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Limetree Bay Slapped With Clean Air Act Violation Notice by EPA For Failing to Operate Sulfur Dioxide Monitors, Company May Face Civil Penalties

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The U.S. Environmental Protection Agency (EPA) said Monday it has issued a notice of violation to Limetree Bay Terminals, LLC (Limetree Bay) for alleged violations of the Clean Air Act for failing to operate five sulfur dioxide (SO₂) monitors in the surrounding communities of Christiansted on St. Croix and the associated weather tower on the facility grounds.

“EPA issued this notice of violation to protect the people who live near and work at this refinery, and we have also deployed a team of experts to St. Croix and are working to assess Limetree Bay’s compliance with environmental laws,” said EPA acting Regional Administrator Walter Mugdan. “Many residents are justifiably concerned about recent incidents at this refinery and have questioned if it is operating in accordance with requirements. In fact, the measurement of sulfur

dioxide in the atmosphere is key as it helps us assess air quality, and the data are used to oversee regulated facilities to ensure that appropriate control measures are in place to reduce people's exposure to the gas.”

The EPA said its notice to Limetree Bay found that the company has failed to operate five ambient SO₂ monitoring stations, two to the west of the refinery and three to the north of the refinery, as required by EPA's Prevention of Significant Deterioration and other regulations. The company also failed to operate a meteorological tower, the EPA said.

A major source of air pollution, such as Limetree Bay, is subject to controls under its air permits, the EPA further stated. Limetree Bay may be liable for civil penalties and required to take actions to correct the violations specified in the Notice of Violation (NOV) issued to it on April 30, 2021. Limetree Bay has been informed that it has the opportunity to request a video conference to discuss the NOV, and that 30 days following the issuance of the NOV, EPA is authorized to take further actions in response to the violations.

Short-term exposures to elevated levels of SO₂ can harm the human respiratory system and make breathing difficult. People with asthma, particularly children, are sensitive to these effects of SO₂. EPA's national and regional rules to reduce emissions of SO₂ and pollutants that form sulfur oxides help protect public health as well as aid state and local governments in meeting national air quality standards, said the federal agency.

Limetree Bay is in a community predominantly made up of people of color and low-income populations who are already disproportionately affected by environmental burdens, the EPA said. These disproportionate burdens present environmental justice concerns, [which are a priority for EPA](#).

Background

The Limetree Bay facility has experienced a series of releases and incidents that have sickened residents, including residents in an Environmental Justice community adjacent to the facility. A team of EPA experts arrived on April 30 and was joined by members of the Virgin Islands Department of Planning and Natural Resources to gather information about the recent incidents and conduct a preliminary assessment of the situation.

In two letters sent on April 1 and on April 30, EPA requested information from Limetree Bay regarding incidents that recently occurred at the refinery. EPA, in conjunction with D.P.N.R. and the V.I. Department of Health, is seeking to determine the level of the exceedances, the composition of the releases, the duration and cause of the incidents, the corrective actions taken or to be taken, the potential public health impacts, and how to best prevent future incidents.

Additionally, EPA has set in motion several additional sets of inspections at the facility over the course of the coming months to focus on compliance with various environmental statutes, according to the release. To protect the integrity of the enforcement process, EPA cannot at this time share specifics about, or dates of, these inspections.