

ENTERED

November 21, 2018

David J. Bradley, Clerk

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

UNITED STATES OF AMERICA,	§	
STATE OF GEORGIA,	§	
STATE OF ILLINOIS,	§	
STATE OF LOUISIANA,	§	Civil Action No. 04-3883
STATE OF NEW JERSEY,	§	
	§	
Plaintiffs,	§	
	§	
v.	§	
	§	
CITGO PETROLEUM CORPORATION,	§	
et al,	§	
	§	
Defendants.	§	

**~~PROPOSED~~ ORDER GRANTING THE JOINT UNOPPOSED MOTION TO
PARTIALLY TERMINATE CONSENT DECREE**

WHEREAS the above-named defendants CITGO Petroleum Corporation (“CITGO” or “Defendant”) et al, and the United States, the State of Georgia, the State of Louisiana, and the State of New Jersey (collectively, the “Movants”) are among the parties to a Consent Decree entered by this Court in Civ. No. 4:04-cv-3883 on January 26, 2005 (the “Consent Decree”);

WHEREAS the Consent Decree applied to six refineries or facilities that, at the time that the consent decree was lodged, were all owned or operated by CITGO;

WHEREAS, among the six refineries or facilities, the Consent Decree specifically applied to facilities in Savannah, Georgia (the “Savannah Facility”), Lake Charles, Louisiana (the “Lake Charles Refinery”), and Paulsboro, New Jersey (the “Paulsboro Facility”) and CITGO seeks to terminate the Consent Decree as to these three facilities;

WHEREAS in 2008, CITGO sold the Paulsboro and Savannah Facilities, and the subsequent owners continued to meet the requirements of the Consent Decree and report their compliance status to CITGO;

WHEREAS Crown Point International LLC currently owns and operates the Paulsboro Facility;

WHEREAS, as of December 2017, the Paulsboro Facility ceased to be permitted to operate as a refinery, and is now operating as a terminal;

WHEREAS IMTT Epic LLC (f/k/a Epic Midstream LLC) currently owns and operates the Savannah Facility;

WHEREAS, as of April 2016, the Savannah Facility was dismantled and is operating as a terminal;

WHEREAS CITGO has certified that it is in material and substantial compliance with the emission limits and standards found in the Consent Decree and has satisfied the conditions that are required for termination with respect to the Lake Charles Refinery, Savannah Facility, and Paulsboro Facility;

WHEREAS the United States, State of Georgia, State of Louisiana, State of New Jersey and CITGO desire to terminate all obligations and requirements of the Consent Decree that apply to the Lake Charles Refinery, Savannah Facility, and Paulsboro Facility;

WHEREAS the Movants do not intend to affect, alter, or amend any obligation or requirements pertaining to any other refinery or facility covered by the Consent Decree;

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NOW, THEREFORE, it is hereby ORDERED that all provisions of the Consent Decree relating to the Lake Charles Refinery, Savannah Facility, and Paulsboro Facility are terminated.

Dated this 20th day of November, 2018.

A handwritten signature in black ink, appearing to read "Keith P. Ellison", is written over a horizontal line.

The Honorable Keith P. Ellison
UNITED STATES DISTRICT JUDGE