ILLINOIS POLLUTION CONTROL BOARD
July 6, 2023

PEOPLE OF THE STATE OF ILLINOIS,	)	
	)	
Complainant,	)	
	)	
v.	)	PCB 23-84
	)	(Enforcement - Land)
JOHN C. JUSTICE, d/b/a MICROCOSM	)	
	)	
Respondent.	)	

ORDER OF THE BOARD (by J. A. Van Wie):

On January 3, 2023, the Office of the Attorney General, on behalf of the People of the State of Illinois (People) and at the request of the Illinois Environmental Protection Agency (IEPA), filed a two-count complaint against John C. Justice, doing business as Microcosm (Microcosm). The complaint concerns Microcosm's facility located at 1699 South 55th Avenue, Cicero, Cook County. The facility included two coating lines equipped with natural gas-fired curing ovens that emitted volatile organic material (VOM).

The People alleged that Microcosm violated Section 9(a) of the Illinois Environmental Protection Act (415 ILCS 5/9(a) (2020)) and Section 201.302(a) of the Board's Air Pollution Regulations (35 Ill. Adm. Code 201.302(a)) by failing to timely submit Annual Emissions Reports for the years 2019, 2020, and 2021.

On June 27, 2023, the People filed a motion to dismiss (Mot.). The People report that on February 24, 2023, it "received a copy of John C. Justice's death certificate from the executor of his estate." Mot. at 1. On March 2, 2023, the executor, Barbara M. Justice, submitted to the Board a copy of the certificate showing a date of death of November 28, 2022. The People also report that IEPA confirmed "that the Facility is no longer operating." *Id*. The People move to voluntarily dismiss the complaint "without prejudice and without costs." *Id*. at 2-3, citing 735 ILCS 5/2-1009(a), 5-117 (2020).

Based on the facts and circumstances in the record of this proceeding, the Board grants the People's motion, dismisses the People's 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 July 6, 2023, by a vote of 3-0.

Don A. Brown

Don A. Brown, Clerk
Illinois Pollution Control Board