From:	Johnson, Patrick
To:	Sonia Slayden
Cc:	Cool, Richard
Subject:	RE: In the matter of: Chill Transportation LLC; U.S. EPA Docket No. CWA-10-2023-0020; Administrative Complaint
Date:	Wednesday, February 15, 2023 12:56:00 PM
Importance:	High

Sonia:

With all due respect, neither Rick nor I indicated to you that all that we needed was Chill Transportation LLC's 2021 tax returns in order to determine whether Chill Transportation has an inability-to-pay a monetary penalty. In fact, in May 2022 (over 260 days ago), EPA provided you with the ATP form that clearly outlined the documentation required for our assessment, and that form outlined the need for documentation beyond tax returns and explained that EPA needed to understand the *current* financial condition of the LLC. Additionally, on more than 20 occasions following that May 2022 transmission, we provided written correspondence to you where EPA described the financial documentation necessary for our Agency to complete our assessment. This consistent and detailed written correspondence, in addition to numerous phone calls with you and providing almost a full year to negotiate a settlement agreement from the date that we initiated this matter (March 15, 2022), illustrates our Agency's efforts to negotiate with you in good faith. As I said, we remain willing and interested in reviewing the remaining financial documentation if you provide it to us. If that is provided, we can complete our assessment and, depending on the outcome of our assessment, potentially resolve this matter without full litigation.

I will not provide any insight into whether or not you should retain an attorney. That is solely your decision.

Sincerely,

Patrick B. Johnson
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 10
Alaska Operations Office
222 West 7th Avenue, #19
Anchorage, Alaska 99513-7588
(907) 271-3914

From: Sonia Slayden <chilltransportation1@gmail.com>
Sent: Wednesday, February 15, 2023 7:57 AM
To: Johnson, Patrick <johnson.patrick@epa.gov>
Cc: Cool, Richard <Cool.Richard@epa.gov>
Subject: Re: In the matter of: Chill Transportation LLC; U.S. EPA Docket No. CWA-10-2023-0020; Administrative Complaint

I asked you on a telephone call if I needed a lawyer and you guys told me that the EPA was merely making an investigation for this accident and that i didn't. I don't know why you're consulting me you should be talking to my insurance company.because this was an accident and I am insured! You also told me that if I sent you my 2021 taxes it will be done. You said that to me in a phone call And again im asking do I need a lawyer?? let me know if I need a lawyer to represent me in this accident that you guys are so viciously trying to collect from me from an accident. The environment is more

damaged from vegan food than from chill transportation. So go for it. Just let me know if I need a lawyer

On Wed, Feb 15, 2023 at 8:37 AM Sonia Slayden <chilltransportation1@gmail.com> wrote:

> Well I've submitted everything that I can to the EPA and if from my submissions you can't see that I don't have the ability to pay. I don't know what else to do. All I can do is provide the 2022 taxes which will also reflect a loss. So do what you have to do. In either case I will not be able to psy
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> On Wed, Feb 15, 2023 at 8:13 AM Johnson, Patrick <johnson.patrick@epa.gov> wrote:
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>> Sonia:
>>
>> You received the attached letter from December 14, 2022, signed by EPA's Jeff KenKnight, which explained the consequences of Chill Transportation LLC failing to submit complete and adequate financial documentation to fully support its inability-to-pay claim to EPA by January 31, 2023. Throughout multiple portions of the letter, EPA clearly stated its intent to file an administrative complaint against Chill Transportation LLC should you fail to provide complete and adequate financial documentation by that deadline. As Rick has explained in numerous detailed email messages, EPA still has not received all of the requested information from you. As a result, EPA has filed an administrative complaint against Chill Transportation LLC initiating litigation. A package containing hard copies of the documents included as attachments on yesterday's electronic filing have been sent to you via certified mail through the United States Postal Service. I anticipate that package may be delivered to you as soon as today.
>>
>> Given that this filing has initiated litigation against you, you should consider closely reviewing the Complaint, most notably Sections V, IV, and VII, the EPA Region 10 Standing Order attached to yesterday's filing, and the rules found at 40 C.F.R. Part 22, most notably 40 C.F.R. § 22.15. EPA remains interested in negotiating with you in good faith and is hopeful that you will provide the remaining financial documentation necessary for our Agency to fully review your inability-to-pay claim. If you have any questions regarding the information that we need from you, please review the previous correspondence from Rick Cool or you are welcome to reach out to me to further discuss.
>>
>> Sincerely,
>>
>> Patrick B. Johnson
>> Office of Regional Counsel
>> U.S. Environmental Protection Agency, Region 10
>> Alaska Operations Office
>> 222 West 7th Avenue, #19
>> Anchorage, Alaska 99513-7588
>> (907) 271-3914
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>> **From:** Sonia Slayden <chilltransportation1@gmail.com>
>> **Sent:** Tuesday, February 14, 2023 2:47 PM
>> **To:** Johnson, Patrick <johnson.patrick@epa.gov>
>> **Cc:** Cool, Richard <Cool.Richard@epa.gov>; R10_RHC <R10_RHC@epa.gov>
>> **Subject:** Re: In the matter of: Chill Transportation LLC; U.S. EPA Docket No. CWA-10-2023-0020; Administrative Complaint

Can someone explain what all this is in laments term?

On Tue, Feb 14, 2023 at 3:21 PM Johnson, Patrick <johnson.patrick@epa.gov> wrote:

> To the EPA Region 10 Regional Hearing Clerk:
>
> Pursuant to the standing order signed by the Regional Judicial Officers of the United States Environmental Protection Agency (EPA) Region 10 designating EPA's Outlook-based email system to serve as EPA Region 10's connection with administrative enforcement actions under the Part 22 Rules and authorizing the use of email as an Electronic Filing System (EFS) to file documents with the Regional Hearing Clerk, this email serves as the filing of the above-referenced administrative complaint against Respondent Chill Transportation LLC.
>
> A copy of the standing order accompanies this filing as required by the order, and serves as notice to Respondent of the availability of the EFS for the filing of an answer.
>
> Evidence of service of the Complaint, Part 22 Rules, and Standing Order on the Designation of EPA Region 10 Part 22 Electronic Filing System on Respondent will be filed upon perfection of service. Respondent is copied on this email as required under the standing order.
>
> Sincerely,
>
> Patrick B. Johnson
> Office of Regional Counsel
> U.S. Environmental Protection Agency, Region 10
> Alaska Operations Office
> 222 West 7th Avenue, #19
> Anchorage, Alaska 99513-7588
> (907) 271-3914