



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10**

1200 Sixth Avenue, Suite 155
Seattle, WA 98101

ENFORCEMENT &
COMPLIANCE ASSURANCE
DIVISION

Reply To: 20-C04

RETURN RECEIPT REQUESTED

Ms. Paula Stoppler
Technical Director
Cosmo Specialty Fibers Inc.
1701 1st Street
Cosmopolis, Washington 98537

Re: INFORMATION REQUEST Regarding Cosmo Specialty Fibers Inc., Cosmopolis, Washington

Dear Ms. Stoppler:

The U.S. Environmental Protection Agency (EPA), Region 10 seeks information concerning the pulp mill owned or operated by Cosmo Specialty Fibers Inc. and its parent company Charlestown Investments Holding Ltd. (collectively "Cosmo Specialty Fibers"), at 1701 1st Street in Cosmopolis, Washington 98537 ("Facility"). The enclosed Information Request is issued to Cosmo Specialty Fibers pursuant to Section 114 of the Clean Air Act (CAA), 42 U.S.C. § 7414.

EPA Region 10 conducted an inspection of the Facility on December 6-8, 2022. The purpose of the inspection was to assess the Facility's compliance with the CAA and the Emergency Planning and Community Right-to-Know Act (EPCRA) Section 313. This Information Request is being sent to follow up on potential compliance concerns under the CAA identified during the inspection.

Under CAA Section 114, 42 U.S.C. § 7414, EPA is authorized to require the submission of records, reports, and other information for the purpose of determining whether any violations of the CAA have occurred and for other purposes of the CAA. This includes the authority to require the sampling of emissions. Cosmo Specialty Fibers is required to provide information and documents in accordance with the enclosed Information Request within the timeframes set forth in Section C of Enclosure 1. If you anticipate being unable to fully respond to this Information Request by the specified date, you may request an extension within **14 days** of receipt of this request. Include a justification for your extension request. If timely submitted, EPA will consider your request and may extend the deadline.

To facilitate EPA's timely review of your response, EPA prefers that you submit responses to this Information Request via an electronic submission. For instructions on submitting your response electronically, refer to Instruction 8 in Enclosure 1. Please contact Brendan Whyte, at (206) 450-0014 or whyte.brendan@epa.gov if you have any questions regarding the electronic submission instructions. If electronic submission is not possible, contact Brendan Whyte for additional options. If you intend to claim all or a part of your response as confidential business information (see Instruction 7 in Enclosure 1), contact Brendan Whyte for submission instructions prior to submitting your response.

Please ensure the enclosed Statement of Certification is signed by a duly-authorized officer or agent of Cosmo Specialty Fibers and returned with the response to this Information Request.

Failure to timely respond fully and truthfully to this Information Request may subject you to civil penalties pursuant to Section 113 of the CAA, 42 U.S.C. § 7413. In addition, providing false, fictitious, or fraudulent statements or representations may subject you to criminal penalties under 18 U.S.C. § 1001. Your response to this Information Request may be used by EPA in administrative, civil, or criminal proceedings.

EPA's *Small Business Resources Information Sheet*, which provides information on compliance assistance that may be helpful to you is enclosed.

Thank you for your cooperation. If you have any questions regarding this Information Request or wish to request an extension, please contact Brendan Whyte, at (206) 450-0014 or whyte.brendan@epa.gov. For legal matters or questions from legal counsel, please contact Erin Tanimura, in the Office of Regional Counsel, at (206) 553-8630 or tanimura.erin@epa.gov.

Sincerely,

**MORGAN
JENCIUS**

Digitally signed by
MORGAN JENCIUS
Date: 2023.02.06
08:42:42 -08'00'

Morgan Jencius, Chief
Air and Land Enforcement Branch

Enclosures

cc: Mr. James DeMay
Washington State Department of Ecology

ENCLOSURE 1
CAA INFORMATION REQUEST

Cosmo Specialty Fibers Inc.
Cosmopolis, Washington

A. INSTRUCTIONS

1. Provide a separate narrative response to each question and subpart of a question in this Information Request. Mark each answer with the number of the question (and subpart, if applicable) to which it corresponds.
2. For each question, provide a copy of each document relied on or referred to in the preparation of the response or that contains information responsive to the question.
3. Indicate on each document produced in response to this Information Request, or in another reasonable manner, the number of the question to which it corresponds.
4. If requested information or documents are not known or are not available to you at the time of your response to this Information Request, but later become known or available to you, you must supplement your response to EPA. Moreover, if you find at any time after submission of your response that any portion is or becomes false, incomplete, or misrepresents the facts, you must provide EPA with a corrected response as soon as possible.
5. Provide the name, title, and business contact information for each person who prepared or was consulted in the preparation of your response. If you have reason to believe that there may be persons able to provide a more detailed or complete response to any question contained in this Information Request, or who may be able to provide additional responsive documents, provide the name, title, and business contact information for each such person and the additional information or documents that they may have.
6. If you believe a question is not applicable to the Facility, explain the reason for that belief.
7. The information requested must be provided whether or not you regard part or all of it as a trade secret or confidential business information. You may assert a confidentiality claim covering part or all of the information submitted, pursuant to Section 114 of the Clean Air Act (CAA), 42 U.S.C. § 7414 and 40 C.F.R. Part 2, by placing on (or attaching to) the information, at the time it is submitted to EPA, a cover sheet, stamped or typed legend or other suitable form of notice employing language such as “trade secret,” “proprietary,” “company confidential.” Allegedly confidential portions of otherwise non-confidential documents should be clearly identified and may be submitted separately to facilitate identification and handling by EPA.

Information covered by such a claim will be disclosed by EPA only to the extent and by the procedures set forth in statutes and 40 C.F.R. Part 2, Subpart B. See 40 C.F.R. § 2.301 for additional rules governing certain information obtained under the CAA. Note that certain categories of information, including “emission data,” are not entitled to confidential treatment. Unless you make a claim at the time you submit the information in the manner described in 40 C.F.R. § 2.203(b), it may be made available to the public by EPA without further notice to you. See also 41 Fed. Reg. 36902 (Sept. 1, 1976).

8. To aid electronic recordkeeping efforts, EPA prefers you provide all documents responsive to this Information Request in electronic format. These electronic submissions are in lieu of hard copy. EPA uses a service (GoAnywhere) to receive large amounts of electronic information. When you have compiled responsive documents and are ready to submit information to EPA, alert Brendan

Whyte at whyte.brendan@epa.gov or at (206) 450-0014 and he will initiate the file transfer request for the documents.

B. DEFINITIONS

All terms used in this Information Request have their ordinary meaning unless such terms are defined in this Information Request; the Act, 42 U.S.C. § 7401 *et seq.*; or 40 C.F.R. Part 63, Subparts A and S. For purposes of this Information Request:

1. The terms “you,” “Respondent,” and “Cosmo Specialty Fibers” mean Cosmo Specialty Fibers Inc., its parent company Charlestown Investments Holding Ltd., and its subsidiaries, officers, directors, managers, partners, employees, contractors, and agents, as applicable.
2. “Facility” means the pulp mill owned or operated by Respondent located at 1701 1st Street in Cosmopolis, Washington 98537.
3. “Document” means any object that records, stores, or presents information and includes, without limitation, email, writings, memoranda, contracts, agreements, records, or information of any kind, formal or informal, whether wholly or partially handwritten or typed, whether in digital format, memory, storage device or in hardcopy, including any form or format of these. If in digital format or memory, each such document shall be provided in translation to a form useable and readable by EPA, with all necessary documentation and support. Include all attachments to or enclosures with any responsive document.
4. “Bleach plant stack” shall mean the chimney stack located at 46°57'09.6"N 123°45'55.2"W, which receives flow from the chlorine dioxide (ClO₂) generator and pulp bleaching system.

C. INFORMATION REQUEST

COMPONENT I

Provide the following information for the Facility within **thirty (30) days** from the receipt of this Information Request. Unless otherwise stated, this information shall be submitted in Microsoft Excel, Microsoft Word, or optical character recognition (OCR) Adobe Acrobat PDF format depending on the request.

1. Provide all process operating data for the bleach plant, to include the pulp bleaching system, chlorine dioxide generator, and all other major equipment, from the day of December 8, 2022 (24-hour period).
2. Provide a narrative description of the operational status of the pulp bleaching system, chlorine dioxide generator, and other major equipment in the bleach plant on December 8, 2022. Include a detailed description of any shutdowns, restarts, or upset conditions and how they relate to the visible green plume of emissions observed by the EPA inspectors on December 8, 2022.

COMPONENT II

Conduct the following testing and provide the following information for the Facility according to the timelines specified in each item. Unless otherwise stated, this information shall be submitted in Microsoft Excel, Microsoft Word, or optical character recognition (OCR) Adobe Acrobat PDF format depending on the request.

3. Stack Testing. Cosmo Specialty Fibers shall perform stationary source stack testing of the bleach plant stack upon first startup of the bleaching system as defined in 40 C.F.R. § 63.441 following receipt of this Information Request. Testing shall consist of a minimum of six (6) test runs, each at least one (1) hour in duration. Testing shall include determination of the concentration and rate of release of chlorine (Cl₂) and hydrogen chloride (HCl) via EPA Reference Method 26A. Testing shall also include EPA Reference Methods 1-5 with cation and anion analysis of the water impinger solution using SW-846 Method 9056A. *See* Table 1. Testing shall be conducted in accordance with an EPA approved testing plan as described in Paragraph 5.

Table 1: Identification of air pollutant emissions to be determined through stack testing

Pollutant	Required Method	Testing Location	Reported Units of Measure
Chlorine (Cl ₂) and Hydrogen Chloride (HCl)	U.S. EPA Method 26A	Bleach plant stack	Concentration in parts per million (ppm) and mass emission rate in pounds per ton of oven dried pulp (lb/ton ODP)
Cation and Anion analytes	U.S. EPA Methods 1-5 and SW-846 Test Method 9056A: Determination of Inorganic Anions by Ion Chromatography		

4. Advance Notice. Cosmo Specialty Fibers shall provide notice to EPA at least **thirty (30) days** prior to conducting any stack testing required in Paragraph 3 above, to afford EPA the opportunity to have an observer present. If after twenty (20) days' notice for an initially scheduled stack testing, there is a delay in conducting the stack testing, Cosmo Specialty Fibers shall notify EPA as soon as possible of the delay in the original test date, either by providing at least seven (7) days' notice of the rescheduled date of the stack testing, or by arranging a rescheduled date with EPA by mutual agreement.
5. Stationary Source Stack Test Plan. Cosmo Specialty Fibers shall submit for EPA approval a stationary stack test plan **thirty (30) days** prior to any testing required in Paragraph 3 above. The stack test plan shall include and address all elements specified in Emission Measurement Center Guideline Document 42 (GD-042): Preparation and Review of Site-Specific Test Plans, available at: <https://www.epa.gov/sites/default/files/2020-08/documents/gd-042.pdf>. Specifically, the stack test plan shall include, at a minimum:

- a. Source description, including a description of the operating scenarios and mode of operation (i.e., specify the processes and process units in operation and overall facility production rate as well as individual unit production/operation rates on an hourly basis) during testing;
 - b. Sampling and analysis procedures, specifically requesting approval for any proposed alternatives to the reference test methods, and addressing minimum test length (e.g., one hour, 8 hours, 24 hours, etc.) and minimum sample volume;
 - c. Analysis procedures and laboratory identification;
 - d. Quality assurance plan;
 - e. Calibration procedures and frequency;
 - f. Sample recovery and field documentation;
 - g. Chain of custody procedure;
 - h. Quality Assurance/Quality Control project flow chart;
 - i. Data processing and reporting; and
 - j. Source test emission data shall be reported as the arithmetic average of all valid test runs and in terms as described in Table 1.
6. Operating Procedures. Cosmo Specialty Fibers shall ensure that only regular operating staff may adjust the processes or emission control devices during or within two hours prior to the start of a stack test required under Paragraph 3 above. Any operating adjustments made during a stack test, that are a result of consultation during the tests with stack testing personnel, equipment vendors, or consultants, may render the stack test invalid.
7. Report of Results. Cosmo Specialty Fibers shall submit to EPA a complete stack test report documenting the results of the stationary source stack testing required under Paragraph 3 above, including any appendices. Cosmo Specialty Fibers shall submit the report to EPA upon receipt from any third-party contractor, and no later than **forty-five (45) days** after conducting the stack testing required under Paragraph 3 above.
8. Additional Information. Concurrently with the submission of the stack test report required to be submitted under this Information Request, Cosmo Specialty Fibers shall provide:
- a. All process operating data for the bleach plant relating to the stationary source stack testing required in Paragraph 3, to include the pulp bleaching system, chlorine dioxide generator, and all other major equipment. Data shall be submitted for the time period beginning two (2) days prior to testing and extending two (2) days following the completion of testing. All data shall be submitted at the frequency recorded by onsite data acquisition systems, but not less frequently than once per hour.
 - b. The dates and results of all tests of the bleach plant stack not previously provided in response to this Information Request that evaluated either the chlorine, chlorine dioxide, or any other chlorinated compound concentration of emissions from the bleach plant stack. Tests requested under this item include any engineering tests or measurements taken at any time.

ENCLOSURE 2
STATEMENT OF CERTIFICATION

Cosmo Specialty Fibers Inc.
1701 1st Street
Cosmopolis, Washington 98537

INFORMATION REQUEST
STATEMENT OF CERTIFICATION

I certify that the enclosed responses to EPA's Information Request issued to Cosmo Specialty Fibers Inc., and its parent company Charlestown Investments Holding Ltd. (collectively, "Cosmo Specialty Fibers"), are true, accurate and complete. I certify that the portions of these responses which I did not personally prepare were prepared by persons acting on behalf of Cosmo Specialty Fibers under my supervision and at my instruction and that the information provided is true, accurate and complete. I am aware that there are significant penalties for submitting false information in response to this Information Request, including the possibility of fine and imprisonment.

Signature

Printed Name

Title

Date

U.S. EPA Small Business Resources Information Sheet

The United States Environmental Protection Agency provides an array of resources to help small businesses understand and comply with federal and state environmental laws. In addition to helping small businesses understand their environmental obligations and improve compliance, these resources will also help such businesses find cost-effective ways to comply through pollution prevention techniques and innovative technologies.

Office of Small and Disadvantaged Business Utilization (OSDBU)

<https://www.epa.gov/aboutepa/about-office-small-and-disadvantaged-business-utilization-osdbu>

EPA's OSDBU advocates and advances business, regulatory, and environmental compliance concerns of small and socio-economically disadvantaged businesses.

EPA's Asbestos Small Business Ombudsman (ASBO)

<https://www.epa.gov/resources-small-businesses/asbestos-small-business-ombudsman> or 1-800-368-5888

The ASBO helps make technical resources on environmental regulations, asbestos, and compliance assistance information more accessible, while encouraging communication and partnerships with small business on regulatory compliance, and to address asbestos-related questions from the public.

Small Business Environmental Assistance Program

<https://nationalsbeap.org>

This program provides a "one-stop shop" for small businesses and assistance providers seeking information on a wide range of environmental topics and state-specific environmental compliance assistance resources.

EPA's Compliance Assistance Homepage

<https://www.epa.gov/compliance>

This page is a gateway to industry and statute-specific environmental resources, from extensive web-based information to hotlines and compliance assistance specialists.

Compliance Assistance Centers

<https://www.complianceassistance.net/>

EPA-sponsored Compliance Assistance Centers provide the information you need, in a way that helps make sense of environmental regulations. Each Center addresses real world issues faced by a specific industry or government sector. They were developed in partnership with industry, universities and other federal and state agencies.

Agriculture

<https://www.epa.gov/agriculture>

Automotive Recycling

<http://www.ecarcenter.org>

Automotive Service and Repair

<https://ccar-greenlink.org/> or 1-888-476-5465

Beneficial Use

<https://www.beneficialuse.org/>

Construction

<https://www.cicacenter.org/>

Education

<https://www.nacubo.org/>

Hazardous Waste Portal

<https://www.hazwasteportal.org/>

Healthcare

<http://www.hercenter.org>

Local Government

<https://www.lgean.net/>

Oil/Natural Gas Energy Extraction

<https://www.eciee.org/>

Paints and Coatings

<https://www.paintcenter.org/>

Ports

<https://www.portcompliance.org/>

Surface Technology Environmental Resource Center (STERC)

<https://sterc.org/>

Transportation

<https://www.tercenter.org/>

U.S. Border Compliance and Import/Export Issues

<https://www.bordercenter.org/>

Veterinary Care

<https://vetca.org/>

EPA Hotlines and Clearinghouses

www.epa.gov/home/epa-hotlines

EPA sponsors many free hotlines and clearinghouses that provide convenient assistance regarding environmental requirements. Examples include:

Clean Air Technology Center (CATC) Info-line

www.epa.gov/catc or 919-541-0800

Superfund, TRI, EPCRA, RMP and Oil Information Center

1-800-424-9346

EPA Imported Vehicles and Engines Public Helpline

www.epa.gov/otaq/imports or 734-214-4100

National Pesticide Information Center

www.npic.orst.edu or 1-800-858-7378

National Response Center Hotline

to report oil or hazardous substance spills
<https://nrc.uscg.mil/>; NRC@uscg.mil or 1-800-424-8802

Pollution Prevention Information Clearinghouse (PPIC)

ppic@epa.gov or 202-566-0799

Safe Drinking Water Hotline

safewater@epa.gov or 1-800-426-4791

Toxic Substances Control Act (TSCA) Hotline

tsc hotline@epa.gov or 202-554-1404

Small Entity Compliance Guides

<https://www.epa.gov/reg-flex/small-entity-compliance-guides>

EPA publishes a Small Entity Compliance Guide (SECG) for every rule for which the Agency has prepared a final regulatory flexibility analysis, in accordance with Section 604 of the Regulatory Flexibility Act (RFA).

Regional Small Business Liaisons

www.epa.gov/resources-small-businesses/epa-regional-office-small-business-liaisons

The U.S. Environmental Protection Agency (EPA) Regional Small Business Liaison (RSBL) is the primary regional contact and often the expert on small business assistance, advocacy, and outreach. The RSBL is the regional voice for the EPA Asbestos and Small Business Ombudsman (ASBO).

State Resource Locators

www.envcap.org/srl/

The Locators provide state-specific information on regulations and resources covering the major environmental laws.

State Small Business Environmental Assistance Programs (SBEAPs)

<https://nationalsbeap.org/states>

State SBEAPs help small businesses and assistance providers understand environmental requirements and sustainable business practices through workshops, trainings and site visits.

EPA's Tribal Portal

<https://www.epa.gov/tribal>

The Portal helps users locate tribal-related information within EPA and other federal agencies.

EPA Compliance Incentives

EPA provides incentives for environmental compliance. By participating in compliance assistance programs or voluntarily disclosing and promptly correcting violations before an enforcement action has been initiated, businesses may be eligible for penalty waivers or reductions. EPA has several such policies that may apply to small businesses. More information is available at:

- **EPA's Small Business Compliance Policy**
<https://www.epa.gov/compliance/small-business-compliance>
- **EPA's Audit Policy**
www.epa.gov/compliance/epas-audit-policy

Commenting on Federal Enforcement Actions and Compliance Activities

The Small Business Regulatory Enforcement Fairness Act (SBREFA) established a Small Business Administration (SBA) National Ombudsman and 10 Regional Fairness Boards to receive comments from small business about federal agency enforcement actions.

If you believe that you fall within the SBA's definition of a small business (based on your North American Industry Classification System designation, number of employees or annual receipts, as defined at 13 C.F.R. 121.201; in most cases, this means a business with 500 or fewer employees), and wish to comment on federal enforcement and compliance activities, you can call the SBA National Ombudsman's toll-free number at 1-888-REG-FAIR (1-888-734-3247), or submit a comment online at: <https://www.sba.gov/about-sba/oversight-advocacy/office-national-ombudsman>.

Every small business that is the subject of an enforcement or compliance action is entitled to comment on the Agency's actions without fear of retaliation. EPA employees are prohibited from using enforcement or any other means of retaliation against any member of the regulated community in response to comments made under SBREFA.

Your Duty to Comply

If you receive compliance assistance or submit a comment to the SBREFA Ombudsman or Regional Fairness Boards, you still have the duty to comply with the law, including providing timely responses to EPA information requests, administrative or civil complaints, other enforcement actions, or communications. The assistance information and comment processes do not give you any new rights or defenses in any enforcement action. These processes also do not affect EPA's obligation to protect public health or the environment under any of the environmental statutes, including the right to take emergency remedial actions when appropriate. Those decisions will be based on the facts in each situation. The SBREFA Ombudsman and Fairness Boards do not participate in resolving EPA's enforcement actions. Also, remember that to preserve your rights, you need to comply with all rules governing the enforcement process.

EPA is disseminating this information to you without making a determination that your business or organization is a small business as defined by Section 222 of the Small Business Regulatory Enforcement Fairness Act or related provisions.