

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
BEFORE THE ADMINISTRATOR**

In the Matter of:

ISP Freetown Fine Chemicals, Inc.

MAR000009605

Proceeding under Section 3008(a) of the
Resource Conservation and Recovery Act,
U.S.C. § 6928(a)

Docket No. RCRA-01-2018-0062

COMPLAINANT'S SUPPLEMENTAL PREHEARING EXCHANGE

Pursuant to 40 C.F.R. § 22.19 of the "Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties, Issuance of Complaint or Corrective Action Orders, and the Revocation, Termination or Suspension of Permits" ("Part 22 Rules"), and the Presiding Officer's October 22, 2020 Prehearing Order, Complainant United States Environmental Protection Agency, Region 1 ("EPA") submits this Supplemental Prehearing Exchange.

B. Exhibits

EPA provides copies of exhibits CX-32, CX-33, and CX-34 accompanying this Supplemental Prehearing Exchange, which EPA may introduce into evidence.

CX-32 ISP Freetown Fine Chemicals, Inc. Biennial Report for 2017;

CX-33 ISP Freetown Fine Chemicals, Inc. Biennial Report for 2019; and

CX-34 Table Describing Dispositions of Used Liquid Solvents Collected in Receiver Tanks

(claimed as Confidential Business Information by Respondent).

Respondent ISP Freetown Fine Chemicals, Inc. ("ISP") provided CX-34 to EPA on April 19, 2021, asserting that it is Confidential Business Information. ISP's counsel has subsequently informed EPA that it does not object to the introduction of this document as an exhibit.

CONCLUSION

This Supplemental Prehearing Exchange adds three proposed exhibits, as set forth above.

Respectfully submitted,

ANDREA Digitally signed by
SIMPSON ANDREA SIMPSON
Date: 2021.06.23
15:20:12 -04'00'

Andrea Simpson
Senior Enforcement Counsel
U.S. Environmental Protection Agency, Region 1
5 Post Office Square
Boston, Massachusetts 02109
(617) 918-1738

CERTIFICATE OF SERVICE

I hereby certify that the foregoing Complainant's Supplemental Prehearing Exchange (with separate exhibits) was served this 23rd day of June 2021, in the following manner on the addressees listed below. Because one of the exhibits contains claimed Confidential Business Information, a redacted version of the exhibit was served electronically via the Office of Administrative Law Judges ("OALJ") E-Filing System, and an unredacted version was transmitted in accordance with instructions provided by the Headquarters Hearing Clerk.

By OALJ E-Filing System:

Mary Angeles, Headquarters Hearing Clerk
U.S. Environmental Protection Agency Office of
Administrative Law Judges
Ronald Reagan Building, Room M1200
1300 Pennsylvania Ave. NW
Washington, DC 20004

Copy of redacted and unredacted
versions by electronic mail to:

Eric Klein, Esq.
Aaron Goldberg, Esq.
Beveridge and Diamond, P.C.
eklein@bdlaw.com
agoldberg@bdlaw.com
Counsel for Respondent

ANDREA Digitally signed by
ANDREA SIMPSON
SIMPSON Date: 2021.06.23
15:21:30 -04'00'

Andrea Simpson
Senior Enforcement Counsel
U.S. Environmental Protection Agency, Region 1
5 Post Office Square
Boston, Massachusetts 02109
(617) 918-1738