

**FILED**

**November 28, 2023**

**10:57 A.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 TO SHOW CAUSE**

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. Complainant, the Director of the Enforcement and Compliance Assurance Division of Region 10 of the United States Environmental Protection Agency, has filed, by electronic means, a Motion for Default (Motion) along with a Memorandum in Support of Complainant’s Motion for Default (Memorandum), the Declaration of Scott Wilder (Declaration), and 39 Exhibits. Some of the Exhibits appear to contain personal identification information (PII) and potential confidential business information (CBI). As a precaution against having any such PII or CBI available for public inspection and copying, as is otherwise allowed by the Rules, the Motion, Memorandum, Declaration, and Exhibits have not yet been uploaded by the Regional Hearing Clerk into the electronic filing system.

On November 15, 2023, the undersigned issued the Order on PII and CBI in this matter directing Complainant to redact all PII and potential CBI from the Exhibits and refile the entire set of Exhibits so that the Regional Hearing Clerk may then upload into the electronic filing system the Motion, Memorandum, Declaration, and Exhibits in redacted form. Complainant has not yet complied with the Order on PII and CBI such that the Regional Hearing Clerk has not been able to upload these filings as required by the Rules.

Complainant and Respondent have now executed a Consent Agreement for the proposed settlement of the claims in this matter and have presented the undersigned with a proposed Final Order for the requested ratification of that settlement. However, there remains the outstanding issues of the pending Motion and compliance with the Order on PII and CBI. Therefore, before issuance of a ruling on the settlement request of the parties, Complainant is directed to refile the Exhibits, as redacted, and withdraw the Motion.

IT IS SO ORDERED

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Richard Mednick

Regional Judicial Officer

Presiding Officer

U.S. Environmental Protection Agency  
Region 10