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EPA Orders Pause of Limetree Bay Refining Operations

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Smoke and fire rise from Limetree Bay Energy on Wednesday afternoon following a massive flare incident at the plant's Coker Unit. By. VI CONSORTIUM

The U.S. Environmental Protection Agency said today that it has ordered Limetree Bay Terminals, LLC and Limetree Bay Refining, LLC to pause all operations at its St. Croix refinery due to multiple improperly conducted operations that present an imminent risk to public health.

Under its legal authorities in Clean Air Act Section 303, EPA may take this urgent measure when an entity's actions are substantially endangering public health, welfare, or the environment, according to the release. Limetree Bay is located in a community that is disproportionately affected by environmental burdens and its repeated incidents raise significant environmental

justice concerns, [which are a priority for EPA.](#)

“These repeated incidents at the refinery have been and remain totally unacceptable. Today, I have ordered the refinery to immediately pause all operations until we can be assured that this facility can operate in accordance with laws that protect public health,” said EPA Administrator Michael S. Regan. “This already overburdened community has suffered through at least four recent incidents that have occurred at the facility, and each had an immediate and significant health impact on people and their property. EPA will not hesitate to use its authority to enforce the law and protect people from dangerous pollution where they work, live, and play.”

Since February of this year, the refinery has experienced multiple major mishaps resulting in significant air pollutant and oil releases. EPA said it is working to lend relief and assistance to the surrounding St. Croix community, many of whose members have been sickened by some of the releases. Working with the USVI government, EPA is committed to ensuring that the facility operates in compliance with the law without jeopardizing people’s health and the environment.

On May 12, Limetree temporarily suspended operations following a serious incident that led to exceedance of the emission limit for sulfur dioxide (SO₂), a potent toxic gas, endangering the health of nearby communities. Under this order, Limetree is required to pause all refining operations at the facility, arrange for an independent audit of the facility operations, and submit a plan for EPA’s review and approval that addresses the auditors’ recommendations for corrective measures at the refinery.

Pursuant to the Clean Air Act, the order will remain in effect for 60 days, unless extended through the United States’ filing of a civil action in court. The refinery operations must remain paused until the order terminates, unless EPA makes a determination that operations can safely resume before then. Once refinery operations resume, Limetree must operate the refinery in a manner that does not present an imminent and substantial endangerment to the public and protects the health and welfare of residents living near the facility.

Background:

Amid concerns raised by and appeals filed by non-governmental organizations, members of the community and the company itself, on March 25, 2021 Mr. Regan withdrew a Clean Air Act Plantwide Applicability Limit (PAL) permit that had been previously issued on December 2, 2020.

On April 8, 2021, the U.S. Department of Justice, on behalf of EPA, filed a Motion to Enter the First and Second Modifications to a 2011 Consent Decree (CD). The 2011 CD resolved Clean Air Act violations of the prior owner, HOVENSA. The First Modification to the CD substitutes the facility’s new owner, Limetree Bay, for HOVENSA, and adds an environmental response trust, established during bankruptcy, as a party to the CD.

On April 1 and April 30, 2021, EPA issued letters under Section 114 of the CAA requesting information regarding the startup of certain process units, the Feb. 4, 2021 flaring event, Title V reporting, other accidental air releases, ambient SO₂ monitoring, and maintenance of certain boilers and process heaters. EPA, in conjunction with U.S. Virgin Islands Department of Planning and Natural Resources and U.S. Virgin Islands Department of Health, has been determining 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.

On April 30, EPA issued a notice of violation to Limetree Bay Terminals, LLC 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, U.S. Virgin Islands, and the associated weather tower on the facility grounds.

EPA said it will be monitoring the air near the Limetree Bay refinery. EPA experts will be monitoring for sulfur dioxide (SO₂) and hydrogen sulfide (H₂S) at strategically located fixed sampling stations. EPA will work to ensure that monitoring data is provided to the appropriate health experts for interpretation of any potential health impacts and distribution of that information to the public. These data and other information that EPA is gathering will help inform the Agency's work as it assesses the situation at this facility and determines any additional steps needed to protect public health and the environment. 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 multiple environmental statutes.

To read the EPA order, visit: <https://www.epa.gov/vi/limetree-bay-terminals-and-limetree-bay-refining-llc>