



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

UPS OVERNIGHT MAIL

Lakhmir Bagga
Silky Associates, LLC
200 E. Williamsburg Road
Sandston, VA 23150

APR 1 2019

Re: Ability to Pay Analysis – Additional Information Requested
EPA Docket No. RCRA-03-2018-0131

Dear Mr. Bagga:

The U.S. Environmental Protection Agency, Region III ("EPA") acknowledges receipt of the "Collection Information Statement for Wage Earners and Self-Employed Individuals" form ("Information Statement"). Unfortunately, the partially completed Information Statement is missing information necessary for EPA to analyze your claim that Silky Associates LLC (of which you appear to be the sole officer) has an "inability to pay" a substantial penalty in the above-referenced matter. Specifically, EPA requires that the following missing information be provided:

1. **Real Property**: This portion of the Information Statement was left blank. During a telephone conversation on or about March 22, 2019, you stated that you did not own any real property. However, EPA's preliminary research indicates that you or Silky Associates LLC own the following two (2) properties:

- A. 200 E. Williamsburg Road, Sandston, VA 23150: owner Silky Associates LLC: purchased in 2005 for \$985,000.
- B. 104 Seven Pines Ave., Sandston, VA 23150; owner: Lakhmir Bagga, purchased in 2010 for \$80,850.

For each of the two (2) properties described above that are currently owned either by you or by Silky Associates LLC, please provide:

- The type of ownership (e.g., are they owned simply by you or are they jointly owned with another?);
- The purchase date of the property. Does it agree with what is listed above?;
- The current fair market value of the property (not to be confused with the tax assessment value assigned by the county);

- The current loan balance on each property;
- The amount of monthly payment on each property; and
- Information concerning the lender, contract/lienholder, (such as, name, address, telephone number, etc.).

For each of the two (2) properties described above that are no longer owned by you or by Silky Associates LLC, please provide:

- The date of disposal/sale;
- The method of such disposal/sale (e.g., was it an outright sale, a transfer to a related family member, individual or company; a contribution to a charitable organization, etc.);
- The sale price that you received for the real property; and
- The net amount you received for it after encumbrances against the properties were satisfied.

2. **Personal Assets:** This portion of the Information Statement was also left blank. Please describe any personal assets owned by you or Silky Associates LLC other than a 2009 Honda Accord. In this response, please include all vehicles, furnishings, personal effects, artwork, jewelry, collections (e.g., coins, guns, etc.), antiques or other assets. Include intangible assets such as licenses, domain names, patents, copyrights, mining claims, etc.

3. **Accounts Receivable:** List all balances due from any company or Governmental entity that owes an account payable to Silky Associates, LLC. Itemize the company from whom the balance is due, the amount of the receivable, that company's address, the status of the receivable (i.e., its age and whether it is current or in the arrears), the due date, the original amount due and the remaining balance.

The information requested above should be provided along with the following statement, signed and dated by you:

Under penalties of perjury, I declare that the statements and/or information provided herein are true, correct, and complete to the best of my knowledge and belief. I further understand that I may be subject to prosecution by the Environmental Protection Agency to the fullest extent possible under the law should I provide any information that is not true, correct, and complete to the best of my knowledge.

Though the information requested above can be provided in any format, EPA has created a form for you to use to help you provide the requested information (Enclosed). Please know that EPA is unable to complete its "ability to pay" analysis without the information requested above. As the burden of raising and demonstrating an inability to pay rests with Silky Associates LLC, EPA will continue to presume that Silky Associates LLC has an ability to pay a substantial penalty until Silky Associates LLC provides information demonstrating otherwise.

Please provide the information requested above, along with the signed and dated statement **within fourteen (14) calendar days of receiving this letter** to:

Jennifer M. Abramson (3RC50)
U.S. EPA Region III
1650 Arch Street
Philadelphia, PA 19103

Thank you for your cooperation and prompt attention to this matter. Please do not hesitate to contact me with any questions or concerns by email at Abramson.Jennifer@epa.gov or by phone at (215) 814-2066.

Sincerely,

A handwritten signature in blue ink, appearing to read 'J M A', with a long horizontal flourish extending to the right.

Jennifer M. Abramson
Senior Assistant Regional Counsel

Enclosure

cc: Melissa Toffel, EPA

ENCLOSURE

1. Real Property:

Property Description: **200 E. Williamsburg Road, Sandston, VA 23150**

Please answer the following questions:

This property is owned by Silky Associates LLC True False

If False, please state the owner of this property here _____

This property is owned solely by Silky Associates LLC or the owner identified in 1.A.a: True False

If False, please state all joint owners of the Property here _____

This property was purchased in 2005 True False

If False, please state the year when the property was purchased here _____

Please state the fair market value (FMV) of the property here: _____

Please state the current loan balance here _____

Please state the Name, Address and Phone number of the lender here _____

Please state the monthly loan payment amount here _____

Property Description: **104 Seven Pines Avenue, Sandston, VA 23150**

Please answer the following questions:

This property is owned by Lakhmir Bagga True False

If False, please state the owner of this property here _____

This property is owned solely by Lakhmir Bagga
or the owner identified in 1.A.a:

True False

If False, please state all joint owners of the
property here _____

This property was purchased in 2010

True False

If False, please state the year when the property was
purchased here _____

Please state the fair market value (FMV) of the property here: _____

Please state the current loan balance here _____

Please state the Name, Address and Phone number of the lender
here _____

Please state the monthly loan payment amount here _____

The property located at **200 E. Williamsburg Road, Sandston, VA
23150** is no longer owned by either me or Silky Associates LLC

True False

If True, please describe:

The date of disposal/sale here _____
Method of disposal (circle one):

outright sale

transfer to a related family member, individual or company

contribution to a charitable organization

other _____

Sale price here _____

Net amount received after paying off loans or other encumbrances on the
property here _____

The property located at **104 Seven Pines Avenue, Sandston, VA
23150** is no longer owned by either me or Silky Associates LLC

True False

If True, please describe:

The date of disposal/sale here _____

Method of disposal (circle one):

outright sale

transfer to a related family member, individual or company

contribution to a charitable organization

other _____

Sale price here _____

Net amount received after paying off loans or other encumbrances on the property here _____

2. Personal Property

Please describe any personal assets owned by you or Silky Associates LLC other than a 2009 Honda Accord.

Personal Assets (Describe or None)

Estimated Net Worth

Vehicles: _____	_____
Furnishings: _____	_____
Personal effects: _____	_____
Artwork: _____	_____
Jewelry: _____	_____
Collections (e.g., coins, guns, etc.) _____	_____
Antiques: _____	_____
Intangible assets (e.g., licenses, domain names, patents, copyrights, mining claims, etc.) _____	_____
Other: _____	_____

3. Accounts Receivable

For all balances due from any company or Governmental entity that owes an account payable to Silky Associates, LLC, provide the following information:

Company Name: _____

Company Address: _____

Amount of Receivable: _____

Status of Receivable (i.e., age, whether current or in arrears): _____

Due date: _____
Original amount due: _____
Remaining balance: _____

Company Name: _____
Company Address: _____
Amount of Receivable: _____
Status of Receivable (i.e., age, whether current or in arrears): _____

Due date: _____
Original amount due: _____
Remaining balance: _____

Company Name: _____
Company Address: _____
Amount of Receivable: _____
Status of Receivable (i.e., age, whether current or in arrears): _____

Due date: _____
Original amount due: _____
Remaining balance: _____

Under penalties of perjury, I declare that the statements and/or information provided herein are true, correct, and complete to the best of my knowledge and belief. I further understand that I will be subject to prosecution by the Environmental Protection Agency to the fullest extent possible under the law should I provide any information that is not true, correct, and complete to the best of my knowledge.

Date

Lakhmir Bagga
Silky Associates LLC