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# Environmental groups sue over federal permit for Virgin Islands refinery

By [Zack Budryk](#) -

Four environmental groups launched a legal challenge this week calling for the review of a federal permit for a long-closed oil refinery in the U.S. Virgin Islands.

The Limetree Bay refinery shut down in 2012 after a series of oil spills and accidents involving pollutants, which spurred a \$5.4 million Environmental Protection Agency (EPA) fine. Its new owners, ArcLight Capital Partners, received approval to reopen from the Trump administration and then-EPA head [Andrew Wheeler](#) in 2019.

In their petition, the St. Croix Environmental Association, the [Center for Biological Diversity](#), Natural Resources Defense Council (NRDC) and Sierra Club asked the EPA's Environmental Appeals Board to review the refinery's permit. The refinery, which resumed operations this week, is located on the Caribbean island of St. Croix, where 76 percent of the population is Black and 27 percent live below the poverty line. Its infrastructure sustained major damage from Hurricane Maria in 2017, the groups noted in a statement.

The environmental organizations argued that the EPA did not properly address "the disproportionate burden that an environmental justice community will bear and it failed to provide multi-lingual access to information." It also claimed the EPA approved the reopening based on "unacceptably high" pollution standards and ignored the pollution generated by restarting the refinery.

"We allege that the emissions caps were set at unlawful levels because they failed to remove from the cap polluting equipment that had been shut down since 2012 and that failure represents a failure of Clean Air Act regulations," John Walke, clean air director for NRDC, told The Hill, calling the case "the worst environmental justice abuse and the biggest air pollution permitting fiasco that I have seen in my 25 years as a clean air attorney."

"Because have a new administration now, not the administration that issued the permit, the Biden-Harris administration will have the opportunity to reopen the permit, to revoke the permit, to file papers with the environmental appeals board," he added. "This controversy could heat up to become a political and policy and legal controversy all at once and certainly the first marquee environmental justice controversy of the new Biden-Harris administration."

An EPA spokesperson told The Hill the agency had no comment on pending litigation.

— Updated at 10:11 a.m.

