

From: [Johnson, Patrick](#)
To: [Sonia Slayden](#)
Cc: [Cool, Richard](#)
Subject: RE: FW: Financial Documentation for Chill Transportation, LLC Inability-to-Pay Claim
Date: Tuesday, June 14, 2022 9:36:00 AM
Importance: High

Sonia:

Rick and I have not heard anything from you in response to Rick's message below. I just left you a voicemail message requesting that you provide your availability for a follow-up call. Rick and I are currently available during the following windows (all Pacific Time):

- Wednesday, June 15: 12:00PM – 3:00PM;
- Thursday, June 16: 12:00PM – 1:30PM and 2:00PM – 3:00PM;
- Tuesday, June 21: 12:00PM – 12:30PM and 2:00PM – 3:00PM
- Wednesday, June 22: 12:00PM – 1:30PM; and
- Thursday, June 23: 12:00PM – 1:00PM and 2:00PM – 2:30PM.

Please respond to this message as soon as possible and provide your preferred date and time. In the alternative, you may call me at (907) 271-3914 or Rick at (206) 553-6223 at any time.

Sincerely,

Patrick B. Johnson
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 10
Alaska Operations Office
222 West 7th Avenue, #19
Anchorage, Alaska 99513-7588
(907) 271-3914

From: Cool, Richard <Cool.Richard@epa.gov>
Sent: Wednesday, June 8, 2022 1:51 PM
To: Sonia Slayden <chilltransportation1@gmail.com>
Cc: Johnson, Patrick <johnson.patrick@epa.gov>
Subject: RE: FW: Financial Documentation for Chill Transportation, LLC Inability-to-Pay Claim

Hello Ms. Slayden:

Thank you for your very timely response to my email. I am sorry to hear you are not feeling well, but please know that we really do appreciate your time and effort to communicate with us, and keep us informed about your situation, your concerns, and questions.

We think it would be most productive to have a short call with you to discuss and respond to your concerns and questions if you are feeling up to it, as that would allow us to respond immediately and in detail to any additional follow-up questions that you might have or that might come up during that discussion. We want to be responsive in all aspects in hopes that completing these next steps will provide some answers and a path forward that you find helpful.

If you could find a 30-minute slot from the following current available days/time slots below and alert me to your preference as to date and time, I can set up a short Teams meeting call. We apologize for the limited availability but I hope you can find some day and 30 minute slot here that works for you, taking into account how you might be feeling.

These are all Pacific/California times – again, please look for your preferred date and 30-minute time from these time slots and let me know what works for you:

- Thursday (tomorrow) June 9: 10:00 – 10:30 or 11:00 – 12:00
- Monday June 13: 9:00 – 10:00 or 12:00 – 5:00
- Wednesday June 15: 11:00 – 12:30 or 4:00 - 5:00

I hope you understand that, in our view, discussing and working through your concerns and questions is an important next step so I look forward to hearing from you in response to this email, and hopefully a follow-up call soon that is helpful to you on several levels.

Thank you again for your valuable time and efforts to work with us through your situation, concerns and questions. I look forward to hearing from you on scheduling a call.

Sincerely,

Rick Cool
Surface Water Enforcement Section
U.S. EPA Region 10
1200 Sixth Avenue, Ste. 155, M/S 20-C04
Seattle, WA 98101

cool.richard@epa.gov

Phone: (206) 553-6223

Cell: (206) 321-5396

From: Sonia Slayden <chilltransportation1@gmail.com>

Sent: Wednesday, June 08, 2022 10:05 AM

To: Cool, Richard <Cool.Richard@epa.gov>

Subject: Re: FW: Financial Documentation for Chill Transportation, LLC Inability-to-Pay Claim

Hello Richard,

As im trying to complete this questionnaire in a timely matter, I hope you both find yourselves well. Im sorry for the delay in this response but, [REDACTED]. This situation, is causing me additional aggravated stress. I am trying to accommodate you but I keep regressing from the stress that this situation is causing me , to the point [REDACTED]. I need a few things cleared up as im reading and considering to answer these questions for you. I need to know, if by doing this statement will i be accepting liability to this claim? Because I am not willing to do that without consulting an attorney. And at this time as you know I am in no condition to do anything of the sort. Secondly, This was an accident and my insurance should have covered anything surrounding this accident. So I don't understand why you guy aré concerning me with this issue and not the insurance company.

Shouldn't you be discussing this with my insurance company? Also it's talk about the inability to pay, but, you guys haven't given me the alleged amount you feel Chill Transportation is responsible for. In any regards Any amount wouldn't make a difference at this point as our company is in financial hardship now and it will be impossible to pay anything else without shutting our doors. But either way I'd like to know the alleged amount. Additionally, are you both advocates for the EPA and insisting on a claim against Chill Transportation? or are you trying to help relieve me from this situation? I like you both very much and am hoping that you're tryin to help me but this is resulting in a more serious matter than I think it should be. I feel like as if I'm being accused and this whole issue resulted from an accident that someone cutting us off on a Hwy caused, so Hope you can understand my concerns and frustration. Also I'd like to know if i should ask my insurance company to handle this in your professional opinion? Please advise as I am striving for a little bit of energy to take care of this statement in a timely matter.

Respectfully,
Sonia Slayden

On Tue, Jun 7, 2022 at 4:39 PM Cool, Richard <Cool.Richard@epa.gov> wrote:

Hello Ms. Slayden:

I hope this email finds things going well with you. I am following up on the voice message I just left on your Chill Transportation phone system about one hour ago.

I called to follow up on Patrick Johnson's June 1 email (see below) and our May 24 conference call to see if you had any questions or needed any further assistance in filling out and completing the inability-to-pay claim form (copy attached here) that we provided to you earlier.

We are hoping that you didn't find it too difficult to answer the questions and hope you were able to provide as much detail as possible, including supporting documentation. Based on your May 24 discussion, we hope that you will make the submissions to EPA shortly, hopefully this week.

I encourage you to contact me if you are having any problems filling out the form, or have questions that I can help you with. We want to help out in any way we can so that Chill Transportation can fully document the inability-to-pay claim. Please call me directly at (206) 553-6223 or at my cell phone number located in my signature block below if I can be of help.

We would appreciate hearing how things are going so please respond to this email or return my call as your time permits.

Thank you again for your continuing cooperation. We appreciate your patience and help in this process.

Sincerely,

Rick Cool
Surface Water Enforcement Section

U.S. EPA Region 10
1200 Sixth Avenue, Ste. 155, M/S 20-C04
Seattle, WA 98101

cool.richard@epa.gov

Phone: (206) 553-6223

Cell: (206) 321-5396

From: Johnson, Patrick <johnson.patrick@epa.gov>

Sent: Wednesday, June 01, 2022 5:14 PM

To: Sonia Slayden <chilltransportation1@gmail.com>

Cc: Cool, Richard <Cool.Richard@epa.gov>

Subject: RE: Financial Documentation for Chill Transportation, LLC Inability-to-Pay Claim

Importance: High

Sonia:

It was nice to speak with you last week. During that conversation, you committed to providing EPA with written responses to each of the requests for information found in the attached document, along with any necessary supporting documentation, within two weeks. Given that we are less than a week from that identified timeline, I wanted to check in with you to see if you had any questions or needed anything from EPA at this time. As Rick suggested during our conversation, he is happy to help you with responding to these requests for information in any way that may be useful to you. If you would like that support, feel free to email Rick at cool.richard@epa.gov or call him directly at (206) 553-6223.

As we have said previously, EPA would prefer to electronically receive your written responses and associated documents. However, if you are struggling with scanning documents or have other challenges associated with providing written responses and associated documents electronically, you may send hardcopies to EPA via snail mail. If you decide to take that approach, please send those records to the following address:

Rick Cool, Compliance Officer
U.S. Environmental Protection Agency, Region 10
1200 Sixth Avenue, Suite 155, M/S 20-C04
Seattle, Washington 98101

If we do not hear anything further, we look forward to receiving your submission by early next week.

Sincerely,

Patrick B. Johnson
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 10
Alaska Operations Office
[222 West 7th Avenue, #19](mailto:222.West.7th.Avenue.#19@epa.gov)
[Anchorage, Alaska 99513-7588](tel:9072713914)
(907) 271-3914

From: Johnson, Patrick

Sent: Monday, May 23, 2022 3:52 PM

To: Sonia Slayden <chilltransportation1@gmail.com>

Cc: Cool, Richard <Cool.Richard@epa.gov>

Subject: RE: Follow-Up Meeting Between Chill Transportation, LLC and U.S. EPA Regarding Alleged Clean Water Act Violations

Importance: High

Sonia:

Thank you for your confirmation. In advance of our call tomorrow (**May 24 at 2:00PM Pacific Time**), Rick and I wanted to provide you with some information that we intend to discuss in some detail during that call. Attached to this message you will find a word document with a series of questions and requests for information. This is EPA's standard inability-to-pay claim template for limited liability companies. It is used for companies of every size and sophistication that are making claims of an inability-to-pay a monetary penalty. We have inserted some information into this template that is specific to Chill Transportation, LLC's circumstances, but some of the questions and requests for information may not be applicable to this situation. Eventually you will need to submit written responses to each of the questions and requests for information in the template in order to allow EPA's economist to fully review and assess Chill Transportation, LLC's ability to pay a monetary penalty.

While the request for information may seem voluminous or overwhelming, I want to emphasize that Rick and I are committed to working with you to ensure that you fully understand the process and the information that EPA is seeking. In the simplest terms, EPA will need four categories of information from Chill Transportation, LLC: 1. income (what are you bringing in); 2) assets (what do you own); 3) expenses (what are you paying out to continue to operate); and 4) liabilities (what do you owe and what are your potential claims). Rick and I plan to walk through each of the categories of information necessary and will try to answer your questions during our call.

We look forward to chatting with you then.

Sincerely,

Patrick B. Johnson
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 10
Alaska Operations Office
[222 West 7th Avenue, #19](#)
[Anchorage, Alaska 99513-7588](#)
(907) 271-3914

From: Sonia Slayden <chilltransportation1@gmail.com>

Sent: Monday, May 23, 2022 8:31 AM

To: Johnson, Patrick <johnson.patrick@epa.gov>

Cc: Cool, Richard <Cool.Richard@epa.gov>

Subject: Re: Follow-Up Meeting Between Chill Transportation, LLC and U.S. EPA Regarding Alleged Clean Water Act Violations

I will be attending the meeting.

On Mon, May 23, 2022 at 9:26 AM Johnson, Patrick <johnson.patrick@epa.gov> wrote:

This meeting is being scheduled to continue the “opportunity-to-confer” process between Chill Transportation, LLC and the U.S. EPA in an effort to resolve the alleged Clean Water Act violations associated with the oil spill/discharge incident that occurred on August 8, 2021 near the City of Toppenish, Washington. Chill Transportation, LLC requested a meeting at this time and date (**May 24, 2022 at 2:00PM Pacific Time**) to discuss the process for filing an inability-to-pay claim.

EPA will be represented by Patrick Johnson, an attorney in EPA Region 10’s Office of Regional Counsel, and Rick Cool in EPA Region 10’s Enforcement and Compliance Assurance Division.

At the time of the meeting, please click on the below link to join using videoconferencing technology (hyperlink says “click here to join the meeting”). Alternatively, you may use your phone to call into the meeting using the following information:

Dial: [REDACTED]

When prompted, type the following conference line number: [REDACTED]

Sincerely,

Patrick B. Johnson
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 10
Alaska Operations Office
[222 West 7th Avenue, #19](#)
[Anchorage, Alaska 99513-7588](#)
(907) 271-3914

Microsoft Teams meeting

Join on your computer or mobile app

[Click here to join the meeting](#)

Join with a video conferencing device

sip:teams@video.epa.gov

Video Conference ID: 112 954 905 8

[Alternate VTC instructions](#)

Or call in (audio only)

[REDACTED] United States, Seattle

Phone Conference ID: 685 380 705#

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