



December 7, 2022

PFID: 775836
INSP: 3463406
ENF#: 410108

NOTICE OF VIOLATION

VIA EMAIL: Kimberly.Kaal@shell.com

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

Re: Building Demolition
423 Frankfort Road
Shell Chemical Appalachia LLC
Potter Township
Beaver County

Dear Kimberly Kaal,

On September 30, 2022, a representative of the Department of Environmental Protection (DEP) inspected the above location; and on November 28, 2022 reviewed associated records received on November 2, 2022. The following violation was noted:

Shell Chemical Appalachia LLC owns the facility located at the address noted above and hired Myers Demolition & Excavation, LLC to conduct a demolition of that facility. An "Asbestos Abatement and Demolition/Renovation Notification Form" for the demolition of the facility was not submitted to the DEP at least ten (10) working days prior to the demolition. This is a violation of 40 C.F.R. Section 61.145(b) and 25 Pa. Code Section 124.3. 40 C.F.R. Section 61.145(b) requires each owner or operator of a demolition or renovation activity to provide written notice of intention to demolish or renovate and deliver this notice at least 10 working days before asbestos removal or demolition begins. Under 25 Pa. Code Section 124.3, the Department adopted the 40 C.F.R. Part 61 regulations in their entirety.

The above violation constitutes 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 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 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 regarding this matter, please contact me at sbeaudway@pa.gov or at 412-417-7952.

Sincerely,

Scott Beaudway/SB

Scott Beaudway
Air Quality Specialist
Air Quality

cc: E. Speicher, Environmental Group Manager
A. Hensel, District Supervisor
K. Goddard, Compliance Specialist
Central Office (via email)
04-00740 Enforcement File