator EPA Region 3 215-514-6792 cell

From: Zahra Saeed <<u>zahra@zahrasaeed.com</u>>

Sent: Friday, January 31, 2020 1:14 PM

To: Kelly, Jack (R3 Phila.) < Kelly.Jack@epa.gov > **Cc:** Amer Saeed < masmanagementllc@gmail.com >

Subject: Re: LeFevre Street

Mr Kelly,

I hope you understand how aggravating and frustrating this is for us, epa is the one that cleaned this property and told the previous owner that everything is clear, we literally are stuck in the middle of all this. Our project is delayed because of all this mess that was created not because of our fault. There are finances involved in this too, now you are throwing another curve ball at us telling us that we need to drop everything and handle this as a priority. We have to make sure that the cost is something that we can afford, we have to be realistic.

Sent from my iPhone

On Jan 31, 2020, at 1:07 PM, Kelly, Jack (R3 Phila.) < Kelly.Jack@epa.gov wrote:

Zahra and Amer,

Please have your attorney contact EPA attorney Bob Hasson about the options we discussed.

There is concern here that the property continues to remain

in its current state with the rather high levels of PCBs in the surface soil.

The levels are well above our health guidance values for PCBs in soil.

Even though access is somewhat restricted by fencing, EPA may need to take action to clean up the soil if your project continues to be delayed.

Sincerely,
Jack Kelly
On Scene Coordinator
EPA Region 3
215-514-6792 cell

From: Zahra Saeed < <u>zahra@zahrasaeed.com</u>>

Sent: Tuesday, January 7, 2020 1:40 PM

To: Kelly, Jack (R3 Phila.) < Kelly.Jack@epa.gov>

Subject: Re: LeFevre Street

Hello mr kelly. We were waiting on his contact info. Thank you for sending this. We will have him reach our.

Sent from my iPhone

On Jan 7, 2020, at 1:14 PM, Kelly, Jack (R3 Phila.) <Kelly.Jack@epa.gov> wrote:

Hello Zahra,

Just wondering if you are planning to have your attorney contact Bob Hasson per our earlier discussions?

I was asked today about the status of the property.

Bob's contact info appears below:

Robert S. Hasson

Senior Assistant Regional Counsel

U.S. Environmental Protection Agency – Region

Ш

1650 Arch Street (3RC10)

Philadelphia, PA 19103

(215) 814-2672

hasson.robert@epa.gov

Thanks.

Jack Kelly

On Scene Coordinator

EPA Region 3

215-514-6792 cell



Exhibit M - EPA Response



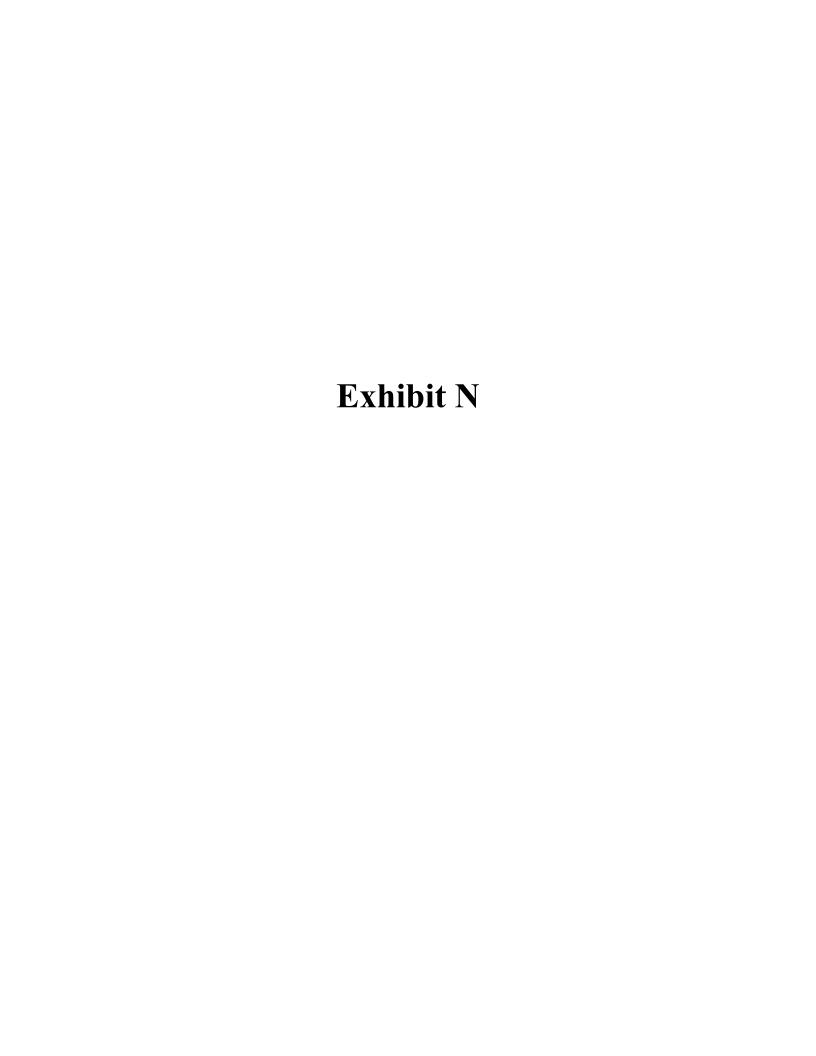


Exhibit N - EPA Response

From: Kelly, Jack
To: Hasson, Robert

Subject: FW: LeFevre St property soil analytical results for PCBs

Date: Monday, November 14, 2022 4:01:41 PM



From: Kelly, Jack (R3 Phila.)

Sent: Tuesday, November 12, 2019 4:32 PM

To: zahra@zahrasaeed.com

Cc: Amer Saeed <masmanagementllc@gmail.com>

Subject: RE: LeFevre St property soil analytical results for PCBs

Per our recent conversation, give me some time to discuss with my management. I will be traveling all day tomorrow.

Below identifies approved facilities to accept PCB waste. For contaminated soil above 50 ppm, look at the listed **landfills**. It is unfortunate

but it may need to be shipped a good distance away .

https://www.epa.gov/pcbs/list-approved-polychlorinated-biphenyl-pcb-commercial-storage-and-disposal-facilities

From: <u>zahra@zahrasaeed.com</u> <<u>zahra@zahrasaeed.com</u>>

Sent: Monday, November 11, 2019 7:33 AM **To:** Kelly, Jack (R3 Phila.) < Kelly.Jack@epa.gov > **Cc:** Amer Saeed < masmanagementllc@gmail.com >

Subject: RE: LeFevre St property soil analytical results for PCBs

Good Morning Mr kelly,

Hope all is well at your end, We were wondering if you could please forward us some names and phone numbers of companies that you have worked with in the past for soil removal?

Also, we were just wondering that after the soil has been removed and disposed by whatever company does it, should we forward you the report? is there anything else that you require us to do?

Looking forward to your response.

Regards,

Zahra.

----- Original Message -----

Subject: LeFevre St property soil analytical results for PCBs

From: "Kelly, Jack (R3 Phila.)" < Kelly.Jack@epa.gov >

Date: Fri, August 24, 2018 11:29 am

To: "zahra@zahrasaeed.com" <zahra@zahrasaeed.com>, Amer Saeed

<masmanagementllc@gmail.com>

Zahra and Amer,

Unfortunately I have some bad news. It seems my hunch about the soil analytical results for PCBs at the LeFevre Street property was incorrect. Although results are preliminary at this point, the reported concentrations are at a level that will require special disposal requirements under the Toxic Substances Control Act (TSCA). That level is 50 parts per million (ppm) and all but one sample exceeds that value (see the attached handwritten summary I prepared). Essentially, this means that the disposal costs for much of the soil and possibly the concrete prior to housing construction will be more expensive than you or your contractor likely originally conceived.

I suggest we meet so I can answer your questions and discuss future options. I am more than willing to meet with you at a place of your convenience in or near Philadelphia.

In this email I have only attached my handwritten summary of the results and a log book sketch of the sample locations prepared by my contractor on the day of sampling. I will obtain a more sophisticated sample location figure and forward to you.

The next email has several large attachments. I hope they can get to you. The analytical report attached will likely be confusing but I am sending it along so you have it. The photolog will show the sample locations and reported values.

Don't hesitate to call me at my cell number below. I know this must be upsetting to you and I hope to do what I can to assist.

Sincerely,

Jack Kelly On Scene Coordinator EPA Region III, Philadelphia 215-514-6792 (cell) 215-814-3112 (office)