



REGION 2

NEW YORK, N.Y. 10007

January 11, 2024

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

Marc Langevin
President
Ritz-Carlton Hotel Co.
6900 Great Bay
St. Thomas, VI 00802-1010

**Re: The Ritz-Carlton, St. Thomas
6900 Great Bay, St. Thomas, U.S. Virgin Islands 00802-1010
Request for Information under Section 114 of the Clean Air Act
Reference Number: CAA-02-2024-1403**

Dear Mr. Langevin:

The Clean Air Act, 42 U.S.C. § 7401 *et seq.* (CAA or the Act), at Section 114, 42 U.S.C. § 7414, authorizes the U.S. Environmental Protection Agency (EPA) to require the submittal of information to, among other things, assess compliance with the Act and regulations promulgated pursuant to the Act. This Information Request Letter (Letter) requires Ritz-Carlton Hotel Co. (Ritz-Carlton) to submit certain information about The Ritz-Carlton hotel located at 6900 Great Bay, St. Thomas, VI 00802-1010 (the Facility) related to compliance with applicable CAA requirements.

Pursuant to Section 114 of the Act, this Letter requires Ritz-Carlton to submit all of the information requested by EPA in Enclosure 1. Failure to submit the requested information is a violation of Section 114 of the Act, and may result in an order to comply, an order for administrative penalties, or a civil action for penalties and an injunction requiring compliance pursuant to EPA's enforcement authority at Section 113(a) of the Act. *See Enclosure 2*. In accordance with Section 113(c)(2)(A) of the Act, any person who knowingly makes any false statement, representation, or certification in, or omits material information from or knowingly alters, conceals, or fails to file a response to this requirement may be subject to criminal penalties. The authority to issue this Information Request has been delegated to the Director of the Enforcement and Compliance Assurance Division. Ritz-Carlton owns and operates emission sources at the Facility. We may use any information submitted in response to this request in an administrative, civil, or criminal action.

You may choose to assert a business confidentiality claim covering all or part of the information submitted. However, you may not withhold any information on that basis. For EPA to consider a

claim of business confidentiality for one or more of the documents submitted by you, a cover sheet, stamped or typed legend, or other suitable form of notice must be placed on or attached to the document, with language such as “trade secret,” “proprietary,” or “company confidential.” Allegedly confidential portions of non-confidential documents should be clearly identified and may be submitted separately to facilitate identification and handling by EPA. To facilitate identification and handling by EPA, if you submit any documents in hard copy format, please submit your response so that all non-confidential information, including any redacted versions of documents, are in one envelope and all materials that you assert are entitled to confidential treatment are in a separate envelope. Note that “emission data,” as defined in 40 C.F.R. § 2.301(a)(2), cannot be claimed as confidential under Section 114(c) of the Act. *See* 42 U.S.C. § 7414(c). If no confidentiality claim accompanies the information received by EPA, the information submitted as part of your response may be made available to the public without further notice to you. EPA will disclose information covered by a confidentiality claim only to the extent allowed by, and in accordance with, the procedures set forth in EPA’s public information regulations at 40 C.F.R. §§ 2.201, *et seq.* (*See* 41 Fed. Reg. 36902 (Sept. 1, 1976)), and with applicable case law.

In order to fully comply with this Information Request, your response must include a completed Certification of Response (*see* Attachment to Enclosure 1), notarized by a notary public, and signed by you or another officer of your company. Please include the above-cited Reference No. **CAA-02-2024-1403** in all of your response(s) to this Letter. Your responses to the questions in Enclosure 1, including all supporting documents and the Certification of Response, must be submitted by email to Mr. Robert Buettner of the EPA, in accordance with the schedule set forth in Enclosure 1, at his email address below:

Robert Buettner, Manager
Air Compliance Branch
U.S. Environmental Protection Agency
Region 2
290 Broadway – 21st Floor
New York, New York 10007
Buettner.Robert@epa.gov

with copies sent to:

Katherine Marmanides
Marmanides.Katherine@epa.gov

Victor Tu
Tu.Victor@epa.gov

You should be aware that EPA may require the submittal of additional information after receiving the information required by this Letter. Subsequent additional requests for information will be considered part of this original request and subject to the aforementioned requirements. Further, if within one year of the date of this Letter, you obtain information different from, or in addition to, the information provided in response to this Letter, or if there is any change affecting

the information submitted, you must notify EPA and submit the relevant information no later than twenty (20) calendar days after such information becomes available.

The requested information shall be submitted to EPA within the timelines indicated for the specific requests in Part III of Enclosure 1. You may request an extension of any timeline to respond by email to Mr. Buettner at his email address above. Please include the reason(s) for the delay in responding and a proposed response date. In order to allow sufficient time for review, any such request for an extension of time must be made at least ten calendar days prior to the date on which the requested information is due to EPA. An extension of time will be effective only if granted by EPA in writing.

This information request is not subject to the Paperwork Reduction Act, 44 U.S.C. § 3501 *et seq.*, because it seeks collection of information from specific individuals or entities as part of an administrative action or investigation.

You should direct any questions about this information request to Katherine Marmanides in the EPA, Region 2 Air Compliance Branch at Marmanides.Katherine@epa.gov or 212-637-4063, or you may have your attorney contact Sara Amri in the EPA, Region 2 Office of Regional Counsel at Amri.Sara@epa.gov or 212-637-3167. We appreciate your prompt response.

Sincerely,

**KATHLEEN
ANDERSON**  Digitally signed by
KATHLEEN ANDERSON
Date: 2024.01.11
13:11:19 -05'00'

Kate Anderson, Acting Director
Enforcement and Compliance Assurance Division

(Enclosures)

cc: Anthony G. Capuano,
President, Chief Executive Office, Director
Marriot International, Inc.
7750 Wisconsin Avenue
Bethesda, MD 20814

Virgin Island Department of Planning and Natural Resources
45 Estate Mars Hill
Frederiksted, VI 00840

bcc: R. Buettner ECAD/ACB
K. Marmanides, ECAD/ACB
V. Tu, ECAD/ACB
L. Villatora, ORC/AB
S. Amri, ORC/AB
ORC/AB Chron File
ACB Source File

ENCLOSURE 1

INFORMATION REQUEST PURSUANT TO SECTION 114 OF THE CLEAN AIR ACT

The U.S. Environmental Protection Agency (EPA) requires the submittal of information regarding operations and compliance at The Ritz-Carlton Hotel facility located at 6900 Great Bay, St. Thomas, VI (the Facility).

Part I: Instructions

In preparing your responses, please refer to the following instructions:

- A complete and separate response must be provided for each numbered information request paragraph below. Identify each response with the same paragraph number to which it responds.
- Provide all supporting documentation for each response. Supporting documentation includes, but is not limited to, company records (such as logs, receipts, ledgers, etc.), notifications or reports that have been submitted to EPA and/or the Virgin Island Department of Planning and Natural Resources (VIDPNR), manufacturer's equipment specifications and equipment certifications, and other similar types of documents. For each document submitted, indicate the paragraph number to which it responds.
- For each document submitted, including but not limited to annual compliance certifications, annual emission reports, annual emission fee payments, and semi-annual emission reports, ensure that the document is clearly marked identifying the following: 1) a description of the document type or purpose of the document (e.g. annual emission report, generator daily log etc.); 2) the date of document submission to VIDPNR, where applicable; and 3) the exact dates of the reporting period covered by the document, where applicable. Ensure that each document is provided in its entirety (i.e., not just excerpted) and the pages are in order. Additionally, where documents are requested spanning a particular time period, i.e., daily logbooks, ensure that such documents are provided in chronological order.
- Provide as precise and complete a response as possible, even if the information sought was never documented in writing or if the written documents are no longer available. Consult with all present and past employees and agents whom you or other employees or officers have reason to believe may be familiar with the matter to which the question pertains. Provide the name of each person responding to each information request paragraph, along with the names of all persons consulted in the preparation of each response.
- If the requested information or documentation cannot be made available, state the reason(s) why it cannot be made available, and provide all information that could lead to obtaining it. If you cannot provide a precise answer to a question, please

approximate but, in any such instance, state the reason for your inability to be specific. In response to each question below, please provide, in detail, all relevant information. Please submit your responses to the EPA electronically. You may submit your responses electronically using any of the following methods: a) via email sent to Robert Buettner at the following address: Buettner.Robert@epa.gov; b) by providing the EPA with a link to the file sharing service of your preference where we may download the documents; or c) by requesting a link from the EPA to our file sharing service where you may upload the documents. If the information requested is not in existence or is not available, submit a statement certifying that fact, along with an explanation supporting such certification.

- Under Section 114 of the Clean Air Act (the Act), Ritz-Carlton must supply the requested information. The requested information must be submitted in accordance with the schedules in Part III: Specific Information Request, unless EPA grants, in writing, an extension of time to respond.

Pursuant to Section 114 of the Clean Air Act, Ritz-Carlton must supply the requested information. The requested information must be submitted within thirty (30) calendar days of receipt of this Information Request, unless EPA grants, in writing, an extension of time to respond.

Part II: Definitions

All terms used in this Information Request will have their ordinary meaning unless such terms are defined in the Act, 42 U.S.C. § 7401 *et seq.*, and its implementing regulations. Where reference is made to the EPA regulatory provisions only, however, you should also apply the applicable federally approved state provisions when appropriate. Additional terms are defined as follows:

- The terms “document” and “documents” shall mean any object that records, stores, or presents information, and includes writings, memoranda, records, or information of any kind, formal or informal, whether wholly or partially handwritten or typed, whether in computer format, memory, or storage device, or in hardcopy, including any form or format of these.
- The term “Facility” shall mean the facility owned by Ritz-Carlton Hotel Co. located at 6900 Great Bay, St. Thomas, VI 00802-1010.
- The terms “you,” “your” or “Ritz-Carlton” means the addressee of this Information Request, the Ritz-Carlton Hotel Co.

Part III: Specific Information Request

Please provide the information requested in questions 1 through 19 of this Part III of Enclosure I within thirty (30) calendar days from the receipt of this Information Request. Unless otherwise stated, the information requested below shall be submitted in Microsoft Excel, Microsoft Word,

or optical character recognition (OCR) Adobe Acrobat PDF format depending on the information requested.¹

1. Identify the person(s) responsible for answering each question set forth below in this Information Request. Include with your answer each person's name, job position/title, and a description of the person's responsibilities. Also state how long each person has been in that position and, if less than three years, what other positions each person held in the three-year period prior to receipt of this Information Request.
2. Provide the name(s) of all legal owner(s) and operator(s) of the Facility.
3. Identify all entities affiliated with Ritz-Carlton such as parent, subsidiary, and sibling corporations. Explain the ownership relationship between Ritz-Carlton and these entities.
4. Identify all person(s) responsible for environmental compliance at the Facility. Include their names, specific job titles, mailing addresses, phone numbers, and e-mail addresses.
5. Provide the names of the corporate officers of both Ritz-Carlton and any parent companies, along with their names, job titles, mailing addresses, phone numbers, and e-mail addresses.
6. Provide a valid, signed copy of the Facility's current Title V permit issued by VIDPNR, including the permit's effective date and expiration date. Provide all correspondence/records with VIDPNR related to the Facility's corresponding Title V permit application. Such documentation would include, but is not limited to, records showing that the Title V permit application—including any addendums, supplements, or revisions—was submitted, received, and approved by VIDPNR, as well as any comments or other responses VIDPNR provided.
7. Provide copies of all final permit application(s) submitted to VIDPNR, as well as any corresponding final permits issued, for the addition of any emission units at the Facility not included in your current Title V permit. Provide all correspondence/records (i.e., emails, letters, mail receipts or e-mail read receipts, etc.) that relate to the submission of permit applications adding these emission units, including, but not limited to, verification that these applications were submitted, received, and approved by VIDPNR.
8. For the time period of January 1, 2015 through the present date:

¹ To the extent that you believe that any of the information requested herein encompasses information you already provided to EPA, we request that you resubmit this information to EPA in the exact manner described in Part I ("Instructions") and in Part III ("Specific Information Request") given lack of clarity in prior submittals.

- a. Describe the manner in which the Facility monitors and records emissions from each of its emissions units (i.e., by hand and/or electronically, through a Continuous Emissions Monitoring System, etc.); and
 - b. For any changes in the Facility's monitoring and/or recordkeeping system, provide copies of all final permit modification application(s) submitted, received, and approved by VIDPNR, as well as any comments or other responses VIDPNR provided.
9. Provide copies of all annual compliance certifications submitted to VIDPNR for the time period of January 1, 2015 through the present date. For each certification, please provide the following:
 - a. Verification of the date of submission as well as confirmation of receipt by VIDPNR; and
 - b. Clearly specify the reporting period the certification covers (including the beginning and end date).
10. Provide copies of all annual emission reports submitted by the Facility to VIDPNR for the time period of January 1, 2015 through the present date reflecting the Facility's actual emission rate calculations in tons per year. For each report, include the following information:
 - a. Verification of the date of submission as well as confirmation of receipt by VIDPNR; and
 - b. Clearly specify the reporting period the report covers (including the beginning and end date).
11. Provide proof of all annual emission fee payments made to VIDPNR based on the Facility's actual emission rates in tons per year, as well as all supporting documentation related to the payments (i.e., invoices, receipts, etc.).
12. Provide copies of all semi-annual emission reports covering all emissions units submitted to VIDPNR for the time period of January 1, 2015 through the present date. For each semi-annual emission report, provide the following:
 - a. Verification of the date of submission as well as confirmation of receipt by VIDPNR; and
 - b. Clearly specify the reporting period the report covers (including the beginning and end date).
13. Provide the following information for each boiler located at the Facility:
 - a. The name of the manufacturer and the model number of each boiler;
 - b. The rated heat input capacity (in units of million British Thermal Units per hour) of each boiler;
 - c. The date of installation of each boiler;

- d. The type of fuel (e.g., Number 2 fuel oil, Number 4 fuel oil, Number 6 fuel oil, natural gas, or any other type of fuel) that each boiler is capable of burning;
 - e. Copies of all permits issued by the VIDPNR for each boiler;
 - f. Copies of all permits or certificates issued by any other state or local authority for each boiler;
 - g. Copies of all semi-annual emission reports for each boiler. If any of these reports have already been submitted as a response to a prior request within this information request, please indicate this;
 - h. Copies of all annual emission reports for each boiler for the time period of January 1, 2015 through the present date. If any of these reports have already been submitted as a response to a prior request within this information request, please indicate this;
 - i. Copies of all daily logbooks for the time period of January 1, 2015 through the present date for each boiler. These should include, but are not limited to, the date and number of hours of operation for each boiler, time of commencement and end of operation for the day for each boiler, quantity (in gallons) of fuel burned by each boiler per hour and per day during operation, corrective action taken during any malfunction of each boiler, and the cause, date and time of occurrence of any malfunction, and duration of occurrence, and any scheduled maintenance for each boiler;
 - j. Copies of all annual tonnage reports for each boiler for the time period of January 1, 2015 through the present date. Please ensure the time period each report covers is clearly specified; and
 - k. Copies of documentation of all annual emission fees paid to VIDPNR for each boiler. If any such documentation has already been submitted as a response to a prior request within this information request, please indicate this.
14. Provide the following information regarding liquid fuel (e.g., fuel oil) purchased from January 1, 2015 to the present date for each boiler at the Facility:
- a. Copies of all receipts for liquid fuel/oil purchased during this period;
 - b. Identify all types of liquid fuel (e.g., Number 2 fuel oil, Number 4 fuel oil, Number 6 fuel oil, or any other type of oil) purchased during this period;
 - c. The percent of sulfur by weight contained in each purchase of liquid fuel/oil during this period; and
 - d. The name and address of the company that provided the liquid fuel/oil to your Facility during this period.
15. Provide records that indicate how much gaseous fuel (e.g., natural gas) was used to fire the boilers located at the Facility from January 1, 2015 through the present date. These records may include utility bills from the provider of natural gas supplied to your Facility.
16. For each boiler located at the Facility that burned any type of fuel from January 1, 2015 through the present date, provide the following information:

- a. Provide records related to all boiler tune-ups conducted for each boiler;
 - b. Provide a description of any corrective actions taken as part of each boiler tune-up; and
 - c. Provide the name and address of the person or company that performed each boiler tune-up.
17. Provide the following information for each generator located at the Facility:
- a. The name of the manufacturer and the model number of each generator;
 - b. The rated heat input capacity (in units of kW) of each generator;
 - c. The date of installation of each generator;
 - d. The type of fuel (e.g., Number 2 fuel oil, Number 4 fuel oil, Number 6 fuel oil, natural gas or any other type of fuel) that each generator is capable of burning;
 - e. Copies of all permits issued by the VIDPNR for each generator;
 - f. Copies of all permits or certificates issued by any other state or local authority for each generator;
 - g. Provide an explanation with supporting documentation for how you are complying with the particulate matter standards applicable to your generators; and
 - h. For the time period of January 1, 2015 through the present date, provide the following:
 - i. Copies of all daily logbooks for each generator. These should include, but are not limited to, the amount of fuel consumed by each generator on an hourly, daily, and monthly basis; the amount of fuel consumed in gallons per hour and gallons per day; the daily Nitrogen Oxide (NO_x) emissions of each generator; the total daily power output along with the related percent load; the power and percentage load that each generator runs at on an hourly and average daily basis; records of all corrective actions done to verify compliance with opacity; records of quantity and sulfur content of fuel oil; and equipment calibration checks, adjustments and maintenance performed;
 - ii. Copies of all semi-annual emission reports for each generator. If any of these reports have already been submitted as a response to a prior request within this information request, please indicate this;
 - iii. Copies of all annual emission reports for each generator. If any of these reports have already been submitted as a response to a prior request within this information request, please indicate this;
 - iv. Copies of documentation of all annual emission fees paid to VIDPNR for each generator. If such documentation has already been submitted as a response to a prior request within this information request, please indicate this;
 - v. Copies of all Visible Emission logs;
 - vi. Copies of all Method 9 and Method 22 certifications for each certified observer; and
 - vii. Copies of all annual tonnage reports for each generator.

18. For each generator that is located at the Facility, provide the following information regarding liquid fuel (e.g., fuel oil) purchased from January 1, 2015 through the present date:
 - a. Copies of all receipts for liquid fuel/oil purchased during this period;
 - b. The type of liquid fuel (e.g., Number 2 fuel oil, Number 4 fuel oil, Number 6 fuel oil, or any other type of oil) purchased during this period;
 - c. The percent of sulfur by weight contained in each purchase of liquid fuel/oil during this period; and
 - d. The name and address of the company that provided the liquid fuel/oil to your Facility during this period.

19. Provide the following information for each dryer that is located at the Facility:
 - a. The name of the manufacturer and the model number of each dryer;
 - b. The rated heat input capacity (in units of million British Thermal Units per hour) of each dryer;
 - c. The date of installation of each dryer;
 - d. The type of fuel (e.g., Number 2 fuel oil, Number 4 fuel oil, Number 6 fuel oil, natural gas or any other type of fuel) that each dryer is capable of burning;
 - e. Copies of all permits issued by the VIDPNR for each dryer;
 - f. Copies of all permits or certificates issued by any other state or local authority for each dryer;
 - g. Copies of all semi-annual emission reports for each dryer. If any of these reports have already been submitted as a response to a prior request within this information request, please indicate this;
 - h. Copies of all annual emission reports for each dryer. If any of these reports have already been submitted as a response to a prior request within this information request, please indicate this;
 - i. Copies of documentation of all annual emissions fees paid to VIDPNR for each dryer. If such documentation has already been submitted as a response to a prior request within this information request, please indicate this; and
 - j. For the time period of January 1, 2015 through the present date, provide copies of all daily logbooks for each dryer. This information includes, but is not limited to, quantity of fuel used for each dryer on an hourly and daily basis.

ATTACHMENT 1 TO ENCLOSURE 1

CERTIFICATION OF RESPONSE

State/Territory of _____:

County of _____:

I certify, under penalty of law, that I have personally examined and am familiar with the information submitted in response to the Information Request and all documents submitted with this response, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate, and complete, and that all documents submitted with this response are complete and authentic unless otherwise indicated. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment. I am also aware that for one year from the date of the Information Request, I am under an obligation to supplement my response to the Information Request if any additional information relevant to the matters should become known or available to me.

NAME (print or type)

TITLE (print or type)

SIGNATURE

Sworn to before me this ___ day of _____, 2024

Notary Public