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From: [Webb, Carol](#)
To: [Brown, Don](#)
Subject: FW: PCB 2012-035, People of the State of Illinois v. Six M. Corporation, Thomas Maxwell and James McIlvain
Date: Wednesday, September 26, 2018 3:08:23 PM

Please docket in COOL

From: Phil Van Ness <pvanness@webberthies.com>
Sent: Tuesday, September 25, 2018 10:24 AM
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Cc: Webb, Carol <Carol.Webb@illinois.gov>; James McIlvain (mcilvains2@frontier.com) <mcilvains2@frontier.com>
Subject: [External] RE: PCB 2012-035, People of the State of Illinois v. Six M. Corporation, Thomas Maxwell and James McIlvain

ALL:

At our last conference call yesterday, it was mentioned that the defendant's consultant wanted to know which groundwater monitoring [GWM] wells were still in place on the McIlvain property [that request was embodied in an email accompanied by old site diagrams showing the locations where several GWM wells had been installed some years ago]. Since Mr. McIlvain was not able to participate in the call-in for personal reasons, I indicated that I believed at least one such GWM well was still in place but I was waiting to hear from Mr. McIlvain. I had previously provided a copy of the email request to Mr. McIlvain.

FYI, I received a response from Mr. McIlvain yesterday evening, the relevant portion of which is provided below:

“ ALL mw's previously installed on our property are still available and should of been sampled, quarterly, years ago per IEPA's requirements.”

I cannot say, of course, whether these GWM wells are still usable [and neither can Mr. McIlvain] after all these years of non-use, but I infer from his remarks that they were not removed or plugged and may still be available for use. I also cannot say that any or all of these extant GWM wells, which were installed in response to the 1996 LUST incident [LUST Incident #96-0810], are so positioned geographically or hydrogeologically as to be relevant to the 2006 LUST incident [LUST Incident #2006-0291], but it would seem to this layman that at least some of them might be. Insofar as the new lab results apparently now confirm that groundwater contamination resulting from the 2006 LUST incident persists at levels above TACO standards, it makes sense and saves money to use existing wells where feasible and appropriate. I remind all that access to these existing GWM wells *for purposes of responding to LUST Incident #96-0810* has never been withheld and continues to this day.

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