

From: [Cool, Richard](#)
To: [Sonia Slayden](#)
Cc: [Johnson, Patrick](#); [Jencius, Michele](#)
Subject: RE: Chill YTD Jan 2023 statements/sheet submission Jan 31 - EPA Reply
Date: Tuesday, February 7, 2023 7:02:33 AM
Attachments: [EPA Signed Letter Chill Transportation LLC 12.14.2022.pdf](#)

Hello Ms. Slayden:

Thank you for your Monday afternoon February 6 reply to my earlier Monday email.

I appreciate the additional information and your explanation of the truck insurance policy and premium payment situation and yes, I understood your explanation.

I repeat here some key messages from my recent emails, including my Monday email, so that you understand EPA's current position that EPA requires additional information to understand Chill's current financial condition. Chill still needs to submit additional complete and adequate financial documentation in accordance with the EPA's December 14, 2022 letter to fully support its inability-to-pay claim. A copy of the EPA letter is attached to this email.

Your January 31 submission of Chill's January 2023 financial documentation indicates Chill has engaged help to prepare company-related financial condition documentation. We are hopeful Chill will continue to use help and assistance to submit all of the necessary initial financial condition documentation identified in the EPA letter to fully support its inability-to-pay claim. **To be clear, EPA still needs more documentation to fully assess Chill's ability-to-pay a monetary penalty as described in EPA's December 14, 2022 letter.**

EPA's filing of an administrative complaint does not preclude the parties from agreeing to continue settlement negotiations. In fact, the EPA remains interested in obtaining Chill's complete and adequate financial documentation in support of its inability-to-pay claim so that the parties might continue with informed settlement discussions that may lead to a resolution that avoids the time and expense of litigation. We are interested in completing reviews of the entirety of Chill's financial documentation when such complete and adequate submissions are made as soon as we can so that any necessary follow-up is completed in a timely manner.

Please contact Patrick Johnson if you have any further questions about the EPA

letter.

Thank you for your prompt and continuing attention to this important matter.

Sincerely,

Rick Cool

Surface Water Enforcement Section

U.S. EPA Region 10

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From: Sonia Slayden <chilltransportation1@gmail.com>

Sent: Monday, February 06, 2023 1:59 PM

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

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

Subject: Re: Chill YTD Jan 2023 statements/sheet submission Jan 31 - EPA Reply

Hi Richard

Yes the company car is jimmy's but since I have had to cut his pay drastically due to inability to pay him correctly and his use of that vehicle is for the company, I am adding it since I make those payments and he has to use the vehicle to run all my errands that I could no longer do. Also the insurance for last year 2022 was until January 22, 2023 which was \$4365.62 monthly until January 22, 2023. You don't see that amount being deducted because the last three payments of that premium was paid in the initial deposit of \$12,251.65. I got new insurance so in addition to the \$4365. we had to pay an additional \$1560.50. I couldn't pass up this insurance because it was a promotional deal and it's going to reduce our insurance payment by a lot. The only thing is that we will not know if we will be able to keep that insurance until March of this year. It comes with conditions that we're not sure we qualify for yet. We will know in march 2023. So pray for us please. Because that will be the factor that will decide weather Chill transportation stays in business or not. So in reality we payed an additional \$1560.50 for the insurance because the January payment from the other insurance was already paid in the deposit. I hope you can understand what im saying. The deposit that was paid on January 22, 2022 of \$12,251.65 was the last 3 payments of the insurance which included January 2023. Also the amount of the insurance came down but the rates of the loads available are considerably lower and are continuously decreasing. And there are a significant amount less of loads to do. I also want to indicate that we are just sending you the expenses that chill is occurring without mine or jimmy's pay. Because we haven't been able to get paid nor have I yet seen any of my initial investment of \$80,000. I am lucky that jimmy and others in my family are helping me to stay afloat. Also I have a \$12,000 credit card debt now but that credit card has helped chill to stay running. Idk if im doing any of this correctly. I shou probably just give up but I just don't want to give up because it took so much of us both to get this company going and I hate to see it fail. Im fighting with all I've got. Anyway I will send you a letter of another credit card that I applied for

and was rejected so you can see that applying for credit is no longer an option. We are doing very badly Richard. These documents should be sufficient to see that we're not doing well and the economy has only worsen our problems. I hope you guys can understand where I am in this particular time in my life and come to a decision soon because all that this is doing [REDACTED]. My best regards to you and Patrick

On Mon, Feb 6, 2023 at 12:38 PM Cool, Richard <Cool.Richard@epa.gov> wrote:

Hello Ms. Slayden:

I am confirming receipt of your Tuesday, January 31, 2023 email that included a zip file. The zip file had three documents – balance sheet, cash flow statement and income statement all identified as “year to date as of January 2023.”

Your January 2023 financial documentation appears to indicate Chill has engaged help to prepare company-related financial condition documentation. We are hopeful Chill will use this assistance to submit all of the necessary initial financial condition documentation identified in the EPA’s December 14, 2022 letter. Chill’s use of this additional help is a very positive development and we appreciate that effort. **However, to be clear, EPA still needs more documentation to fully assess Chill’s ability-to-pay a monetary penalty as described in EPA’s December 14, 2022 letter.**

Just a couple of initial observations . . . the January 2023 submissions appear to indicate the recent acquisition of a company car with a potential associated 36-month payment period, and a very significant drop in the monthly truck insurance payment amount in January 2023 compared to prior information supplied on the truck insurance payments being made in early-mid 2022.

As EPA awaits further Chill financial documentation submissions in response to the EPA’s December 14, 2022 letter, Chill should expect in the future some potential EPA follow-up questions, inquiries, requests for clarifications, etc. at a later date after EPA completes reviews of the previously submitted 2021 1040 documentation and this recent January 2023-based financial documentation in context with EPA future reviews of the other expected financial documentation submissions that Chill has yet to make to date in response to the EPA letter (e.g., revised and updated ATP form, CY 2022 financial data, etc.).

Future clarifications might be anticipated on a number of issues including but not limited to the company car, documentation of employee (truck driver) wage payments and employment tax payments, any draws or withdrawals of LCC income to you as Chill's sole owner, etc. I merely bring these preliminary matters to your attention now so that you understand that the initial data submissions will be reviewed and EPA will likely have follow-up questions, inquiries, etc. This iterative review process will hopefully help EPA get a full and complete understanding of Chill's overall financial conditions.

Thank you again for your time and attention to these important matters.

Sincerely,

Rick Cool
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From: Sonia Slayden <chilltransportation1@gmail.com>

Sent: Tuesday, January 31, 2023 8:40 PM

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

Subject: Income statements

Thought I was gonna be able to get this to you this morning but I ended up [REDACTED]
[REDACTED]. Sorry for the delay. I just wanted to send you what I have so far. Thanks for your patience