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EPA cites Shell Yubacoa for second water pollution violation

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WASHINGTON, DC, Sept. 8 -- The US Environmental Protection Agency cited Shell Chemical Yabucoa Inc. in Puerto Rico on Sept. 3 for violating the federal Clean Water Act for the second time in a year.

EPA's Region 2 office in New York said that the refining and petrochemical plant improperly maintained deep ocean outfall equipment it operates under an EPA permit under the National Pollutant Discharge Elimination System (NPDES) and discharged unauthorized pollutants as a result. It issued a complaint, in which it has proposed a \$153,057 penalty, and a compliance order.

Specifically, EPA said that the Shell Chemical affiliate violated the permit's terms by unlawfully discharging the pollutants into navigable waters for 14 days, and by not properly operating a multiport diffuser pipeline for 105 days.

According to the complaint, Shell Yabucoa admitted that a leak from its diffuser pipeline began on or about Feb. 25 and claimed that it stopped discharging from the pipe on Mar. 2. But the company later reported that it discharged through the pipeline during 14 days from Feb. 27 to Mar. 30, EPA said.

The federal environmental regulator's latest complaint against the firm followed a \$1.025 million fine that Shell Chemical Yabucoa paid in May for similar violations. EPA said that fine stemmed from a Dec. 31, 2008, report indicated that two or three of Shell Chemical Yabucoa's diffuser ports were blocked by sand.

It said it accordingly issued an administrative compliance order (ACO) in March that required Shell Yabucoa to submit a plan to repair the leak and properly operate all ports of the diffuser. Despite the ACO, Shell failed to properly operate and maintain the diffuser from at least Dec. 31, 2008, to Apr. 15, 2009. That failure, in conjunction with the unauthorized discharges in February and March, led EPA to issue the most recent complaint, the agency said.

Shell Chemical bought the installation at Yabucoa from Sunoco Inc. in January 2002 to produce chemical feedstock for its plants in Norco, La., and Deer Park, Tex., as well as refined products for customers in Puerto Rico.

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