



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

March 25, 2021

THE ADMINISTRATOR

Re: Withdrawal of Plantwide Applicability Limit Permit No. EPA-PAL-VI001/2019

On December 2, 2020, the Environmental Protection Agency (EPA or the Agency) issued Plantwide Applicability Limit Permit No. EPA-PAL-VI001/2019 (the PAL Permit) to Limetree Bay Terminals, LLC and Limetree Bay Refining, LLC (collectively, Limetree). On February 3, 2021, petitions for review by the Environmental Appeals Board (EAB) were timely filed both by Limetree and the St. Croix Environmental Association, the Center for Biological Diversity, Sierra Club, and Elizabeth Neville (collectively, environmental petitioners). Under 40 C.F.R. Section 124.15(b)(2), a final permit “shall become effective 30 days after the service of notice of the decision unless . . . Review is requested on the permit under § 124.19.” Because the petitions for review were timely filed, the PAL Permit did not become effective.

Under 40 C.F.R. Section 124.19(j), the PAL Permit issued to Limetree is hereby withdrawn. The permit issuer may withdraw the PAL Permit “at any time prior to 30 days after the [permit issuer] files its response to [a] petition for review.” 40 C.F.R. § 124.19(j); *see also In Re West Bay Exploration Co.*, UIC Permit No. MI-075-2D-0009, 2013 WL 11256448, at \*1 (E.A.B. May 29, 2013). Because the response brief of the permit issuer is currently due on March 26, 2021, the permit may be withdrawn without seeking leave from the EAB.

By this notice, the PAL Permit and its administrative record in its entirety, including the Agency's response to comments, is withdrawn pursuant to 40 C.F.R. § 124.19(j). *See, e.g., In Re City of Taunton, Dep't of Public Works*, NPDES Appeal No. 15-08, 17 E.A.D. 105, at \*6 ("When evaluating a challenged permit decision for clear error, the Board examines the administrative record that serves as the basis for the permit . . ."). Region 2 will prepare a new draft permit decision that will proceed through the same process of public comment and opportunity for a public hearing as would apply to any other draft permit subject to Part 124.

Sincerely yours,

A handwritten signature in cursive script that reads "Michael S. Regan". The signature is written in black ink and is positioned below the typed name.

Michael S. Regan