

ILLINOIS POLLUTION CONTROL BOARD  
September 21, 2023

PEOPLE OF THE STATE OF ILLINOIS, )  
)  
Complainant, )  
)  
v. ) PCB 23-102  
) (Enforcement - Air)  
WARSI MANAGEMENT, LLC, an Illinois )  
Limited liability company, )  
)  
Respondent. )

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

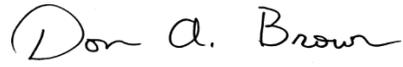
On March 21, 2023, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a one-count complaint against Warsi Management, LLC (Warsi Management). The complaint concerns Warsi Management’s gasoline dispensing facility located at 1605 Des Plaines-River Road, Des Plaines, Cook County. The People’s complaint alleged that Warsi Management violated Section 9(a) of the Act (415 ILCS 5/9(a) (2022)) and Sections 218.586(i)(1)(B), 218.586(i)(2)(A) and 218.586(i)(2)(C) of the Board Air Pollution Regulations (35 Ill. Adm. Code 218.586(i)(1)(B), 218.586(i)(2)(A), 218.586(i)(2)(C)) by causing, threatening, or allowing the discharge or emission of VOCs into the environment; by failing to timely decommission its vapor collection and control system; by failing to submit a notice of intent to decommission to the Illinois Environmental Protection Agency (IEPA); and by failing to submit a decommissioning checklist, certification, and test results to the IEPA.

On September 5, 2023, the People filed a motion to voluntarily dismiss the complaint without prejudice (Mot.). The People state that after the complaint was filed, a representative of Warsi Management produced a letter saying that all tanks and piping were removed at the facility on May 17, 2016 and new tanks, piping, and dispensers were installed on April 4, 2017. Mot. at 1. The People report that additional documentation provided by Warsi Management confirmed that Warsi removed all of the tanks and piping at the facility prior to the December 31, 2016, deadline. “Therefore, Respondent was not required to decommission any vapor control and collection systems at the Facility.” Mot. at 2. Based on these factors, the People request that the Board grant the motion to dismiss the complaint. *Id.* at 2-3, citing 735 ILCS 5/2-1009(a), 5-117 (2022) (Code of Civil Procedure).

Having reviewed the People’s motion, the Board grants the motion for voluntary dismissal without prejudice, 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 September 21, 2023, by a vote of 4-0.

A handwritten signature in cursive script that reads "Don A. Brown". The letters are fluid and connected, with a large initial "D" and "B".

Don A. Brown, Clerk  
Illinois Pollution Control Board