

Electronic Filing: Received, Clerk's Office 10/31/2018

From: [Webb, Carol](#)
To: [Brown, Don](#)
Subject: FW: [External] Re: Page Trust LUST EPA Appeal
Date: Wednesday, October 31, 2018 6:45:38 AM

Please docket for PCB 19-53

From: Wayne <vet6262@comcast.net>
Sent: Tuesday, October 30, 2018 6:23 PM
To: Megan Tusek <megan@whitneyandpotts.com>; Webb, Carol <Carol.Webb@illinois.gov>
Cc: mdwstenv@frontier.com
Subject: [External] Re: Page Trust LUST EPA Appeal

Thank you for the updated information. I can only hope that this lack of communication doesn't in any way have negative influence on a final settlement agreement.

Thank you Al for keeping us informed of what standard protocol is with the appeal process. Please continue to work for us as we attempt to settle with the "Great State of Illinois".

Wayne

From: Megan Tusek
Sent: Tuesday, October 30, 2018 5:12 PM
To: 'Webb, Carol'
Cc: mdwstenv@frontier.com ; 'Wayne Page '
Subject: Page Trust LUST EPA Appeal

Message from: Attorney Robert L. Potts

Good Afternoon Carol:

I apologize for the inaccurate information I gave you this morning. I had contacted our consultant on two occasions prior to our status conference this morning and never received a response from him. Since over two months have elapsed since we filed the appeal, I incorrectly assumed that our consultant and a representative of the IEPA have been negotiating a settlement. I finally received an email this afternoon from our consultant, Al Green, advising me that protocol is such that a representative of the IEPA typically contacts the consultant and negotiations then ensue. The following is an excerpt from the message I received this afternoon from engineer, Al Green:

"As we discussed on the phone, we are waiting on a contact from IEPA. We have not heard anything since the appeal was

filed. Normally, the Board will authorize the P.M. or others to begin negotiations to reach an amicable solution prior to the case going to hearing. The IEPA will drag this out as long as possible if they can. The hearing officer you are dealing with should let the P.M. know that they are approved to talk with us and that we are the contact for the client in all but legal matters. It is likely that we will be dealing with Brian Bauer at IEPA, as he is sort of in charge of reimbursements."

Again, I apologize for the misinformation and hopefully a representative of the IEPA will be contacting Mr. Green fairly soon so that the matter can either be settled or proceed to hearing within a reasonable period of time.

Respectfully,

Robert L. Potts

Sent By:
Megan Tusek,
Legal Assistant

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