

Refinery warned of alleged air quality violations

By **John M. Biers**
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State environmental officials Friday alleged serious air quality violations at Motiva Enterprises LLC of Norco and asked the refinery to supply more data that could reveal additional violations.

The Louisiana Department of Environmental Quality issued a "notice of potential penalty" against the refinery and asked for more information on emissions from the plant's cat cracker unit, which was reb-

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Norco plant ma

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uilt after exploding in 1988. The actions signal an unusually aggressive stance for an agency known for its cooperative approach towards industry.

The notice, which does not contain a proposed fine, is the first formal step in the state's enforcement process. A top DEQ enforcement official said he expected the final result to be a "significant" penalty.

"We look at these as very serious violations of the regulations," said Bruce Hammatt, administrator of enforcement at DEQ.

Hammatt said the agency believes Motiva's violations number in the hundreds. They are divided into 26 problem areas in a lengthy document that was mailed to the plant Friday.

He said he couldn't assess the public health threats of the additional air emissions of toxins and other chemicals resulting from the alleged violations, but that the issue would be addressed as the agency computes a fine.

"Did they damage someone's health? I do not have any evidence to determine that one way or another," Hammatt said.

T. Allen Kirkley, plant manager at Motiva, cautioned Friday that he couldn't comment extensively on the actions because he had not seen the full complaint. Kirkley, reacting to a terse one-page statement released by DEQ Friday evening, said the plant had addressed all problems discovered by DEQ during a joint inspection with federal environmental officials last summer.

He said the refinery was in close contact with DEQ on the complaint and would continue to cooperate with any additional information requests.

"We have taken corrective action on all of the areas that were identified," Kirkley said.

Friday's action by DEQ, which follows a series of investigations over the last year, signals a new round of trouble for one of the most prominent chemical plants in the New Orleans area. For decades, the facility was known as the Shell Norco refinery. The refinery became part of Motiva in 1998, following Shell's joint-venture with Texaco and Saudi Aramco.

rebuild the cat cracker, Hammatt said. The agency hopes to review emissions from the unit both before and after the 1988 explosion to check whether Motiva violated the permit to rebuild the unit, Hammatt said.

In 1990, federal and state inspectors identified numerous leaks and operational problems at the refinery. The government fined Shell \$1 million instead of \$4 million after the refinery agreed to implement a series of environmental measures.

In recent years, the Motiva refinery and Shell Chemical plant

ay face 'significant' penalties

have generated intense criticism from community activists in the Diamond neighborhood because of its environmental performance. Last year, a national environmental group rated the plant one of the nation's worst in a study that was strongly disputed by the company.

Reached late Friday, Hammatt was able to offer details on a handful of the potential violations found by the company. Hammatt said many of the violations involve components the company failed to identify and monitor for leaks. Federal and state law requires refineries to

check thousands of "fugitive emissions" points located throughout the complex.

Among the 26 problem areas, Hammatt said the biggest involves a group of several hundred components that Motiva proactively disclosed as out of compliance. Although voluntary disclosure is viewed as a mitigating factor in assessing fines, Hammatt noted 25 of the 26 areas of alleged violations were discovered by investigators in routine inspections or following community complaints.

The DEQ news release said the

refinery also faulted Motiva's operations in the loading of gasoline onto river barges.

Motiva's Kirkley said plant policy dictates the refinery voluntarily disclose violations whenever they are discovered. As to why DEQ found so many problems that were not voluntarily disclosed by the refinery, Kirkley said some of the violations may stem from differences in interpretation with regulators, and others were not discovered prior to an agency inspection. He said the plant has met with DEQ repeatedly to discuss the cat

cracker permit as received. "Those discussions (cat cracker) are well-documented," Kirkley said. "Motiva is very committed to environmental excellence and compliance."

Motiva has 10 days to file the notice of potential violation and 45 days to respond to a corrective order. After the agency will begin enforcement, whether the company is fined based on a series of violations, including past history, compliance.

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Motiva and the adjoining Shell Chemical plant produce gasoline, jet fuel and a variety of specialty chemicals from crude oil. The plants employ about 700 each.

In 1988, the refinery shook the community over which it towers when an explosion in a cat cracker unit killed seven people. A cat cracker is a high-pressure and heat unit used to break down molecules to form a variety of chemical products from crude oil.

The administrative order for more data concerns the permit to
