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Ocean Point Terminals Halts Effort to End Water Distribution Program Amid Legal Battle

In a sudden legal pivot, Limetree Bay Terminals, now Ocean Point, retracts request to stop water aid for communities hit by 2021 oil incident

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Flare incident at Limetree Bay during the afternoon of Wed. May 12. The flare appears to have damaged the upper portion of the unit, though it was unclear the extent of the damage. By. ERNICE GILBERT, V.I. CONSORTIUM

In a terse notice filed with the District Court of the Virgin Islands on Thursday, Ocean Point Terminals — formerly Limetree Bay Terminals — indicated that it had withdrawn its request for the court to dissolve the preliminary injunction that currently requires it to maintain a water distribution program for those who were affected by the flaring incidents that [misted oil](#) over

several St. Croix communities in 2021.

Earlier this month, the entity which now does business as Ocean Point Terminals had argued that the [low participation rate](#) in the program proved that it was not necessary. According to figures that had been presented to the court, only 290 of the “allegedly potential thousands of claimants” had applied for the program, and just 124 of those applications were approved.

However, the proportion of residents who actually utilized the program was even smaller, said Ocean Point, with only 38 households collecting more than half of the water they were entitled to. Twelve eligible households had not picked up any water at all since the program’s launch. According to Ocean Point, the data shows that “if a water emergency ever existed, it does not exist at this time.”

The company had petitioned the court to allow it to cease the water distribution program, which it says has cost almost \$300,000 in administrative and operating costs while handing out less than \$45,000 worth of water.

On the other hand, the plaintiffs in the purported class-action suit argued that the number of applications demonstrates that a number of people “have been irreparably harmed and are seeking remedy for that harm.” They said the data presented by Ocean Point was taken in the preliminary stages of the distribution program’s operation, and thus does not necessarily represent the true need for and interest in the program.

Further to that, Ocean Point’s numbers show that approximately 140 people are in fact relying on the water distribution, and dissolution of the preliminary injunction would take away the precious resource from those who needed it most.

It is not currently clear why Ocean Point has withdrawn its motion for the court to dissolve the preliminary injunction, however the request came after a hearing on February 22 to address “the status of the Water Distribution Program and any issues associated therewith that require the Court’s attention.”