



PFID: 775836  
INSP: 3239999  
ENF: 397648

## **NOTICE OF VIOLATION**

September 27, 2021

**VIA EMAIL: [Jim.Sewell@shell.com](mailto:Jim.Sewell@shell.com), [Kimberly.Kaal@shell.com](mailto:Kimberly.Kaal@shell.com)**

H. James Sewell, CSU Environmental Manager  
Shell Chemical Appalachia LLC  
300 Frankfort Road  
Monaca, PA 15061

Re: PA-04-00740A  
Malodors and Fugitive Emissions  
Shell Chemical Appalachia LLC  
Potter Township  
Beaver County

Dear H. James Sewell:

On September 22 through 24, 2021, the Department received several complaints of odors around the Shell Chemicals Appalachia LLC ("Shell") facility, which is authorized by Plan Approvals PA-04-00741A, PA-04-00741B, and PA-0400741C. On September 23 and 24, 2021, representatives of the Department of Environmental Protection (DEP) investigated the above facility and noted the following violations:

1. PA-04-00741A Section C, Condition #004 and 25 Pa. Code Section 123.31 state that malodorous air contaminants may not be emitted into the outdoor atmosphere from a source in such a manner that the malodors are detectable outside of the owner/operator's property. On September 24, 2021, the Department confirmed that malodorous air contaminants from the Shell facility were detectable outside of Shell's property. By permitting these malodors, Shell caused violations of PA-04-00741A and 25 Pa. Code Sections 127.25, 123.31, and 121.7.
2. PA-04-00741A Section C, Condition #003 and 25 Pa. Code Section 123.2 state that a person may not permit fugitive particulate matter to be emitted into the outdoor atmosphere from a source specified in Section 123.1(a)(1)-(9) if the emissions are visible at the point the emissions pass outside the person's property. On September 24, 2021, fugitive emissions emanating from construction activities and roadway use at the Shell facility crossed outside of Shell's property. By permitting fugitive particulate matter emissions to visibly pass outside the

facility's property, Shell caused violations of PA-04-00741A and 25 Pa. Code Sections 127.25, 123.2, and 121.7.

The above violation(s) constitute unlawful conduct and a public nuisance as defined by Sections 8 and 13 of the Air Pollution Control Act (APCA), 35 P.S. Sections 4008 and 4013, respectively. Violations of the DEP's Air Quality Regulations are subject to the penalties of Sections 9 and 9.1 of the APCA. Each day the violation continues constitutes a separate offense.

This Notice of Violation is neither an order nor any other final action of DEP. It neither imposes nor waives any enforcement action available to the DEP under any of its statutes. If DEP determines that an enforcement action is appropriate, you will be notified of the action.

If you have any questions concerning this matter, please contact me at [afabrizi@pa.gov](mailto:afabrizi@pa.gov) or at 412.442.4107.

Sincerely,

Anna Fabrizi / AF

Anna Fabrizi  
Air Quality District Supervisor  
Air Quality

cc: E. Speicher, Environmental Group Manager  
M. Gorog, Program Manager  
K. Halloran, Assistant Regional Director  
J. Miller, Regional Director  
Central Office (via email)