

From: [Sonia Slayden](#)
To: [Cool, Richard](#)
Cc: [Johnson, Patrick](#)
Subject: Re: EPA Ability-To-Pay Evaluation - Chill Transportation ATP Claim Inquiries
Date: Friday, July 7, 2023 8:54:08 AM

Thank you for your help Richard. I appreciate any and all clarification so that I may comply and put this past me. I certainly appreciate all the patience and care that you and Patrick have had during these difficult times
Best regards

On Fri, Jul 7, 2023 at 9:07 AM Cool, Richard <Cool.Richard@epa.gov> wrote:

Hello Ms. Slayden:

Thank you for your Wednesday July 5th response and the information on your filing extension.

In your email, you indicate Chill has an appointment next week. Your email implies it that appointment is related to the preparation and potential submission of the Chill CY 2022 federal income tax filings.

Please also note that in addition to the 2022 federal income tax filings submissions to EPA, EPA hopes your CPA can assist Chill to make updated financial documentation submissions (i.e., Income Statement, Balance Sheet and Cash Flow Statement) to EPA for months *February through June 2023* or if Chill financial statements are maintained for combined months for these financial documents, the updated combined financial documentation for the year to date here in 2023, through June 2023. As I have emphasized previously, this year-to-date information for CY 2023 is needed to assess Chill's current financial condition.

Thank you again for your attention to this important matter.

Sincerely,

Rick Cool

Surface Water Enforcement Section

U.S. EPA Region 10

1200 Sixth Avenue, Ste. 155, M/S 20-C04

Seattle, WA 98101

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Phone: (206) 553-6223

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From: Sonia Slayden <chilltransportation1@gmail.com>

Sent: Wednesday, July 05, 2023 11:01 AM

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

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

Subject: Re: EPA Ability-To-Pay Evaluation - Chill Transportation ATP Claim Inquiries

Good morning Richard. Thank you for your patience and your regards towards my well being. I certainly appreciate that very much. Im sorry if I didn't tell you priorly that I did have to file an extension. Due to my situation, it's just been too difficult to move at the speed I would like to. So yes I got an extension which allows me until October 2023 but im in hopes of getting them done sooner. I have an appointment for next week. So I think I should have them to you by the end of this month God willing. If anything should change I'll be sure to let you know as soon as I can. Thank you again for your understanding and patience.

On Wed, Jul 5, 2023 at 8:31 AM Cool, Richard <Cool.Richard@epa.gov> wrote:

Hello Ms. Slayden:

I hope this email finds you well and doing OK.

Thank you for your June 22 email.

I am responding by repeating previous EPA requests for updated financial

documentation regarding Chill Transportation LLC's (Chill) *current* financial condition, in addition, to asking about the status of Chill's planned CY 2022 tax filing submissions to EPA. Understanding Chill's *current* financial condition year to date based on updated and recent financial information is integral to the Ability-To-Pay (ATP) process that Chill initiated in early 2022.

Calendar Year 2022 Tax Filing Documentation. You will recall in our April 12 call, you indicated that Chill's CPA would be filing the Chill's CY 2022 federal income tax forms with the IRS during the following week in April, and that shortly after that IRS filing, you indicated Chill would submit those CY 2022 federal tax filings (e.g., your entire Form 1040 with all schedules and statements, etc.) to EPA for use in Chill's ATP evaluation.

Your June 22 email acknowledges those CY 2022 federal tax filing submissions have not yet been made to EPA but you expressed Chill's intent to make those tax filing submissions to EPA as soon as possible.

Can Chill apprise EPA when it expects to make the 2022 tax filing submissions to EPA? I ask because you did not indicate that Chill had or was going to ask the IRS for a filing extension.

Please alert EPA if Chill in fact sought and received an IRS filing extension (if so, the new filing deadline too please) so that EPA has some insight into what time deadline, if any, Chill is currently operating under.

EPA looks forward to getting those 2022 federal income tax submissions soon for use in Chill's ATP process and evaluation, and if further delays are anticipated, any Chill updates on when Chill expects to make those submissions to EPA.

Calendar Year 2023 To Date Financial Documentation. With apologies for the repetition but I have repeatedly alerted Chill on the need to make updated financial statement submissions to document Chill's *current* financial condition. The need to make additional updated, recent financial documentation submissions is due, in part, to the lag time that occurred after December 31, 2021 with Chill's submission of the CY 2021 income tax documentation. Now, more than six months will have likely passed since the end of an anticipated Chill 2022 fiscal year on December 31, 2022.

You might recall that the EPA ATP Initial Data Request form previously provided to Chill in the April-May 2022 period emphasized the need to provide the most current year-to-date financial statements (i.e., including but not limited to Income Statement, Balance Sheet, and Cash Flow Statement) if more than three months have elapsed from the end of the LLC's most recently completed fiscal year.

I renew the EPA's earlier requests for updated 2023 financial information in hopes your CPA can assist Chill to make updated financial documentation submissions (i.e., Income Statement, Balance Sheet and Cash Flow Statement) to EPA for months ***February through June 2023*** or if Chill financial statements are maintained for combined months for these financial documents, the updated combined financial documentation for the year to date here in 2023, through June 2023.

You might recall that you sent me a January 31, 2023 email with a zip file containing a balance sheet, cash flow statement and income statement for what appeared to be Chill financial documentation for the month of January 2023. It appears Chill has capability to generate updated financial information.

EPA requests the additional Chill updated 2023 information for February through June 2023 so we have the most up-to-date information on Chill's *current* financial condition. This repeated EPA request is an effort to better understand the totality of Chill's updated and most recent financial

condition. As time passes and if no timely updated 2023 submissions are made, Chill should anticipate that EPA may again ask for updated 2023 information that reflects the passage of time in an effort to evaluate Chill's current financial conditions.

Thank you again for your June 22 email. I look forward to hearing from you soon.

Please contact me if you have any questions about this email.

Sincerely,

Rick Cool

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From: Sonia Slayden <chilltransportation1@gmail.com>

Sent: Thursday, June 22, 2023 11:57 PM

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

Cc: Johnson, Patrick <johnson.patrick@epa.gov>; Rodriguez, Jason <Rodriguez.Jason@epa.gov>; Spaulding, Kate <Spaulding.Kate@epa.gov>; clonekelly@yahoo.com

Subject: Re: FW: Chill Transportation LLC

Hi Richard. Im si sorry that i haven't been able to corespond with you. As you can imagine. [REDACTED]

[REDACTED] No one wants to tell me but I can feel it. I haven't been able to send you my taxes. I want you to know. That my intentions are to get the taxes to you because sincerely Richard I just want to finish thus whole ordeal. Please forgive me if my spelling is incorrect but I sincerely can't even see very well y. I want you and Patrick to know that I am so grateful to you both for having the patience and the time to help me to submit all the things that I have to submit to you but I just haven't had the energy to do anything I'm trying very hard to get the documentation that I need to get to you as soon as possible and I will do so with or without anyone's help I promise you that. Im feeling up to doing this email but I must say things have gotten worse si se our las conversation. Please give me a little more time and I will get my taxes out to you. Thank you Richard I really appreciate you and Patrick my best regards hope you are well

On Mon, Jun 5, 2023 at 2:39 PM Cool, Richard <Cool.Richard@epa.gov> wrote:

Hello Ms. Slayden:

I am following up on my Friday May 12 email which responded to your earlier May 12 email (see emails below).

I am seeking your response and confirmation of my understanding of the scope of Chill Transportation LLC's consent regarding possible EPA communications with Ms. Louise Fulchiero regarding the ability-to-pay claim as I summarized it in my May 12 email.

In the context of EPA's current and continuing efforts on the Chill Transportation LLC (Chill) ability-to-pay (ATP) claim and evaluation process, I interpreted your May 12 email to mean that Chill consents to EPA communicating with Ms. Fulchiero, as Chill's representative, for purposes regarding the ATP process and related EPA requests for additional financial documentation submissions regarding calendar year 2022 (e.g., 2022 federal income tax filings), and also 2023 calendar year to date financial statements.

I appreciate any further communication and clarification you can provide confirming the scope summarized above.

Thank you for any help and response.

Sincerely,

Rick Cool

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Phone: (206) 553-6223

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From: Cool, Richard

Sent: Friday, May 12, 2023 12:18 PM

To: Sonia Slayden <chilltransportation1@gmail.com>

Cc: Johnson, Patrick <johnson.patrick@epa.gov>; Rodriguez, Jason <Rodriguez.Jason@epa.gov>; Spaulding, Kate <Spaulding.Kate@epa.gov>; clonekelly@yahoo.com

Subject: RE: Chill Transportation LLC

Hello Ms. Slayden:

Thank you for your email. I hope you are doing better. I appreciate your effort to help out in clarifying Ms. Fulchiero's role and related scope of her representation of Chill Transportation LLC.

I am responding to your email (see below) and asking you to confirm my understanding of the scope of Chill Transportation LLC's consent summarized below.

In the context of EPA's current efforts on the Chill Transportation LLC (Chill) ability-to-pay (ATP) claim and evaluation process, I interpret your email to mean that Chill consents to EPA communicating with Ms. Fulchiero, as Chill's representative, for purposes regarding the ATP process and related EPA requests for additional financial documentation submissions regarding calendar year 2022, and also 2023 calendar year to date.

Thank you for a response email confirming the scope summarized above.

Sincerely,

Rick Cool

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From: Sonia Slayden <chilltransportation1@gmail.com>

Sent: Friday, May 12, 2023 10:13 AM

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

Cc: Johnson, Patrick <johnson.patrick@epa.gov>; Rodriguez, Jason <Rodriguez.Jason@epa.gov>; Spaulding, Kate <Spaulding.Kate@epa.gov>; clonekelly@yahoo.com

Subject: Re: Chill Transportation LLC

Good morning Richard

Im sorry I was unable to accommodate your time frame yesterday but I was feeling awful. In regards to Louise Fulchiero (family member) yes you may discuss any and all aspects of the accident that occurred on 8/8/21 with chill transportation. If you have any further questions email me I'll check my email later on this evening.

Best regards

Sonia Slayden

On Thu, May 11, 2023 at 1:45 PM Cool, Richard <Cool.Richard@epa.gov> wrote:

Hello Ms. Slayden:

I am writing to summarize a phone call that I just completed with Louise Fulchiero, and to summarize EPA's request for documentation and clarification regarding the scope of what Chill Transportation, LLC is authorizing Ms. Fulchiero's role regarding this EPA matter.

I responded to Ms. Fulchiero with a phone call after she left a voice message and text for me, and I understand she also left some type of message with Patrick Johnson, indicating that she was calling to discuss the Chill Transportation LLC matter.

I explained to Ms. Fulchiero that during the April 12th call between you and me, you explained that a person named Louise, who you described as a best friend, would contact me about a written statement that apparently was obtained from a Washington state trooper regarding the truck accident. I had asked if EPA could get a copy of the apparent written statement you referenced in our April 12 call and you explained that I would be contacted by Louise.

Based on today's communications from and with Ms. Fulchiero, it appears that the scope of assistance intended to be provided by Ms. Fulchiero to Chill Transportation LLC maybe more than just communications regarding the apparent Washington state trooper's written statement.

Accordingly, I explained to Ms. Fulchiero that EPA needs further clarification on exactly what Chill Transportation LLC (Chill) is authorizing in terms of Ms. Fulchiero's role and scope of representation for Chill in this EPA matter and exactly what matters Ms. Fulcheiro is authorized, on behalf of Chill, to discuss with EPA.

I understand from the phone call that Ms. Fulchiero will be in contact with Chill shortly in an effort to orchestrate further Chill communications regarding this EPA request for clarification summarized above.

Please contact me if you have any questions about this email.

Thank you again for your patience and continuing cooperation.

Sincerely,

Rick Cool

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