



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  
MOTION TO WITHDRAW  
MOTION FOR DEFAULT**

Complainant, the Director of the Enforcement and Compliance Assurance Division of Region 10 of the United States Environmental Protection Agency (EPA), initiated this proceeding on February 14, 2023, by the filing of an administrative complaint (Complaint). Complainant alleges that Respondent, Chill Transportation, LLC, has committed violations of the Clean Water and is therefore subject to payment of a civil penalty. *Id.* Subsequently, Complainant filed a Motion for Default that included 39 Exhibits. In an Order on PII and CBI issued by the undersigned on November 15, 2023, Complainant was directed to resubmit the Exhibits with redactions designed to protect personal identifiable information (PII) and potential confidential business information (CBI) from public disclosure.

Complainant did not resubmit the Exhibits as directed in the Order on PII and CBI. Then, without a withdrawal of pending Motion for Default, Complainant and Respondent presented a Consent Agreement for the proposed settlement of the violations alleged in the Complaint.

The undersigned issued a Show Cause Order on November 28, 2023, again directing Complainant to resubmit the Exhibits with redactions for PII and CBI. Complainant was also instructed that the pending Motion for Default would need to be withdrawn in order to proceed with a proposed settlement.

In response to the Show Cause Order, Complainant filed a Motion to Withdraw Motion for Default, which is not opposed by Respondent. Complainant also resubmitted the Exhibits to the Motion for Default with redactions for PII and CBI; however, the resubmitted Exhibits still contain some unredacted personal contact information of an EPA employee and unredacted contact information and personal statements about officials for Respondent. Therefore, Complainant is directed to either (1) notify the undersigned that Complainant has obtained a waiver from these individuals to the public disclosure of the PII information and statements through uploading of these resubmitted Exhibits into the electronic filing system or (2) further redact the Exhibits for additional PII in a manner deemed satisfactory to the EPA employee and officials for Respondent and resubmit the Exhibits as further redacted.

The Motion to Withdraw Motion for Default is hereby granted. The undersigned has separately issued a Final Order ratifying the Consent Agreement.

IT IS SO ORDERED

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Richard Mednick  
Regional Judicial Officer  
Presiding Officer  
U.S. Environmental Protection Agency  
Region 10