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Court Holds Limetree Bay Accountable for Providing Clean Water to Residents Affected by Water Contamination Incidents

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Ernice Gilbert **May 01, 2023**

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The refinery and oil storage facility on the south shore of St. Croix. By. ERNICE GILBERT, V.I. CONSORTIUM

St. Croix District Court Judge Wilma Lewis has issued a preliminary injunction against Limetree Bay Terminals, now known as Ocean Point Terminals, according to the law office of Attorney Lee J. Rohn & Associates. The decision came after the refinery experienced a series of incidents in which a smokestack released heavy oil and hydrogen sulfide into the atmosphere, causing potential health risks for residents.

The court determined that Limetree Bay Terminals/Ocean Point had a legal obligation to comply with the Clean Air Act, having acquired the Title V permit when it purchased the refinery in January 2016, according to court documents. Despite the company's attempt to shift responsibility onto the refinery, the court found both entities responsible for ensuring compliance with environmental regulations.

The judge also rejected Limetree Bay's argument that only 14 named plaintiffs were affected by the discharge, and that the oil contamination was minimal and had since dissipated. Expert testimony and evidence from affected residents contradicted these claims, indicating that contamination persisted, particularly in porous concrete cisterns.

Furthermore, the court pointed out that Limetree Bay failed to provide information about the source of the supposed safety thresholds for water contamination. As a result, the judge ruled that the company is responsible for providing affected residents with clean water, [according to Judge Lewis's opinion](#).

The court acknowledged that many residents cannot afford to purchase sufficient potable water and that providing safe water to those in need is in the public interest. A status conference is scheduled for May 8, 2023, to further define the parameters for determining entitlement to safe water and to establish a program for providing it.