



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 2
290 BROADWAY
NEW YORK, NY 10007-1866

DEC -7 2015

Dawn L. Henry, Esq., Commissioner
Department of Planning and Natural Resources
Government of the U.S. Virgin Islands
8100 Lindberg Bay, Suite #61, 2nd Floor,
Cyril E. King Airport Terminal Building,
St. Thomas, Virgin Islands 00802

Dear Commissioner Henry:

As part of its oversight responsibility of approved programs, the U.S. Environmental Protection Agency conducts regular evaluations of State and Territorial Title V air permitting programs. On June 24, 2015, staff from EPA Region 2 conducted a review of the U.S. Virgin Islands' Title V air permitting program; we conducted similar reviews in 2003, 2007 and 2011.

The EPA wants to thank you and your staff for the assistance and information the U.S. VI Department of Planning and Natural Resources provided during this evaluation. The purpose of the 2015 evaluation is to assess how the U.S. VI has been implementing the program and whether deficiencies identified previously were resolved. Such evaluations are critical for the EPA to ensure that states and territories are implementing the permitting program in a manner consistent with the federal requirements and also provide information to managers in states and territories on how to improve their permitting programs.

Based on our 2015 evaluation, the EPA concludes that while the U.S. VI continues to maintain a level of implementation similar to that described in our 2011 evaluation, in a few areas there are some significant program concerns that need your immediate attention. As you know, the EPA's Office of Inspector General (OIG) conducted its own review of federal environmental programs implemented by the U.S. VI and in its April 2015 report, noted similar concerns about the U.S. VI's Title V permit program.

The summary of our findings is provided below.

Areas of Concern

Permit Fees/Expenses: The EPA is very concerned about the decline in revenue for the U.S. VI's Title V program which has gone from \$1.36 million in FY 2011 to a projected FY 2015 level of \$76,460. Additionally in 2010, the VIDPNR reported a \$2.16 million surplus of Title V funds. However, the VIDPNR Finance Division has projected that it will not have any Title V funds at the end of CY 2015. HOVENSA's shutdown of major activities in 2012 has caused this drop in revenue while the U.S. VI has maintained its Title V emissions fee at \$50 per ton since 2006. (See recommendations in Part IV of the enclosed report.)

Permit Compliance: The U.S. VI's inspection and enforcement activities have been limited and inadequate. Since the U.S. VI has only a few active Title V sources, a quarterly inspection and timely

collection of fees and compliance reports will be essential in ensuring that the sources continue to comply with the permit terms. The EPA understands that some of the Title V sources failed to submit their Title V annual compliance certification, which can make these sources potential High Priority Violators. The VIDPNR also issued synthetic minor source permits to five facilities. In order to ensure that those facilities are complying with the synthetic minor source permit terms, the VIDPNR needs to conduct immediate initial and regular inspections and take appropriate actions if necessary. The VIDPNR is asked to submit its findings of the initial inspections to: Mr. Steven C. Riva, Chief, Permitting Section, Air Programs Branch, 25th Floor, U.S. EPA Region 2, 290 Broadway, New York, New York, 10007.

Permit Issuance/Permit Files: While the VIDPNR issued three Title V renewal permits during the last four years, the VIDPNR needs to expeditiously issue the permits for the Bovoni and Anguilla landfills as Consent Decrees concerning these facilities were entered in December, 2012 and March, 2013, respectively.

Public Access: The U.S. VI needs to provide the public with access to the draft and final Title V permits on VI DPNR's web page. Please note that the EPA made this recommendation during the 2007 and 2011 evaluations.

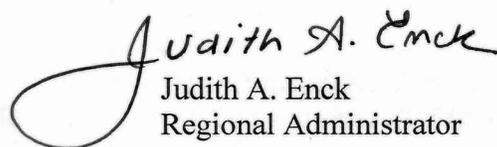
Areas of Continued Implementation

The EPA appreciates that the U.S. VI's Title V program staff works proactively and maintains communication with EPA staff on a regular basis.

The EPA found that all the Title V permit files are properly tabbed and organized. The files contained significant documents received since 2011. The EPA notes that the VIDPNR staff also continues to maintain its expertise in preparing renewal permits and the Statements of Basis.

Please review the enclosed report for further details and let us know within sixty (60) days what actions the U.S. VI plans to take to ensure the funding of the Title V program is and will continue to be adequate and to address other issues summarized at the end of the report. Your response should be sent to Mr. Riva at the address listed above. The EPA remains available to work collaboratively with you and your management team in addressing these concerns so that the U.S. VI can consistently implement the Title V program in a manner that meets the federal clean air requirements. If you have any questions please contact me or have your staff contact Mr. Riva at (212) 637-4074.

Sincerely,


Judith A. Enck
Regional Administrator

Enclosures

cc: Norman Williams, VIDPNR
Verline Marcellin, VIDPNR

ATTACHMENTS

DRAFT AGENDA

Virgin Islands Title V Program Evaluation

June 24, 2015 - NY Office via Conference Call/CEPD @ DPNR Office

- 9:30-10 Introduction- 2011 Audit Summary
- 10- 12 2011/2015- Permit Issuance Rate/Renewals/Certifications/Staff/Issues
- 1.30- 2.30 DPNR Title V Finance-Q/A-fees/expenses/Small Business
- 2.30-3.30 Permit and File Reviews- CEPD EPA

We will prepare questions that we will discuss during this audit – we will send the list to DPNR in advance. Similarly, DPNR should send us a list of any questions that it may have for EPA.

Facility	Classification	Power Source	Comments
The Buccaneer St Croix	Synthetic minor	Produces own power not connected to a grid	
DIVI Carina Bay	Minor	Produces own power not connected to a grid	
Frenchman's Reef	Synthetic Minor	Produces own power not connected to a grid	
Diageo USVI	Synthetic Minor	Produces its own power and gets power from the grid when needed	
Cruzan	Minor	Still on VIWAPA's grid	The facility was issued a construction permit for prime source. The permit to operate has not been issued.
Renaissance Carambola	Minor	Get power from the grid	The facility was issued a permit for prime source. The facility is in violation. The legal office is in the process of issuing a Notice of Violation to the facility. The facility is back on the grid.
Westin Bay	Minor	Gets power from the grid and use the generators in emergency situations	
Caneel Bay	Minor	Gets power from the grid and use the generators in emergency situations	



DEPARTMENT OF PLANNING AND NATURAL
RESOURCES
DIVISION OF ENVIRONMENTAL PROTECTION
45 MARS HILL
FREDERIKSTED, VIRGIN ISLANDS 00840
TEL/FAX: (340) 773-1082 / (340) 773-9310

ANNUAL CERTIFICATION REVIEW CHECKLIST

FACILITY FACILITY DESCRIPTION ADDRESS PERMIT # RESPONSIBLE OFFICIAL		AFS ID SIC CODE REPORTING PERIOD DATE RECEIVED REVIEWER REVIEW DATE
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REQUIREMENT	ADEQUATE YES/NO/NA	COMMENTS
VIR&R 12-09 -206-64(c)/VIR&R 12-09-206-71(a)(5) 40 CFR 70.6 (c) 5 (iii) DID THE FACILITY IDENTIFY THE FOLLOWING:		
EACH TERM OF THE PERMIT BEING CERTIFIED		
METHODS USED TO DETERMINE COMPLIANCE STATUS OF EACH TERM OF THE PERMIT		
THE COMPLIANCE STATUS OF EACH TERM OF THE PERMIT CONTINUOUS OR INTERMITTENT		
REQUIREMENT 40 CFR 70.5(d) / VIR&R 12-09-206-64 (a)		
DID A RESPONSIBLE OFFICIAL SIGN CERTIFYING THAT THE INFORMATION IS		

ACCURATE, TRUE AND COMPLETE		
40 CFR70.6(a)(3)(iii)(A)/VIR&R 12-09-206-71 (b)(5) (A)		
WAS THE ANNUAL CERTIFICATION RECEIVED ONE MONTH AFTER THE ANNIVERSARY OF THE PERMIT: STT-TV-003-03		

FINDINGS:

FEDERALLY REPORTABLE VIOLATIONS:

COMMENTS/RECOMMENDATION:

ANNUAL CERTIFICATION PLACED IN FILE: YES NO

NAME:

TITLE:

SIGNATURE: _____ **DATE** _____



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In-House Review Checklist

Facility:

Address:

Permit Number:

AFS AD:

SIC Code:

I. Permit Issuance Review

Issuance Date	Renewal Date	Regulations	Section of Permit	Potential Non-Compliance

II. Compliance Monitoring Records Review

Date Received:

Reporting Period:

Reporting Frequency:

Date Completed:

Review

III. Performance Testing:

IV. High Priority Analysis (If Applicable)

V. Potential Violation Potential Violation

Inspector/Reviewer:

Title:

Completion Date:

Department of Planning and Natural Resources

Title V Projection(Fiscal Year 2011 - 2014)

Revenue							
Sources	Beginning Balance	Actual Fiscal Year 2011	Actual Fiscal Year 2012	Actual Fiscal Year 2013	Actual Fiscal Year 2014	Projected to 9/30/15	FY'11 to FY'15(Projected)
Balance Forwarded 10/1/10	\$ 2,161,557.13						\$ 2,161,557.13
Virgin Islands Water & Power Authority		\$ 252,191.00	\$ 278,757.00	\$ 234,100.00	\$ 161,500.00	\$ 70,050.00	\$ 996,598.00
St. Croix Renaissance Group		\$ 10,259.50	\$ 9,570.00	\$ 81.00	\$ 1.50		\$ 19,912.00
HOVENSA		\$ 821,750.00	\$ 476,550.00	\$ 245,400.00	\$ 53,800.00		\$ 1,597,500.00
Buccaneer Hotel		\$ 1,810.55	\$ 2,635.00	\$ 2,425.00			\$ 6,870.55
Wyndham Sugar Bay Hotel		\$ 5,840.00		\$ 8,905.00		\$ 6,410.00	\$ 21,155.00
Divi Carina Bay Resort		\$ 3,277.26					\$ 3,277.26
FINES COLLECTED		\$ 750.00	\$ 18,700.00		\$ 1,970.00		\$ 21,420.00
HOVENSA(Consent Decree)*/Violations**		\$ 250,000.00	\$ 252,000.00				\$ 502,000.00
Wyndham Sugar Bay Hotel(Additional Title V Fees)*		\$ 15,900.00					\$ 15,900.00
Diageo USVI, Inc.			\$ 10,000.00				\$ 10,000.00
Carambola Beach Resort(Consent Agreement)**			\$ 6,300.00		\$ 5,709.00		\$ 12,009.00
The Ritz-Carlton					\$ 2,200.15		\$ 2,200.15
Totals	\$ 2,161,557.13	\$ 1,361,778.31	\$ 1,054,512.00	\$ 490,911.00	\$ 225,180.65	\$ 76,460.00	\$ 5,370,399.09
FY'11 * , FY'12**(Signifies collection made in the respective fiscal years)							
Expenditures							
Categories	Actual Fiscal Year 2011	Actual Fiscal Year 2012	Actual Fiscal Year 2013	Actual Fiscal Year 2014	Projected to 9/30/15	Total Expenditures FY'11 to FY'15(Projected)	
Personnel & FB Cost	788,940.56	798,983.26	697,337.24	587,046.63	475,837.54	3,348,145.23	
Equipment	28,192.65	12,389.35	347.30	2,000.00	-	42,929.30	
Supplies	42,361.24	52,082.05	16,146.99	17,195.29	6,244.81	134,030.38	
Other Services & charges	294,964.34	259,534.15	131,139.47	129,503.28	55,591.53	870,732.77	
Utilities	40,250.15	77,436.09	75,058.98	104,600.00	67,655.12	365,000.34	
	1,194,708.94	\$ 1,200,424.90	\$ 920,029.98	\$ 840,345.20	\$ 605,329.00	\$ 4,760,838.02	
Total Estimated Revenues							5,370,399.09
Less Total Estimated Expenditures							(4,760,838.02)
Estimated Available Balance 9/30/15							609,561.07

**DEPARTMENT OF PLANNING AND NATURAL RESOURCES
REVENUE AND EXPENSE SUMMARY DIVISION OF PERMITS
FISCAL YEAR 2014**

	COLLECTIONS	EXPENSES	BALANCE
10/01/13 Balance Forward			\$ 1,739,139.18
2014 COLLECTIONS			
OCTOBER	\$ 2,200.15	\$ 30,102.87	\$ 1,711,236.46
NOVEMBER	\$ -	\$ 112,294.77	\$ 1,598,941.69
DECEMBER	\$ -	\$ 56,626.85	\$ 1,542,314.84
JANUARY	\$ -	\$ 100,338.42	\$ 1,441,976.42
FEBRUARY	\$ 500.00	\$ 59,283.80	\$ 1,383,192.62
MARCH	\$ -	\$ 78,990.89	\$ 1,304,201.73
APRIL	\$ -	\$ 70,900.43	\$ 1,233,301.30
MAY	\$ 1.50	\$ 66,046.39	\$ 1,167,256.41
JUNE	\$ 161,500.00	\$ 57,243.52	\$ 1,271,512.89
JULY	\$ 6,419.00	\$ 57,791.70	\$ 1,220,140.19
AUGUST	\$ 760.00	\$ 57,410.73	\$ 1,163,489.46
SEPTEMBER	\$ 53,800.00	\$ 93,314.83	\$ 1,123,974.63
TOTAL FY 2014 COLLECTIONS	\$ 225,180.65	\$ -	\$ -
Adjustment	\$ 307.69		
YEAR TO DATE	\$ 1,964,627.52	\$ 840,345.20	\$ 1,124,282.32

The Environmental Protection Agency's (EPA) Re-evaluation Of the United States Virgin Islands Department of Planning and Natural Resources' (VIDPNR) Title V Permit Program- June 24, 2015.

- I. Introduction
- II. Focus of Evaluation
- III. Re-evaluation of the U.S. Virgin Islands' title V Permit Program
- IV. Conclusions
- V. Attachments
 - A. Meeting Agenda/Participants
 - B. Permitting Documents
 - C. Fee/Finance Documents

U.S. Virgin Islands
Department of Planning and Natural Resources
2015 -title V Permit Program Re-evaluation

I. Introduction

As part of the EPA's oversight responsibilities, the EPA Region 2 staff conducted a program review and re-evaluation of the U.S. Virgin Islands' federally approved title V permit program on June 24, 2015. This re-evaluation focused on the title V permit program implementation during the last four years. The EPA evaluated air permitting files, and held discussions with the management and staff responsible for implementing this program. The EPA has identified areas of concern and the areas that the U.S. Virgin Islands Department of Planning and Natural Resources (VIDPNR) continues to implement satisfactorily. This report summarizes items discovered during the EPA Region 2's review. The U.S. Virgin Islands' program covers seven sources that have active permits and three more sources which are expected to receive the permits in a few years. The EPA notes that the VIDPNR issued the initial title V permits by 2010 to all the sources that applied when its program was approved in late 1990s. In the last four years, the VIDPNR issued three title V renewal permits. Currently, the VIDPNR is working on three applications for the initial permits (of which two applications are for the landfills that were submitted in 2007) and three applications for renewal permits. In the last four years, the VIDPNR also issued five synthetic minor permits to limit the source's potential emissions to below the applicability thresholds for requiring title V permits.

Overview

This re-evaluation analyzes how the U.S. Virgin Islands' title V program is implemented and whether deficiencies discovered during the previous evaluation were corrected. The purpose of the Region's review is to determine whether the U.S. VI is complying with title V of the federal Clean Air Act, 42 U.S.C. § 7661, et seq. ("the Act" or "CAA"), and its implementing regulations at 40 C.F.R. Part 70, with respect to administration and enforcement of the U.S. VI's approved title V program or, if not, is taking corrective action to do so. The details of the review are included in this report. EPA's analysis is based on the discussions with the VIDPNR's management and staff and file/report reviews. As part of this evaluation the VIDPNR provided information related to files/permits, financial records and small business activities. The EPA's re-evaluation preliminarily concludes that the VIDPNR's permit application processing and permit issuance remain satisfactory (however the landfill permits need to be issued expeditiously). The Small Business Program continues to meet its obligations, however, the program revenue continues to shrink to the extent that the program may run out of the funds by the end of 2015. Further, the EPA found that the VIDPNR's compliance and enforcement remains limited and inadequate.

II. Focus of the Evaluation and possible outcome:

This program review focused on two questions:

- (1) Is the U.S. Virgin Islands administering its permitting program consistent with the requirements of 40 C.F.R. Part 70?
- (2) Is the U.S. Virgin Islands adequately enforcing its permitting program consistent with the requirements of 40 C.F.R. Part 70?

In terms of possible outcomes, the EPA may withdraw a permitting authority's title V program approval in whole or in part whenever the approved program no longer complies with the requirements of title V and part 70 and the permitting authority fails to take corrective action. As a prerequisite to withdrawal, the EPA must publish a Notice of Deficiency in the Federal Register, pursuant to CAA § 502(i) and 40 C.F.R. § 70.10(b)(1), notifying the state of the determination and the corrective actions required. It is the EPA's goal to ensure that the VIDPNR issues all permits expeditiously, issues permits that meet all Virgin Islands and Federal requirements and enforces these permits.

III. Re-evaluation of the U.S. Virgin Islands' title V Permit Program

On June 24, 2015, staff from EPA Region 2's Clean Air and Sustainability Division (CASD) and the Caribbean Environmental Protection Division (CEPD) conducted a review of the U.S.VI's title V air permitting program. The CEPD staff met with the DPNR staff in the Virgin Islands whereas the CASD staff participated via conference call to conduct this evaluation. During its onsite visit, the CEPD staff reviewed state agency documents and files, including public notices and permits. The Region sent the agenda topics for the title V program review in advance to the VIDPNR.

U.S. VI title V Fees/Expenses

Based on the discussions with the VIDPNR's staff and the title V Projection (FY '11-FY '14) table (enclosed with this report) provided during the evaluation, it appears that the title V program will run out of funds to administer this program by the end of 2015. Therefore, U.S. VI needs to pay immediate attention to the issue of this revenue shortfall. Section 502(b)(3) and 40 C.F. R. § 70.9 require all reasonable direct and indirect costs of developing and administering the permit program to be paid for by fee revenues collected from sources subject to the program. The EPA could not verify that there were procedures still in place for the receipt, separation, expenditure, and adequacy of the U.S. VI's title V funds. EPA determined that U.S. VI carried a \$2.16 million surplus in FY 2010. Due to the shutdown of the HOVENSA Refinery in early 2012 and additional reduction in number of sources paying title V fees (many sources taking emission limits to get out of title V permitting requirements), the fee revenue kept decreasing and in FY 2015 it is projected to be only \$76,460. The EPA notes that the VIDPNR also reduced its

expenses over the last four years from \$1.19 million to \$605,000 this year. The U.S. VI has maintained its fees at \$50 per ton since 2006. The EPA further notes that the sources continue not to pay the fees on a timely basis.

In order to address the revenue shortfall concerns, EPA suggests that the U.S. VI consider the following changes to its title V program:

- aggressive and timely fee collection including development of a streamlined permit fee collection schedule and procedure
- increase the fee from \$50/ton
- reduce the Small Business Program allocation
- reevaluate and ensure that only title V permit program related expenses are charged to this program's cost and,
- analyze permitting and enforcement activities to increase productivity to cut costs

VIDPNR- Organization

The U.S. Virgin Islands Department of Environmental Protection (VIDEP) is part of the VIDPNR organization. The air related issues are handled by the VIDEP's Air Quality Management and Air Pollution Control sections. The Air Pollution Control section consists of three full time staff and is responsible for minor and major source permitting and enforcement. The Air Quality Management section also consists of three full time employees and is responsible for all the air monitoring activities on the Islands. The VIDPNR is headed by the Commissioner to whom the VIDEP Director reports. The Air Quality Management and the Air Pollution Control sections report to the VIDEP Director. The VIDPNR Air Pollution Control section's staff has reduced from six to three in the last four years and as of last year the St. Thomas office has no Air Pollution Control staff.

VIDPNR title V Permitting Status

The EPA evaluated VIDPNR's permitting status and expertise in evaluating title V air permit applications by reviewing information regarding the number of sources permitted, those which still need an initial title V permit and the training activities. The EPA's review relied on information from the staff discussions, file reviews, the state's air permit chart and semi-annual input for the title V Operating Permits System. In the last four years, the VIDPNR issued three renewal permits and five synthetic minor source permits. The VIDPNR continues to work on three initial title V permit applications and three permit renewal applications received in the last twelve months. The VIDPNR needs to issue the initial title V permits for the Bovoni and Anguilla landfills expeditiously since Consent Decrees concerning these facilities were entered in December 2012 and March 2013, respectively.

The following Table lists all potential title V sources and the status of their applications/permits.

Potential title V Source in the Virgin Islands	As of July 2011	As of June, 2015
Buccaneer Hotel	Final Permit--May 2003- May 2008 renewal application- May 2009- new application for a Synthetic Minor permit received	Synthetic Minor Permit Issued- 2012
Wyndham Sugar Bay Resort	Final Permit- May 2003	Renewal Application Received in 2014- DPNR processing
VIWAPA St. Croix	Final Permit- December 2003- Draft Renewal Issued- Awaiting Compliance Schedule before issuing a Final Renewal Permit	Renewal Permit issued- 2102
VIWAPA St. Thomas	Final Permit- December 2003- Draft Renewal Issued- Awaiting Compliance Schedule before issuing a Final Renewal Permit	DPNR waiting for the CD conditions- Permit Ready
VIWAPA St. John	Final Permit- April 2005- Draft Renewal Permit going through Public Review	Permit Issued 2015
DIVI Resorts	Final Permit- Apr 2005---Applied for a Synthetic Minor permit in Oct. 2010	Synthetic Minor Permit Issued- 2012
HOVENSA	Final Permit- July, 2010	Renewal Application Received Dec. 2014
Frenchmen's Reef Marriot	No longer a title V- Synthetic Minor Permit to be issued	Synthetic Minor Permit Issued- 2012
St. Croix Renaissance	Final Permit- Sept., 2010	Renewal Application Received March, 2015
Bovoni Landfill- STT	Application Received Aug 2007- Contractor being hired to prepare permit	EPA Consent Decree entered December, 2012. DPNR Processing Permit Application- No contractor hired
Anguilla Landfill- STX	Application Received Aug 2007- Contractor being hired to prepare permit	EPA Consent Decree entered March, 2013. DPNR Processing Permit Application- No contractor hired
Ritz Carlton, STT	New renewal application received Feb- 2011—Determined to be Incomplete	Title V permit issued - 2012

	Application	
Diagio, STX	Synthetic Minor application received Jan 2009- Currently Administrative Order and a Notice Of Violation issued	Synthetic Minor Permit issued - 2013
Cruzon Viril, STX	Initial application Nov 2009- Reapplication Feb 2010- No longer modifying- plans to withdraw	Synthetic Minor Permit Issued- 2013
Tibbar, STX	*****	Construction Permit issued 2014- Future title V source
Westin resorts (STJ), Caneel Bay Resorts (STJ) & Carambola Resorts (STX)	*****	DPNR determined theses to be Minor Sources- Permits Issued

VIDPNR title V Permit Files

The EPA reviewed the source files to determine if all the documents are available in the record. The files were organized chronologically and had tabbed section containing documents in order. The title V facility files contained most documents received since 2011. The VIDPNR provided access to many compliance certifications, Statements of Basis and other documents that the EPA requested. The EPA notes that the finance and fee related documents were not found in many permitting files. The VIDPNR informed the EPA that the fee related documents are kept at the VIDPNR's Finance Division. The EPA asks that the permit files must also contain a copy of all fee requests and fee receipt documents.

The title V permits and statement of basis should be accessible to the public via internet. Therefore, a timeline should be developed to complete VIDPNR's web site enhancement to make all the title V permits available on line.

VIDPNR title V Enforcement

As part of EPA's oversight of the U.S. Virgin Islands' approved title V program, the EPA also evaluated the VIDPNR's title V enforcement program. Note that a comprehensive review of the entire Enforcement Program was conducted by the EPA's Division of Enforcement and Compliance Assistance in January, 2014. However, during the June 24, 2015 title V permitting program review, the EPA found that the sources still do not submit their annual compliance certifications on a timely basis. In some cases, no annual compliance certificates were found in the files. The EPA notes that the VIDPNR reviews all compliance certifications and semi-annual reports that it receives. The VIDPNR has developed a checklist for such a review. The VIDPNR informed the EPA during the discussions on the frequency of compliance inspections that the VIDPNR staff conducts a compliance inspection of each title V facility every two years. The EPA has suggested in previous evaluations that since the U.S. Virgin Islands has a limited

number of title V sources (of which the most are power generation sources), a more frequent, e.g., quarterly inspection program should be implemented to ensure that the major sources on the islands continue to comply with the permit requirements. The VIDPNR also needs to conduct initial and regular inspections of the facilities that receive synthetic minor source permits to ensure that they remain in minor source status.

U.S. VI Small Business Program

The Small Business Environmental Assistance Program (SBEAP) has four employees including the head of the Program. The EPA was informed that the Program may have already run out of funds and as such the head of the Program will likely retire and the two other staff members will be transferred to other VIDPNR Divisions. The VIDPNR's SBEAP may be left with only one staff member by the end of 2015.

The SBEAP provided a detailed report for its activities conducted over the last three years. This report indicates that it was actively engaged in providing the services in the areas of administration, environmental compliance, rule development, liaison via workshops and on-site assessment to about 2700 small businesses on the three Islands. The staff member goes on an average of 9 compliance assistance visits every week. A compliance assistance evaluation report is prepared after every site visit. The SBEAP has found that most facilities the SBEAP staff members visit consistently fail to follow-up on the advice they receive from the program.

IV. Conclusions

The U.S. VI needs to develop and submit an action plan describing how and when the following issues will be addressed-

- Ensuring availability of funds: The VIDPNR's projection of the fee revenue indicates that the title V Permit Program will run out of funds soon and may be unable to implement this program. The U.S. VI will then fail to meet its obligation under the Clean Air Act.
- Conducting frequent inspections: In order to assure compliance with the title V permit conditions, the VIDPNR should conduct more frequent inspections. Therefore, a detailed permit compliance/inspection schedule should be developed. The VIDPNR also needs to conduct initial and regular inspections of the facilities that receive synthetic minor source permits to ensure that they remain in minor source status.
- Collecting the fees: The permit fees are not paid on a timely basis. Therefore, a streamlined permit fee collection schedule and procedure needs to be developed.
- Providing the public access: The title V permits and related information should be accessible to the public via internet. Therefore, a timeline to complete VIDPNR's web site enhancement to make all the title V permits available on line should be developed.

