



NOTICE OF VIOLATION

May 17, 2023

VIA EMAIL: Kimberly.Kaal@shell.com

Kimberly Kaal, Environmental Manager
Shell Chemical Appalachia LLC
300 Frankfort Road
Monaca, PA 15061

Re: PA-04-00740C
Shell Petrochemicals Complex
12-month Rolling Emissions Exceedances through March 2023
Potter Township
Beaver County

Dear Kimberly Kaal:

The Shell Chemical Appalachia LLC (“Shell”) Petrochemicals Complex (“Facility”) is authorized to be constructed and for temporary operation pursuant to plan approvals PA-04-00740A, PA-04-00740B, and PA-04-00740C most recently extended April 6, 2023. On April 21, 2023, Shell provided emissions data, including 12-month rolling emissions totals for the period ending in March 2023. Following review of this data, the Department of Environmental Protection (DEP) has noted the following violations:

Section C, Condition #005 of PA-04-00740C imposes 12-month rolling total emission limitations of 328.5 tons of Nitrogen Oxides (NO_x) and 983.7 tons of Carbon Monoxide (CO). The 12-month rolling emissions data provided by Shell shows that for the 12-month period ending in March of 2023 total NO_x emissions reached 420.356 tons and total CO emissions reached 1149.219 tons. By exceeding the 12-month rolling emissions totals for NO_x and CO, Shell violated Section C, Condition #005 of PA-04-00740C and 25 Pa. Code § 127.25. Each 12-month period with total emissions in excess of the applicable limitation for each pollutant set forth in Section C, Condition #005 constitutes a separate violation.

Shell has not reported Volatile Organic Compound (VOC) emissions in excess of the 12-month rolling total limitations for the 12-month period ending in March 2023. However, the Department understands that Shell determined VOC emission totals for this period using emissions factors derived from Flare Guardian testing conducted in January 2023. Shell has not demonstrated that these results are appropriate. The Department has not accepted these test results. The Department reserves the right to supplement this Notice of Violation to add, *inter*

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alia, a violation of the 12-month rolling total limitation for VOCs for 12-month period ending in March 2023.

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. §§ 4008 and 4013, respectively. Violations of DEP's permits and Air Quality regulations are subject to the penalties of Sections 9 and 9.1 of the APCA, 35 P.S. §§ 4009 and 4009.1.

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 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 mgorog@pa.gov or at 412.442.4150.

Sincerely,



Mark Gorog, P.E.
Environmental Program Manager
Air Quality

cc: Operations – E. Speicher
Compliance – K. Goddard
SW OCC – M. Heilman
SW ARD – K. Halloran
SW RD – J. Miller
Central Office (via email)
Enforcement File: 04-00740