



**SERVICE LIST**

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Hearing Officer  
Illinois Pollution Control Board  
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**CERTIFICATE OF SERVICE**

I, the undersigned, certify that I have served on the date of January 24, 2023, the attached Notice of Filing, Motion for Relief from Hearing Requirement and Stipulation and Proposal for Settlement upon the persons listed on the foregoing Service List by electronic mail.

/s/ Elizabeth Dubats  
Elizabeth Dubats  
Assistant Attorney General  
Environmental Bureau  
Illinois Attorney General's Office  
69 W. Washington St., 18th Floor  
Chicago, Illinois 60602  
(773) 590-6794  
[Elizabeth.Dubats@ilag.gov](mailto:Elizabeth.Dubats@ilag.gov)

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

PEOPLE OF THE STATE OF ILLINOIS,	)	
	)	
Complainant,	)	
	)	
v.	)	PCB No. 12-035
	)	(Enforcement – Water)
SIX M. CORPORATION INC., an Illinois,	)	
corporation, and THOMAS MAXWELL,	)	
	)	
Respondents,	)	
	)	
and	)	
	)	
JAMES MCILVAIN,	)	
	)	
Necessary Party.	)	

**MOTION FOR RELIEF FROM HEARING REQUIREMENT**

NOW COMES Complainant, PEOPLE OF THE STATE OF ILLINOIS, by KWAME RAOUL, Attorney General of the State of Illinois, and pursuant to Section 31(c)(2) of the Illinois Environmental Protection Act (“Act”), 415 ILCS 5/31(c)(2) (2020), moves that the Illinois Pollution Control Board (“Board”) grant the parties in the above-captioned matter relief from the hearing requirement imposed by Section 31(c)(1) of the Act, 415 ILCS 5/31(c)(1) (2020). In support of this motion, Complainant states as follows:

1. The Amended Complaint in this matter was filed on July 2, 2018, and alleges violations of Sections 12(a), 57.7(a)(4), 57.7(a)(5), 57.6(a), and 57.7(b) of the Act, 415 ILCS 12(a), 57.7(a)(4), 57.7(a)(5), 57.6(a), and 57.7(b) (2020); Sections 620.301(a), 620.405 and 620.410(d) of the Board Groundwater Quality Standards, 35 Ill. Adm. Code 620.301(a), 620.405 and 620.410(d); and Section 734.100(d) of the Board Underground Storage Tank Regulations, 35 Ill. Adm. Code 734.100(d).

2. Complainant is filing and a Stipulation and Proposal for Settlement with the Board simultaneous with this Motion.

3. The parties have reached agreement on all outstanding issues in this matter.

4. This agreement is presented to the Board in a Stipulation and Proposal for Settlement filed this same date.

5. All parties agree that a hearing on the Stipulation and Proposal for Settlement is not necessary, and respectfully request relief from such a hearing as allowed by Section 31(c)(2) of the Act, 415 ILCS 5/31(c)(2) (2020).

WHEREFORE, Complainant, PEOPLE OF THE STATE OF ILLINOIS, hereby requests that the Board grant this motion for relief from the hearing requirement set forth in Section 31(c)(1) of the Act, 415 ILCS 5/31(c)(1) (2020).

Respectfully submitted,

PEOPLE OF THE STATE OF ILLINOIS

KWAME RAOUL  
Attorney General  
State of Illinois

BY: /s/ Elizabeth Dubats  
Elizabeth.Dubats@ilag.gov  
Assistant Attorney General  
Environmental Bureau  
Illinois Attorney General's Office  
69 W. Washington Street, Suite 1800  
Chicago, Illinois 60602  
(773)590-6794

Primary e-mail: Elizabeth.Dubats@ilag.gov  
Secondary e-mail: [maria.cacaccio@ilag.gov](mailto:maria.cacaccio@ilag.gov)

Dated: 1/24/23

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

PEOPLE OF THE STATE OF ILLINOIS,	)	
	)	
Complainant,	)	
	)	
v.	)	PCB No. 12-035
	)	(Enforcement – Water)
SIX M. CORPORATION INC., an Illinois,	)	
corporation, and THOMAS MAXWELL,	)	
	)	
Respondents,	)	
	)	
and	)	
	)	
JAMES MCILVAIN,	)	
	)	
Necessary Party.	)	

**STIPULATION AND PROPOSAL FOR SETTLEMENT**

Complainant, PEOPLE OF THE STATE OF ILLINOIS, by KWAME RAOUL, Attorney General of the State of Illinois, the ILLINOIS ENVIRONMENTAL PROTECTION AGENCY (“Illinois EPA”), SIX M. CORPORATION INC. (“Six M. Corp.”) and THOMAS MAXWELL (“Respondents”), and James McIlvain (“Necessary Party”) (collectively “Parties to the Stipulation”), have agreed to the making of this Stipulation and Proposal for Settlement (“Stipulation”) and submit it to the Illinois Pollution Control Board (“Board”) for approval. This stipulation of facts is made and agreed upon for purposes of settlement only and as a factual basis for the Board’s approval of this Stipulation and issuance of relief. None of the facts stipulated herein shall be introduced into evidence in any other proceeding regarding the violations of the Illinois Environmental Protection Act (“Act”), 415 ILCS 5/1, *et seq.* (2020), and the Board’s regulations, alleged in the First Amended Complaint except as otherwise provided herein. It is the intent of the Parties to the Stipulation that it be a final adjudication of this matter.

**I. STATEMENT OF FACTS**

**A. Parties**

1. On September 20, 2018, the Board accepted for filing the First Amended Complaint filed on behalf of the People of the State of Illinois by Lisa Madigan, Attorney General of the State of Illinois, on her own motion and upon the request of the Illinois EPA, pursuant to Section 31 of the Act, 415 ILCS 5/31 (2020), against the Respondents.

2. The Illinois EPA is an administrative agency of the State of Illinois, created pursuant to Section 4 of the Act, 415 ILCS 5/4 (2020).

3. At all times relevant to the First Amended Complaint, Respondent, Six M. Corp., was and is an Illinois corporation that is authorized to transact business in the State of Illinois.

4. From at least May 13, 1996, until the date of the filing of the First Amended Complaint, Respondent, Thomas Maxwell, was the Secretary of Respondent, Six M. Corp.

5. At all times relevant to the First Amended Complaint, Respondent, Six M. Corp., has owned and operated a gasoline service station doing business as “Walker’s Service Station” and located at 430 West Clinton Avenue, Farmer City, De Witt County, Illinois (“Facility”).

6. From at least May 13, 1996, until the date of the filing of the First Amended Complaint, Respondent, Thomas Maxwell, managed the daily operations of Respondent, Six M. Corp., including oversight of the removal of underground storage tanks at the Facility, site investigation, and oversight of remediation activities related to the Facility.

7. At all times relevant to the First Amended Complaint, Necessary Party, James McIlvain, owned property adjacent to “Walker’s Service Station” and located at 407 West Clinton Avenue, Farmer City. As alleged in the First Amended Complaint, the McIlvain property was contaminated by the May 13, 1996 Leaking Underground Storage Tank (“LUST”) incident

that is the subject of the First Amended Complaint. This off-site contamination has not been fully remediated.

**B. Allegations of Non-Compliance**

Complainant contends that Respondents have violated the following provisions of the Act and Board regulations:

Count I: Water Pollution (as to Six M. Corp.)

Respondent Six M. Corp. violated Section 620.301(a) of the Board Groundwater Quality Standards, 35 Ill. Adm. Code 620.301(a).

Respondent Six M. Corp. violated Sections 620.405 and 620.410(d) of the Board Groundwater Quality Standards, 35 Ill. Adm. Code 620.405 and 620.410(d).

Respondent Six M. Corp. violated Section 12(a) of the Act, 415 ILCS 12(a) (2016).

Count II: Water Pollution (as to Thomas Maxwell)

Respondent Thomas Maxwell violated Section 620.301(a) of the Board Groundwater Quality Standards, 35 Ill. Adm. Code 620.301(a).

Respondent Thomas Maxwell violated Sections 620.405 and 620.410(d) of the Board Groundwater Quality Standards, 35 Ill. Adm. Code 620.405 and 620.410(d).

Respondent Thomas Maxwell violated Section 12(a) of the Act, 415 ILCS 12(a) (2016).

Count III: Failure to Complete Site Investigation (as to Six M. Corp.)

Respondent Six M. Corp. violated Section 57.7(a)(4) of the Act, 415 ILCS 5/57.7(a)(4) (2016).

Respondent Six M. Corp. violated Section 57.7(a)(5) of the Act, 415 ILCS 5/57.7(a)(5) (2016).

Respondent Six M. Corp. violated Section 57.6(a) of the Act, 415 ILCS 5/57.6(a) (2016).



Count IV: Failure to Take Corrective Action (as to Six M. Corp. and Thomas Maxwell)

Respondent Thomas Maxwell violated Section 57.7(a)(4) of the Act, 415 ILCS 5/57.7(a)(4) (2016).

Respondent Thomas Maxwell violated Section 57.7(a)(5) of the Act, 415 ILCS 5/57.7(a)(5) (2016).

Respondent Thomas Maxwell violated Section 57.6(a) of the Act, 415 ILCS 5/57.6(a) (2016).

Respondents Six M. Corp. and Thomas Maxwell violated and continue to violate Section 57.7(b) of the Act, 415 ILCS 5/57.7(b) (2016).

Respondents Six M. Corp. and Thomas Maxwell violated Section 734.100(d) of the Board Underground Storage Tank Regulations, 35 Ill. Adm. Code 734.100(d), and thereby also violated Section 57.6(a) of the Act, 415 ILCS 5/57.6(a) (2016).

**C. Non-Admission of Violations**

Respondents represent that they have entered into this Stipulation for the purpose of settling and compromising disputed claims without having to incur the expense of contested litigation. By entering into this Stipulation and complying with its terms, Respondents do not affirmatively admit the allegations of violation within the First Amended Complaint and referenced within Section I.B herein, and this Stipulation shall not be interpreted as including such admission.

**D. Compliance Activities to Date**

In addition to compliance activities identified in the First Amended Complaint, on October 17, 2018, Respondents submitted an Amended Stage 3 Site Investigation Plan to the Illinois EPA, which has been approved. Respondents have negotiated access to the McIlvain property to perform the approved remedial activity. On February 24, 2022, Respondents

submitted a Corrective Action Plan to the Illinois EPA for review and approval. On June 28, 2022, the Illinois EPA approved the February 24, 2022 Corrective Action Plan.

## **II. APPLICABILITY**

This Stipulation shall apply to and be binding upon the Parties to the Stipulation. Respondents shall not raise as a defense to any enforcement action taken pursuant to this Stipulation the failure of any of their officers, directors, agents, employees or successors or assigns to take such action as shall be required to comply with the provisions of this Stipulation. This Stipulation may be used against Respondents in any subsequent enforcement action or permit proceeding as proof of a past adjudication of violation of the Act and the Board Regulations for all violations alleged in the First Amended Complaint in this matter, for purposes of Sections 39 and 42 of the Act, 415 ILCS 5/39 and 42 (2020).

Respondents shall notify each contractor to be retained to perform work required in this Stipulation of each of the requirements of this Stipulation relevant to the activities to be performed by that contractor, including all relevant work schedules and reporting deadlines, and shall provide a copy of this Stipulation to each contractor already retained no later than thirty (30) calendar days after the date of entry of this Stipulation. In addition, Respondents shall provide copies of all schedules for implementation of the provisions of this Stipulation to the prime vendor(s) supplying the control technology systems and other equipment required by this Stipulation.

No change in ownership, corporate status or operator of the facility shall in any way alter the responsibilities of Respondents under this Stipulation. In the event that Respondents propose to sell or transfer any real property or operations subject to this Stipulation, Respondents shall notify the Complainant thirty (30) calendar days prior to the conveyance of title, ownership or

other interest, including a leasehold interest in the facility or a portion thereof. Respondents shall make as a condition of any such sale or transfer, that the purchaser or successor provide to Respondents site access and all cooperation necessary for Respondents to perform to completion any compliance obligation(s) required by this Stipulation. Respondents shall provide a copy of this Stipulation to any such successor in interest and Respondents shall continue to be bound by and remain liable for performance of all obligations under this Stipulation. In appropriate circumstances, however, Respondents and a proposed purchaser or operator of the facility may jointly request, and Complainant, in its discretion, may consider modification of this Stipulation to obligate the proposed purchaser or operator to carry out future requirements of this Stipulation in place of, or in addition to, Respondents. This provision does not relieve Respondents from compliance with any regulatory requirement regarding notice and transfer of applicable facility permits.

**III. IMPACT ON THE PUBLIC RESULTING FROM ALLEGED NON-COMPLIANCE**

Section 33(c) of the Act, 415 ILCS 5/33(c) (2020), provides as follows:

In making its orders and determinations, the Board shall take into consideration all the facts and circumstances bearing upon the reasonableness of the emissions, discharges, or deposits involved including, but not limited to:

1. the character and degree of injury to, or interference with the protection of the health, general welfare and physical property of the people;
2. the social and economic value of the pollution source;
3. the suitability or unsuitability of the pollution source to the area in which it is located, including the question of priority of location in the area involved;
4. the technical practicability and economic reasonableness of reducing or eliminating the emissions, discharges or deposits resulting from such pollution source; and

5. any subsequent compliance.

In response to these factors, the Parties to the Stipulation state the following:

1. Human health and the environment were threatened by Respondents' violations.
2. There was social and economic benefit to the facility.
3. Operation of the facility was suitable for the area in which it is located.
4. Completing a site investigation and corrective action in response to a release from a leaking underground storage tank is both technically practicable and economically reasonable.
5. Compliance is on-going. Neither a general nor limited no-further remediation letter has been issued.

#### **IV. CONSIDERATION OF SECTION 42(h) FACTORS**

Section 42(h) of the Act, 415 ILCS 5/42(h) (2020), provides as follows:

In determining the appropriate civil penalty to be imposed under . . . this Section, the Board is authorized to consider any matters of record in mitigation or aggravation of penalty, including but not limited to the following factors:

1. the duration and gravity of the violation;
2. the presence or absence of due diligence on the part of the respondent in attempting to comply with requirements of this Act and regulations thereunder or to secure relief therefrom as provided by this Act;
3. any economic benefits accrued by the respondent because of delay in compliance with requirements, in which case the economic benefits shall be determined by the lowest cost alternative for achieving compliance;
4. the amount of monetary penalty which will serve to deter further violations by the respondent and to otherwise aid in enhancing voluntary compliance with this Act by the respondent and other persons similarly subject to the Act;
5. the number, proximity in time, and gravity of previously adjudicated violations of this Act by the respondent;
6. whether the respondent voluntarily self-disclosed, in accordance with subsection i of this Section, the non-compliance to the Agency;

7. whether the respondent has agreed to undertake a "supplemental environmental project," which means an environmentally beneficial project that a respondent agrees to undertake in settlement of an enforcement action brought under this Act, but which the respondent is not otherwise legally required to perform; and
8. whether the respondent has successfully completed a Compliance Commitment Agreement under subsection (a) of Section 31 of this Act to remedy the violations that are the subject of the complaint.

In response to these factors, the Parties to the Stipulation state as follows:

1. Respondents failed to complete a site investigation and the corrective action necessary to remediate groundwater contamination from leaking underground storage tanks at the Facility. The violations began on or around May 13, 1996, and Respondents have not yet obtained a No Further Remediation letter from the Illinois EPA.
2. Respondents were not diligent in attempting to come back into compliance with the Act and Board regulations once the Illinois EPA notified them of their noncompliance.
3. The civil penalty takes into account any economic benefit realized by Respondents as a result of avoided or delayed compliance.
4. Complainant has determined, based upon the specific facts of this matter, that a penalty of Fifteen Thousand, Four Hundred, and Thirty-Six (\$15,436.00) will serve to deter further violations and aid in future voluntary compliance with the Act and Board regulations.
5. To Complainant's knowledge, Respondents have no previously adjudicated violations of the Act.
6. Self-disclosure is not at issue in this matter.
7. The settlement of this matter does not include a supplemental environmental project.
8. A Compliance Commitment Agreement was not at issue in this matter.

**V. TERMS OF SETTLEMENT**

**A. Penalty Payment**

1. Respondents shall pay a civil penalty in the sum of Fifteen Thousand, Four Hundred, and Thirty-Six Dollars (\$15,436.00) within thirty (30) days from the date the Board adopts and accepts this Stipulation.

**B. Stipulated Penalties, Interest, and Default**

1. If Respondents fail to complete any activity or fail to comply with any response or reporting requirement by the date specified in this Stipulation, Respondents shall provide notice to Complainant of each failure to comply with this Stipulation and shall pay stipulated penalties in the amount of \$400.00 per day per violation for up to the first fifteen (15) days of violation, \$500.00 per day per violation for the next fifteen (15) days of violation, and \$1,000.00 per day per violation thereafter until such time that compliance is achieved. Complainant may make a demand for stipulated penalties upon Respondents for their noncompliance with this Stipulation. However, failure by Complainant to make this demand shall not relieve Respondents of the obligation to pay stipulated penalties. All stipulated penalties shall be payable within thirty (30) calendar days of the date Respondents know or should have known of their noncompliance with any provision of this Stipulation.

2. If Respondents fail to make any payment required by this Stipulation on or before the date upon which the payment is due, Respondents shall be in default and the remaining unpaid balance of the penalty, plus any accrued interest, shall be due and owing immediately. In the event of default, Complainant shall be entitled to reasonable costs of collection, including reasonable attorney's fees.

3. Pursuant to Section 42(g) of the Act, interest shall accrue on any penalty amount owed by Respondents not paid within the time prescribed herein. Interest on unpaid penalties shall begin to accrue from the date such are due and continue to accrue to the date full payment is received. Where partial payment is made on any penalty amount that is due, such partial payment shall be first applied to any interest on unpaid penalties then owing.

4. The stipulated penalties shall be enforceable by Complainant and shall be in addition to, and shall not preclude the use of, any other remedies or sanctions arising from the failure to comply with this Stipulation.

**C. Payment Procedures**

1. All payments required by this Stipulation shall be made by certified check or money order payable to the Illinois EPA for deposit into the Environmental Protection Trust Fund ("EPTF"). Payments shall be sent by first class mail and delivered to:

Illinois Environmental Protection Agency  
Fiscal Services  
1021 North Grand Avenue East  
P.O. Box 19276  
Springfield, Illinois 62794-9276

2. The case name and case number shall appear on the face of the certified check or money order.

3. A copy of the certified check or money order and any transmittal letter shall be sent to:

Elizabeth Dubats  
Assistant Attorney General  
Environmental Bureau  
Illinois Attorney General's Office  
69 W. Washington Street, Suite 1800  
Chicago, Illinois 60602

**D. Future Compliance**

1. Respondents shall implement the Corrective Action Plan, which Illinois EPA approved on June 28, 2022.
2. If the Illinois EPA disapproves of any report or other information submitted pursuant to this Section, or requests any revisions thereto, Respondents shall, within 35 days after receiving written notice of disapproval or request for revisions, submit a revised report or other information that addresses the Illinois EPA's reasons for disapproval or includes the requested revisions, or appeal the decision to the Illinois Pollution Control Board. Respondents shall continue to address any deficiencies noted by the Illinois EPA in this manner until the report or other information is approved by the Illinois EPA or pursuant to the order of the Illinois Pollution Control Board.
3. Notwithstanding the dates for compliance set forth in this Section V.D., Respondents shall obtain and record a No Further Remediation letter by the "Final Compliance Date," as described herein. The Final Compliance Date shall be the later of:
  - (a) Three (3) years after the date the Board accepts this Stipulation; or
  - (b) Such extension date that the parties hereto mutually agreed upon pursuant to the Enforcement and Modification Section V.G. of this Stipulation;
4. Necessary Party James McIlvain shall allow Respondents access to the property adjacent to "Walker's Service Station" and located at 407 West Clinton Avenue, Farmer City, Illinois, for the purposes of the completion of the future compliance activities of this Stipulation.
5. In addition to any other authorities, the Illinois EPA, its employees and representatives, and the Attorney General, his employees and representatives, shall have the right of entry into and upon Respondents' facility which is the subject of this Stipulation, at all



reasonable times for the purposes of conducting inspections and evaluating compliance status. In conducting such inspections, the Illinois EPA, its employees and representatives, and the Attorney General, his employees and representatives, may take photographs, samples, and collect information, as they deem necessary.

6. This Stipulation in no way affects the responsibilities of Respondents to comply with any other federal, state or local laws or regulations, including but not limited to the Act and the Board Regulations.

7. Respondents, Six M. Corp. and Thomas Maxwell, shall cease and desist from future violations of the Act and Board Regulations that were the subject matter of the First Amended Complaint.

**E. Release from Liability**

In consideration of Respondents' payment of the \$15,436.00 penalty, their commitment to cease and desist as contained in Section V.D.7 above, completion of all activities required hereunder, and upon the Board's approval of this Stipulation, Complainant releases, waives and discharges Respondents from any further liability or penalties for the violations of the Act and Board regulations that were the subject matter of the First Amended Complaint herein. The release set forth above does not extend to any matters other than those expressly specified in Complainant's First Amended Complaint accepted by the Board for filing on September 20, 2018. Complainant reserves, and this Stipulation is without prejudice to, all rights of the State of Illinois against Respondents with respect to all other matters, including but not limited to, the following:

- a. criminal liability;
- b. liability for future violation of state, federal, local, and common laws and/or regulations;

- c. liability for natural resources damage arising out of the alleged violations; and
- d. liability or claims based on Respondents' failure to satisfy the requirements of this Stipulation.

Nothing in this Stipulation is intended as a waiver, discharge, release, or covenant not to sue for any claim or cause of action, administrative or judicial, civil or criminal, past or future, in law or in equity, which the State of Illinois may have against any person, as defined by Section 3.315 of the Act, 415 ILCS 5/3.315 (2020), or entity other than Respondents.

**F. Correspondence, Reports and Other Documents**

- 1. Any and all correspondence, reports and any other documents required under this Stipulation, except for penalty payments, shall be submitted as follows:

As to Complainant

Elizabeth Dubats  
Assistant Attorney General  
Environmental Bureau  
Illinois Attorney General's Office  
69 W. Washington Street, Suite 1800  
Chicago, Illinois 60602  
Elizabeth.Dubats@ilag.gov

Melanie Jarvis  
Assistant Counsel  
Division of Legal Counsel  
Illinois Environmental Protection Agency  
1021 North Grand Avenue East  
P.O. Box 19276  
Springfield, Illinois 62794-9276  
Melanie.Jarvis@Illinois.gov

Michael Piggush  
Bureau of Land, Project Manager  
Leaking Underground Storage Tank Section  
Illinois Environmental Protection Agency  
1021 North Grand Avenue East  
P.O. Box 19276  
Springfield, Illinois 62794-9276

Michael. Piggush@Illinois.gov

As to Respondents, Six M. Corp. and Thomas Maxwell

Patrick Shaw  
Law Offices of Patrick Shaw  
80 Bellerive Road  
Springfield, IL 62704  
pdshawllaw@gmail.com

2. Any and all correspondence, reports and any other documents required under this Stipulation and relating to the Necessary Party, except for penalty payments, shall be submitted as follows:

As to the Necessary Party, James McIlvain

Phillip R. Van Ness  
Webber & Thies, P.C.  
202 Lincoln Square  
PO Box 189  
Urbana, IL 61803-0189  
pvanness@webberthies.com

**G. Enforcement and Modification of Stipulation**

1. Upon the entry of the Board's Order approving and accepting this Stipulation, that Order is a binding and enforceable order of the Board and may be enforced as such through any and all available means.

2. The Parties to the Stipulation may, by mutual written consent, agree to extend any compliance dates or modify the terms of this Stipulation. A request for any modification shall be made in writing and submitted to the contact persons identified in Section V.F. Any such request shall be made by separate document, and shall not be submitted within any other report or submittal required by this Stipulation. Any such agreed modification shall be in writing, signed by authorized representatives of the Parties to the Stipulation.

**H. Execution of Stipulation**

The undersigned representatives for the Parties to the Stipulation certify that they are fully authorized by the party whom they represent to enter into the terms and conditions of this Stipulation and to legally bind them to it.


WHEREFORE, the Parties to the Stipulation request that the Board adopt and accept the foregoing Stipulation and Proposal for Settlement as written.


PEOPLE OF THE STATE OF ILLINOIS  
KWAME RAOUL  
Attorney General  
State of Illinois

ILLINOIS ENVIRONMENTAL  
PROTECTION AGENCY

MATTHEW J. DUNN, Chief  
Environmental Enforcement/  
Asbestos Litigation Division

JOHN J. KIM, Director  
Illinois Environmental Protection Agency

BY:   
STEPHEN J. SYLVESTER, Chief  
Assistant Attorney General  
Environmental Bureau

BY:   
CHARLES W. GUNNARSON  
Chief Legal Counsel

DATE: 1/20/23

DATE: 1/11/23

RESPONDENT  
SIX M. CORPORATION, INC.  
By

RESPONDENT  
THOMAS MAXWELL

\_\_\_\_\_  
DATE: \_\_\_\_\_

\_\_\_\_\_

NECESSARY PARTY  
JAMES MCILVAIN

DATE: \_\_\_\_\_

DATE: \_\_\_\_\_

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Attorney General  
State of Illinois

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MATTHEW J. DUNN, Chief  
Environmental Enforcement/  
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JOHN J. KIM, Director  
Illinois Environmental Protection Agency

BY: \_\_\_\_\_  
STEPHEN J. SYLVESTER, Chief  
Assistant Attorney General  
Environmental Bureau

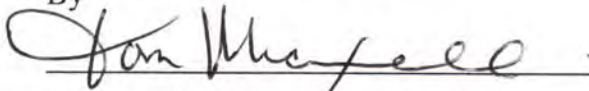
BY: \_\_\_\_\_  
CHARLES W. GUNNARSON  
Chief Legal Counsel

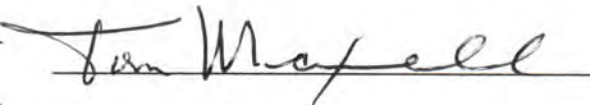
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DATE: \_\_\_\_\_

RESPONDENT  
SIX M. CORPORATION, INC.  
By

RESPONDENT  
THOMAS MAXWELL

  
DATE: 1-13-2023



NECESSARY PARTY  
JAMES MCILVAIN

DATE: 1-13-2023

DATE: \_\_\_\_\_

**H. Execution of Stipulation**

The undersigned representatives for the Parties to the Stipulation certify that they are fully authorized by the party whom they represent to enter into the terms and conditions of this Stipulation and to legally bind them to it.

WHEREFORE, the Parties to the Stipulation request that the Board adopt and accept the foregoing Stipulation and Proposal for Settlement as written.

PEOPLE OF THE STATE OF ILLINOIS  
KWAME RAOUL  
Attorney General  
State of Illinois

ILLINOIS ENVIRONMENTAL  
PROTECTION AGENCY

MATTHEW J. DUNN, Chief  
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JOHN J. KIM, Director  
Illinois Environmental Protection Agency

BY: \_\_\_\_\_  
STEPHEN J. SYLVESTER, Chief  
Assistant Attorney General  
Environmental Bureau

BY: \_\_\_\_\_  
CHARLES W. GUNNARSON  
Chief Legal Counsel

DATE: \_\_\_\_\_

DATE: \_\_\_\_\_

RESPONDENT  
SIX M. CORPORATION, INC.  
By

RESPONDENT  
THOMAS MAXWELL

DATE: \_\_\_\_\_

\_\_\_\_\_

NECESSARY PARTY  
JAMES MCILVAIN

DATE: \_\_\_\_\_

x *James McIlvain*

x DATE: 1-18-2023