



pennsylvania

DEPARTMENT OF ENVIRONMENTAL PROTECTION

August 21, 2008

Frequently Asked Questions Regarding Environmental Issues Proposed Chester MLS Stadium

1. What is DEP's role in this proposal?

DEP's role is to ensure all needed permits or approvals are obtained before construction begins; that developer and contractor understand the nature of the site contamination; and that the site cleanup work is performed without compromise. These permits and approvals ensure the redevelopment of the formerly contaminated industrial site will meet DEP's environmental requirements.

2. What is Act 2?

Better known as Pennsylvania's Land Recycling Program, Act 2 is a law passed in 1995 that encourages the voluntary cleanup and reuse of contaminated properties. Act 2 ensures that previously contaminated industrial sites are safe and protective of public health and the environment for the intended future use of the property. The Land Recycling Program helps break down redevelopment obstacles by providing uniform cleanup standards, liability relief, standardized reviews and time limits, and financial assistance. The Land Recycling Program allows an owner or purchaser of a brownfield site to choose any one or combination of cleanup standards to guide the remediation. By meeting one standard -- or a combination of the background standard, statewide health standard or the site-specific standard -- the remediator will receive liability relief for the property.

3. Why are there different standards under Act 2?

The law recognizes that there are different risks associated with building residential housing on contaminated properties, as opposed to using a property for commercial or industrial purposes. The residential standard is the highest cleanup standard and is protective of public health for a residential setting or for recreational facilities. A non-residential standard is required for other uses and is protective for those who work at or visit the site.

4. What level of cleanup will be performed on the three parcels that are included in this riverfront site?

Because the proposal for these riverfront parcels includes recreational facilities and residential housing, the site will need to be cleaned up to a **site-specific residential standard**. The site was previously cleaned up under Act 2 to a site-specific non-residential

standard when the PECO power plant structure was converted into the Wharf at Rivertown office building.

5. How is a residential standard achieved?

There are three (3) methods to demonstrate that a site-specific residential standard has been achieved. The first is the **pathway elimination method**, which uses engineering and/or geologic methods to ensure the contamination is safely secured on the property so that it does not come in contact with the public or the environment. This is how the vast majority of sites meet the site-specific residential standard. A typical way this is done is to place contaminated soil in areas of the site that will be covered by parking lots, roadways or buildings and ensure that controls are in place to prevent access to the contamination.

The second method is to present a **statistical method** to show the site meets the numerical DEP site-specific standards for the contaminant(s) on the site.

The third method is a **Residual Risk Assessment** to show that the health and environmental risks associated with the site after the cleanup fall within the allowable risk range provided in the Act 2 legislation. A developer may choose a combination of these methods to meet the standard.

6. What is a Brownfield Action Team (BAT) project?

A BAT project is a redevelopment project on a contaminated site that both the Commonwealth and DEP consider a high priority because it is proposed to be located in a revitalization zone. The municipality receives Commonwealth assistance with managing the community's revitalization. DEP works with the municipality and the developer to expedite permits necessary for remediating the site contamination and redeveloping the brownfield site so it can be put back into productive reuse. DEP coordinates funding assistance with the PA Department of Community and Economic Development's Community Action Team, the Governor's Action Team and other state agencies, and helps remediated properties receive liability protection under the Land Recycling Program. A BAT project must have local support, be consistent with local zoning and planning, have a concept plan for reuse, a description of community benefits, a time schedule for redevelopment and a sufficient level of committed private investment. The Chester project applied for BAT designation in June 2008.

7. What permits are needed for the proposed soccer stadium?

The overall project will be constructed in phases. The first phase will be **earthmoving** related to the stadium site, which the developer would like to begin soon. An NPDES permit is the initial permit needed for earthmoving activities to control erosion and sediment on the site during construction of the stadium, as well as to install best management practices (BMPs) to minimize impacts from stormwater leaving the site after construction is completed. In addition, an encroachment permit is needed for some backfill into the Delaware River as part of relocating an existing combined sewer overflow (CSO) at the stadium site and for construction of the relocated piping. Also, a water quality construction permit will be needed for installing the relocated combined sewer through the property.

As the uses for the remaining portions of the project are finalized and site plans are developed, additional permits and approvals will be required. For more information refer to the **PA DEP Permit Applications** handout.

8. What is a combined sewer and what is a combined sewer overflow (CSO)?

A combined sewer is a city sewer that carries sanitary wastewater/ sewage to a treatment facility during dry weather conditions but also collects municipal stormwater during wet weather. During wet weather periods, flows to the treatment plant can exceed the plant's capacity and cause equipment damage. The CSO is a controlled release of this excess flow to the river and must be operated and maintained in accordance with the DEP discharge permit conditions.



9. Who do I contact at DEP if I have questions about this project, or want to submit written comments about the permits that are under review or the proposed cleanup? (We ask that you forward written comments by Sept. 5, 2008.)

You may contact: John Kennedy, P.E.
Assistant Regional Director
Pennsylvania Department of Environmental Protection
Southeast Regional Office
2 E. Main St.
Norristown, PA 19401-4915
johkennedy@state.pa.us

10. Who do I contact if I want to discuss my concerns about the environmental issues associated with riverfront development in Chester?

You may contact: Alice Wright-Bailey
Environmental Advocate
Pennsylvania Department of Environmental Protection
Southeast Regional Office
2 E. Main St.
Norristown, PA 19401-4915
awright@state.pa.us or

Deborah Fries
Community Relations Supervisor
At address above
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