

October 27, 2022

NOTICE OF VIOLATION

VIA EMAIL: Kimberly.Kaal@shell.com

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

Re: PA-04-00740C
Visible Emissions
Shell Chemical Appalachia LLC
Potter Township
Beaver County

Dear Kimberly Kaal:

The Shell Chemical Appalachia LLC (“Shell”) Petrochemicals Complex is authorized to operate pursuant to plan approvals PA-04-00740A, PA-04-00740B, and PA-04-00740C. On October 18, 2022, Shell reported to the Department that on September 18, 2022, visible emissions were observed from the high-pressure (HP) elevated flare (Source C205C). Shell reported that the incident resulted in use of the HP elevated flare for approximately 15 minutes with visible emissions from the HP elevated flare noted for much of that time as determined when reviewing the flare video footage. The Department has identified the following violations from these events:

1. PA-04-00740C, Section D, Source 205, Condition #001, states visible emissions from both the HP ground flares and emergency elevated flares shall not exceed 0% except for a total of five minutes during any consecutive two-hour period. By permitting visible emissions greater than 0% opacity from the HP elevated flare in excess of five minutes on September 18, 2022, Shell caused violations of PA-04-00740C and 25 Pa. Code § 127.25.
2. 40 CFR § 60.18 (b)(1), states flares shall be designed for and operated with no visible emissions as determined by the methods specified in paragraph (f), except for periods not to exceed a total of 5 minutes during any 2 consecutive hours. By permitting these visible emissions from the HP elevated flare on September 18, 2022, Shell caused a violation of 40 CFR § 60.18.

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 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 concerning 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