



May 17, 2023

**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 Petrochemicals Complex  
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 April 5, 2023, I observed intermittent visible emissions were observed from the HP ground flare (Source C205B). I requested that Shell investigate the incident and examine their camera footage to determine if additional visible emissions were observed. Shell reviewed their camera footage and reported on April 13, 2023 visible emissions were observed on April 5, 2023 for a total time of approximately 8 minutes and 52 seconds, periodically between 8:14 and 8:36 AM. Shell reported that Method 22 observations were not performed as required by 40 CFR § 60.18 (f)(1). 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 flare 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 ground flare (Source C205B) in excess of five minutes on April 5, 2023, Shell caused violations of PA-04-00740C and 25 Pa. Code § 127.25.
2. 40 CFR § 60.18 (c)(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 ground flare (Source C205B) on April 5, 2023, Shell caused a violation of 40 CFR § 60.18.

3. 40 CFR § 60.18 (f)(1) states Method 22 of appendix A to this part shall be used to determine the compliance of flares with the visible emission provisions of this subpart. The observation period is 2 hours and shall be used according to Method 22. By failing to perform the required Method 22 observations, 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](mailto: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  
K. Goddard, District Supervisor  
Central Office (via email)  
04-00740 Enforcement File