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Environmental groups file legal action to stop 'pollution-plagued' Limetree refinery

By A.J. RAO Daily News Staff

Four environmental groups filed a legal appeal Wednesday challenging the federal permit for the Limetree Bay Refinery on St. Croix, citing lax pollution standards and the refinery's potential to be an "environmental monster."

The petition, filed by the St. Croix Environmental Association, the Center for Biological Diversity, the Natural Resources Defence Council and the Sierra Club, calls for a review of the refinery's permit with the U.S. Environmental Protection Agency's Environmental Appeals Board.

The filing faults the EPA for setting lenient air pollution standards in a vulnerable community of color, where 27% of St. Croix residents live below the poverty line, according to a group statement.

"The character of our community is based on a lifestyle and well-being that is closely tied to nature and the environment," said Jennifer Valiulis, executive director of the St. Croix Environmental Association. "We want clean air, clean water, a healthy ecosystem and the ability to create a strong resilient future based in sustainability. The future of St. Croix should not be as a pollution haven for a dying industry that has caused a climate crisis."

The appeal points to how the refinery was shut down — under its former owner HOVENSA — in 2012 after a series of oil spills and air pollution releases prompted the EPA to issue a \$5.4 million fine and order new pollution controls.

The group claims ArcLight Capital Partners, the former principal investor in the refinery's ownership group of Limetree Bay Ventures, has ties to former President Donald Trump, whose administration helped fast-track approval to reopen this facility.

"Limetree Bay refinery continues to be an environmental monster that Trump officials brought back to life," said Miyoko Sakashita, oceans program director at the Center for Biological Diversity. "The Biden administration needs to take another look at this menace to local residents and marine life. Restarting this dirty refinery pollutes the air and devastates endangered corals and sea turtles."

The legal challenge is poised to be another hurdle for a refinery plagued with setbacks. While the facility restarted its operations this week, the restart came after considerable delay.

According to a report from Reuters, normal operations were slated to begin in mid-January, but a series of setbacks, from corroded pipes to the COVID-19 pandemic, delayed the startup and left fuel supplier BP threatening to leave its 2018 agreement to supply up to 200,000 barrels per day of crude oil.

To date, extensive repairs lifted the overhaul cost to restart the refinery to more than \$2.7 billion, exceeding the original \$1.6 billion budget, according to the report.

For those behind the petition, the plant restart was rushed to meet anticipated demand for cleaner, low-sulfur maritime fuel that was required starting last year.

"What the Trump administration and an oil refinery have been trying here is textbook 'environmental injustice' — it's indefensible," said John Walke, clean air director for NRDC. "A

polluting oil refinery can't rise up again like a zombie, in some new incarnation, aided by reckless politicians, with the same old harmful plan. The refinery simply has to follow federal clean air laws, and the Biden-Harris administration should hold them to it."

The Daily News did not receive a response from Limetree Bay officials before press time Wednesday.

Following the reopening of the refinery this week, Gov. Albert Bryan Jr. said in a statement that his administration has monitored the progress of the restart and that the Department of Planning and Natural Resources along with the EPA and the U.S. Department of Justice worked through the Clean Air Act permits to ensure that federal air quality standards were met.

"As refining begins, that monitoring will continue to ensure that the public health of St. Croix's residents is protected," Bryan said