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**From:** [Webb, Carol](#)  
**To:** [Brown, Don](#)  
**Subject:** FW: People v. Six M. Corp., PCB 12-035  
**Date:** Thursday, June 16, 2022 9:02:08 AM  
**Attachments:** [image001.png](#)  
[image002.png](#)

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Please log in COOL

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**From:** Phil Van Ness <pvanness@webberthies.com>  
**Sent:** Tuesday, June 14, 2022 11:45 AM  
**To:** Dubats, Elizabeth <Elizabeth.Dubats@ilag.gov>; Webb, Carol <Carol.Webb@illinois.gov>; Patrick D. Shaw (pdshaw1law@gmail.com) <pdshaw1law@gmail.com>  
**Cc:** James McIlvain (mcilvains2@frontier.com) <mcilvains2@frontier.com>  
**Subject:** [External] RE: People v. Six M. Corp., PCB 12-035 Call in information for Tuesday June 14, 2022 at 10:30a.m.

ALL:

As a followup to our status call discussion this morning, I would like to emphasize the request I made during the call. Specifically, while as Patrick noted, the IEPA has until the 28<sup>th</sup> to respond to the proposed CAP and budget made on behalf of Six M Corp., it is my client's request that he be included in any discussions where alternatives are being considered that affect his property.

It is my experience that there are frequently informal discussions between IEPA and consultant personnel in the course of the IEPA's review of a proposed CAP. Sometimes those discussions relate to consideration of competing alternatives [*e.g.*, where and how many monitoring wells are to be emplaced, what specific parameters are to be tested for, and what remediation approaches are best under particular circumstances (*e.g.*, *in situ* treatment vs removal, or potential approaches to obstacles like foundations, wells, septic systems, etc.)]. My client's request is that as alternatives affecting his property are considered, he be actively and timely informed of the issues and afforded a meaningful opportunity to comment. He is NOT requesting a veto nor is he interested in delaying implementation for even a second; rather, he believes that speedy resolution of this matter is best served when he is timely included in any discussions affecting his property. It is not acceptable and it will not be efficient if he is first informed as to what will be done to remediate his property after the decision is made.

To this end, Mr. McIlvain respectfully requests that the IEPA and the Respondent fully recognize his rights and his role as Necessary Party in this proceeding, and include him in any and all such pre-decisional discussions as described above.

Regards,

**PHILLIP R. VAN NESS**  
Of Counsel



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**From:** Dubats, Elizabeth <[Elizabeth.Dubats@ilag.gov](mailto:Elizabeth.Dubats@ilag.gov)>  
**Sent:** Monday, June 13, 2022 10:12 PM  
**To:** Webb, Carol <[Carol.Webb@illinois.gov](mailto:Carol.Webb@illinois.gov)>; Patrick D. Shaw ([pdshaw1law@gmail.com](mailto:pdshaw1law@gmail.com)) <[pdshaw1law@gmail.com](mailto:pdshaw1law@gmail.com)>; Phil Van Ness <[pvanness@webberthies.com](mailto:pvanness@webberthies.com)>  
**Subject:** People v. Six M. Corp., PCB 12-035 Call in information for Tuesday June 14, 2022 at 10:30a.m.

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Counsel,

The call in number for our Board status regarding People v. Six M. Corp., PCB 12-035 (602)-333-0052 and the passcode is 3863858960.

Elizabeth Dubats  
Assistant Attorney General  
[Elizabeth.Dubats@ilag.gov](mailto:Elizabeth.Dubats@ilag.gov)  
773.590.6794

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