ILLINOIS POLLUTION CONTROL BOARD November 3, 2022

PEOPLE OF THE STATE OF ILLINOIS,)
Complainant,))
V.) PCB 22-63
ANGEL OIL CORPORATION, a dissolved) (Enforcement – Air)
Illinois corporation,)
Respondent.)

ORDER OF THE BOARD (by B.F. Currie):

On April 22, 2022, the Office of the Attorney General, on behalf of the People of the State of Illinois (People) filed a one-count complaint against Angel Oil corporation (Angel Oil). The complaint concerned Angel Oil's gasoline dispensing facility located at 130 E. 71st Street, in Chicago, Cook County. The complaint alleged that Angel Oil violated Section 9(a) of the Environmental Protection Act (415 ILCS 5/9(a)(2020)) and Sections 218.586(i)(1)(B), 218.586(i)(2)(C) of the Board's Air Pollution Regulations (35 Ill. Adm. Code 218.586(i)(1)(B), 218.586(i)(2)(A), 218.586(i)(2)(C)) by failing to timely submit a notice of intent to decommission, a decommissioning checklist, certification, and test results to the Illinois Environmental Protection Agency, failing to timely decommission its vapor collection and control system, and causing, threatening, or allowing the discharge of volatile organic compounds into the environment so as to violate Board regulations.

On May 12, 2022, the Board found that the complaint met the content requirements of the Board's procedural rules and accepted the complaint for hearing. On October 17, 2022, the People filed a motion to voluntarily dismiss the complaint without prejudice (Mot.). The People report to the Board:

On October 5, 2022, Angel Oil submitted to the Illinois EPA proof that it had decommissioned its vapor collection and control system on November 11, 2016, prior to the deadline of December 31, 2016, set forth in Section 218.586(i)(1)(B) of the Board Air Pollution Regulations, 35 Ill. Adm. Code 218.586(i)(1)(B), and completed the decommissioning checklist, certification and test results for decommissioning. Mot. at 2.

Angel Oil has not filed a response to the People's motion. Pursuant to Section 101.500(a) of the Board's General Rules and Sections 2-1009 of the Illinois Code of Civil Procedure, 35 Ill. Adm. Code 101.500(a), 735 ILCS 5/2-1009 (2020), the People now ask to dismiss the complaint without prejudice.

The Board grants the People's motion to dismiss without prejudice, dismisses the

complaint, and closes the docket.

IT IS SO ORDERED.

I, Don A. Brown, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on November 3, 2022, by a vote of 4-0.

Don A. Brown, Clerk

Illinois Pollution Control Board

Don a. Brown