UNITED STATES ENVIRONMENTAL PROTECTION AGENCY, REGION 2
CARIBBEAN ENVIRONMENTAL PROTECTION DIVISION
MULITMEDIA PERMITS AND COMPLAINCE BRANCH

Industrial Site
NPDES Stormwater Reconnaissance Inspection

TROPICAL SHIPPING CONSTRUCTION COMPANY LIMITED, LLC
No. 4 Crown Bay Landfill, St. Thomas, VI 00802
Latitude: 18° 20´ 11.30˝ N; Longitude: 64° 56´ 58.42˝ W
Telephone Number: 340-776-8767
Web Page: www.tropical.com

Sections 301(a) and 402 of the Clean Water Act
NPDES Regulations: 40 C.F.R. § 122

TPDES Tracking Number: VIU009880[1] (ICIS)
Receiving Water: Charlotte Amalie Harbor (Caribbean Sea)

Inspection Dates: September 8, 2022

Participating Personnel:

U.S. EPA:	Jim C. Casey, Senior Environmental Engineer Clean Water Act Team
TROPICAL:	Raphael Farrington, Maintenance Manager - St. Thomas Tels.: (340) 714-6535 / (340) 227-8041 Email: raphael.farrington@tropical.com
	Nisha Aubain, Island Manager - St. Thomas Tels.: (340) 714-6522 / (340) 690-2358 Email: n.aubain@tropical.com

[1] This assigned tracking number remains a valid reference for compliance monitoring activities related to the Tropical Shipping Construction Company Limited, LLC's Facility at the above referenced address.

Inspection Report Prepared by:

JIM CASEY Digitally signed by JIM CASEY Date: 2022.10.20 10:05:42 -04'00'

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Jim C. Casey Date
Senior Environmental Engineer
Clean Water Act Team
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Inspection Report Approving Officer:

JOSE RIVERA Digitally signed by JOSE RIVERA Date: 2022.10.28 11:57:06 -04'00'

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José A. Rivera, BSCE Date
Lead Environmental Engineer
Clean Water Act Team
Multimedia Permits and Compliance
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1. BACKGROUND

The Crown Bay Marine Cargo Terminal (the "Facility") section of the dock bulkhead and warehouses under the control and operation of Tropical Shipping Construction Company Limited, LLC[2] ("Tropical") is a maritime shipping operation involving loading and unloading of commercial cargo containers with goods and other bulk items at the marine cargo dock in Crown Bay, St. Thomas, United States Virgin Islands ("USVI"). The Facility is mostly situated on No. 4 Crown Bay Landfill, and three (3) smaller adjacent land parcels in St. Thomas, USVI. The land parcels (referenced above) on which the Facility is situated are owned by the Virgin Islands Port Authority ("VIPA") but occupied by Tropical through a property lease agreement. An aerial photograph of the Facility[3] is featured as **Figure 1** of this Inspection Report.

Figure 1
Tropical's Marine Cargo Terminal, Crown Bay Landfill, St. Thomas, VI

On September 8, 2022, Jim C. Casey ("EPA Inspector") of the United States Environmental Protection Agency's ("EPA" or "Agency") Caribbean Environmental Protection Division performed a National Pollutant Discharge Elimination System ("NPDES") Stormwater Reconnaissance Inspection ("RI" or "2022 Inspection") at the Facility. The purpose of the 2022 Inspection was to determine whether the industrial

[2]Tropical Shipping Construction Company Limited, LLC ("Tropical") is a USVI-based subsidiary of Tropical Shipping Corporation (based out of Rivera Beach, FL). Tropical features port operations in the islands of St. Thomas and St. Croix.

[3]Tropical's Facility, Crown Bay, St. Thomas, USVI (Google Earth Pro Imagery, dated June 2022).

activities conducted by Tropical at the Facility and discharge of storm water associated with those activities are subject to the regulations implementing the Clean Water Act ("CWA" or "Act"), as amended. The 2022 Inspection was performed pursuant to the inspection authority under Section 308(a) of the CWA.

The focus of the 2022 Inspection included among others:

a. Evaluation of the status of existing industrial activities being conducted within the Facility at the time of the 2022 Inspection.

b. Evaluation of operations and practices conducted at the Facility which may potentially result in generated industrial process waste streams, associated treatment, and discharge of those waste streams into the Charlotte Amalie Harbor (Caribbean Sea).

c. Evaluation of any Best Management Practices ("BMPs") in place associated with proper management and prevention of pollutants being discharged from the Facility into the Charlotte Amalie Harbor.

d. Review of any records associated with operations related to management and discharge of pollutants from the Facility into the Charlotte Amalie Harbor.

This Inspection Report (the "2022 Inspection Report") entails discussion of observations and findings, comments, and description of areas of concern regarding the conditions that existed at the Facility at the time of the RI. Also included in this 2022 Inspection Report are the EPA Inspector's evaluation of BMPs instituted by Tropical for control and prevention of discharges of pollutants through storm water associated with industrial activity conducted at the Facility and flows into Charlotte Amalie Harbor.

2. GENERAL INFORMATION ABOUT THE RI ACTIVITIES

The dates and times during which activities of the 2022 Inspection were conducted, and related weather conditions are summarized in **Table 1** (on the next page).

3. GENERAL INFORMATION ABOUT FACILITY AND BUSINESS OPERATIONS

The industrial activities that are conducted by Tropical at its Crown Bay, St. Thomas location, are characterized as the company's "primary industrial zone" in the District of St. Thomas and St. John, which include:

a. one central area for loading and unloading of commercial cargo containers and bulk items for different grades of freight transport ships;

b. separate areas where both, inbound and outbound cargo containers and related accessories for transportation of the containers over land are staged, stored and managed;

Table 1

Dates of Facility Visits	Inspection Activity	Time Started & Ended	Weather Condition
9-8-2022	**Entrance Interview On-Site – The EPA Inspector met with Ms. Nisha Aubain, Island Manager, and Mr. Raphael Farrington, Maintenance Manager. Stated purpose of the Inspection and presented his EPA Inspector's Credentials.**	**1:15 pm**	**Dry, clear skies, sunny, (late afternoon)**
	End of Entrance Interview.	**1:45 pm**	
	The EPA Inspector requested access to the Facility's records associated with activities that are conducted on-site. Records are not readily available on-site	**1:45 am**	
	The EPA Inspector requested a copy of the most recent representative Topographic Map for the Facility to facilitate the walkthrough. The Inspector began the walkthrough in the vicinity of the Facility's employee parking lots.	**1:50**	
	End of walkthrough.	**3:15 pm**	
	Conducted an Exit Meeting in Facility's Administrative Office Building with Ms. Aubain, and Mr. Farrington.	**3:30 pm**	
	Ended Exit Meeting. The EPA Inspector left Facility premises.	**4:05 pm**	
	Exited Facility	**4:15 pm**	

c. associated support activities, including a mechanical servicing garage, storage of bulk quantities of lubricants used on-site, and generated used oils; and

d. administrative offices and an employee parking lot.

The business operations of the Facility are best described by the primary Standard Industrial Classification ("SIC") Code 4491 (Marine Cargo Handling)[4].

4. GENERAL INFORMATION ABOUT TROPICAL'S OWNERS

Tropical is a corporation authorized to do business in the USVI. The relevant principals of the corporation identified at the time of the 2022 Inspection were Mr. Dean Beitler, Assistance Vice President of Human Resources and Ms. Nisha Aubain, Island Manager

[4]*Refer to Sector Q: Water Transportation Facilities with Vehicle Maintenance Shops and/or Equipment Cleaning Operations, in the MSGP.*

for St. Thomas, Cargo Operations of Tropical, and whose corporate office is located at the address referenced in Section 1 above.

5. APPLICABLE REGULATIONS AND PERMITS

Discharges of Industrial Waste Streams into Waters of the United States

Section 301(a) of the CWA, 33 U.S.C. § 1311(a), provides in part that "[e]xcept as in compliance with [CWA § 402], the discharge of any pollutant by any person shall be unlawful." Pursuant to the NPDES regulation at 40 C.F.R. § 122.1(b), a NPDES permit is required for the discharge of any pollutant from any point source into waters of the United States. Section 402(a)(1) of the Act, 33 U.S.C. § 1342(a)(1), provides that "the Administrator may, after opportunity for public hearing, issue a permit for the discharge of any pollutant…. upon condition that such discharge will meet…. such requirements as the Administrator determines are necessary to carry out the provisions of the [CWA]."

The USVI statute at 12 V.I.C. § 185(a), states in part, that except as provided in this chapter and any rule and regulations promulgated hereto, the discharge of pollutants into waters of the USVI by any person, shall be unlawful.

Discharges of Storm Water 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 storm water 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 classified under SIC Codes 4491 (Marine Cargo Handling) and 4424 (Deep Sea Domestic Transportation of Freight) are included in the definition of storm water discharges associated with industrial activity. See 40 C.F.R. § 122.26(b)(14)(viii).

On June 20, 2007, VIDPNR 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 TPDES permit.

Pursuant to Section 301(a) and 402(p) of the CWA, 33 U.S.C. §§ 1311(a) and 1342(p), and 40 C.F.R. §§ 122.21 and 122.26(e), and USVI's Statute at 12 V.I.C. Chapter 7, Subchapter 184-45, if evidence reveals **that Tropical's storm water discharges associated with industrial activity from its Facility meet the industrial classifications of a Marine Cargo Handling and/or a Deep Sea Domestic Transportation of Freight industry, then Tropical is required to apply for and obtain TPDES permit coverage.**

TPDES Permitting

VIDPNR issued the Territorial Pollutant Discharge Elimination System ("TPDES"") Multi-Sector General Permit for Storm Water Discharges from Industrial Activity ("2012 MSGP") 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, the MSGP was reissued 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 northwestern shoreline of Crown Bay, which is within southwestern section of the St. Thomas Harbor Watershed that drains into the Charlotte Amalie Harbor (Caribbean Sea). An aerial view of location of the Facility and immediate surroundings are depicted in satellite imagery of the St. Thomas Harbor Watershed featured in **Figure 2** (Source: https://nepassisttool.epa.gov/nepassist/nepamap.aspx), immediately below.

Figure 2
Tropical's Facility situated within the northwestern section of the St. Thomas Harbor Watershed

7. PRE – 2022 INSPECTION FILES REVIEW

On September 6, 2022, the EPA Inspector conducted review of documents in the case file for Tropical maintained at EPA'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, and recent compliance history, respectively.

The records review revealed the following, among others, that:

a. An Oil-Water Separator through which process wastewater is received and treated exists and is in operation at the Facility.

b. Through its technical consultant, Tropical performed a due diligence investigation of the stormwater management infrastructure at the Facility on October 14, 2021 and confirmed that it discharges stormwater from its Facility into Charlotte Amalie Harbor.

c. Tropical is not permitted to discharge pollutants through the discharge of storm water associated with industrial activities from its Crown Bay Marine Cargo Terminal into Charlotte Amalie Harbor.

d. A formal CWA compliance Inspection at Tropical's Crown Bay Marine Cargo Terminal had not been performed by DPNR or EPA prior to the Agency's 2022 Inspection.

8. ENTRY, REVIEW OF RECORDS, AND WALKTHROUGH IN THE FACILITY

a. Entry into the Facility

On September 8, 2022, the EPA Inspector entered the Facility at approximately 11:30 a.m., but was advised that both Ms. Nisha Aubain, Island Manager for St. Thomas and Mr. Raphael Farrington, Maintenance Manager - St. Thomas, were not readily available. The EPA Inspector made arrangements and return to the Facility at 1:15 p.m. later that day and met with Ms. Aubain and Mr. Farrington ("Representatives of Tropical"). The EPA Inspector established the purpose for his presence onsite and presented his Inspector's Credentials issued by the Agency.

The Representatives of Tropical provided a general description of the daily industrial activities that are conducted at the Facility. The EPA Inspector was informed that at the time of the 2022 Inspection, Tropical featured a work force of about sixty-seven (67) employees, and that cargo shipping and associated support operations at the Facility are conducted six (6) days and one day (Thursday) for weekly general maintenance.

b. Review of records maintained at the Facility at time of the 2022 Inspection

Immediately following the entry meeting, the EPA Inspector requested a list of documents for the Agency's review, including:

- Copy of the "as-built" schematic for the Oil-Water Separators that Tropical currently have in operation at the Facility and copy of Standard Operating Procedures ("SOP") for operating and maintenance of the referenced units.

- Copies of receipts for services rendered by vendors who manage wastes, including used oil, other spent engine fluids, etc., at the Facility on behalf of Tropical.

- Copies of material manifests for wastes (including, used oil, tank-bottom sludges, other hazardous materials) shipped off-island for proper disposal.

- Copy of the schematic describing the layout of the Stormwater Management System for the Facility.

Ms. Aubain informed the EPA Inspector that the documents requested were not readily available on-site, and that she would need to reach the company's corporate office in the Florida, to obtain and submit the information to EPA. The EPA Inspector arranged with Ms. Aubain, that a request for the identified records will be issued to Tropical's attention through an electronic mail ("e-mail") correspondence following the date of the 2022 Inspection.

c. Conduct of the Walkthrough of the Facility

The EPA Inspector conducted the walkthrough, accompanied by Mr. Farrington, and evaluated the following identified sections of the Facility described below. The EPA Inspector made observations and preliminary findings, and also documented them through pictures, which are featured in **ATTACHMENT 2** – **TROPICAL'S September 8, 2022 NPDES Stormwater RI Photo Album**.

The EPA Inspector focused on sections of the Facility identified below. The walkthrough began in the very eastern section of the Facility.

1. Cancryn Field

According to Mr. Farrington, Tropical occupies approximately a third of the area of the former Cancryn Athletic Field ("Field") through a lease agreement with VIPA. Mr. Farrington informed the EPA Inspector that, the referenced space is used for staging of shipping containers and their related chaises on which they are transported from the immediate dock area to the Field, from the Field to be delivery points in the St. Thomas community, and for receiving of containers returned to the Facility. The EPA Inspector observed a series containers and related chaises staged on the Field. The Field was largely stripped and exposed ground with some grass turf in back portion of the parcel. The Field did not appear to be outfitted with stormwater drainage and was heavily saturated from recent rains. See **IMGs 471**

and 474 of TROPICAL'S September 8, 2022 NPDES Stormwater RI Photo Album, ATTACHMENT 2, of the 2022 Inspection Report.

The EPA inspector observed that the Field was a heavily trafficked area, with shipping containers being shuttled into and out of that area. The EPA inspector also observed evidence that stormwater runoff flows out of the Field through the entrance and into the nearby road. ***The EPA inspector did not observe any BMPs in place to minimize soil erosion and prevent the transport of sediment leaving the Field through stormwater runoff flows.*** See **IMGs 475 and 476 of TROPICAL'S September 8, 2022 NPDES Stormwater RI Photo Album, ATTACHMENT 2,** of the 2022 Inspection Report.

2. Warehouses and roadway into the shipping dock area

The EPA Inspector observed ponding of storm water along the left side of the road and noticed that several stormwater catchment basins were partially clogged by accumulated sand and gravel transported by storm water runoff flow. According to Mr. Farrington, the series of stormwater catchment basins is part of the stormwater drainage system in that section of the Facility, that eventually discharge into the nearby Charlotte Amalie Harbor. ***The EPA inspector did not observe any provision that serves as protection of inlets of the stormwater catchments basins*** in the referenced area of the Facility. See **IMGs 477 thru 480 of TROPICAL'S September 8, 2022 NPDES Stormwater RI Photo Album, ATTACHMENT 2,** of the 2022 Inspection Report.

3. Dock Bulkhead Area

The EPA Inspector did not observe any ships along the dock bulkhead engaged in unloading and loading of cargo at the time of the 2022 Inspection; however, observed the conditions that raised concerns; including:

i. *Potential discharge of oil and grease into Charlotte Amalie Harbor through stormwater contact with the "crane pad" operations* – Observed that the paved surface and wooden pads on which cranes track along the dock bulkhead appeared saturated with oil and grease residues that is a result of operation of the cranes. Stormwater readily comes into contact with the accumulated pollutant residues and are washed-off into the stormwater catch basins, which drain into the nearby Charlotte Amalie Harbor. See **IMGs 489, 490 and 495 of TROPICAL'S September 8, 2022 NPDES Stormwater RI Photo Album, ATTACHMENT 2,** of the 2022 Inspection Report.

In addition, the EPA Inspector observed a grate-covered drain situated between the crane pads and runs the entire length of the paved dock bulkhead. According to Mr. Farrington, the referenced drain is installed to capture releases that may occur from oil spills and grease residues during servicing of the cranes, and leaks from ruptured hydraulic and engine block fluid lines. See **IMGs 490 and 495 of TROPICAL'S September 8, 2022 NPDES Stormwater RI Photo Album, ATTACHMENT 2,** of the 2022 Inspection Report.

4. Main Container Yard Area

The EPA Inspector observed operations that involved movement of shipping containers from one staging location to another within the Main Container Yard Area. In addition, the EPA Inspector observed mechanical repair of vehicles and other load management equipment, such as Cranes and large front load-lifters, being carried out within, and in spaces immediately outside the mechanical maintenance shed. Evidence of the concerns that may lead to potential discharge of pollutants from various operations within the area in question, as observed and documented by the EPA Inspector, are presented below:

i. *Potential discharge of pollutants into Charlotte Amalie Harbor through stormwater runoff flow from **the front section** of the Main Container Yard Area* – Observed three (3) stormwater catch basins in the section in question, which is heavily trafficked from operation of container loaders, other heavy equipment, and cargo containers being hauled in and out of the Facility. The concrete structural form of the inlets of the stormwater catch basins were severely cracked and crumbling. Metal plates were used to cover the structurally comprised inlets to allow flow of traffic. Oil and grease residues, and track-in and track-out of sediments and other pollutants are deposited in that highly trafficked section, and exposed to stormwater runoff flow, readily being discharged into the nearby waters through the catchment basins. See **IMGs 479, 484 thru 486 of TROPICAL'S September 8, 2022 NPDES Stormwater RI Photo Album, ATTACHMENT 2,** of the 2022 Inspection Report.

ii. *Potential discharge of process wastewater into Charlotte Amalie Harbor through the Facility's Oil-Water Separator* – According to Mr. Farrington, the oil-water separator is situated below grade in the yard adjacent to the mechanical maintenance shed. Wastes generated (including engine fluids with oils, and greases) from vehicles and equipment being repaired falls onto the pavement and drains into the inlet port of the Oil-Water Separator. Mr. Farrington could not confirm whether there is an outlet to the Oil-Water Separator unit, and were it discharges. See **IMGs 513 and 514 of TROPICAL'S September 8, 2022 NPDES Stormwater RI Photo Album, ATTACHMENT 2,** of the 2022 Inspection Report.

iii. *Potential for release of pollutant from operation of the Facility's Used Oil Management Station* – Evidence observed revealed that operation of the Used Oil Management System leads to releases of the wastes outside of a containment erected. Spilled waste is exposed to and readily washed-off by storm water runoff flow away from the referenced area and drains towards stormwater catchment basins in the Facility. See **IMGs 510 thru 512 of TROPICAL'S September 8, 2022 NPDES Stormwater RI Photo Album, ATTACHMENT 2,** of the 2022 Inspection Report.

iv. *Improper disposal of potentially regulated wastes* – Observed oil-soaked rags and gloves mixed with generated refuse in a dumpster staged just outside of the mechanical maintenance shed. According to Mr. Farrington, waste in the dumpster in question is disposed along with regular garbage. See **IMG 506 of TROPICAL'S September 8, 2022 NPDES Stormwater RI Photo Album, ATTACHMENT 2,** of the 2022 Inspection Report.

5. The MT Yard Area

The EPA Inspector observed a relatively large section of the Facility, completely paved with brick-like tiles, and surrounded by chain-linked fencing, and identified as the MT Yard. The MT Yard is separated from the rest of the Facility by a large square stormwater drainage canal that runs from north to south and through the Facility, which discharges into the Charlotte Amalie Harbor. The MT Yard is strictly used for staging of cargo containers and is drained by stormwater catchment basins. The EPA observed one of the stormwater catchment basins situated in the center of the MT Yard of the Facility. Mr. Farrington could not confirm whether stormwater runoff from the MT Yard is discharged to the stormwater canal mentioned above. See **IMGs 498, 500, 518 and 519 of TROPICAL'S September 8, 2022 NPDES Stormwater RI Photo Album, ATTACHMENT 2,** of the 2022 Inspection Report.

6. Lack of Protection of Inlets of Stormwater Catchment Basins

Throughout the course of the 2022 Inspection, the EPA inspector did not observe any provisions that served as protection of the inlets to stormwater catchment basins anywhere in the Facility. In addition, evidence revealed that inlets of stormwater catchment basins in the Facility were not properly maintained. See **IMGs 480, 486, 500 and 514 of TROPICAL'S September 8, 2022 NPDES Stormwater RI Photo Album, ATTACHMENT 2,** of the 2022 Inspection Report.

d. Conveyances through which Tropical Discharge Storm Water Associated with Industrial Activity[5]

During the 2022 Inspection, the EPA Inspector identified at least **two** (2) points along the dock bulkhead through which stormwater associated with industrial activities that leaves the Facility eventually reaches the Charlotte Amalie Harbor. The evidence reveals that:

Outfall 1 – The stormwater management system through which stormwater runoff flows out of the Cancryn Field, warehouses and roadway, dock bulkhead, and the main container yard areas is conveyed and eventually discharged into Charlotte Amalie Harbor. Outfall 1 is featured in **IMG 486 of TROPICAL'S September 8, 2022 NPDES Stormwater RI Photo Album, ATTACHMENT 2,** of the 2022

[5] The EPA Inspector is numbering each outfall for identification purposes.

Inspection Report.

Outfall 2 – The discharge point of the square open channel that traverses the Facility (previously mentioned at Sub-section 8.c.5 of this 2022 Inspection Report) through which stormwater runoff flows from the MT Yard area and possibly other industrial operations of the Facility, flows into Charlotte Amalie Harbor. Outfall 2 is featured in **IMG 496 of TROPICAL'S September 8, 2022 NPDES Stormwater RI Photo Album, ATTACHMENT 2,** of the 2022 Inspection Report.

e. General findings and associated determinations

1. Based on review of information submitted by Tropical in responses to EPA's March 23, 2021, and June 17, 2022 formal Requests for Information, and findings and observations made and documented during the 2022 Inspection, reveal that industrial activity conducted by Tropical at its Facility meets the industrial classifications of **Marine Cargo Handling and/or a Deep Sea Domestic Transportation of Freight industry,** and that Tropical discharges stormwater associated with the identified industrial activity into Charlotte Amalie Harbor.

2. Findings and observations made during the 2022 Inspection reveal, as described above in Sub-sections 8.c and d of this 2022 Inspection Report. Further, that, pursuant to Section 301(a) of the CWA and its implementing regulation, established at 40 CFR122.26(b)(14)(viii) and USVI statute at 12 V.I.C. § 185(a), Tropical is subject to TPDES permit provisions for the discharge of industrial process waste streams and stormwater associated with industrial activity into the Charlotte Amalie Harbor.

9. EXIT MEETING

At the conclusion of the walkthrough, the EPA Inspector met with Ms. Aubain and Mr. Farrington at the Facility's Administration Office. The EPA inspector summarized his observations and findings made during the walkthrough of the 2022 Inspection and advised that the Agency would be issuing a formal written report reflecting all relevant concerns and observations made for the information of Tropical's management, and its advisement of corrective actions required to come into compliance with the CWA, the Virgin Islands Water Pollution Control Act ("WPCA"), and their respective implementing regulations. The EPA Inspector also advised Tropical's representatives that the documents requested but not readily available for the Agency's review during the 2022 Inspection, in addition to other information determined as required for completion of the 2022 Inspection Report, will be requested through electronic correspondences following the date of the 2022 Inspection.

10. POST WALKTHROUGH COMMUNICATIONS WITH CROWLEY AND REVIEW OF RECEIVED INFORMATION

Through a September 13, 2022 e-mail correspondence (featured as **ATTACHMENT 1** of

the 2022 Inspection Report), the EPA Inspector requested information from Ms. Aubain. The EPA Inspector received a response from Mr. Dean Beitler, Assistance Vice President of Human Resources through a September 30, 2022 e-mail correspondence transmitting most of the information requested by EPA.

Review of the September 30, 2022 Tropical information submittal revealed the following:

1. Tropical has not submitted an application (including a Notice of Intent and signed Storm Water Pollution Prevention Plan) to the attention of VIDPNR to secure coverage under the 2017 MSGP for its Facility.

2. Confirmed that the principals for Tropical's Marine Cargo operations in the USVI are Mr. Dean Beitler, Vice President of Human Resources and Safety, and Ms. Nisha Aubain, St. Thomas Island Manager for Cargo Management Operations.

3. The Oil-Water Separator in operation discharges into the existing stormwater management system that drains the Facility.

4. Certain features related to the existing stormwater management infrastructure identified during the EPA 2022 Inspection at the Facility are not fully reflected in the stormwater management system plan and drawing submitted to EPA by Tropical.

End of Report

ATTACHMENT 1 – EPA's September 13, 2022 request for documents identified during the 2022 Inspection for the Agency's review

ATTACHMENT 2 – TROPICAL'S September 8, 2022 NPDES Stormwater RI Photo Album

ATTACHMENT 1: EPA's September 13, 2022 request for documents identified during the 2022 Inspection for the Agency's review.

ATTACHMENT 2: TROPICAL'S September 8, 2022 NPDES Stormwater RI Photo Album

TROPICAL SHIPPING-CROWN BAY, NPDES Stormwater Reconnaissance Inspection (RI) Photo Album; 9-8-2022 Walkthrough

A. Observations that revealed potential non-compliance with regulations implementing the CWA and TPDES Stormwater Rules during the RI

IMG 471-Section of former Cancryn Field occupied by Tropical for staging containers to be dispatch that are being received.

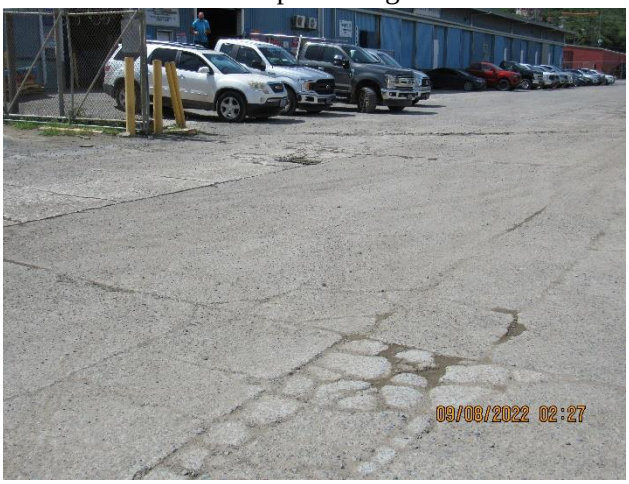
IMG 474-Chaises for transport of containers staged at section of Cancryn Field occupied by Tropical.

IMG 475-Front area of the Cancryn Field section occupied by Tropical. On-going activity observed, with no erosion control and soil retention installed.

IMG 476-Entrance/exit of Cancryn Field occupied by Tropical. Evidence of transport of sediment from the Field section that reaches the road.

IMG 477-Road going into the dock area. Sediment transported by storm water runoff from Field seen in the stormwater flow path along the road.

IMG 478-Picture of cover to storm sewer that conveys stormwater from upstream area.



IMG 479-A stormwater catch basin of stormwater drainage system in the Crown Bay port area.

IMG 480-Close-up of the stormwater catch basin partially clogged with sediment from upstream. The inlet of the catch basin is not protected.

IMG 485-Stormwater catch basin with raised inlet just in front of Tropical's fenced dock area. The inlet of the catch basin is not protected.

IMG 484-Close-up view of stormwater catch basin with raised inlet. Observed sea water intrusion with large amount of marine vegetation inside catch basin.

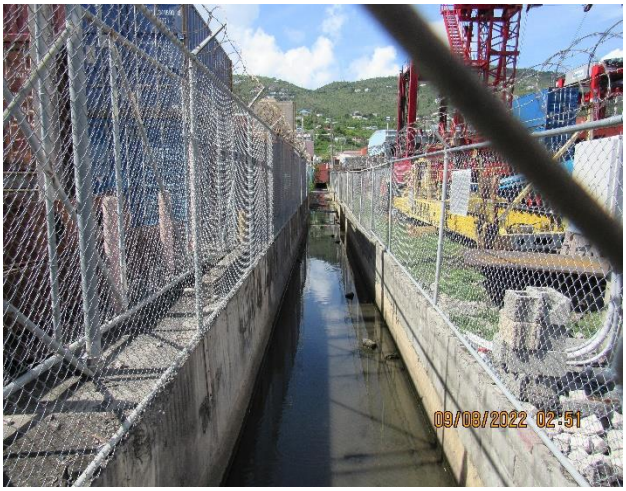
IMG 486-A storm water catch basin within the fence line. The inlet of the catch basin is not protected.

IMG 489-Crain staged on dock platform for loading and unloading cargo. Drain collects stormwater run-off, oil and grease leaks and spills installed in place.

IMG 490-View of the crain track system along the active dock where loading and unloading occurs. View of drain along the entire dock bulkhead.

IMG 495-Evidence of oil and grease residue open to all environmental conditions. Dock graded to allow stormwater to drain towards inner yard and the catch basins.

IMG 492-Container transport vehicle in operation in dock area and inner yard. Increased possibilities of spills and leaks of oil and grease in yard area.



IMG 498-Large stormwater drainage canal that runs through Tropical, north to south, and drains into the Bay.

IMG 500-Large catch basin in which mid-section of the Facility through which stormwater enters the large drainage canal, and into the Bay.

IMG 503-Lubricant and chemical storage area. No containment to capture spills and leaks onto concrete base. Will be washed-off by stormwater runoff flow.

IMG 510-Use Oil management tank not within containment to capture used oil spills and prevent releases that are exposed to stormwater runoff flow.

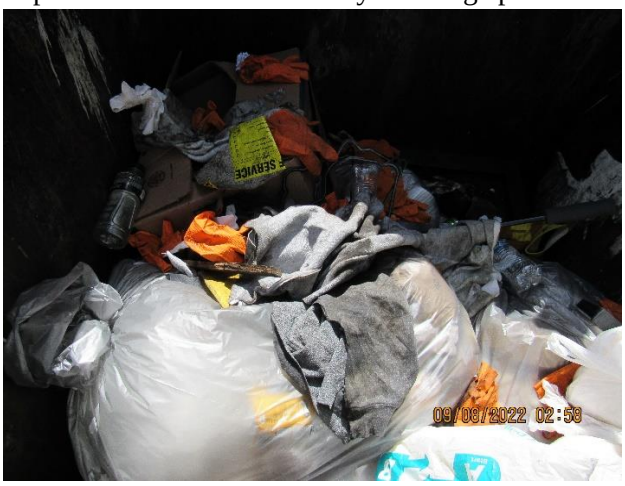
IMG 511-Evidence of spilled used oil on platform washed-off by stormwater runoff flow away from the used oil storage system.

IMG 512-Evidence that used oil residue washed-off by stormwater runoff flow towards stormwater catch basins in the central area of the Facility.

IMG 513-Evidence of oil and grease residues draining into inlet of a submerged Oil/Water Separator in operation at the Facility.

IMG 514-View of the inlet submerged in oily-mud. Oily-water runoff and sediment entering the Oil/ Separator unit. Did not identify discharge port.

IMG 517-Observed personnel actively engaged in maintenance of heavy-load equipment outside of the maintenance shed.



IMG 506-Identified oil-soaked rags and absorption pads thrown among regular garbage in dumpster Staged outside of the maintenance shed.

IMG 518-Stormwater catch basin that drains entire area of Tropical's MT Yard. Inlet of catch basin not protected.

IMG 519-View of Tropical's MT Yard area that drains into the single stormwater catch basin.

Identified outfalls for the discharge storm water associated with industrial activity from the Facility, as observed during walkthrough on September 8, 2022.

Outfall 1

IMG 486-Discharge point where storm water from the Field and Warehouse areas north of the Facility and stormwater runoff drainage from within the Tropical's Main Container Yard combined into Charlotte Amailie Harbor.

Outfall 2

IMG 496-Discharge point of a stormwater channel that traverses the Facility. Stormwater runoff from Tropical's MT Yard drains into the channel before final discharge into the Charlotte Amailie Harbor.