

Limited Liability Company (LLC) Ability to Pay Claim Initial Data Request

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Note: (1) To avoid duplication, if a response has already been provided, please indicate.

(2) Unless otherwise mentioned, for purposes of this request the **Review Period** for this request is from the LLC's fiscal year 2018 to present.

(3) If a particular Data Request is not applicable, state that it is not applicable with a short explanation.

(4) You may assert a confidentiality claim covering part or all of the information submitted to EPA in response to this questionnaire by placing on (or attaching to) the information, at the time it is submitted to EPA, a cover sheet, stamped or typed legend, or other suitable form of notice employing language such as "trade secret," "proprietary," "company confidential." Allegedly confidential portions of otherwise non-confidential documents should be clearly identified by you, and may be submitted separately to facilitate identification and handling by EPA. Information covered by such a claim will be disclosed by EPA only to the extent and by the procedures set forth in statutes and 40 C.F.R. Part 2, Subpart B. Unless you make a claim at the time you submit the information in the manner described in 40 C.F.R. § 2.203(b), it may be made available to the public by EPA without further notice to you. 40 CFR 2.203; see also 41 Fed. Reg. 36902 (Sept. 1, 1976).

(5) Submit all financial information under an authorized signature with the certification language at the end of this document.

Please provide the following:

1. **Explanatory Statement** **Provided**

Provide a substantive statement with supporting information (e.g., documentation if it exists, etc.) which explains the specific reason(s) why the LLC is claiming an inability to pay the proposed penalty. **Provided**

EPA encourages adding information and details to your substantive statement describing the LLC's financial conditions including but not limited to the following (not an exclusive list):

- LLC's operational history since its inception and operational history since the August 2021 accident to date, including number of truck(s) in operation and during what time periods in 2021 and 2022 to date, driver availability affecting truck operations, etc.;
- LLC's financial health, including anticipated or estimated gross and net income and related operational expenses (e.g., LLC wages and salaries, truck and equipment operations and maintenance costs, insurance, etc.) in calendar year 2022 and future year estimates.

2. **Federal Tax Returns**

True and complete copies of signed federal tax returns for the years 2018, 2019, 2020 (and 2021 if completed) that relate to filings for the LLC. If the detailed tax information is reported on a taxpayer's form 1040, furnish the entire 1040 with all schedules and statements. **2021 federal tax return submitted**

3. **Annual Financial Statements**

If 2021 tax returns are not available, furnish true and complete copies of 2021 financial statements to include but not limited to Income Statement, Balance Sheet, and Cash Flow Statement. **June 2022 & Jan 2023 provided**

4. **Year To Date Financial Statement**

- (a) If more than three months have elapsed from the end of the LLC's most recently completed fiscal year, provide the most current Year-To-Date financial statements. **Provided**
- (b) Indicate if there have been any substantive changes with respect to any notes contained in the most recent annual financial statement.

5. **LLC Management**

- (a) The names of senior LLC officers and each officer's total annual remuneration (i.e., salary, bonus, options, perquisites) for each of the years requested for the financial statements. **Sonia Slayden, President,** [REDACTED]
- (b) For the Review Period indicate if any loans have been made between the LLC and an officer or Member [REDACTED]
- (c) Also, disclose if any loan(s) have been made between the LLC and a relative or personal acquaintance of any LLC officer, Member or employee, and if so, the terms, conditions and current status of each loan.

[REDACTED]

(d) For the Review Period indicate if any other non-operating disbursements (e.g., grants, gifts, transfers, etc.) of assets have been made between the LLC and any of its officers, Members, employees or any relative or personal acquaintance of any LLC officer, Member or employee, and if so, the date and description of and the underlying reason for each disbursement. **N/A**

6. **Members**

Provide the names of Stockholders/Partners/Members (hereinafter called Members) who hold the first eighty percent (80%) of the LLC's voting shares. For each Member named, indicate the type and percentage of shares held and the respective dollar value

Sonia Slayden, 100% ownership

7. **Litigation**

A statement with relevant details if the LLC currently is, or anticipates being a party to, any litigation which has not been noted in the most recent financial statement and which could impact the LLC's financial situation. **None**

8. **Financial Settlements**

A statement with relevant details if the LLC currently is, or anticipates receiving or paying, a financial settlement which has not been noted in the most recent financial statements. **N/A**

9. **LLC Control and Affiliations**

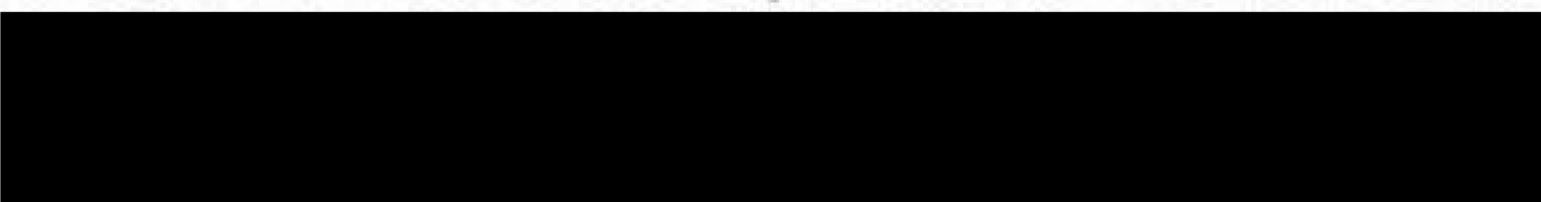
(a) For the period under review indicate if the LLC controlled or controls, or was or is controlled by or affiliated with any other company or entity, domestic or foreign.

For each company or entity, provide: **N/A**

- name, address and phone number
- type of affiliation (e.g., subsidiary, parent, etc.)
- names of senior officers and board of directors
- description of any operational ties (e.g., provides administrative services, provides marketing services, etc.), and percentage of ownership and means of control.

(c) For the Review Period indicate whether the LLC had or currently has any business with any other entity where a LLC officer, director or principal had or currently has a financial interest in or control of that other entity. **N/A**

12. **Credit**

(a) If the LLC has any lines of credit or other loans which have not been mentioned in the most recent financial statement, indicate the financial institution(s) or lender(s), the specific terms and conditions, and the current financial status of that line of credit or loan. 

- (b) If the LLC applied for and was denied credit (including a loan) during the Review Period, provide a statement containing details of that credit request and denial (i.e., date applied for, amount, name of financial institution/lender, date denied, etc.). Include a copy of the letter of denial from that financial institution/lender.

Submitted in separate email

11. **Insurance**

- (a) Provide true and complete copies of each policy that provides any insurance coverage for the LLC regarding this specific environmental issue.
- (b) In terms of ongoing LLC operational expenses, provide information and documentation on any tractor truck, trailer, etc. insurance coverage(s) that may affect the LLC's current financial health.

Submitted

Submitted

12. **Market Conditions**

If market conditions are a negative factor affecting the LLC's current financial health, provide a substantive statement with supporting information.

13. **Other Assets**

If the LLC has a financial interest in, control of, or is the beneficiary of any asset (real estate, major equipment, aircraft, watercraft, etc.) in the U.S. or in another country that has not been identified in the LLC's federal tax returns or in other financial information provided to EPA, identify each asset by type of asset, estimated value, and specific location (e.g., address, state or country). None

14. **Investigations & Potential Claims**

Identify and describe any investigations currently underway of the LLC and/or LLC officers and/or Members that may have an impact on the LLC's operations or financial health, including but not necessarily limited to the following:

Under investigation by EPA

Is the LLC aware of any potential penalty claims associated with the August 2021 accident/oil spill from the Washington State Department of Ecology and if so, what is the level of the penalty claim? Explain and describe.

No potential financial reimbursement for accident occurring in August 2021

Is the LLC aware of any potential financial reimbursement claims associated with the August 2021 accident/spill regarding EPA incurred response/removal costs being managed and sought by the U.S. Coast Guard's National Pollution Funds Center? Explain and describe. Submitted

15. **Forward Looking Statements**

Provide "Forward looking statements" made or issued publicly by the LLC or someone acting on behalf of the LLC during the past year. Provided at end

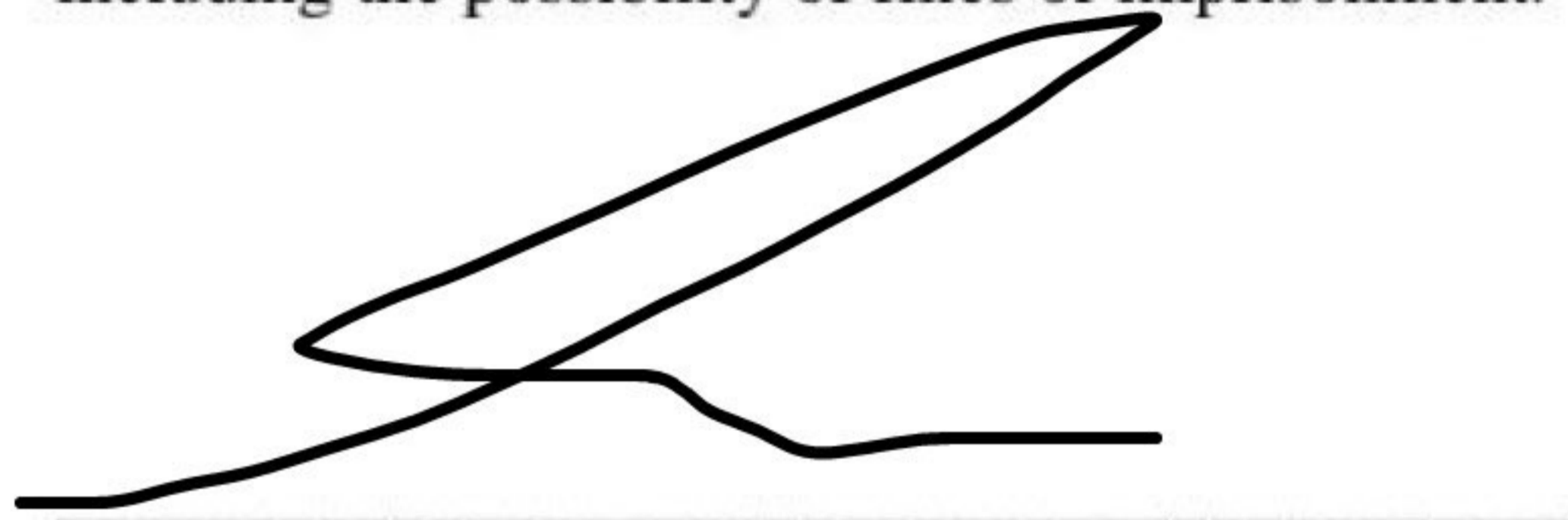
16. **Additional Information**

The EPA encourages the LLC to provide any additional substantive information which provides insight into its financial condition.

Please note that the EPA may request additional information as part of its review of this case information.

CERTIFICATION

I certify that the attached financial information is true, correct, and complete. I certify that the portions of these documents which I did not personally prepare were prepared by persons acting on behalf of [company name] under my supervision and at my instruction, and that the information provided is true, accurate, and complete. I am aware that there are significant penalties for knowingly submitting false statements and information, including the possibility of fines or imprisonment.



Signature

02/07/2023

Date

Sonia Slayden

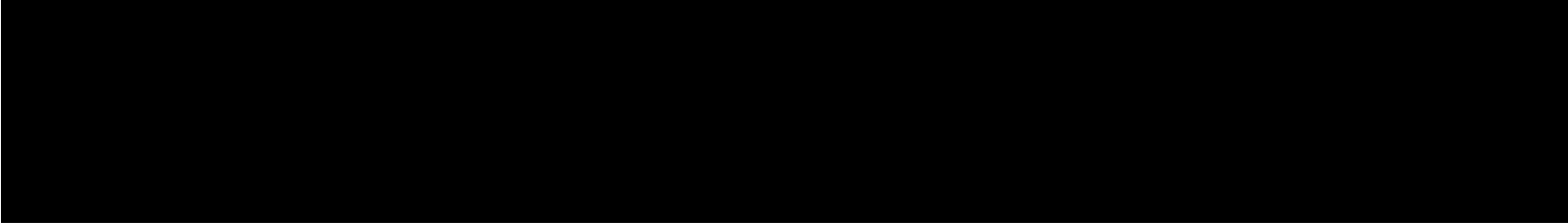
Print Name

President

Title

To whom it may concern,

Things have only gotten worse for Chill Transportation. Since August 8, 2021, the economy and fuel prices has crippled the trucking industry, and especially this



I, Sonia Slayden, on behalf of Chill Transportation, would greatly appreciate any potential relief that the EPA can provide to alleviate any additional financial burden &/or stress upon us.

Best regards to all parties involved,
Sonia Slayden
President
Chill Transportation