

The Virgin Islands Consortium

EPA Exercises Enforcement Discretion For Mobile Power Generators Imported For Use In USVI, PR

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WASHINGTON -- U.S. Environmental Protection Agency (EPA) announced today that it will exercise enforcement discretion for mobile power generators being imported into Puerto Rico and the U.S. Virgin Islands that will be used as emergency sources of power there as a result of Hurricanes Irma and Maria.

Under these "no action assurances" EPA will not pursue enforcement actions for certain violations of the Clean Air Act for mobile power generators that have not been certified to meet U.S. pollution control standards and are imported for use in Puerto Rico and the U.S. Virgin Islands.

EPA's no action assurance in Puerto Rico, which was previously issued on September 22, 2017, [was amended today](#) to broaden the categories of equipment subject to the no action assurance. Available information continues to indicate extreme damage to Puerto Rico's power grid, including near-total destruction to power transmission infrastructure. EPA's no action assurance in the [U.S. Virgin Islands was issued](#) due to currently reported conditions, including preliminary information about extreme damage to the U.S. Virgin Islands' power grid, including destruction of the power transmission infrastructure. These no action assurances cover mobile power generators that are imported before January 31, 2018.

EPA policy allows the Agency to issue no action assurances in cases where it is necessary to avoid extreme risks to public health and safety and where no other mechanism can adequately address the matter. EPA believes that the exercise of enforcement discretion in these circumstances is in the public interest and will help address the emergency circumstances in Puerto Rico and the U.S. Virgin Islands.