

STATE OF LOUISIANA

DEPARTMENT OF ENVIRONMENTAL QUALITY

IN THE MATTER OF:

SHELL CHEMICAL LP

AI # 26336

PROCEEDINGS UNDER THE LOUISIANA
ENVIRONMENTAL QUALITY ACT
LA. R.S. 30:2001, ET SEQ.

* Settlement Tracking No.
* SA-AE-23-0044
*
* Enforcement Tracking Nos.
* AE-CN-17-00434
* AE-CN-19-01182
*
* Docket Nos. 2019-3535-DEQ
* 2021-5040-DEQ
*

SETTLEMENT AGREEMENT

The following Settlement Agreement is hereby agreed to between Shell Chemical LP (“Respondent”) and the Department of Environmental Quality (“DEQ” or “the Department”), under authority granted by the Louisiana Environmental Quality Act, La. R.S. 30:2001, et seq. (“the Act”).

I

Respondent is a limited partnership that owns and/or operates a chemical plant located in Norco, St. Charles Parish, Louisiana (“the Facility”).

II

On December 27, 2017, the Department issued to Respondent a Consolidated Compliance Order & Notice of Potential Penalty, Enforcement Tracking No. AE-CN-17-00434 (Exhibit 1).

On April 8, 2020, the Department issued to Respondent a Consolidated Compliance Order & Notice of Potential Penalty, Enforcement Tracking No. AE-CN-19-01182 (Exhibit 2).

Warning Letters

On October 11, 2017, the Department issued Warning Letter, Enforcement Tracking No. AE-L-17-00957.

On November 3, 2017, the Department issued Warning Letter, Enforcement Tracking No. AE-L-17-01044.

On January 23, 2018, the Department issued Warning Letter, Enforcement Tracking No. AE-L-18-00021.

On January 30, 2018, the Department issued Warning Letter, Enforcement Tracking No. AE-L-18-00031.

On March 22, 2018, the Department issued Warning Letter, Enforcement Tracking No. AE-L-18-00173.

In addition to the violations cited in the Consolidated Compliance Orders & Notices of Potential Penalty and Warning Letters, this Settlement Agreement also resolves self-reported deviations for the 2013-2017 calendar years.

III

In response to the Consolidated Compliance Orders & Notices of Potential Penalty, Respondent made timely requests for hearings.

IV

Respondent denies it committed any violations or that it is liable for any fines, forfeitures and/or penalties.

V

Nonetheless, Respondent, without making any admission of liability under state or federal statute or regulation, agrees to pay, and the Department agrees to accept, a payment in the amount of FOUR HUNDRED FIFTY-THREE THOUSAND AND NO/100 DOLLARS (\$453,000.00), of which Twelve Thousand One Hundred Eighty-Two and 85/100 Dollars (\$12,182.85) represents the Department's enforcement costs, in settlement of the claims set forth in this Settlement Agreement.

VI

Respondent, in addition to the penalty amount specified in Paragraph V above and as part of this Settlement Agreement, agrees to expend the amount of TWO HUNDRED FIFTY THOUSAND AND NO/100 DOLLARS (\$250,000.00) to implement and/or perform the following beneficial environmental project:

- A. Within thirty (30) days after this Settlement Agreement is finalized, the Respondent shall make a cash donation to St. Charles Parish Public Schools in the amount of \$250,000.00 for a solar panel project for Norco Elementary. The Respondent shall submit proof of payment to the Department within thirty (30) days after the funds are deposited.
- B. If Respondent does not spend the amount of \$250,000.00, then it shall, propose additional projects for the Department's approval or pay to the Department in an amount equal to the difference between the amount of money agreed to be spent and the amount of money actually spent.
- C. The total amount of money expended by Respondent on cash payments to the Department and on beneficial environmental projects, as described above, shall be considered a civil penalty for tax purposes, as required by La. R.S. 30: 2050.7(E)(1).

VII

Respondent further agrees that the Department may consider the inspection report(s), permit record(s), the Consolidated Compliance Orders & Notices of Potential Penalty and this Settlement Agreement for the purpose of determining compliance history in connection with any future enforcement or permitting action by the Department against Respondent, and in any such action Respondent shall be estopped from objecting to the above-referenced documents being considered as

proving the violations alleged herein for the sole purpose of determining Respondent's compliance history.

VIII

This Settlement Agreement shall be considered a final order of the Secretary for all purposes, including, but not limited to, enforcement under La. R.S. 30:2025(G)(2), and Respondent hereby waives any right to administrative or judicial review of the terms of this agreement, except such review as may be required for interpretation of this Settlement Agreement in any action by the Department to enforce this Settlement Agreement.

IX

This Settlement Agreement is being made in the interest of settling the state's claims and avoiding for both parties the expense and effort involved in litigation or an adjudicatory hearing. In agreeing to the compromise and Settlement Agreement, the Department considered the factors for issuing civil penalties set forth in La. R. S. 30:2025(E) of the Act and the rules relating to beneficial environmental projects set forth in LAC 33:I.Chapter 25.

X

As required by law, the Department has submitted this Settlement Agreement to the Louisiana Attorney General for approval or rejection. The Attorney General's concurrence is appended to this Settlement Agreement.

XI

The Respondent has caused a public notice advertisement to be placed in the official journal of the parish governing authority in St. Charles Parish, Louisiana. The advertisement, in form and wording approved by the Department, announced the availability of this Settlement Agreement for public view and comment and the opportunity for a public hearing. Respondent has submitted an

original proof-of-publication affidavit and an original public notice to the Department and, as of the date this Settlement Agreement is executed on behalf of the Department, more than forty-five (45) days have elapsed since publication of the notice.

XII

Payment is to be made within thirty (30) days from notice of the Secretary's signature. If payment is not received within that time, this Settlement Agreement is voidable at the option of the Department. Payments are to be made by check, payable to the Department of Environmental Quality, and mailed or delivered to the attention of Accountant Administrator, Financial Services Division, Department of Environmental Quality, Post Office Box 4303, Baton Rouge, Louisiana, 70821-4303. Each payment shall be accompanied by a completed Settlement Payment Form attached hereto.

XIII

In consideration of the above, any claims for penalties are hereby compromised and settled in accordance with the terms of this Settlement Agreement.

XIV

Each undersigned representative of the parties certifies that he or she is fully authorized to execute this Settlement Agreement on behalf of his or her respective party, and to legally bind such party to its terms and conditions.

SHELL CHEMICAL LP

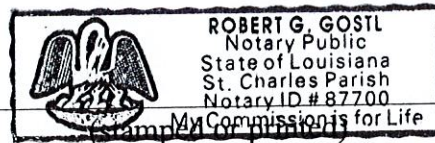
BY: Tammy Little
(Signature)

Tammy Little
(Printed)

TITLE: General Manager - Shell Energy and Chemicals
Park Norco

THUS DONE AND SIGNED in duplicate original before me this 24 day of
January, 20 24, at Norco, LA.

Robert Gostl
NOTARY PUBLIC (ID # 87700)

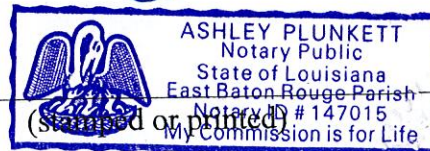


LOUISIANA DEPARTMENT OF ENVIRONMENTAL QUALITY

BY: Annela S. Giacometto
Annela S. Giacometto, Secretary

THUS DONE AND SIGNED in duplicate original before me this 22nd day of
FEBRUARY, 20 24, at Baton Rouge, Louisiana.

Ashley Plunkett
NOTARY PUBLIC (ID # _____)



Approved: Celena J. Cage
Celena J. Cage, Assistant Secretary

JOHN BEL EDWARDS
GOVERNOR



CHUCK CARR BROWN, PH.D.
SECRETARY

State of Louisiana
DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF ENVIRONMENTAL COMPLIANCE

December 27, 2017

CERTIFIED MAIL (7004 2510 0006 3852 7666)
RETURN RECEIPT REQUESTED



SHELL CHEMICAL LP
c/o C T Corporation System
Agent for Service of Process
3867 Plaza Tower Drive
Baton Rouge, Louisiana 70816

**RE: CONSOLIDATED COMPLIANCE ORDER
& NOTICE OF POTENTIAL PENALTY
ENFORCEMENT TRACKING NO. AE-CN-17-00434
AGENCY INTEREST NO. 26336**

Dear Sir:

Pursuant to the Louisiana Environmental Quality Act (La. R.S. 30:2001, et seq.), the attached **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY** is hereby served on **SHELL CHEMICAL LP (RESPONDENT)** for the violation(s) described therein.

Compliance is expected within the maximum time period established by each part of the **COMPLIANCE ORDER**. The violation(s) cited in the **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY** could result in the issuance of a civil penalty or other appropriate legal actions.

Any questions concerning this action should be directed to Antoinette Cobb at (225) 219-3072 or via email at antoinette.cobb@la.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Celena J. Cage".

Celena J. Cage
Administrator

Enforcement Division

CJC/AFC/afc
Alt ID No. 2520-00079
Attachment

c: Shell Chemical LP
c/o Mr. Brett Woltjen, General Manager
15536 River Road
Norco, LA 70079

**STATE OF LOUISIANA
DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF ENVIRONMENTAL COMPLIANCE**

IN THE MATTER OF

**SHELL CHEMICAL LP
ST. CHARLES PARISH
ALT ID NO. 2520-00079**

**PROCEEDINGS UNDER THE LOUISIANA
ENVIRONMENTAL QUALITY ACT,
La. R.S. 30:2001, ET SEQ.**

*
*
* **ENFORCEMENT TRACKING NO.**
*
* **AE-CN-17-00434**
*
* **AGENCY INTEREST NO.**
*
* **26336**
*

**CONSOLIDATED
COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY**

The following **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY** is issued to **SHELL CHEMICAL LP (RESPONDENT)** by the Louisiana Department of Environmental Quality (the Department), under the authority granted by the Louisiana Environmental Quality Act (the Act), La. R.S. 30:2001, et seq., and particularly by La. R.S. 30:2025(C), 30:2050.2 and 30:2050.3(B).

FINDINGS OF FACT

I.

The Respondent owns and/or operates the Shell Norco Chemical Plant-East Site (the facility) located at 15536 River Road in Norco, St. Charles Parish, Louisiana. The Facility operates or has operated under the authority of the following Title V Air Permits:

UNIT	PERMIT NO.	ISSUE DATE	EXPIRATION DATE
Boilers East Unit	2283-V4	07/01/2015	07/01/2020
	2283-V3	05/05/2010	05/05/2015
Butadiene Recovery Plant-Gasoline Olefins Plant-Olefins Plant	2520-V6	07/22/2015	07/22/2015
	2520-V5	02/07/2014	12/16/2015
	2520-V4	03/18/2013	12/16/2015
	2520-V3	12/16/2010	12/16/2015

Source	Permit No.	Issue Date	Expiration Date
Shared Sources	3047-V3	03/18/2013	12/27/2016
	3047-V2	12/27/2011	12/27/2016
Gasoline Hydrotreater Unit	3078-V1	11/20/2014	11/20/2019
	3078-V0	09/01/2009	09/01/2014

II.

On or about May 30, 2017 through June 2, 2017, the Department conducted a file review to determine the Respondent's degree of compliance with the Act, the Air Quality Regulations, and all applicable permits. While the review is not complete, the Department noted the violations found in paragraphs III-XVIII of the Findings of Fact portion of this enforcement action.

III.

On October 3, 2013, the Respondent conducted an emissions/performance test on Berth 3 River Water Pump (EQT 0281) to determine compliance with the applicable 40 CFR 63 Subpart ZZZZ formaldehyde emission standard of 580 ppbvd or less, corrected to 15% oxygen. In the results for the emissions/performance test dated November 21, 2013, the Respondent reported formaldehyde emissions averaged 3,838.77 ppbvd corrected to 15% oxygen. This is a violation of Title V Permit No. 3047-V3, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2). The Respondent conducted a re-test on March 13, 2014. The formaldehyde emissions for the re-test were 185 ppbvd at 15% oxygen.

IV.

On or about February 11, 2014, the facility reported to the Department's Single Point of Contact (SPOC) via the Louisiana State Police a release of 49.3 lbs of 1,3 butadiene. The reportable quantity for 1,3 butadiene is 10 lbs. The release occurred on February 6-7, 2014. The Respondent's failure to make the required notification within 24 hours after learning of a discharge that exceeded a reportable quantity is a violation of Specific Requirement 1227 of Title V Permit No. 2520-V4, LAC 33:1.3917.A, LAC 33:III.927.A, and La. R.S. 30:2057(A)(2).

V.

The Department received an Unauthorized Discharge Notification Report for Incident No. T152357 dated November 20, 2013, and a Follow-up Notification Report dated January 16, 2014. According to the reports, on November 13, 2013, GO-1 had an unexpected process upset which resulted in flaring at the GO-1 Elevated Flare (EQT 0056). The flaring was caused by GO-1 South Acetylene Converter going off-specification due to contaminants in the hydrogen supply to the converter. Contamination was caused by a valve misalignment at Motiva's S3 Sulfur Unit. The Respondent reported the incident was not preventable due to the hydrogen purity to the system being managed by another party. The event lasted for approximately two (2) hours and resulted in the release of the pollutants shown in the table below.

Permit	Pollutant	Permitted Limit (lbs./hr)	Total Quantity Released (lbs.)	Amount Released Above Permit Limit (lbs.)
EQT 0056 GO-1 Elevated Flare	CO	1510.00	1991.96	0.00
	NOx	277.00	366.09	0.00
	PM ₁₀	27.19	145.36	41.26
	VOC	1920.00	767.87	0.00

- A. Failure to have control equipment or operating procedure in place to ensure that off-specification material is not received is a violation of Specific Requirement 1222 of Title V Permit No. 2520-V4, LAC 33:III.905.A, and La. R.S. 30:2057(A)(2).
- B. Exceeding the permitted emission limit for particulate matter (PM) is a violation of Title V Permit No. 2520-V4, LAC 33:III.501.C.4 and La. R.S. 30:257(A)(1) and 30:2057(A)(2).
- C. In the 2013 2nd Semiannual Monitoring Report dated March 26, 2014, the Respondent reported visible emissions were seen for approximately 1.75 hours from EQT 0056 as a result of the flaring. The presence of visible emissions for a period greater than five (5) minutes during any two (2) consecutive hours is violation of 40 CFR 60.18(c)(1), 40 CFR 63.11(b)(4), Specific Requirement 127 of Title V Permit No. 2520-V4, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).

VI.

The Department received an Unauthorized Discharge Notification Report for Incident No. T162921 dated April 20, 2015, and Follow-up Notification Reports dated May 20, 2015, and July 30, 2015, respectively. According to the reports, on April 13, 2015, Motiva Enterprise, LLC's DU-5 Unit released gasoline from a level valve on the Sour Water Flash Drum to the facility's East Elevated Flare (EQT 0010). The event lasted for approximately 0.734 hours and resulted in the release of the pollutants shown in the table below.

Permit	Pollutant	Permitted Limit (lbs./hr)	Total Quantity Released (lbs.)	Amount Released Above Permit Limit (lbs.)
EQT 0010 Utilities East Flare	VOC	79.91	61.04	15.40
	Benzene	0.79	0.53	0.44
	Toluene	0.07	1.42	1.42

Source	Pollutant	Exceedance Limit (lb/day)	Permitted Limit (lb/day)	Amount Exceeded (lb/day)
	Hexane	10.45	5.56	0.00

- A. Failure to operate a control device in the manner as required is a violation of Specific Requirement 611 of Title V Permit No. 3047-V3, LAC 33:III.905.A, and La. R.S. 30:2057(A)(2).
- B. Each exceedance of a permitted emission limit is a violation of Title V Permit No. 3047-V3, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

VII.

The Department received Unauthorized Discharge Notification Reports for Incident Nos. T163565 (05/09/2015), T163609 (05/12/2015), and T164121 (06/02/2015) dated May 14, 2015, May 19, 2015, May 20, 2015, and June 9, 2015. Follow-up Notification Reports were dated May 20, 2015, July 8, 2015, and July 30, 2015, respectively, and a Final Follow-up Notification Report dated September 3, 2015. On May 9, 2015, the OL-5 Unit's DEA System began to have circulation issues due to plugging caused by polymer build-up within the system. Flaring incidents were reported on May 9, 2015 and May 12, 2015 concerning the plugging issue as Operations continued to troubleshoot. On May 13, 2015, the DEA system was shut down in order to manually remove the polymer. Intermittent flaring at the OL-5 Elevated Flare occurred during the troubleshooting and shutdown of the DEA system. On June 3, 2015, OL-5 re-started the DEA system after the polymer had been removed from the circulation system. Flaring at the OL-5 Elevated Flare occurred during the system start-up. The May 9, 2015 incident started at 1329 and ended at 1405. The May 12, 2015 incident started at 1046 and ended at 1100. The May 12, 2015 incident started at 1750 and ended on May 25, 2015 at 0505. The June 3, 2015 incident started at 0715 and ended on June 8, 2015 at 1600. The incident was reported as not preventable due to the polymer plugging of the DEA system not being foreseeable; however, the Respondent reported that in order to prevent the reoccurrence of this incident, the DEA system will be taken down on a time based frequency for cleaning to prevent future polymer plugging. The table below lists the emission source(s), the pollutant(s), and the duration(s) for the incident.

Date	Emission Point	Pollutant	Event Duration (hrs)	Permit Limit (lb/day)	Amount Released (lb)	Amount Released Above Permit Limit (lb)
05/09/2015	EQT 0087 OL-5 Elevated Flare	SO ₂	1	3.21	27.67	27.62
05/13/2015	EQT 0087 OL-5 Elevated Flare	SO ₂	21.25	3.21	2.18	1.12
05/14/2015	EQT 0087 OL-5 Elevated Flare	SO ₂	23.1	3.21	2.37	1.21

Date	Unit	Pollutant	Actual (lb)	Limit (lb)	Amount Released (lb)	Amount Released Above Permit Limit (lb)
05/15/2015	EQT 0087 OL-5 Elevated Flare	SO ₂	15.5	3.21	1.53	0.75
05/16/2015	EQT 0087 OL-5 Elevated Flare	SO ₂	1	3.21	0.15	0.1
05/17/2015	EQT 0087 OL-5 Elevated Flare	SO ₂	3.35	3.21	2.24	2.07
05/17/2015	EQT 0087 OL-5 Elevated Flare	Benzene	3.35	0.89	3.64	0.86
05/17/2015	EQT 0087 OL-5 Elevated Flare	Toluene	3.35	1.61	2.54	1.47
05/18/2015	EQT 0087 OL-5 Elevated Flare	SO ₂	8.9	3.21	11.5	10.71
05/19/2015	EQT 00877.27 OL-5 Elevated Flare	SO ₂	10.2	3.21	6.24	5.73
05/20/2015	EQT 0087 OL-5 Elevated Flare	SO ₂	13.43	3.21	7.94	7.27
05/21/2015	EQT 0087 OL-5 Elevated Flare	SO ₂	9.1	3.21	2.32	1.86
05/22/2015	EQT 0087 OL-5 Elevated Flare	SO ₂	11.1	3.21	6.17	5.62
05/23/2015	EQT 0087 OL-5 Elevated Flare	SO ₂	2.1	3.21	1.28	1.17
06/01/2015	EQT 0087 OL-5 Elevated Flare	SO ₂	13.2	3.21	3,083.69	3,083.03
06/02/2015	EQT 0087 OL-5 Elevated Flare	SO ₂	24	3.21	5,896.6	5,895.4
06/03/2015	EQT 0087 OL-5 Elevated Flare	SO ₂	22.2	3.21	6,779.82	6,778.71
06/04/2015	EQT 0087 OL-5 Elevated Flare	SO ₂	12.4	3.21	4,311.42	4,310.8
06/05/2015	EQT 0087 OL-5 Elevated Flare	SO ₂	24	3.21	7,623.92	7,622.72
06/06/2015	EQT 0087 OL-5 Elevated Flare	SO ₂	24	3.21	8,363.37	8,362.17
06/07/2015	EQT 0087 OL-5 Elevated Flare	SO ₂	24	3.21	2,974.45	2,973.25

Event Date	Event Description	Pollutant	Permit Limit (lb/hr)	Amount Released (lb)	Amount Released Above Permit Limits (lbs)
06/08/2015	EQT 0087 OL-5 Elevated Flare	SO ₂	1.2	3.21	124.41
					124.35

* Per Respondent's September 3, 2015 Report, "...quantity of material released above permitted maximum emission rates. It is the number summed for each pollutant which Shell evaluates against reportable quantities..."

- A. Failure to use and/or diligently maintain a control device in proper working order as required is a violation of Specific Requirement 1301 of Title V Permit No. 2520-V5, LAC 33:III.905.A, and La. R.S. 30:2057(A)(2).
- B. Each exceedance of a permitted emission limit is a violation of Title V Permit No. 2520-V5, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

VIII.

The Department received an Unauthorized Discharge Notification Report for Incident No. T167654 dated December 10, 2015, and a Follow-up Notification Report dated February 1, 2016. According to the reports, on December 3, 2015, a furnace was removed from ethane feed causing a swing in pressure on the cold side of the OL-5 Unit. During this swing of pressure, Operations found that a control valve on the Deethanizer Overhead Condenser was not functioning properly resulting in a unit upset and flaring at the OL-5 Elevated Flare. Operations greased the control valve bearings returning the OL-5 Unit back to normal operations. The table below lists the emission source(s), the pollutant(s), and the duration(s) for the incident.

Emission Point	Pollutant	Event Duration (hr)	Permit Limit (lb/hr)	Amount Released (lb)	Amount Released Above Permit Limits (lbs)
EQT 0087 OL-5 Elevated Flare	CO	2.4	101.00	977.54	853.64
	NOx	1.5	18.50	179.66	156.99
	PM	1.5	3.48	33.82	29.56
	VOC	1.5	109.00	679.6	522.04

- A. Failure to use and/or diligently maintain a control device in proper working order as required is a violation of Specific Requirement 1128 of Title V Permit No. 2520-V6, LAC 33:III.905.A, and La. R.S. 30:2057(A)(2). The lack of preventative maintenance on the valve, greasing the bearings, resulted in its malfunction. A task to grease the bearings of the control valve on the deethanizer overhead condenser once a month was added to the operational rounds.

- B. Each exceedance of a permitted emission limit is a violation of Title V Permit No. 2520-V6, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

IX.

The Department received an Unauthorized Discharge Notification Report for Incident No. T168123 dated January 12, 2016. According to the report, on January 6, 2016, the facility's OL-5 Unit experienced an upset that led to flaring at the OL-5 Elevated Flare (EQT 0087). The upset occurred when OL-5's High Pressure Boiler Feed Water (HPBFW) Pump tripped and discontinued sending boiler feed water to the OL-5 furnaces. The root cause of the incident was a lube oil sample point that was left open. The open sample point drained the lube oil from the lube oil reservoir and caused the HPBFW to trip on low oil. The incident was reported as preventable. The table below lists the emission source(s), the pollutant(s), and the duration(s) for the incident.

Emission Source	Pollutant	Duration (hrs)	CO (lb)	NOx (lb)
EQT 0087 OL-5 Elevated Flare	CO	2	101.00	2,132.11
	NOx	2	18.50	391.85
	PM	2	3.48	73.76
	VOC	2	109.00	1,247.96

- A. Failure to operate a control device in the proper manner as required is a violation of Specific Requirement 1128 of Title V Permit No. 2520-V6, LAC 33:III.905.A, and La. R.S. 30:2057(A)(2).
- B. Each exceedance of a permitted emission limit is a violation of Title V Permit No. 2520-V6, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

X.

The Department received an Unauthorized Discharge Notification Report for Incident No. T164335 dated June 18, 2015, and Follow-up Notification Reports dated August 14, 2015, and September 22, 2015, respectively. According to the reports, on June 15, 2015, the facility's OL-5 Unit flared acid gas at the OL-5 Elevated Flare (EQT 0087). The flaring was caused by the malfunction of a fin fan associated with the overhead cooling system at the unit's DEA stripper. The incident was reported as preventable. The table below lists the emission source(s), the pollutant(s), and the duration(s) for the incident.

					Ambient Related Exceedance Permit (lbs)
EQT 0087 OL-5 Elevated Flare	CO	2.9	98.50	29.27	0.00
	NOx	2.9	18.10	5.38	0.00
	PM	2.9	3.41	1.01	0.00
	SO ₂	2.9	3.21	689.55	689.41
	VOC	2.9	105.00	1.67	0.00
	Hexane	2.9	0.40	0.08	0.00

- A. Failure to use and/or diligently maintain a control device in proper working order as required is a violation of Specific Requirement 1301 of Title V Permit No. 2520-V5, LAC 33:III.905.A, and La. R.S. 30:2057(A)(2).
- B. Each exceedance of a permitted emission limit is a violation of Title V Permit No. 2520-V5, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

XI.

On or about May 23, 2016-June 7, 2016, and June 22-23, 2016, the Department conducted a Full Compliance Evaluation Inspection to determine the Respondent's degree of compliance with the Act, the Air Quality Regulations, and all applicable permits. While the Department's investigation is not complete, the following violation(s) were noted during the course of the inspection:

The Respondent failed to conduct a seal gap measurement for Tank F-502 (EQT 0256) Failure to conduct the seal gap measurement inspection is a violation of 40 CFR 60.113a(a)(1)(i)(D), Specific Requirement 184 of Title V Permit No. 3078-V1, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2). The Department issued a Warning Letter, Enforcement Tracking No. AE-L-16-00851, to the Respondent dated October 6, 2016. In the response to the Warning Letter dated October 31, 2016, the Respondent reported the tank inspection documentation process was reviewed and the record keeping process was updated to ensure the database doesn't indicate an inspection is complete prior to having the inspection documentation filed correctly.

XII.

The Department received an Unauthorized Discharge Notification Report for Incident No. T168189 dated January 14, 2016 for a release on January 10, 2016. The Respondent submitted a combined final follow-up report for Incident Nos. 168189 and 169753 dated May 9, 2016. The final report stated an Unauthorized Discharge Notification Report for Incident No. T169753 dated April 12, 2016 for a release on April 6, 2016, was submitted to the Department.

On January 10, 2016, and April 6, 2016, the GO-1 Diethanolamine (DEA) Treater experienced unanticipated internal column flooding which led to the flaring of untreated dry gas at the GO-1 Elevated Flare (EPN Fe-602; EQT 0056). The DEA Treater flooding was the result of lower DEA circulation in the column in comparison to the column loading. Untreated dry gas was removed from the column allowing Operation to stabilize the DEA Treater. The incidents were reported as preventable. The tables below list the emission source(s), the pollutant(s), and the duration(s) for the incident.

January 10, 2016

Incident	Pollutant	Event Duration (hrs)	Peak Rate (lb/hr)	Total Quantity Released by Event (lbs)
EQT 0056 GO-1 Flare	CO	3	1.82	174
	NO _x	3	277.00	31.92
	PM	3	0.06	6.02
	SO ₂	3	0.11	3,420.61
	VOC	3	1.43	33.5

April 6, 2016

Incident	Pollutant	Event Duration (hrs)	Peak Rate (lb/hr)	Total Quantity Released by Event (lbs)
EQT 0056 GO-1 Flare	CO	2	1.82	243.72
	NO _x	2	277.00	44.79
	PM	2	0.06	8.43
	SO ₂	2	0.11	4,791.03
	VOC	2	1.43	46.92

- A. Each failure to use and/or diligently maintain a control device in proper working order as required is a violation of Specific Requirement 1128 of Title V Permit No. 2520-V6, LAC 33:III.905.A, and La. R.S. 30:2057(A)(2).
- B. Each exceedance of a permitted emission limit is a violation of Title V Permit No. 2520-V6, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

XIII.

The Department received an Unauthorized Discharge Notification Report for Incident No. T173189 dated September 29, 2016. According to the report, on September 22, 2016, the OL-5 Unit lost high purity hydrogen to the Acetylene Converters (AC Converters) causing the ethylene to go off-specification, at which time the acetylene had to be routed to the OL-5 Elevated Flare. The loss of high purity hydrogen to the AC Converters occurred when an operator inadvertently closed a block valve that sends high purity hydrogen to OL-5. The incident was reported as preventable. The table below lists the emission source(s), the pollutant(s), and the duration(s) for the incident.

Emission Point	Pollutant	Duration (hr)	Rate (lb/hr)	Total Quantity Released by Event (lbs)
EQT 0087 OL-5 Elevated Flare	CO	9	101.00	12,223.55
	NOx	9	18.50	2,246.49
	PM	9	3.48	422.87
	VOC	9	109.00	12,966.46

- A. Failure to operate a control device in the proper manner as required is a violation of Specific Requirement 1128 of Title V Permit No. 2520-V6, LAC 33:III.905.A, and La. R.S. 30:2057(A)(2).
- B. Each exceedance of a permitted emission limit is a violation of Title V Permit No. 2520-V6, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

XIV.

The Department received an Unauthorized Discharge Notification Report for Incident No. T171382 dated June 28, 2016, and Follow-up Notification Report dated August 18, 2016, for a release that occurred on June 27, 2016. On June 27, 2016, a relief valve lifted to atmosphere during the start-up of the BD-5 Post Fractionator Column. The cooling water to the exchangers on the fractionator column was not properly lined up causing a lack of cooling in the column overhead which caused the column to over-pressure and the relief valve to lift to atmosphere. The release lasted for approximately seven (7) minutes and resulted in the release of 3,590 lbs. of 1,3-butadiene and 847 lbs. of HVROC

(ethylene and propylene). The incident was reported as preventable. This is a violation of LAC 33:III.905.A and La. R.S. 30:2057(A)(2).

XV.

The Department received an Unauthorized Discharge Notification Report for Incident No. T174659 dated December 21, 2016, and Follow-up Notification Report dated February 3, 2017. According to the reports, on December 17, 2017, the OL-5 Unit had a fault occur in a unit transformer that caused an electrical breaker trip. The trip caused the loss of power to several pieces of equipment in the unit. The loss of equipment caused a unit upset and subsequent flaring while OL-5 Operators safely stabilized the unit. The transformer was bypassed, and power was restored to the OL-5 equipment, allowing the unit to safely be restored to normal operations. The BD-5 Unit also lost power to part of the unit during the electrical breaker trip. BD-5 flared butadiene heavy ends at the OL-5 Ground Flare while bringing the equipment back online to normal conditions. The release began on December 17, 2016, and ended January 1, 2017. The Respondent determined the incident was not preventable; however, the Respondent reported a procedure was created to improve electrical preventative maintenance for unit transformers. The tables below list the emission source(s), the pollutant(s), and the duration(s) for the incident.

December 17, 2016 through December 18, 2016

Emission Point	Pollutant	Duration (hr)	Rate Limit (lb/hr)	Total Quantity Released During Period (lbs)
EQT 0087 OL-5 Elevated Flare	CO	45	101.00	34,251.95
	NO _x	45	18.50	6,294.96
	PM _{10/2.5}	45	3.48	1,184.93
	VOC	45	109.00	36,572.22
	1,3 Butadiene	45	0.74	1,155.26
	Benzene	45	0.89	23.36

Emission Point	Pollutant	Duration (hr)	Rate Limit (lb/hr)	Total Quantity Released During Period (lbs)
EQT 0088 OL-5 Ground Flare	CO	45	89.20	28,183.06
	NO _x	45	16.40	5,179.59
	PM _{10/2.5}	45	3.08	974.98

Permit No.	Pollutant	Violation Days	Permitted Limit (lb/day)	Total Quantity Released (lb)
EQT 0088 OL-5 Ground Flare	VOC	45	107.00	30,045.75
	1,3 Butadiene	45	0.74	770.17
	Benzene	45	0.89	15.57

December 20, 2016 through January 1, 2017

Permit No.	Pollutant	Violation Days	Permitted Limit (lb/day)	Total Quantity Released (lb)
EQT 0088 OL-5 Ground Flare	CO	312	89.20	8,874.63
	NO _x	312	16.40	1,631.01
	PM _{102.5}	312	3.08	307.01
	VOC	312	107.00	11,728.29
	1,3 Butadiene	312	0.74	955.81

- A. Each failure to use and/or diligently maintain a control device in proper working order as required is a violation of Specific Requirement 1128 of Title V Permit No. 2520-V6, LAC 33:III.905.A, and La. R.S. 30:2057(A)(2).
- B. Each exceedance of a permitted emission limit is a violation of Title V Permit No. 2520-V6, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

XVI.

The Department received an Unauthorized Discharge Notification Report for Incident No. T174429 dated December 13, 2016, and Follow-up Notification Report dated January 31, 2017. According to the reports, on December 6, 2016, the OL-5 Unit experienced a process upset which led to flaring at the OL-5 Elevated and Ground Flares. Prior to the upset, Operations put an ethane furnace on feed, and as the feed moved through the process, it caused process pressure, temperature, and level fluctuations. Operations was proactively monitoring the system due to fluctuations and steadily increasing the temperature in the process system to prevent an occurrence of off-specification of 1,3 butadiene. The temperature increases were not quick enough to counteract the temperature fluctuation caused by the feed. The 1,3 butadiene went off-specification and had to be routed to the OL-5 flare system. Operations continued to increase temperature in the process system until the process

stabilized, and 1,3 butadiene was brought back on-specification. The Respondent determined the incident was not preventable; however, the Respondent reported improvements were made to the instrumentation to aid in the stabilization of the overall process during fluctuations that may be caused by the addition of feed in the future. The tables below list the emission source(s), the pollutant(s), and the duration(s) for the incident.

Permit No.	Pollutant	Number of Days	Hours	Quantity Released (lbs.)
EQT 0087 OL-5 Elevated Flare	CO	2	101.00	540.83
	NO _x	2	18.50	99.40
	PM _{102.5}	2	3.48	18.71
	VOC	2	109.00	778.79
	1,3 Butadiene	2	0.74	334.88

Permit No.	Pollutant	Number of Days	Hours	Quantity Released (lbs.)
EQT 0088 OL-5 Ground Flare	CO	2	89.20	135.21
	NO _x	2	16.40	24.85
	PM _{102.5}	2	3.08	4.62
	VOC	2	107.00	194.70
	1,3 Butadiene	2	0.74	83.72

- A. Each failure to use and/or diligently maintain a control device in proper working order as required is a violation of Specific Requirement 1128 of Title V Permit No. 2520-V6, LAC 33:III.905.A, and La. R.S. 30:2057(A)(2).
- B. Each exceedance of a permitted emission limit is a violation of Title V Permit No. 2520-V6, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

XVII.

The Department received an Unauthorized Discharge Notification Report for Incident Nos. T174883 and T174894 dated January 5, 2017, and Follow-up Notification Report dated February 23, 2017. On January 1, 2015 the OL-5 Unit had a valve that became stuck which caused a lack of cooling and condensation which caused the deethanizer reflux drum level to drop. Operations lowered the reflux deethanizer column in order to keep the deethanizer reflux pumps from running dry. Steam was increased to the deethanizer reboiler, causing heavy molecules to contaminate the converter hydrogen via the ethane lean oil system. The contaminated hydrogen caused poor reaction within the AC converters (feed to the C2 Splitter) which caused the ethylene product to go off-specification. Once the acetylene was off-specification, the material had to be flared. Operations made moves to switch to PSA hydrogen to aid in bringing the unit back to normal and to bring the acetylene back on-specification. On January 2, 2017, OL-5 attempted to put the unit back on converter hydrogen, but the converter hydrogen was still contaminated. Operations did not know the converter hydrogen was still contaminated causing the AC Converters reaction to diminish and the acetylene product once again went off-specification. The off-specification acetylene had to be flared. The incident was reported as preventable. The tables below list the emission source(s), the pollutant(s), and the duration(s) for the incident.

Emission Point	Pollutant	Event Duration (hrs)	Flow Rate (lb/hr)	Total Quantity Released (lbs)
EQT 0087 OL-5 Elevated Flare	CO	20	101.00	11,187.57
	NO _x	20	18.50	2,056.09
	PM _{10/2.5}	20	3.48	387.03
	VOC	20	109.00	11,608.32

Emission Point	Pollutant	Event Duration (hrs)	Flow Rate (lb/hr)	Total Quantity Released (lbs)
EQT 0088 OL-5 Ground Flare	CO	20	89.20	2,738.82
	NO _x	20	16.40	503.35
	PM _{10/2.5}	20	3.08	94.75
	VOC	20	107.00	2,836.48

- A. Each failure to use and/or diligently maintain a control device in proper working order as required is a violation of Specific Requirement 1128 of Title V Permit No. 2520-V6, LAC 33:III.905.A, and La. R.S. 30:2057(A)(2).
- B. Each exceedance of a permitted emission limit is a violation of Title V Permit No. 2520-V6, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

XVIII.

A release occurred at the facility that began on February 2, 2017 and lasted until February 3, 2017. The Respondent notified the Department of the release on February 8, 2017. The Department received Unauthorized Discharge Reports dated February 9, 2017, and April 3, 2017. According to the April 3, 2017 report, 24.08 lbs of 1,3 butadiene was released. The reportable quantity for 1,3 butadiene is 10 lbs. The Respondent's failure to make the required notification within 24 hours after learning of a discharge that exceeded a reportable quantity is a violation of LAC 33:I.3917.A, LAC 33:III.927.A, and La. R.S. 30:2057(A)(2).

XIX.

The Department received an Unauthorized Discharge Notification Report for Incident No. T177080 dated April 20, 2017, and a Follow-up Notification Report dated May 31, 2017. According to the reports, on April 17, 2017, the OL-5 unit experienced an upset that led to flaring. The unit upset was caused by a level control instrument that failed, falsely signaling to the level control valve on the reboiler condensate pot that the condensate was low. The level control valve closed. The Respondent determined the incident was preventable. The table below lists the emission source(s), the pollutant(s), and the duration(s) for the incident.

Emission Point	Pollutant	Duration (hrs)	Mass Emission (lbs)	Reportable Quantity (lbs)
EQT 0088 OL-5 Ground Flare	CO	2	89.20	441.82
	NO _x	2	16.40	81.20
	PM	2	3.08	15.28
	VOC	2	107.00	635.80
	1,3 Butadiene	2	0.74	273.60
	Toluene	2	0.01	0.10
	Benzene	2	0.89	0.10
	n-hexane	2	0.36	0.10

- A. Failure to use and/or diligently maintain a control device in proper working order as required is a violation of Specific Requirement 1128 of Title V Permit No. 2520-V6, LAC 33:III.905.A, and La. R.S. 30:2057(A)(2).
- B. Each exceedance of a permitted emission limit is a violation of Title V Permit No. 2520-V6, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

COMPLIANCE ORDER

Based on the foregoing, the Respondent is **hereby ordered**:

I.

To take, immediately upon receipt of this **COMPLIANCE ORDER**, any and all steps necessary to meet and maintain compliance with the Act, the Air Quality Regulations, and all applicable permits.

II.

To submit to the Enforcement Division, within thirty (30) days after receipt of this **COMPLIANCE ORDER**, a copy of the initial written notification and proof of shipping for Incident No. T169753 as cited in Paragraph XII of the **FINDINGS OF FACT**. If the report was not originally submitted within seven (7) calendar days after the expiration of the time allowed for the notification per LAC 33:I.3925.A, the report shall be submitted within thirty (30) days after receipt of this **COMPLIANCE ORDER**.

III.

To submit to the Enforcement Division, within thirty (30) days after receipt of this **COMPLIANCE ORDER**, a written report that includes a detailed description of the circumstances surrounding the cited violations and actions taken or to be taken to achieve compliance with the Order Portion of this **COMPLIANCE ORDER**. This report and all other reports or information required to be submitted to the Enforcement Division by this **COMPLIANCE ORDER** shall be submitted to:

Office of Environmental Compliance
Post Office Box 4312
Baton Rouge, Louisiana 70821-4312
Attn: Antoinette Cobb
Re: Enforcement Tracking No. AE-CN-17-00434
Agency Interest No. 26336

- A. Failure to use and/or diligently maintain a control device in proper working order as required is a violation of Specific Requirement 1128 of Title V Permit No. 2520-V6, LAC 33:III.905.A, and La. R.S. 30:2057(A)(2).
- B. Each exceedance of a permitted emission limit is a violation of Title V Permit No. 2520-V6, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

COMPLIANCE ORDER

Based on the foregoing, the Respondent is **hereby ordered**:

I.

To take, immediately upon receipt of this **COMPLIANCE ORDER**, any and all steps necessary to meet and maintain compliance with the Act, the Air Quality Regulations, and all applicable permits.

II.

To submit to the Enforcement Division, within thirty (30) days after receipt of this **COMPLIANCE ORDER**, a copy of the required seven (7) day written notification and proof of shipping for Incident No. T169753 as cited in Paragraph XII of the **FINDINGS OF FACT**.

III.

To submit to the Enforcement Division, within thirty (30) days after receipt of this **COMPLIANCE ORDER**, a written report that includes a detailed description of the circumstances surrounding the cited violations and actions taken or to be taken to achieve compliance with the Order Portion of this **COMPLIANCE ORDER**. This report and all other reports or information required to be submitted to the Enforcement Division by this **COMPLIANCE ORDER** shall be submitted to:

Office of Environmental Compliance
Post Office Box 4312
Baton Rouge, Louisiana 70821-4312
Attn: Antoinette Cobb
Re: Enforcement Tracking No. AE-CN-17-00434
Agency Interest No. 26336

THE RESPONDENT SHALL FURTHER BE ON NOTICE THAT:

I.

The Respondent has a right to an adjudicatory hearing on a disputed issue of material fact or of law arising from this **COMPLIANCE ORDER**. This right may be exercised by filing a written request with the Secretary no later than thirty (30) days after receipt of this **COMPLIANCE ORDER**.

II.

The request for an adjudicatory hearing shall specify the provisions of the **COMPLIANCE ORDER** on which the hearing is requested and shall briefly describe the basis for the request. This request should reference the Enforcement Tracking Number and Agency Interest Number, which are located in the upper right-hand corner of the first page of this document and should be directed to the following:

Department of Environmental Quality
Office of the Secretary
Post Office Box 4302
Baton Rouge, Louisiana 70821-4302
Attn: Hearings Clerk, Legal Division
Re: Enforcement Tracking No. AE-CN-17-00434
Agency Interest No. 26336

III.

Upon the Respondent's timely filing a request for a hearing, a hearing on the disputed issue of material fact or of law regarding this **COMPLIANCE ORDER** may be scheduled by the Secretary of the Department. The hearing shall be governed by the Act, the Administrative Procedure Act (La. R.S. 49:950, et seq.), and the Department's Rules of Procedure. The Department may amend or supplement this **COMPLIANCE ORDER** prior to the hearing, after providing sufficient notice and an opportunity for the preparation of a defense for the hearing.

IV.

This **COMPLIANCE ORDER** shall become a final enforcement action unless the request for hearing is timely filed. Failure to timely request a hearing constitutes a waiver of the Respondent's right to a hearing on a disputed issue of material fact or of law under Section 2050.4 of the Act for the violation(s) described herein.

V.

The Respondent's failure to request a hearing or to file an appeal or the Respondent's withdrawal of a request for hearing on this **COMPLIANCE ORDER** shall not preclude the Respondent from contesting the findings of facts in any subsequent penalty action addressing the same violation(s), although the Respondent is estopped from objecting to this **COMPLIANCE ORDER** becoming a permanent part of its compliance history.

VI.

Civil penalties of not more than twenty-seven thousand five hundred dollars (\$27,500) for each day of violation for the violation(s) described herein may be assessed. For violations which occurred on August 15, 2004, or after, civil penalties of not more than thirty-two thousand five hundred dollars (\$32,500) may be assessed for each day of violation. The Respondent's failure or refusal to comply with this **COMPLIANCE ORDER** and the provisions herein will subject the Respondent to possible enforcement procedures under La. R.S. 30:2025, which could result in the assessment of a civil penalty in an amount of not more than fifty thousand dollars (\$50,000) for each day of continued violation or noncompliance.

VII.

For each violation described herein, the Department reserves the right to seek civil penalties in any manner allowed by law, and nothing herein shall be construed to preclude the right to seek such penalties.

NOTICE OF POTENTIAL PENALTY

I.

Pursuant to La. R.S. 30:2050.3(B), you are hereby notified that the issuance of a penalty assessment is being considered for the violation(s) described herein. Written comments may be filed regarding the violation(s) and the contemplated penalty. If you elect to submit comments, it is requested that they be submitted within ten (10) days of receipt of this notice.

II.

Prior to the issuance of additional appropriate enforcement action(s), you may request a meeting with the Department to present any mitigating circumstances concerning the violation(s). If you would like to have such a meeting, please contact Antoinette Cobb at (225) 219-3072 within ten (10) days of receipt of this **NOTICE OF POTENTIAL PENALTY**.

III.

The Department is required by La. R.S. 30:2025(E)(3)(a) to consider the gross revenues of the Respondent and the monetary benefits of noncompliance to determine whether a penalty will be assessed and the amount of such penalty. Please forward the Respondent's most current annual gross revenue statement along with a statement of the monetary benefits of noncompliance for the cited violation(s) to the above named contact person within ten (10) days of receipt of this **NOTICE OF POTENTIAL PENALTY**. Include with your statement of monetary benefits the method(s) you

utilized to arrive at the sum. If you assert that no monetary benefits have been gained, you are to fully justify that statement. If the Respondent chooses not to submit the requested most current annual gross revenues statement within ten (10) days, it will be viewed by the Department as an admission that the Respondent has the ability to pay the statutory maximum penalty as outlined in La. R.S. 30:2025.


IV.

The Department assesses civil penalties based on LAC 33:I.Subpart1.Chapter7. To expedite closure of this **NOTICE OF POTENTIAL PENALTY** portion, the Respondent may offer a settlement amount to resolve any claim for civil penalties for the violation(s) described herein. The Respondent may offer a settlement amount, but the Department is under no obligation to enter into settlement negotiations. The decision to proceed with a settlement is at the discretion of the Department. The settlement offer amount may be entered on the attached "**CONSOLIDATED COMPLIANCE ORDER AND NOTICE OF POTENTIAL PENALTY REQUEST TO CLOSE**" form. The Respondent must include a justification of the offer. **DO NOT** submit payment of the offer amount with the form. The Department will review the settlement offer and notify the Respondent as to whether the offer is or is not accepted.

V.

This **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY** is effective upon receipt.

Baton Rouge, Louisiana, this 27th day of December, 2017.



Lourdes Iturralde
Assistant Secretary
Office of Environmental Compliance

Copies of a request for a hearing and/or related correspondence should be sent to:

Louisiana Department of Environmental Quality
Office of Environmental Compliance
Enforcement Division
P.O. Box 4312
Baton Rouge, LA 70821-4312
Attention: Antoinette Cobb

LOUISIANA DEPARTMENT OF ENVIRONMENTAL QUALITY
 OFFICE OF ENVIRONMENTAL COMPLIANCE
 ENFORCEMENT DIVISION CONSOLIDATED COMPLIANCE ORDER &
 POST OFFICE BOX 4312 NOTICE OF POTENTIAL PENALTY
 BATON ROUGE, LOUISIANA 70821-4312 REQUEST TO CLOSE



Enforcement Tracking No.	AE-CN-17-00434	Contact Name	Antoinette Cobb
Agency Interest (AI) No.	26336	Contact Phone No.	(225) 219-3072
Alternate ID No.	2520-00079		
Respondent:	Shell Chemical LP	Facility Name:	Shell Norco Chemical Plant-East Site
	c/o C T Corporation System	Physical Location:	15536 River Road
	Agent for Service of Process		
	3867 Plaza Tower Drive	City, State, Zip:	Norco, LA 70079
	Baton Rouge, LA 70816	Parish:	St. Charles

STATEMENT OF COMPLIANCE

STATEMENT OF COMPLIANCE	Date Completed	Copy Attached?
A written report was submitted in accordance with Paragraph III of the "Order" portion of the COMPLIANCE ORDER.		
All necessary documents were submitted to the Department within 30 days of receipt of the COMPLIANCE ORDER in accordance with Paragraph(s) II of the "Order" portion of the COMPLIANCE ORDER.		
All necessary documents were submitted to the Department within 45 days of receipt of the COMPLIANCE ORDER in accordance with Paragraph(s) ? of the "Order" portion of the COMPLIANCE ORDER.		
All necessary documents were submitted to the Department within 90 days of receipt of the COMPLIANCE ORDER in accordance with Paragraph(s) ? of the "Order" portion of the COMPLIANCE ORDER.		
All items in the "Findings of Fact" portion of the COMPLIANCE ORDER were addressed and the facility is being operated to meet and maintain the requirements of the "Order" portion of the COMPLIANCE ORDER. Final compliance was achieved as of:		

SETTLEMENT OFFER (OPTIONAL)

(check the applicable option)

<input type="checkbox"/>	The Respondent is not interested in entering into settlement negotiations with the Department with the understanding that the Department has the right to assess civil penalties based on LAC 33:1.Subpart1.Chapter7.
<input type="checkbox"/>	In order to resolve any claim for civil penalties for the violations in NOTICE OF POTENTIAL PENALTY (AE-CN-17-00434), the Respondent is interested in entering into settlement negotiations with the Department and would like to set up a meeting to discuss settlement procedures.
<input type="checkbox"/>	In order to resolve any claim for civil penalties for the violations in NOTICE OF POTENTIAL PENALTY (AE-CN-17-00434), the Respondent is interested in entering into settlement negotiations with the Department and offers to pay \$ _____ which shall include LDEQ enforcement costs and any monetary benefit of non-compliance. <ul style="list-style-type: none"> • Monetary component = \$ _____ • Beneficial Environmental Project (BEP) component (optional)= \$ _____ • DO NOT SUBMIT PAYMENT OF THE OFFER WITH THIS FORM- the Department will review the settlement offer and notify the Respondent as to whether the offer is or is not accepted.
<input type="checkbox"/>	The Respondent has reviewed the violations noted in NOTICE OF POTENTIAL PENALTY (AE-CN-17-00434) and has attached a justification of its offer and a description of any BEPs if included in settlement offer.

CERTIFICATION STATEMENT

I certify, under provisions in Louisiana and United States law that provide criminal penalties for false statements, that based on information and belief formed after reasonable inquiry, the statements and information attached and the compliance statement above, are true, accurate, and complete. I also certify that I do not owe outstanding fees or penalties to the Department for this facility or any other facility I own or operate. I further certify that I am either the Respondent or an authorized representative of the Respondent.

Respondent's Signature	Respondent's Printed Name	Respondent's Title
Respondent's Physical Address	Respondent's Phone #	Date

MAIL COMPLETED DOCUMENT TO THE ADDRESS BELOW:

Louisiana Department of Environmental Quality
 Office of Environmental Compliance
 Enforcement Division
 P.O. Box 4312
 Baton Rouge, LA 70821
 Attn: Antoinette Cobb

JOHN BEL EDWARDS
GOVERNOR



CHUCK CARR BROWN, Ph.D.
SECRETARY

State of Louisiana
DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF ENVIRONMENTAL COMPLIANCE

April 8, 2020

CERTIFIED MAIL (7018 3090 0002 0373 5565)
RETURN RECEIPT REQUESTED



SHELL CHEMICAL LP
c/o C T Corporation System
Agent for Service of Process
3867 Plaza Tower Drive
Baton Rouge, Louisiana 70816

**RE: CONSOLIDATED COMPLIANCE ORDER
& NOTICE OF POTENTIAL PENALTY
ENFORCEMENT TRACKING NO. AE-CN-19-01182
AGENCY INTEREST NO. 26336**

Dear Sir/Madam:

Pursuant to the Louisiana Environmental Quality Act (La. R.S. 30:2001, et seq.), the attached **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY** is hereby served on **SHELL CHEMICAL LP (RESPONDENT)** for the violation(s) described therein.

Compliance is expected within the maximum time period established by each part of the **COMPLIANCE ORDER**. The violation(s) cited in the **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY** could result in the issuance of a civil penalty or other appropriate legal actions.

Any questions concerning this action should be directed to Antoinette Cobb at (225) 219-3072 or via email at antoinette.cobb@la.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Celena J. Cage".

Celena J. Cage
Administrator
Enforcement Division

CJC/AFC/afc
Alt ID No. 2520-00079
Attachment

c: Shell Chemical LP
c/o Mr. Brett Woltjen, General Manager
15536 River Road
Norco, LA 70079

**STATE OF LOUISIANA
DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF ENVIRONMENTAL COMPLIANCE**

IN THE MATTER OF

**SHELL CHEMICAL LP
ST. CHARLES PARISH
ALT ID NO. 2520-00079**

**PROCEEDINGS UNDER THE LOUISIANA
ENVIRONMENTAL QUALITY ACT,
La. R.S. 30:2001, ET SEQ.**

*
*
* **ENFORCEMENT TRACKING NO.**
*
* **AE-CN-19-01182**
*
* **AGENCY INTEREST NO.**
*
* **26336**
*

CONSOLIDATED
COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY

The following **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY** is issued to **SHELL CHEMICAL LP (RESPONDENT)** by the Louisiana Department of Environmental Quality (the Department), under the authority granted by the Louisiana Environmental Quality Act (the Act), La. R.S. 30:2001, et seq., and particularly by La. R.S. 30:2025(C), 30:2050.2 and 30:2050.3(B).

FINDINGS OF FACT

I.

The Respondent owns and/or operates the Shell Norco Chemical Plant-East Site (the Facility) located at 15536 River Road in Norco, St. Charles Parish, Louisiana. The Facility operates or has operated under the authority of the following Title V Air Permits:

UNIT	PERMIT NO.	ISSUE DATE	EXPIRATION DATE
Boilers East Unit	2283-V4	07/01/2015	07/01/2020
Butadiene Recovery Plant-Gasoline Olefins Plant-Olefins Plant	2520-V8	01/14/2019	07/22/2020
	2520-V7	08/01/2018	07/22/2020
	2520-V6	07/22/2015	07/22/2020
Shared Sources	3047-V5	11/01/2019	07/17/2022
	3047-V4	07/14/2017	07/17/2022

Gasoline Hydrotreater Unit	3078-V2	07/12/2017	11/20/2019
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The Facility also operates under Consent Decree, Civil Action Number 2:18-cv-1404-EEF-JVM entered into the United States District Court for the Eastern District of Louisiana on or about February 6, 2019.

II.

The Department received an Unauthorized Discharge Notification Report for Incident No. T181986 dated January 4, 2018, and a Follow-up Notification Report dated February 27, 2018. According to the reports, on January 1, 2018, the OL-5 Unit experienced an upset which resulted in flaring at the OL-5 Elevated Flare (EQT 0087) and OL-5 Ground Flare (EQT 0088). A flow transmitter for the refrigerant control valve on the refrigerant condenser began to give incorrect readings and caused the control valve to open. Refrigerant flowed out of the condenser and tripped the Methyl Acetylene and Propadiene (MAP) Converter. The MAP trip caused the propylene to go off-specification; the propylene was routed to the flare system. The Respondent installed a deviation alarm in the system to detect any deviation between the flow transmitter and the flow valve controller set-point. The Respondent determined the incident was preventable. The tables below list the emission source(s), the pollutant(s), and the duration(s) for the incident.

Emission Point	Pollutant	Duration (hr)	Flow Rate (lb/hr)	Total Emissions (lb)
EQT 0087 OL-5 Elevated Flare	CO	15	101.00	2,694.03
	NO _x	15	18.50	495.12
	PM _{102.5}	15	3.48	93.20
	VOC	15	109.00	3,780.62
	1,3- Butadiene	15	0.74	434.62

Emission Point	Pollutant	Duration (hr)	Flow Rate (lb/hr)	Total Emissions (lb)
EQT 0088 OL-5 Ground Flare	CO	15	89.20	7,781.10
	NO _x	15	16.40	1,430.04
	PM _{102.5}	15	3.08	269.18
	VOC	15	107.00	10,862.15
	1,3- Butadiene	15	0.74	534.04

- A. Each failure to operate control equipment, any device or contrivance, operating procedure or abatement scheme to prevent or reduce air pollution, in the proper manner

is a violation of Specific Requirement 1128 of Title V Permit No. 2520-V6, LAC 33:III.905.A, and La. R.S. 30:2057(A)(2).

- B. Each exceedance of a permitted emission limit is a violation of Title V Permit No. 2520-V6, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2). The violations were also reported in the 2018 First Semiannual Monitoring Report dated September 25, 2018.

III.

The Department received an Unauthorized Discharge Notification Report for Incident No. T185025 dated June 7, 2018, and a Follow-up Notification Report dated August 28, 2018. According to the reports, on May 31, 2018, the OL-5 Unit experienced an upset that resulted in flaring at the OL-5 Ground Flare (EQT 0088). Instability in the OL-5 cold side propylene refrigeration compressor (PRC) system, deethanizer, and depropanizer columns resulted in off-spec product being made and subsequent flaring to stabilize unit operations. The PRC instability was caused by the loss of refrigerant flow due to mechanical failure of the valve linkage arm on PCV 5412B (PRC 4th stg inlet pressure control). To prevent recurrence, the control valve was modified to upgrade the linkage arm and the valve was added to the preventative maintenance schedule. The Respondent determined the incident was preventable. The table below lists the emission source, the pollutants, and the duration for the incident.

Source	Pollutant	Duration (hr)	Concentration (ppm)	Quantity (lb)
EQT 0088 OL-5 Ground Flare	1,3- Butadiene	1	0.74	220.08
	CO	1	89.20	355.42
	NO _x	1	16.40	65.32
	PM _{10/2.5}	1	3.08	12.30
	VOC	1	107.00	511.80

- A. Failure to operate control equipment, any device or contrivance, operating procedure or abatement scheme to prevent or reduce air pollution, in the proper manner is a violation of Specific Requirement 1128 of Title V Permit No. 2520-V6, LAC 33:III.905.A, and La. R.S. 30:2057(A)(2).
- B. Each exceedance of a permitted emission limit is a violation of Title V Permit No. 2520-V6, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

IV.

The Department received an Unauthorized Discharge Notification Report for Incident No. T185443 dated June 28, 2018, and a Follow-up Notification Report dated August 22, 2018. According to the reports, on June 23, 2018, the OL-5 Unit experienced an upset that resulted in flaring at the OL-5 Elevated Flare (EQT 0087) and OL-5 Ground Flare (EQT 0088). Instability in the OL-5 cold side propylene refrigeration compressor (PRC) system, deethanizer, and depropanizer columns resulted in off-spec product being made and subsequent flaring to stabilize unit operations. The PRC instability was caused by the loss of refrigerant flow due to mechanical failure of the valve linkage arm on PCV 5412B (PRC 4th stg inlet pressure control). To prevent recurrence, the control valve was modified to upgrade the linkage arm and the valve was added to the preventative maintenance schedule. The Respondent determined the incident was preventable. The tables below list the emission source(s), the pollutant(s), and the duration(s) for the incident.

EQT 0087 OL-5 Elevated Flare	CO	35	101.00	262.40
	NO _x	35	18.50	48.22
	PM _{102.5}	35	3.48	9.08
	VOC	35	109.00	376.60
	1,3- Butadiene	35	0.74	146.89

EQT 0088 OL-5 Ground Flare	CO	35	89.20	1,240.57
	NO _x	35	16.40	228.00
	PM _{102.5}	35	3.08	42.92
	VOC	35	107.00	1,785.03
	1,3- Butadiene	35	0.74	751.01

- A. Each failure to operate control equipment, any device or contrivance, operating procedure or abatement scheme to prevent or reduce air pollution, in the proper manner is a violation of Specific Requirement 1128 of Title V Permit No. 2520-V6, LAC 33:III.905.A, and La. R.S. 30:2057(A)(2).
- B. Each exceedance of a permitted emission limit is a violation of Title V Permit No. 2520-V6, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2). The

violations were also reported in the 2018 First Semiannual Monitoring Report dated September 25, 2018.

V.

The Department received the Final Follow-up Notification Report for Incident No. T185713 dated August 28, 2018. According to the report, on July 6, 2018, the OL-5 Unit experienced an upset that resulted in flaring at the OL-5 Elevated Flare (EQT 0087) and OL-5 Ground Flare (EQT 0088). Instability in the OL-5 cold side propylene refrigeration compressor (PRC) system, deethanizer, and depropanizer columns resulted in off-spec product make and subsequent flaring to stabilize unit operations. The PRC instability was caused by the loss of refrigerant flow due to mechanical failure of the valve linkage arm on PCV 5412B (PRC 4th stg inlet pressure control). To prevent recurrence, the control valve was modified to upgrade the linkage arm and the valve was added to the preventative maintenance schedule. The Respondent determined the incident was preventable. The tables below list the emission source(s), the pollutant(s), and the duration(s) for the incident.

EQT 0087 OL-5 Elevated Flare	CO	14	101.00	13,291.13
	NO _x	14	18.50	2,444.03
	PM _{102.5}	14	3.48	411.33
	VOC	14	109.00	16,198.39
	1,3- Butadiene	14	0.74	1,359.12

EQT 0088 OL-5 Ground Flare	CO	15	89.20	5,868.17
	NO _x	15	16.40	1,078.95
	PM _{102.5}	15	3.08	203.10
	VOC	15	107.00	7,359.37
	1,3- Butadiene	15	0.74	588.03

- A. Each failure to operate control equipment, any device or contrivance, operating procedure or abatement scheme to prevent or reduce air pollution, in the proper manner is a violation of Specific Requirement 1128 of Title V Permit No. 2520-V6, LAC 33:III.905.A, and La. R.S. 30:2057(A)(2).
- B. Each exceedance of a permitted emission limit is a violation of Title V Permit No. 2520-V6, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

VI.

The Department received an Unauthorized Discharge Notification Report for Incident No. T186315 dated August 20, 2018, and a Follow-up Notification Report dated October 11, 2018. According to the reports, on August 14, 2018, the OP-1 Unit experienced an upset due to the loss of the demethanizer column reboiler level, due to drift in a level transmitter indicating a false level, which lead to an off-spec incident. The demethanizer tops and bottoms material that was off-spec was sent to the GO-1 Elevated Flare (EQT 0056).

EQT 0056 GO-1 Flare	CO	2	40.18	4,073.60
	VOC	2	36.30	3,453.03
	NO _x	2	7.39	749.35
	PM	2	0.81	82.08
	1,3-Butadiene	2	2.16	262.26
	Benzene	2	1.61	53.63
	Toluene	2	0.17	3.77
	n-hexane	2	0.04	38.12

- A. Failure to operate control equipment, any device or contrivance, operating procedure or abatement scheme to prevent or reduce air pollution, in the proper manner is a violation of Specific Requirement 1164 of Title V Permit No. 2520-V7, LAC 33:III.905.A, and La. R.S. 30:2057(A)(2).
- B. Each exceedance of a permitted emission limit is a violation of Title V Permit No. 2520-V7, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

VII.

On or about January 26, 2019 through May 3, 2019, the Department conducted a compliance audit to determine the degree of compliance with the Chemical Accident Prevention Provisions (CAPP) set forth in 40 CFR 68. While the Department's investigation is not yet complete, the following violation was discovered during the course of the audit:

The Respondent failed to document the data used to estimate population and environmental receptors potentially affected. The Respondent's contractor could not produce defined environmental receptors for the offsite consequence analyses (OCA). Data to document the affected population of the flammable worst-case scenario was also not available. Failure to maintain the required documentation for the hazard assessments is a violation of 40 CFR 68.39(e), which language has been incorporated by reference as Louisiana Regulation LAC 33:III.5901.A, and La. R.S. 30:2057(A)(2).

After the compliance audit, the Respondent provided documentation showing all of the missing receptors were subsequently documented.

VIII.

The Department received an Unauthorized Discharge Notification Report for Incident No. T191824 dated June 24, 2019, and a Follow-Up Report dated August 12, 2019. According to the reports, on June 19, 2019, the GO-1 Unit experienced a loss of 650-pound steam to the unit during a relief valve mitigation procedure. The isolation valve for the relief valve was in close proximity to the 650-pound steam valve, which was inadvertently closed. This caused the propylene refrigerant compressor (PRC) and ethylene refrigerant compressor (ERC) to slow down, which led to the C2 Splitter column pressure increasing. C2 Splitter tops material was relieved to the GO-1 Elevated Flare (EQT 0056), the West Ops Ground Flare, and through an atmospheric relief valve. The Respondent determined the incident was preventable. The table below lists the emission source, the pollutants, and the duration for the incident.

Emission Point	Pollutant	Duration (hr)	Weighted Average Concentration (ppm)	Weighted Average Concentration (ppb)	Quantity Released (lb)
EQT 0056 GO-1 Flare	I,3-Butadiene	3	2.16	34.51	30.19
	Benzene	3	1.61	59.26	56.04
	CO	3	40.18	1,392	1,271
	NO _x	3	7.39	258.2	236.0
	PM	3	0.81	28.08	25.64
	Toluene	3	0.17	36.64	36.30
	n-hexane	3	0.04	14.11	14.03
	SO ₂	3	10.07	54.59	34.45
	VOC	3	36.31	1,556	1,447

- A. Failure to operate control equipment, any device or contrivance, operating procedure or abatement scheme to prevent or reduce air pollution, in the proper manner is a violation of Specific Requirement 1185 of Title V Permit No. 2520-V8, LAC 33:III.905.A, and La. R.S. 30:2057(A)(2).
- B. Each exceedance of a permitted emission limit is a violation of Title V Permit No. 2520-V8, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

IX.

On or about January 2, 2020, the Department conducted a file review to determine the Respondent's degree of compliance with the Act, the Air Quality Regulations, and all applicable permits.

While the review is not yet complete, the Department noted the violations found in Paragraphs XI-XIII of the Findings of Fact portion of this enforcement action.

X.

The Respondent reported the following violations of permitted operating parameters:

A.	2018 Second Semiannual Monitoring Report (03/28/2019)	2520-V7	EQT 0088 OL-5 Ground Flare	11/07/2018 (20 minutes)	Design and operated for no visible emissions, as determined by the methods specified in 40 CFR 60.18(f), except for periods not to exceed a total of 5 minutes during any two consecutive hours.	80-5 Unit Post Fract upset caused 1,3-butadiene to be sent to the flare. The auto steam adjusted rate to the flare was not adequate to prevent smoking due to 1,3-butadiene being heavier. OL-5 Ground Flare is designed and accustomed to receive lighter streams with compensatory steam flows.	40 CFR 60.18(c)(1), Specific Requirement 376
B.	2018 Second Semiannual Monitoring Report (03/28/2019)	2283-V4	EQT 0021 Boiler 7	07/29/2018 (2:13 hours)	Opacity <=20% except for one six-minute period per hour of not more than 27% opacity	An increase in richer fuel in the FGS occurred at the time of the opacity along with a reduction in natural gas feed and Boiler 7 O ₂ . A second spike in opacity occurred moments after the boiler was backed down which could have been a fogged lens due to the temperature changes in the stack or residual particles on the lens being blown in front of it when the purge air was put on the lens.	40 CFR 60.42(a)(2), Specific Requirement 75

C.	2018 Second Semiannual Monitoring Report (03/28/2019)	3047-V4	EQT 0010 Utilities East Flare	12/18/2018 (1 minute)	Operate with a flame present at all times, as determined by the methods specified in 40 CFR 60.18(f)(2)	While working on the flare for the environmental flare RTR Project, the 175-pound steam header condensate drain was blocked in. The condensate drains were not reopened after the work was complete. As normal operations continued, steam was increased to the flare, which then caused condensate to exit out of the flare putting out the pilots.	40 CFR 60.18(c)(2), Specific Requirement 141
D.	2018 Second Semiannual Monitoring Report (03/28/2019)	2283-V4	EQT 0021 Boiler 7	12/28/2018 (2:59 hours)	Nitrogen Oxide <=0.20 lb/MMBTU	The boiler was ramped up due to anticipation of heavy rainfall. The control loop is designed in a way that after the steam set point is increased, then the boiler will increase oxygen to keep up with the air to fuel ratio. This causes a problem when NOx is increasing. Following this event, it was discovered that there were multiple upper burners lit which makes it more likely that possible higher NOx emissions could occur.	40 CFR 60.44, Specific Requirement 77
E.	2019 First Semiannual Monitoring Report (09/26/2019)	2283-V4	EQT 0021 Boiler 7	01/09/2019 (8:24 hours)	Nitrogen Oxide <=0.20 lb/MMBTU	Boiler 9 was coming down for RV maintenance and the other boilers had to increase production to keep up with the steam demand. With the Boilers already at elevated capacity levels, a refinery unit began the Decoke Process which dropped the pressure in the headers.	40 CFR 60.44, Specific Requirement 77

Each failure to operate according to permitted requirements is a violation of any applicable permit and associated requirement(s) listed above, LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1), and 30:2057(A)(2).

XI.

The Respondent reported the following emission exceedances:

A.	2018 First Semiannual Monitoring Report (09/25/2018)	2520-V6	EQT 0087 OL-5 Elevated Flare	01/10/2018 (1 hour)	CO (101.00 max lb/hr)	Not reported	A valve malfunctioned that resulted in a swing of the OL-5 cold side and OL-5 fuel gas system. The packing was tightened to eliminate the leak. Instrument mechanics straightened and bolted the linkage to the stem block.
					NOx (18.50 max lb/hr)	Not reported	
					PM (3.48 max lb/hr)	Not reported	
					VOC (109.00 max lb/hr)	Not reported	
					1,3-butadiene (0.74 max lb/hr)	Not reported	
					Benzene (0.89 max lb/hr)	Not reported	
					Ethylbenzene (<0.001 max lb/hr)	Not reported	
					Toluene (0.01 max lb/hr)	Not reported	
					Xylene (<0.001 max lb/hr)	Not reported	
B.	Final Unauthorized Discharge Notification Report for Incident No. T183283 (05/03/2018)	2520-V6	EQT 0087 OL-5 Elevated Flare	03/05/2018 (3:13 hours)	CO (101.00 max lb/hr)	141.97 lb/hr	The OL-5 Unit experienced an upset that resulted in flaring. The unit upset was caused by a malfunctioning level transmitter and an inadvertent response from operations that led to flaring. The Respondent determined the incident was preventable.
					NOx (18.50 max lb/hr)	26.12 lb/hr	
	PM (3.48 max lb/hr)				4.92 lb/hr		
	VOC (109.00 max lb/hr)				150.25 lb/hr		
C.	Final Unauthorized Discharge Notification Report for Incident No. T183283 (05/03/2018)	2520-V6	EQT 0088 OL-5 Ground Flare	03/05/2018 (3:13 hours)	CO (89.20 max lb/hr)	257.52 lb/hr	The OL-5 Unit experienced an upset that resulted in flaring. The unit upset was caused by a malfunctioning level transmitter and an inadvertent response from operations that led to flaring. The Respondent determined the incident was preventable.
					NOx (16.40 max lb/hr)	47.38 lb/hr	
	PM (3.08 max lb/hr)				8.91 lb/hr		
	VOC (107.00 max lb/hr)				273.26 lb/hr		
D.	2018 First Semiannual Monitoring Report (09/25/2018)	2520-V6	EQT 0056 GO-1 Elevated Flare	05/09/2018- 05/11/2018 (51:42 hours)	CO (0.06 max lb/hr)	Not reported	GO-1 Pressure swing absorber (PSA) tripped due to extended absorption time, this resulted in flaring at the GO-1 EF. The cause of the PSA trip was traced to multiple valve failures. The valve failures were due to missing caps; the caps were installed and the valves and PSA returned to operation.
					NOx (0.34 max lb/hr)	Not reported	
					PM (0.06 max lb/hr)	Not reported	
					VOC (1.46 max lb/hr)	Not reported	
					SO ₂ (0.11 max lb/hr)	Not reported	

E.	Final Unauthorized Discharge Notification Report for Incident No. T184917 (09/21/2018)	2520-V6	EQT 0088 OL-5 Ground Flare	05/24/2018-05/25/2018 (21:51 hours)	1,3-butadiene (0.74 max lb/hr)	2.49 lb/hr	BD-5 Unit experienced a compressor trip that resulted in flaring at the OL-5 Ground Flare. The flaring was caused by the compressor trip because of the CPPD (control power protective device) had an electrical failure. The Respondent determined the incident was preventable.
	2018 First Semiannual Monitoring Report (09/25/2018)						
F.	2018 Second Semiannual Monitoring Report (03/28/2019)	2520-V7	EQT 0056 GO-1 Elevated Flare	10/22/2018-10/24/2018 (56:00 hours)	CO (40.18 max lb/hr)	Not reported	GO-1 North's Pressure Swing Absorber (PSA) tripped because of a faulty solenoid. The faulty solenoid caused a valve to remain inactive and led to flaring at the GO-1 elevated flare. Further investigation determined that particulate build up in the solenoid caused the malfunction.
					NOx (7.39 max lb/hr)	Not reported	
					PM (0.81 max lb/hr)	Not reported	
G.	2018 Second Semiannual Monitoring Report (03/28/2019)	3047-V4	EQT 0010 Utilities East Flare	12/18/2018 (1 minute)	VOC (78.91 max lb/hr)	Not reported	While working on the flare for the environmental flare RTR Project, the 175-pound steam header condensate drain was blocked in. The condensate drains were not reopened after the work was complete. As normal operations continued, steam was increased to the flare, which then caused condensate to exit out of the flare putting out the pilots.
					1,3 Butadiene (0.55 max lb/hr)	Not reported	
H.	2019 First Semiannual Monitoring Report (09/26/2019)	3047-V4	EQT 0010 Utilities East Flare	01/11/2019 (1:25 hours)	VOC (78.91 max lb/hr)	Not reported	The RCCU main fractionator experienced a salting event which initiated a unit upset. During the upset, light gasoline from RGHT was sent to the Fuel Gas Blend Drum. Due to the increase in level, vapor flowed to the UE Flare.
					CO (80.63 max lb/hr)	Not reported	
					NOx (14.82 max lb/hr)	Not reported	
					Benzene (0.79 max lb/hr)	Not reported	
					Toluene (0.07 max lb/hr)	Not reported	
					2,2,4-trimethylpentane (0.01 max lb/hr)	Not reported	
PM _{10/2.5} (2.79 max lb/hr)	Not reported						

I.	2019 First Semiannual Monitoring Report (09/26/2019)	3047-V4	EQT 0010 Utilities East Flare	01/13/2019 (29 minutes)	VOC (78.91 max lb/hr)	Not reported	DU-5 flared to the UE from the sour water drum
					CO (80.63 max lb/hr)	Not reported	
					NOx (14.82 max lb/hr)	Not reported	
					PM _{10/2.5} (2.79 max lb/hr)	Not reported	
					Benzene (0.79 max lb/hr)	Not reported	
					Hexane (10.45 max lb/hr)	Not reported	
J.	2019 First Semiannual Monitoring Report (09/26/2019)	3047-V4	EQT 0010 Utilities East Flare	05/30/2019 (36 minutes)	Benzene (0.79 max lb/hr)	Not reported	DIH experienced a unit upset causing over-pressuring and flaming to the UE Flare.
					Toluene (0.07 max lb/hr)	Not reported	
					2,2,4-trimethylpentane (0.01 max lb/hr)	Not reported	
K.	2019 First Semiannual Monitoring Report (09/26/2019)	2520-V8	EQT 0056 OL-5 Elevated Flare	03/05/2019 (1:59 hours)	VOC (36.31 max lb/hr)	Not reported	The third generation ethane line plugged due to low ambient temperatures. Approximately 50 mib/hr of import ethane was lost to OL-5. Operations removed two ethane furnaces from the unit which resulted in an operational swing of the coldside. This ultimately resulted in swing of the depropanizer and led to a low flow trip at 3:03 of the MAP converters. Flaring of propylene continued until the MAP converters were restarted at 5:32.

Each emission exceedance is a violation of any applicable permit and associated requirement(s) listed above, LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1), and 30:2057(A)(2).

XII.

The Respondent reported the following deviations from fugitive emission requirements:

A.	2018 First Semiannual Monitoring Report (09/25/2018)	2520-V6	FUG 0003 BD-5 Fugitive Emissions	1H2018	An open-ended line (OEL) was found in the BD-5 Unit.	40 CFR 63.167, Specific Requirement 827
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B.	2018 Second Semiannual Monitoring Report (03/28/2019)	2520-V7	FUG 0006 GO-1 and OP-1 Fugitive Emissions	2H2018	Three (3) OELs were discovered in the GO-1 Unit	40 CFR 63.167, Specific Requirement 887
C.	2019 First Semiannual Monitoring Report (09/26/2019)	2520-V8	FUG 0006 GO-1 and OP-1 Fugitive Emissions	1H2019	Three (3) OELs were discovered in the GO-1/OP-1 Unit	40 CFR 63.167, Specific Requirement 905
D.	2019 First Semiannual Monitoring Report (09/26/2019)	2520-V8	FUG 0007 OL-5 Fugitive Emissions	1H2019	Eleven (11) OELs were discovered in the OL-5 Unit	40 CFR 63.167, Specific Requirement 1001

Each failure to meet fugitive emission requirements is a violation of any applicable permit and associated requirement(s) listed above, LAC 33:III.501.C.4, LAC 33:III.2122.C.3, La. R.S. 30:2057(A)(1), and 30:2057(A)(2).

COMPLIANCE ORDER

Based on the foregoing, the Respondent is hereby ordered:

I.

To take, immediately upon receipt of this **COMPLIANCE ORDER**, any and all steps necessary to meet and maintain compliance with the Act, the Air Quality Regulations, and all applicable permits.

II.

To submit to the Enforcement Division, within thirty (30) days after receipt of this **COMPLIANCE ORDER**, the actual opacity for the violation cited in Paragraph X.B of the **FINDINGS OF FACT** portion of this action.

III.

To submit to the Enforcement Division, within thirty (30) days after receipt of this **COMPLIANCE ORDER**, the actual NOx limit (in lb/MMBtu) and/or the emissions in excess of the permitted limits (in lbs.) for the violations cited in Paragraph X.D-E of the **FINDINGS OF FACT** portion of this action.

IV.

To submit to the Enforcement Division, within thirty (30) days receipt of this **COMPLIANCE ORDER**, the emissions in excess of the permitted limits (in lbs) for the violations cited in Paragraph XI.A-K of the **FINDINGS OF FACT** portion of the action.

V.

To submit to the Enforcement Division, within thirty (30) days after receipt of this **COMPLIANCE ORDER**, a written report that includes a detailed description of the circumstances

surrounding the cited violations and actions taken or to be taken to achieve compliance with the Order Portion of this **COMPLIANCE ORDER**. This report and all other reports or information required to be submitted to the Enforcement Division by this **COMPLIANCE ORDER** shall be submitted to:

Office of Environmental Compliance
Post Office Box 4312
Baton Rouge, Louisiana 70821-4312
Attn: Antoinette Cobb
Re: Enforcement Tracking No. AE-CN-19-01182
Agency Interest No. 26336

THE RESPONDENT SHALL FURTHER BE ON NOTICE THAT:

I.

The Respondent has a right to an adjudicatory hearing on a disputed issue of material fact or of law arising from this **COMPLIANCE ORDER**. This right may be exercised by filing a written request with the Secretary no later than thirty (30) days after receipt of this **COMPLIANCE ORDER**.

II.

The request for an adjudicatory hearing shall specify the provisions of the **COMPLIANCE ORDER** on which the hearing is requested and shall briefly describe the basis for the request. This request should reference the Enforcement Tracking Number and Agency Interest Number, which are located in the upper right-hand corner of the first page of this document and should be directed to the following:

Department of Environmental Quality
Office of the Secretary
Post Office Box 4302
Baton Rouge, Louisiana 70821-4302
Attn: Hearings Clerk, Legal Division
Re: Enforcement Tracking No. AE-CN-19-01182
Agency Interest No. 26336

III.

Upon the Respondent's timely filing a request for a hearing, a hearing on the disputed issue of material fact or of law regarding this **COMPLIANCE ORDER** may be scheduled by the Secretary of the Department. The hearing shall be governed by the Act, the Administrative Procedure Act (La. R.S. 49:950, et seq.), and the Division of Administrative Law (DAL) Procedural Rules. The Department may amend or supplement this **COMPLIANCE ORDER** prior to the hearing, after providing sufficient notice and an opportunity for the preparation of a defense for the hearing.

IV.

This **COMPLIANCE ORDER** shall become a final enforcement action unless the request for hearing is timely filed. Failure to timely request a hearing constitutes a waiver of the Respondent's right to a hearing on a disputed issue of material fact or of law under Section 2050.4 of the Act for the violation(s) described herein.

V.

The Respondent's failure to request a hearing or to file an appeal or the Respondent's withdrawal of a request for hearing on this **COMPLIANCE ORDER** shall not preclude the Respondent from contesting the findings of facts in any subsequent penalty action addressing the same violation(s), although the Respondent is estopped from objecting to this **COMPLIANCE ORDER** becoming a permanent part of its compliance history.

VI.

Civil penalties of not more than twenty-seven thousand five hundred dollars (\$27,500) for each day of violation for the violation(s) described herein may be assessed. For violations which occurred on August 15, 2004, or after, civil penalties of not more than thirty-two thousand five hundred dollars (\$32,500) may be assessed for each day of violation. The Respondent's failure or refusal to comply with this **COMPLIANCE ORDER** and the provisions herein will subject the Respondent to possible enforcement procedures under La. R.S. 30:2025, which could result in the assessment of a civil penalty in an amount of not more than fifty thousand dollars (\$50,000) for each day of continued violation or noncompliance.

VII.

For each violation described herein, the Department reserves the right to seek civil penalties in any manner allowed by law, and nothing herein shall be construed to preclude the right to seek such penalties.

NOTICE OF POTENTIAL PENALTY

I.

Pursuant to La. R.S. 30:2050.3(B), you are hereby notified that the issuance of a penalty assessment is being considered for the violation(s) described herein. Written comments may be filed regarding the violation(s) and the contemplated penalty. If you elect to submit comments, it is requested that they be submitted within ten (10) days of receipt of this notice.

II.

Prior to the issuance of additional appropriate enforcement action(s), you may request a meeting with the Department to present any mitigating circumstances concerning the violation(s). If you would like to have such a meeting, please contact Antoinette Cobb at (225) 219-3072 within ten (10) days of receipt of this **NOTICE OF POTENTIAL PENALTY**.

III.

The Department is required by La. R.S. 30:2025(E)(3)(a) to consider the gross revenues of the Respondent and the monetary benefits of noncompliance to determine whether a penalty will be assessed and the amount of such penalty. Please forward the Respondent's most current annual gross revenue statement along with a statement of the monetary benefits of noncompliance for the cited violation(s) to the above named contact person within ten (10) days of receipt of this **NOTICE OF POTENTIAL PENALTY**. Include with your statement of monetary benefits the method(s) you utilized to arrive at the sum. If you assert that no monetary benefits have been gained, you are to fully justify that statement. If the Respondent chooses not to submit the requested most current annual gross revenues statement within ten (10) days, it will be viewed by the Department as an admission that the Respondent has the ability to pay the statutory maximum penalty as outlined in La. R.S. 30:2025.

IV.

The Department assesses civil penalties based on LAC 33:I.Subpart1.Chapter7. To expedite closure of this **NOTICE OF POTENTIAL PENALTY** portion, the Respondent may offer a settlement amount to resolve any claim for civil penalties for the violation(s) described herein. The Respondent may offer a settlement amount, but the Department is under no obligation to enter into settlement negotiations. The decision to proceed with a settlement is at the discretion of the Department. The settlement offer amount may be entered on the attached "**CONSOLIDATED COMPLIANCE ORDER AND NOTICE OF POTENTIAL PENALTY REQUEST TO CLOSE**" form. The Respondent must include a justification of the offer. **DO NOT** submit payment of the offer amount with the form. The Department will review the settlement offer and notify the Respondent as to whether the offer is or is not accepted.

V.

This **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY** is effective upon receipt.

Baton Rouge, Louisiana, this 8th day of April, 2020.

LI

Lourdes Iturralde
Assistant Secretary
Office of Environmental Compliance

Copies of a request for a hearing and/or related correspondence should be sent to:

Louisiana Department of Environmental Quality
Office of Environmental Compliance
Enforcement Division
P.O. Box 4312
Baton Rouge, LA 70821-4312
Attention: Antoinette Cobb



LOUISIANA DEPARTMENT OF ENVIRONMENTAL QUALITY
 OFFICE OF ENVIRONMENTAL COMPLIANCE
 ENFORCEMENT DIVISION CONSOLIDATED COMPLIANCE ORDER &
 POST OFFICE BOX 4312 NOTICE OF POTENTIAL PENALTY
 BATON ROUGE, LOUISIANA 70821-4312 REQUEST TO CLOSE

Enforcement Tracking No.	AE-CN-19-01182	Contact Name	Antoinette Cobb
Agency Interest (AI) No.	26336	Contact Phone No.	(225) 219-3072
Alternate ID No.	2520-00079		
Respondent:	Shell Chemical LP	Facility Name:	Shell Norco Chemical Plant-East Site
	c/o C T Corporation System	Physical Location:	15536 River Road
	Agent for Service of Process		
	3867 Plaza Tower Drive	City, State, Zip:	Norco, LA 70079
	Baton Rouge, LA 70816	Parish:	St. Charles

STATEMENT OF COMPLIANCE

STATEMENT OF COMPLIANCE	Date Completed	Copy Attached?
A written report was submitted in accordance with Paragraph V of the "Order" portion of the COMPLIANCE ORDER.		
All necessary documents were submitted to the Department within 30 days of receipt of the COMPLIANCE ORDER in accordance with Paragraph(s) II-IV of the "Order" portion of the COMPLIANCE ORDER.		
All necessary documents were submitted to the Department within 45 days of receipt of the COMPLIANCE ORDER in accordance with Paragraph(s) ? of the "Order" portion of the COMPLIANCE ORDER.		
All necessary documents were submitted to the Department within 90 days of receipt of the COMPLIANCE ORDER in accordance with Paragraph(s) ? of the "Order" portion of the COMPLIANCE ORDER.		
All items in the "Findings of Fact" portion of the COMPLIANCE ORDER were addressed and the facility is being operated to meet and maintain the requirements of the "Order" portion of the COMPLIANCE ORDER. Final compliance was achieved as of:		

SETTLEMENT OFFER (OPTIONAL)

(check the applicable option)

<input type="checkbox"/>	The Respondent is not interested in entering into settlement negotiations with the Department with the understanding that the Department has the right to assess civil penalties based on LAC 33:1.Subpart1.Chapter7.
<input type="checkbox"/>	In order to resolve any claim for civil penalties for the violations in NOTICE OF POTENTIAL PENALTY (AE-CN-19-01182), the Respondent is interested in entering into settlement negotiations with the Department and would like to set up a meeting to discuss settlement procedures.
<input type="checkbox"/>	In order to resolve any claim for civil penalties for the violations in NOTICE OF POTENTIAL PENALTY (AE-CN-19-01182), the Respondent is interested in entering into settlement negotiations with the Department and offers to pay \$ _____ which shall include LDEQ enforcement costs and any monetary benefit of non-compliance. <ul style="list-style-type: none"> • Monetary component = \$ _____ • Beneficial Environmental Project (BEP) component (optional)= \$ _____ • DO NOT SUBMIT PAYMENT OF THE OFFER WITH THIS FORM- the Department will review the settlement offer and notify the Respondent as to whether the offer is or is not accepted.
<input type="checkbox"/>	The Respondent has reviewed the violations noted in NOTICE OF POTENTIAL PENALTY (AE-CN-19-01182) and has attached a justification of its offer and a description of any BEPs if included in settlement offer.

CERTIFICATION STATEMENT		
<p><i>I certify, under provisions in Louisiana and United States law that provide criminal penalties for false statements, that based on information and belief formed after reasonable inquiry, the statements and information attached and the compliance statement above, are true, accurate, and complete. I also certify that I do not owe outstanding fees or penalties to the Department for this facility or any other facility I own or operate. I further certify that I am either the Respondent or an authorized representative of the Respondent.</i></p>		
Respondent's Signature	Respondent's Printed Name	Respondent's Title
Respondent's Physical Address	Respondent's Phone #	Date
MAIL COMPLETED DOCUMENT TO THE ADDRESS BELOW:		
<p>Louisiana Department of Environmental Quality Office of Environmental Compliance Enforcement Division P.O. Box 4312 Baton Rouge, LA 70821 Attn: Antoinette Cobb</p>		