

Air/Citizen Suit Enforcement: Clean Air Council Notice of Intent to Sue Beaver County, Pennsylvania, Chemical Facility



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The Clean Air Council and Environmental Integrity Project (collectively, “CAC”) sent a Clean Air Act Notice of Intent to Sue (“NOI”) on February 2nd to the Shell Oil Company addressing its Shell Polymers Monaca Site (“Facility”) in Beaver County, Pennsylvania.

The NOI alleges that the Facility has violated or is in violation of the following:

- Clean Air Act
- Pennsylvania State Implementation Plan
- Pennsylvania Air Pollution Control Act
- Clean Air Act Permit

The NOI categorizes the alleged violations as:

- Emission of air pollutants and visible emissions in amounts in excess of, and not authorized by, the applicable permit
- Failure to operate and maintain the Facility according to the application/conditions of the permit

The NOI states that a lawsuit will be filed pursuant to the citizen suit provisions of the Clean Act and Pennsylvania Air Pollution Control Act unless the alleged violations are addressed in a settlement.

The alleged violations include:

- Violations of Site-Wide, 12-Month Rolling VOC Emission Limitation
- Violations of Hourly Average NOx Emissions from the Combustion Turbine/Duct Burners
- Violations of Hourly Average CO Emissions from the Combustion Turbine/Duct Burners
- Violations of Visible Emissions Prohibition from Flares and Incinerators

A copy of the NOI can be downloaded [here](#).