UNITED STATES ENVIRONMENTAL PROTECTION AGENCY, REGION 2
CARIBBEAN ENVIRONMENTAL PROTECTION DIVISION
MULTIMEDIA PERMITS AND COMPLIANCE BRANCH

NPDES COMPLIANCE EVALUATION INSPECTION
Industrial Activities

Owner/Operator

VIRGIN ISLANDS WASTE MANAGEMENT AUTHORITY
7410 Estate Bovoni (Bay 2), St. Thomas, Virgin Islands 00802
Telephone Number: (340) 715-9100
http://www.viwma.org

Facility

BOVONI MUNICIPAL SOLID WASTE LANDFILL FACILITY
1-19 Estate Bovoni, St. Thomas, Virgin Islands 00802
Latitude: 18° 31´ 31.81˝ N; Longitude: 64° 88´ 59.83˝ W
Telephone Number: (340) 715-9100

Statute and Regulations

Sections 301(a), 308(b) and 402(p) of the Clean Water Act

NPDES Regulations: 40 C.F.R. §§ 122, 124, and 445

Receiving Waters

Mangrove Lagoon and Caribbean Sea

NPDES ID: VIU000019

Inspection Dates: May 8 and 15, 2024

Participating Personnel:

U.S. EPA:	Jim C. Casey, Senior Environmental Engineer Clean Water Act Team
VIDPNR:	Antonio Farchette, Environmental Specialist Tel: (340) 774-3320 Email: antonio.farchette@dpnr.vi.gov Mary Stiehler, WPC/WQM Supervisor Tel: (340) 774-3320 Email: mary.stiehler@dpnr.vi.gov
VIWMA:	Alex Bruney, Chief Engineer Tel: (340) 514-9866 Email: abruney@viwma.org Akima Williams Tel: (340) 712-4951 Email: alwilliams@viwma.org
VIWMA's CONSULTANTS:	Jimez Ashby, Landfill Operator A9 TRUCKING Tel: (340) 998-9538 Email: a9molo@hotmail.com Francisco Montero V.I. Recycling Tel: (340) 228-2277 Email:

Inspection Report Prepared by:

JIM CASEY Digitally signed by JIM CASEY Date: 2024.08.06 13:37:49 -04'00'

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Jim C. Casey Date
Senior Environmental Engineer
Clean Water Act Team
Multimedia Permits and Compliance Branch
Telephone Number.: (340) 714-2333
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Inspection Report Approving Officer:

JOSE RIVERA Digitally signed by JOSE RIVERA Date: 2024.08.06 13:57:56 -04'00'

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Jose A. Rivera. Date
Clean Water Act Team, Team Leader
Multimedia Permits and Compliance Branch
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1. BACKGROUND

The Bovoni Municipal Solid Waste Landfill facility ("BOVONI MSWLF" or the "Facility")[1] is owned and/or operated by the U.S. Virgin Islands Waste Management Authority ("WMA" or "Authority") and its contractors. The Facility is situated on land parcel 1-19 Estate Bovoni, St. Thomas, U.S. Virgin Islands ("USVI"), in an industrial zone along the south-eastern coastal section of St. Thomas, USVI.

Operations of the Facility began in the early 1960s and continues to be operated today. In about 2000, the Environmental Protection Agency ("EPA" or "Agency") issued Administrative Orders on Consent to bring WMA into compliance with conditions of the Resource Conservation and Recovery Act ("RCRA") found at 40 C.R.F. § 258. EPA subsequently sought compliance with the applicable implementing regulations considering WMA's long-standing practices of improper management of solid waste disposal and inadequate maintenance at the Facility through a judicial Consent Decree (Docket Number RCRA-02-2001-7302) led by the U.S. Department of Justice on behalf of EPA.

In November 1990, EPA promulgated permitting regulations under the National Pollutant Discharge Elimination system (NPDES) to control stormwater discharges associated with industrial activity pursuant to Section 402(p) of the Clean Water Act ("CWA" or the "Act"). As a result, NPDES permitting authorities, which may be either EPA or a state environmental agency, issue stormwater permits to control runoff from industrial facilities that fall under identified categories described in 40 C.F.R. § 122.26(b)(14), which included landfills, land application sites, and open dumps that receive or have received industrial waste, all of which require coverage under an NPDES permit for the discharge of stormwater associated with industrial activities.[2] Also, EPA developed regulation for the Landfill Point Source Category codified in 40 C.F.R. Part 445 regulating discharges of wastewater from landfill units.[3]

On May 8 and 15, 2024, Mr. Jim C. Casey, Senior Environmental Engineer (the "EPA Inspector") with the Clean Water Act Team, Multimedia Permits and Compliance Branch ("MPCB"), Caribbean Environmental Protection Division ("CEPD"), conducted a NPDES Compliance Evaluation Inspection ("CEI" or "the 2024 Inspection") at the Facility. The 2024 Inspection was performed pursuant to the inspection authority under Section 308(b) of the CWA, as amended.

The main purposes of the 2024 Inspection were to evaluate the scope of the operations being conducted, the existing conditions because of those industrial operations, and the releases of pollutants that have occurred and/or potentially can occur into the surrounding environment of

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1 For purposes of this Inspection, "the Facility" will comprise the combination of the land parcels immediately under the control of WMA (where solid wastes management operations are occurring) and the parcel where V.I. Recycling, Inc. (VIRI) carries out auto salvage and metal baling operations.

2 **Stormwater discharge associated with industrial activity** means the discharge from any conveyance that is used for collecting and conveying stormwater and that is directly related to manufacturing, processing or raw materials storage areas at an industrial plant, found at 40 C.F.R. § 122.26(b)(14).

3 https://www.ecfr.gov/current/title-40/chapter-I/subchapter-N/part-445.

the Facility. During the 2024 Inspection, the EPA Inspector focused on among other things, the following:

a. The operations and practices conducted at the Facility regarding receiving, management, and proper disposal of waste materials, which include among others, scrap metal, non-hazardous wastes, household hazardous wastes, universal wastes, used tires in residential wastes, used oil received from residential sources, and landfilling of community (residential) solid wastes on the active working face of the Facility.

b. Management of wastewater streams, including, landfill leachate ("leachate")[4], resulting from operations at the Facility, the appropriate collection and treatment applied, and discharge of these treated wastewater from the Facility into area surface water bodies.

c. Management of stormwater runoff and implementation and maintenance of associated Best Management Practices ("BMPs") at the Facility.

d. Review of records associated with conducted of activities described in sub-paragraphs a through c , immediately above, at the Facility.

This Inspection Report ("the 2024 Inspection Report") entails discussion of observations and findings regarding conditions that existed and related concerns at the Facility at the time of the 2024 Inspection.

2. GENERAL INFORMATION ABOUT THE INSPECTION CONDITIONS AND ACTIVITIES

The dates and times during which activities of the 2024 Inspection were conducted, and related weather conditions are summarized in **Table 1** (on the next page).

3. GENERAL INFORMATION ABOUT THE OWNER OF THE FACILITY

Bovoni is owned and managed by WMA. WMA is a public corporation engaged in the management and disposal of waste materials for the purpose of protection of the human health and the environment, and for the enhancement of economic development and the quality of life for residents of the USVI and the wider Caribbean region. As a semi-autonomous instrumentality of the Government of the USVI, WMA is mandated to serve all the residents of the USVI.

WMA occupies and operates Bovoni MSWLF on the land parcel situated at the address previously mentioned in Section 1 of this 2024 Inspection Report. Mr. Roger Merritt is the Executive Director

4 Liquid formed when rainwater filters through wastes placed in a landfill. When this liquid comes in contact with buried wastes, it leaches, or draws out, chemicals or constituents from those wastes.

of the Authority and can be reached at 7410 Estate Bovoni (Bay 2), St. Thomas, Virgin Islands 00802, telephone number (340) 715-9100, or via e-mail: rmerritt@viwma.org.

Table 1

Dates of Facility Visits	Inspection Activity	Time Started & Ended	Weather Condition
5-8-2024	**Entrance Interview – The EPA Inspector met with Mr. Roger Merritt and staff at WMA's St. Thomas Office. DPNR's Antonio Farchette (in person) and Clanicia Pelle (via conference line) participated.** **The EPA Inspector presented his Credentials. EPA and DPNR stated their purpose for their presence on-site. End of Entrance Interview.** **The EPA Inspector requested access to records related to operations of the Facility, copy of TPDES permit application submitted to DPNR, and most recent Facility drawing or topographical map to facilitate conduct of the 2024 Inspection walkthrough. Discussion regarding operations, management of waste streams, and documentation related to final disposition of materials. WMA could not produce any of the records requested in EPA's May 3, 2024 email correspondence. End of Discussion regarding conducted operations.** **The EPA Inspector and DPNR personnel accompanied by Mr. Merritt, other WMA personnel, and Mr. Jimmez Ashby, Operator of the Facility (contractor of WMA), began the walkthrough. End of walkthrough**	**11:45 am** **12:00 pm** **1:00 pm** **1:15 pm** **3:25 pm**	**Wet, cloudy skies (during the morning period); increased chance of more rain**

Dates of Facility Visits	Inspection Activity	Time Started & Ended	Weather Condition
5-15-2024	**The EPA Inspector entered the Facility and met the DPNR Inspectors and representatives of WMA in the front area of the Auto Salvage and Auto Crushing compound. Soon after entry, EPA Inspector began the walkthrough.**	**1:30 pm**	**Dry, sunny, and bright (early afternoon)**
		1:35 pm	
	End of walkthrough and began the exit meeting.	**3:15 pm**	
	EPA Inspector Exited the Facility	**3:30 pm**	

4. GENERAL INFORMATION ABOUT THE FACILITY AND BUSINESS OPERATIONS

WMA is engaged in solid waste management operations, and according to information received from the WMA representatives during the 2024 Inspection, the following operations that best describe industrial activities occurring at the Facility, included:

a. landfilling of community (residential) solid wastes in the active working face;

b. receiving and process of scrap metal;

c. receiving, management and storage of non-hazardous and universal wastes;

d. receiving, and management of household hazardous wastes;

e. management of used tires received among residential wastes; and

f. management of used oil received from residential sources.

Satellite imagery of the Facility[5] is presented as **Figure 1** (next page) of this Inspection Report. The date of the satellite imagery is April 29, 2023.

5 WMA's Bovoni MSWLF, 17A Estate Bovoni, St. Thomas, USVI (Source: Google Earth Pro Imagery, dated April 29, 2023).

Figure 1

Bovoni Municipal Solid Waste Landfill Facility, St. Thomas, VI

5. NPDES PERMITTING FOR THE FACILITY

Discharges of Stormwater Associated with Industrial Activity into Waters of the United States

Section 402(p)(2)(B) of the CWA authorizes the Administrator of EPA to issue NPDES permits to stormwater discharges associated with industrial activity. EPA promulgated NPDES regulations defining the term storm water associated with industrial activity. Those regulations are codified in 40 C.F.R. § 122.26(b). The industrial activity carried out at landfills, land application sites, and open dumps that receive or have received any industrial wastes (waste that is received from any of the facilities described under this subsection) including those that are subject to regulation under Subtitle D of RCRA are included in the definition of storm water discharges associated with industrial activity at 40 C.F.R. § 122.26(b)(14)(v).

On June 20, 2007, the Virgin Islands Department of Planning and Natural Resources ("DPNR") promulgated regulations pursuant to USVI Statute at 12 V.I.C. Chapter 7, Subchapter 184-45, which require owners/operators of facilities with storm water discharges associated with industrial activities to apply for and obtain coverage under a Territorial Pollutant Discharge Elimination System ("TPDES") permit.

Pursuant to Section 402(p) of the CWA, 33 U.S.C. § 1342(p), and 40 C.F.R. §§ 122.21 and 122.26(e)(1), and USVI's Statute at 12 V.I.C. Chapter 7, Subchapter 184-45, **if evidence reveals that stormwater associated with industrial activity being discharged from the Facility met the industrial activity definition described immediately above in Section 5, then the Authority was (and continues to be) required to apply for and obtain TPDES permit coverage.**

TPDES Permitting

DPNR issued the TPDES Multi-Sector General Permit ("2012 MSGP") for Stormwater Discharges from Industrial Activity pursuant to Subsection 184-46(a)(2)(i) of the TPDES regulations. The 2012 MSGP became effective on January 1, 2012 and expired on December 31, 2016. Since then, a new MSGP was issued on March 1, 2017 ("2017 MSGP" or the "Permit"), which expired on February 28, 2022.

6. GENERAL INFORMATION ABOUT THE RECEIVING WATERS

The Facility is situated along the south-eastern shoreline of St. Thomas, and specifically, within the southeastern section of the watershed that drains into Mangrove Lagoon and Kings Bay (Caribbean Sea). An aerial view of the location of the Facility and immediate surroundings are depicted in a satellite imagery of the referenced Watershed featured in **Figure 2**, on the next page (Source: https://nepassisttool.epa.gov/nepassist/nepamap.aspx).

7. PRE – INSPECTION FILES REVIEW

a. Review of EPA's case files and information databases

During the period from May 6 thru 8, 2024, the EPA Inspector conducted review of documents in the case files for WMA maintained at the Agency's Office in the USVI and searched EPA's Integrated Compliance Information System ("ICIS") and the Enforcement and Compliance History Online ("ECHO") databases to determine the TPDES permitting status for the Facility, and the recent compliance history. The review revealed that:

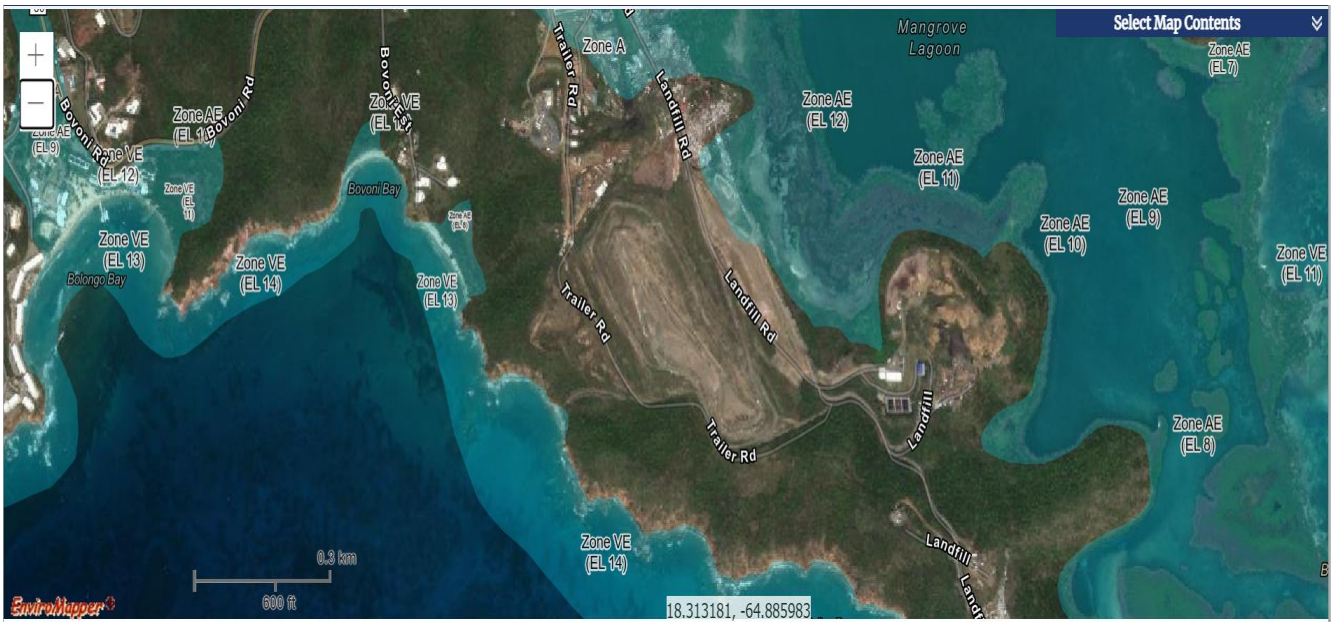
i. DPNR has not issued a TPDES individual permit to WMA for the Facility, nor had the Department issued coverage under the 2017 MSGP.

ii. DPNR performed a TPDES Inspection at the Facility on October 18, 2019, and issued a report dated November 4, 2019.

iii. EPA had not performed a NPDES inspection at the Facility prior to this 2024 Inspection.

Figure 2

Facility is situated within the southeastern section the watershed



8. ENTRY, REVIEW OF RECORDS AND FACILITY WALKTHROUGH

a. Entry and Entry Interview

On May 8, 2024, the EPA Inspector arrived at WMA's office in Estate Bovoni, St. Thomas at about 11:30 a.m. Upon arrival of DPNR's Antonio Farchette (the "DPNR Inspector") at about 12:00 p.m., they met with Mr. Roger Merritt, Executive Director, and other representatives of the WMA at the Authority's office conference room located in Authority's Estate Bovoni office. In addition, Mr. Austin Callwood, Director of Environmental Protection Division ("DEP"), and Ms. Clancia Pelle, Solid Waste and Brownfield Manager of DEP, participated in the meeting through a conference telephone line. The EPA Inspector presented his EPA-issued Inspector Credentials, indicated the purpose for his presence at the Facility, and requested a copy of the most current topographical map of the Facility, in which the various operational sections are featured.

The names and contact information of the persons who participated in the 2024 Inspection activities were documented and is found in **ATTACHMENT 1** of this Inspection Report.

b. Review of Records

The EPA Inspector requested access to records regarding operations conducted, and the generation, management, and final disposition of waste streams and associated pollutants being discharged from the Facility into surface waters during the past three (3) years. The documents requested by the EPA Inspector, included:

- copies of any CWA program permits (e.g., NPDES, TPDES) and related permit applications, and materials manifests;
- copies of contracts entered by WMA with service providers for waste management;
- copy of the drawing of existing stormwater management system for the Facility;
- copy of a property lease agreement for land parcels on which the Bovoni MSWLF operations are conducted; and
- management structure (which feature position description) for the WMA's Division of Solid Waste Management.

Mr. Merritt indicated that the identified documents were **not** readily accessible, and that the Authority was requesting time to find or develop the documents if they were not readily available, and to compile them. The EPA Inspector informed Mr. Merritt that a follow-up email correspondence establishing the date by which the listed records requested by the Agency and should be submitted will be issued. The referenced follow-up email correspondence, entitled "Request for relevant records for the Bovoni MSWLF presented during a Stormwater Reconnaissance Inspection at the Facility on May 8, 2024", dated May 13, 2024, and was transmitted that same day to WMA, and is featured in **ATTACHMENT 2** of this Inspection Report.

During the entrance meeting, Mr. Merritt confirmed that WMA conducts the industrial activities at the Facility as described in Section 4 of this 2024 Inspection Report.

c. Walkthrough in the Facility

Due to constraints created by weather conditions experienced during the morning hours of May 8, 2024, the EPA Inspector determined that he would not be able to complete the planned activities of the Inspection at the Facility by close of business of that day and made arrangements with Mr. Merritt for WMA to accommodate the need for the Agency to return to the Facility to complete the inspection on an announced follow-up date. Mr. Merritt indicated WMA's willingness to work with EPA to accomplished completion of the 2024 Inspection.

Walkthrough on May 8, 2024

The EPA Inspector conducted the walkthrough, accompanied by the DPNR Inspector and personnel from the WMA, and evaluated sections of the Facility where the following

operations described below were conducted. The EPA Inspector made observations and preliminary findings, and documented them through pictures, which are featured in **ATTACHMENT 3** (BOVONI MSWLF Photo Album I, May 8 and 15, 2024 NPDES Stormwater CEI)**.**

i. **Working Face of the Landfill** – Section of the Facility where active landfilling of community (residential) solid wastes was being carried out. During the 2024 Inspection, evidence revealed that the active landfilling operation was situated in the southern quadrant of the Facility. Observations made in the working face section of the landfill revealed the following:

1. *Improper management of leachate* – Brown-colored wastewater that looked like leachate was observed ponded in stormwater runoff flow paths that drain off the working face.

2. *Wash-off of non-stabilized earthen berms* – Evidence revealed that loose soil from earthen berms situated along the perimeter of the active working face of the landfill were being washed-off by stormwater runoff flow.

Based on management practices at the Facility observed by the EPA Inspector, there is a strong potential for release of pollutants through stormwater runoff, as described in sub-paragraphs 8.c.iii.1 and 2, immediately above, and supported by evidence documents through **IMGs 1136, 1137, 1139,** and **1135** of **BOVONI MSWLF Photo Album I, May 8 and 15, 2024 CEI, ATTACHMENT 3** of this Inspection Report.

ii. **Stormwater Management System servicing the southern area of the Facility**

1. *Potential for discharge of pollutants into the Caribbean Sea along the southern coast* – A brown-colored wastewater stream was observed flowing in a large earthen swale that runs from west to east along the southern upper toe of the landfilling section of the Facility. The EPA Inspector was informed by Mr. Ashby, Landfill Operator (contractor to WMA), that the identified waste stream was drainage from accumulated sargassum weed disposed along the bank of the large earthen swale (to decompose) exposed to all environmental conditions, including stormwater runoff during rain events. The resultant pollutant laden stormwater runoff flows into a large catch basin of the stormwater management system, which in turn drains into the Caribbean Sea along the southern coastline of St. Thomas. See **IMGs 1142, 1144, 1146,** and **1147** of **BOVONI MSWLF Photo Album I, May 8 and 15, 2024 CEI, ATTACHMENT 3**.

iii. **Access Road leading onto the working face**

1. *Wash-off of non-stabilized earthen berms* – Evidence revealed that loose soil from earthen berms that lined the outer (northern) edge of the access road leading onto the working face of landfilling operations at the Facility had been washed-off by stormwater runoff flow. See **IMGs 1149** and **1150** of **BOVONI MSWLF Photo Album I, May 8 and 15, 2024 CEI, ATTACHMENT 3**.

iv. **Management of leachate at the Facility**

1. *Inadequate management of leachate* – Observed that wastewater described by Mr. Ashby as leachate was flowing downhill from several points along the toe of the landfill and converged towards an earthen collection pit situated at the northwestern corner of the landfilling operation area. Collected leachate drains into an earthen swale situated along the left side of the lower entry road of the Facility. See **IMGs 1163** thru **1165,** and **1155** of **BOVONI MSWLF Photo Album I, May 8 and 15, 2024 CEI, ATTACHMENT 3**.

   According to Mr. Ashby, accumulated leachate in the earthen swale slowly drains into an adjacent storage tank situated below-grade[6], and in turn, is transported by vacuum trucks to a larger more permanent holding tank. See **IMGs 1156** thru **1158** of **BOVONI MSWLF Photo Album I, May 8 and 15, 2024 CEI, ATTACHMENT 3**.

2. *Improper disposal of leachate on-site* – Mr. Ashby indicated that the accumulated leachate is periodically removed from the large holding tank through vacuum trucks and applied over the surface of the working face in the landfilling area, which partially percolate into the surface, flow-off the edges downhill during dry-weather condition or washed-off by stormwater runoff during wet-weather instances.

   The EPA Inspector did not immediately observe WMA's practice of application of leachate onto the surface of the working face; however, received verbal confirmation from Mr. Alex Bruney, Chief Engineer, that the description provided by Mr. Ashby was accurate.

3. *Strong potential for comingling of leachate and stormwater* – Observed an established grassy swale that runs parallel to the earthen swale in which leachate is collected and where the retention area within which the leachate holding tank immediately sits. Evidence revealed that stormwater runoff from the referenced grassy swale flows along the road and eventually drains into a wetlands fringe

6 The leachate collection system is comprised of drainage swales, storage tanks and a vacuum truck to transport the accumulated waste and properly removed from the landfill.

along the northern edge of the Facility bounding with the Mangrove Lagoon.

Mr. Ashby confirmed that the swale in question was installed for conduct of strictly stormwater runoff flow. See **IMGs 1159, 1160, 1220 and 1224** of **BOVONI MSWLF Photo Album I, May 8 and 15, 2024 CEI, ATTACHMENT 3**.

v. **The Household Hazardous Waste (HHW) Compound**

1. *Improper management of waste* – Observed that many containers of various sizes with used oils (spent automobile engine, and spent cooking oils and fats, and possibly other engine fluids) scattered on paved and ground sections within the HHW compound. Observed spilled used oils and other fluid wastes in water puddles within the HHW Area.

2. *Discharge of pollutants into the area stormwater management system* – Observed evidence that waste residues are being transported out of the HHW area by stormwater runoff flow. The accumulated containers of waste within the HHW area were not securely situated within an appropriate containment to prevent releases of wastes.

3. *Inadequate housekeeping practices* – Conditions observed within and without the HHW compound, including an accumulation of oil-saturated absorbent rolls and pads, and tipped-over containers of waste on the paved area and exposed to stormwater runoff.

Evidence of improper management practices, and release of pollutants by stormwater runoff flowing through the HHW compound was observed, as described in sub-paragraphs 8.c.v.*1* thru *3*, immediately above, and supported by evidence documents through **IMGs 1167** thru **1169, 1172,** and **1174** thru **1177** of **BOVONI MSWLF Photo Album I, May 8 and 15, 2024 CEI, ATTACHMENT 3** of this Inspection Report.

Walkthrough on May 15, 2024

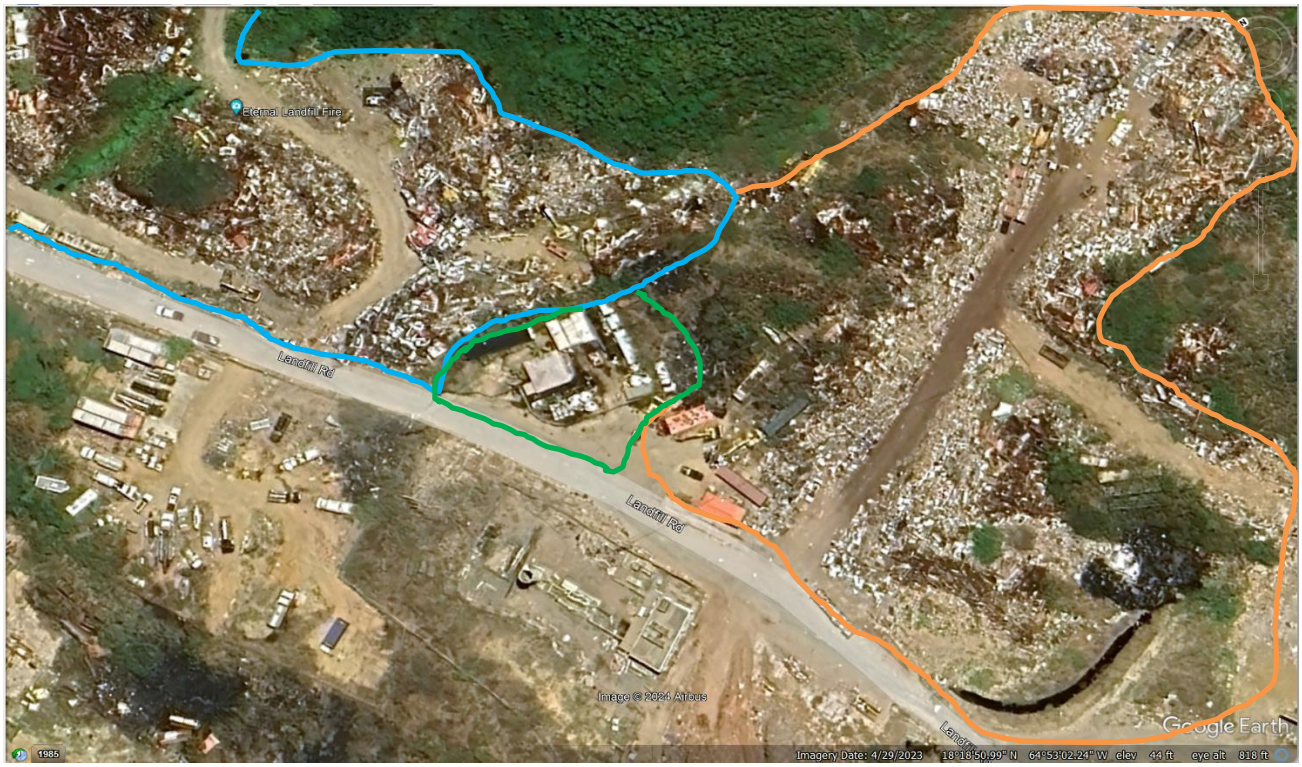
The EPA Inspector conducted a limited walkthrough visiting specifically, the Auto Salvage and Auto Crushing compound, and follow-up visits to the HHW compound and the WMA Scrap Metal Management. The sections of the Facility visited, during the limited walkthrough are identified in **Figure 3**[7] below. The EPA Inspector was accompanied by DPNR Inspectors[8] and personnel from the WMA and evaluated the referenced sections of the Facility and made observations and preliminary findings and documented them

7 Areas visited during the limited walkthrough on May 15, 2024 are color coded as follows: Auto Salvage and Auto Crushing compound delineated in blue, the HHW compound in green, and the WMA Scrap Metal management area in orange.
8 DPNR's Team who participated in the May 15, 2024 walkthrough consisted of Antonito Farchette and Mary Stiehler.

through pictures which are featured in and **ATTACHMENT 4** (BOVONI MSWLF Photo Album II, May 15, 2024 NPDES Stormwater CEI).

Figure 3

The sections of Facility visited, during the limited walkthrough are identified by color-coded outlines



vi. **The Scrap Metal Management Operation (by WMA within the Facility)**

1. *Potential for discharge of pollutants into the nearby wetland and Salt Flat* – Observed that WMA conducts management of scrap metal[9] received from general residential garbage being received at the Facility. WMA's representative indicated that the management process entails, separation, storage, and preparation for shipment of processed metal bales from the Facility. Evidence revealed that stormwater associated with the referenced industrial activity drains into a wetland fringe area that forms the immediate northwest boundary of the Facility. See **IMGs 1180, 1184, 1183 and 1186** of **BOVONI MSWLF Photo Album II, May 15, 2024 CEI, ATTACHMENT 4**.

9 According to WMA, the scrap metal material processed is comprised of metallic material received from the general municipal garbage, including white goods (refrigerators, freezers, washing machines, etc.), and construction steel scrap.

vii. **Auto Salvage and Auto Crushing Compound (operated by V.I. Recycling, Inc.)**

1. *Potential influent of pollutants from outside sources into the V.I. Recycling, Inc. Compound* – Observed evidence that stormwater runoff from an adjacent industrial activity enters the V.I. Recycling, Inc. (VIRI) compound. Closer examination of conditions at the front section of the adjacent entity situated immediately up-gradient across the road from the VIRI compound, revealed that pollutants (such as, spilled engine liquids saturated into the ground, and possibly used oil are potentially transported by stormwater runoff directly into the VIRI compound. See **IMGs 1215 thru 1219, and 1239** of **BOVONI MSWLF Photo Album II, May 15, 2024 CEI, ATTACHMENT 4**.

2. *Potential for discharge of pollutants into nearby wetland and salt flats* – Observed and documented evidence that V.I. Recycling, Inc. (VIRI) conducts industrial activities which entail receiving of junk automobiles ("junks"), removal of pollutants from the engine block of the junks, and storage of de-contaminated junks, which are converted into scrap metal bales, and subsequently shipped off-islands as recyclable metals.

   i. Stormwater flow through
   Evidence revealed that stormwater run-on enters the VIRI compound at various points and flowed through the referenced industrial activities. See **IMGs 1195 thru 1197, 1199, 1203 and 1204** of **BOVONI MSWLF Photo Album II, May 15, 2024 CEI, ATTACHMENT 4**.

   ii. Collection and channeling of stormwater runoff off-site
   Stormwater runoff flow through the VIRI compound, eventually draining into a large stormwater swale that traverses the compound, discharges directly into the wetlands fringe area that forms the immediate northwest boundary of the Facility. See **1193 thru 1191** of **BOVONI MSWLF Photo Album II, May 15, 2024 CEI, ATTACHMENT 4**.

viii. **Identification and Evaluation of Discrete Conveyances through which pollutants leave the Facility**

During the 2024 Inspection, the EPA Inspector observed evidence that several discrete conveyances through which stormwater associated with industrial activity are discharged out at the Facility. A more detailed description of the EPA Inspector's observations of the identified stormwater conveyances and their approximate locations within the Facility are documented in **Part B** of **ATTACHMENTS 3 & 4 - BOVONI MSWLF Photo Albums I and II, May 8 and 15, 2024 CEI** of this Inspection Report, and identified specifically as **IMGs 1020, 1051, 1053, 1044** and **1097**, respectively**.** The approximate locations of the above referenced discrete

conveyances are depicted in **Figure 5**, featured in **ATTACHMENT 5**[10] of the 2024 Inspection Report.

9. OTHER

All pictures taken during the 2024 Inspection were taken by the EPA Inspector using an EPA owned Canon (model number SX530 HS) camera to digitally document observations and findings made. The pictures presented in the **BOVONI MSWLF Photo Albums I and II, May 8 and 15, 2024 RI** (**ATTACHMENTS 3 and 4**) feature only a part of a catalog of the pictures that were taken during the 2024 Inspection using the referenced camera. A full log of pictures documented is recorded and available in an electronic file at EPA's USVI Office, located at 1336 Beltjen Road, St. Thomas, USVI 00802.

10. POST INSPECTION RECORDS REVIEW

Following the May 13, 2024 email correspondence to WMA issued by the EPA Inspector (referenced in Section 8.c. above), the EPA Inspector received a response[11] through an email dated June 26, 2024. The WMA's June 26, 2024 email correspondence featured an access link; however, access to the submitted records through the associated link was not successful.

End of Report

ATTACHMENT 1 – **Names and contact information of the persons who participated in the 2024 Inspection activities**

ATTACHMENT 2 – **May 13, 2024 email correspondence documenting EPA's request for records on Inspection at the Facility on May 8, 2024**

ATTACHMENT 3 – **BOVONI MSWLF Photo Album I, May 8 and 15, 2024 CEI**

ATTACHMENT 4 – **BOVONI MSWLF Photo Albums II, May 15, 2024 CEI**

ATTACHMENT 5 – **The approximate locations of discrete conveyances WMA discharges stormwater runoff from the Facility**

10 WMA's Bovoni MSWLF, 19-1 Estate Bovoni, St. Thomas, USVI (Source: Google Earth Pro Imagery, dated April 29, 2023).
11 As referenced in Section 8 of this Inspection Report, EPA documented its request for relevant records from WMA during the 2024 Inspection. The requested records were not readily available, and the Authority was afforded until May 24, 2024 to generate and submit the information.

ATTACHMENT 1

Names and contact information of the persons who participated in the 2024 Inspection activities

ATTACHMENT 2

May 13, 2024 email correspondence documenting EPA's request for records at the time of the Inspection of the Facility on May 8, 2024

ATTACHMENT 3

BOVONI MSWLF Photo Album I, May 8 ad 15, 2024 NPDES CEI

ATTACHMENT 4

BOVONI MSWLF Photo Album I, May 8 and 15, 2024 NPDES CEI

ATTACHMENT 5

The approximate locations of discrete conveyances WMA discharges stormwater runoff from the Facility