



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**  
**REGION 10**  
**ALASKA OPERATIONS OFFICE**  
Room 537, Federal Building  
222 West 7<sup>th</sup> Avenue, #19  
Anchorage, Alaska 99513-7588

**RETURN RECEIPT REQUESTED**

Sonia I. Slayden  
Chill Transportation LLC  
2112 Berkeley Avenue, Apartment 6  
Los Angeles, California 90026

Re: Notice of Intent to File Motion for Default: Docket No. CWA-10-2023-0020

Dear Ms. Slayden:

As you are aware, on February 14, 2023, the U.S. Environmental Protection Agency, Region 10 (“EPA”) filed an administrative complaint, Docket No. CWA-10-2023-0020, against Chill Transportation LLC. The administrative complaint alleged violations of the Clean Water Act associated with a Chill Transportation LLC truck crash resulting in discharges of oil into Toppenish Creek, onto the adjoining shoreline of Toppenish Creek, and to wetlands adjacent to Toppenish Creek. The crash and resulting discharges of oil occurred within the Toppenish National Wildlife Refuge and within the exterior boundaries of the reservation of the Confederated Tribes and Bands of the Yakama Nation. In compliance with the EPA Region 10 Standing Order Regarding the Designation of EPA Region 10 Part 22 Electronic Filing System, your email address was copied on the electronic filing of the administrative complaint with the EPA Region 10 Regional Hearing Clerk. That same day, you responded to that filing via email, illustrating your awareness of the filing.

To comply with 40 C.F.R. § 22.5(b)(1), EPA Region 10 invested significant resources over the course of the subsequent four months attempting to serve you with the administrative complaint via certified mail or personal service. These efforts included many attempts to work collaboratively with you to reduce the burden on you to appropriately receive service. You either outright rejected our efforts or appeared to intentionally evade that service. Eventually, on June 15, 2023, Christopher Demirdjian with Skip N Serve Process Server appropriately served you via personal service with the administrative complaint, a copy of the Consolidated Rules of Practice found at 40 C.F.R. Part 22, and a copy of the EPA Region 10 Standing Order Regarding the Designation of EPA Region 10 Part 22 Electronic Filing System. Notice of that service was filed with the Regional Hearing Clerk on June 19, 2023. Your email address was copied on the electronic filing of that certificate of service. On June 23, 2023, you responded via email to that filing, illustrating your awareness of the filing.

40 C.F.R. § 22.15(a) required you to file an answer within 30 days after service of the administrative complaint. As explained above, service of the administrative complaint occurred on June 15, 2023. Additionally, you have been aware of the filing of the administrative complaint since February 14, 2023. As of the date of this letter, EPA has not received any notice of Chill Transportation LLC’s filing of an answer to the administrative complaint despite more than 30 days passing since service of the administrative complaint. 40 C.F.R. § 22.17(a) states that a “party may be found to be in default: after motion [. . . or] upon failure to file a timely answer to the complaint.”

The primary purpose of this letter is to notify Chill Transportation LLC of EPA's intent to file a motion for default pursuant to 40 C.F.R. § 22.17(b). This motion will be filed because Chill Transportation LLC has failed to file a timely answer to the complaint. You will have an opportunity to file a response to that motion, but that response must be filed within 15 days after service of the motion in accordance with 40 C.F.R. § 22.16(b).

In that motion, I also intend to request that the EPA Region 10 Regional Judicial Officer allow for service for all future filings to be performed electronically. I have requested numerous times for you to consent to electronic service, but you have failed to respond to those requests. To avoid the need for EPA to make that request in a motion, I again request that you consider printing the attached document, signing it, scanning it, and sending it back to me as an attachment via email. If easier, you can also print, sign, and mail it to me at my address listed at the top of this letter. This will allow both of us to avoid the need for certified mailing and/or process servers for future filings, especially given that it is obvious that you have ready access to emails as illustrated by your quick email responses to past filings.

If you have any questions, I can be reached by phone at (907) 271-3914 or by e-mail at [johnson.patrick@epa.gov](mailto:johnson.patrick@epa.gov).

Sincerely,

Patrick B. Johnson  
Assistant Regional Counsel  
EPA Region 10

Enclosure