

**FILED**

**November 15, 2023**

**2:22 P.M. PST**

**U.S. EPA REGION 10  
HEARING CLERK**

BEFORE THE  
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

In the Matter of:

Chill Transportation, LLC,  
Toppenish, Washington,  
Respondent.

DOCKET NO. CWA-10-2023-0020

**ORDER ON PII AND CBI**

This proceeding is governed by the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties, Issuance of Compliance or Corrective Action Orders, and the Revocation, Termination or Suspension of Permits (“Rules”), 40 C.F.R. Part 22. According to the Rules, documents filed in this matter are to be available for public inspection and copying. 40 C.F.R. § 22.9(a).

Complainant, the Director of the Enforcement and Compliance Assurance Division of Region 10 of the United States Environmental Protection Agency (EPA) has electronically submitted a Motion for Default (Motion) in this matter. Along with the Motion, Complainant provided a Memorandum in Support of Complainant’s Motion for Default (Memorandum), the Declaration of Scott Wilder (Declaration), and 39 Exhibits. A review of these submissions shows there to be certain Exhibits which appear to contain PII and potential CBI. As a precaution against such PII and potential CBI being available for public inspection and copying, as is

otherwise allowed by the Rules, the Motion, Memorandum, Declaration, and Exhibits have not been uploaded by the Regional Hearing Clerk into the electronic filing system.

The Regional Judicial Officers for EPA, Region 10, have specified that it is the responsibility of the submitting party to assure that documents being filed by that party do not contain PII or CBI. Standing Order, Designation of EPA Region 10 Part 22 Electronic Filing System, June 1, 2020. Accordingly, Complainant is directed to redact all PII and potential CBI from the Exhibits and to then refile the entire set of Exhibits that Complainant proposes be considered in support of the Motion. Once Complainant has done so, the Regional Hearing Clerk will upload the Motion, Memorandum, Declaration, and refiled Exhibits into the electronic filing system. Further, Complainant shall serve the refiled Exhibits on Respondent and Respondent shall have 15 days after such service to respond to the Motion.

IT IS SO ORDERED

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Richard Mednick

Regional Judicial Officer

Presiding Officer

U.S. Environmental Protection Agency  
Region 10