United States Department of the Interior

FISH AND WILDLIFE SERVICE
Caribbean Ecological Services
Field Office
P.O. Box 491
Boqueron, PR 00622

FEB 2 8 2020

In Reply Refer To:
FWS/R4/CESFO/78010-078

Mr. Suilin Chan, Chief
Air Permitting Section, Air & Radiation Division
United States Environmental Protection Agency
290 Broadway
New York, NY 10007-186

Re: Air Permit Application for Limetree Bay Terminal, St. Croix, USVI

Dear Mr. Chan:

This is in reply to your February 19, 2020, letter requesting concurrence with your effects determination on federally listed threatened or endangered species for the above permit. Our comments are provided as technical assistance in accordance with the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 et seq.) and the Endangered Species Act (16 U.S.C. 1531 et seq. as amended).

The facility would like to restart operations at the former HOVENSA refinery and is seeking a Plantwide Applicability Limit (PAL) permit. This permit does not introduce new emissions compared to those emitted by the HOVENSA refinery but rather allows for operational flexibility of those emissions with an annual emission cap. In addition, some of the units from the former HOVENSA facility have been shut down. The facility will have air emissions out of vertical stacks and tanks of various pollutants such as sulfur dioxide, nitrogen oxides, volatile organic compounds, carbon monoxide, particulate matter (PM), PM IO, and PM2.5. The PAL permit contains emission limitations for the above pollutants in accordance with the requirements of 40 CFR §52.21(aa).

Using the Fish and Wildlife Service's IPaC website, EPA has identified four threatened or endangered species as possibly being in the area: West Indian manatee *(Trichechus manatus)*, hawksbill sea turtle *(Eretmochelys imbricata)*, leatherback sea turtle *(Dermochelys coriacea)*, and the St. Croix ground lizard *(Ameiva polops)*.

Maximum modeled impact and the wind rose generated using five years of site-specific meteorological data, indicate the direction of the wind is predominantly from the

northeast and we do not anticipate the plume from the facility's stacks to impact listed species or the Sandy Point National Wildlife Refuge. Therefore, EPA has determined that this permit may affect, but is not likely to adversely affect the above referenced species.

Based on the information provided, we concur with EPA's determination that the proposed air permit for Limetree Bay Terminal may affect, but is not likely to adversely affect the referenced species. However, reinitiation of consultation is required and shall be requested by the Federal agency or by the Service, where discretionary Federal involvement or control over the action has been retained or is authorized by law when the identified action is subsequently modified in a manner that causes an effect to the listed species or critical habitat that was not considered in the biological opinion or written concurrence. Or the authorized actions may affect newly listed species or designated critical habitat.

Thank you for the opportunity to comment on this project, if you have any questions please contact Felix Lopez of my staff at 787 851 7297 x210.

Sincerely,

Edwin E. Muñiz
Field Supervisor

fhl
cc:
DPNR, DFW, St. Croix
Sandy Point NWR, St. Croix
FWS, USVI