

ILLINOIS POLLUTION CONTROL BOARD
August 24, 1995

PETITION OF THE GALESBURG)
SANITARY DISTRICT, GALESBURG,)
ILLINOIS, FOR AN ADJUSTED) AS 94-20
STANDARD FROM 35 ILL. ADM.) (Adjusted Standard-Water)
CODE PART 304.105)
AMMONIA NITROGEN)

ORDER OF THE BOARD (by J. Yi):

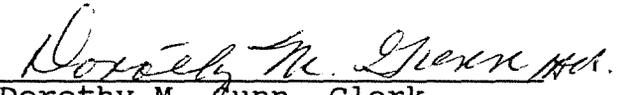
On July 27, 1995, the Illinois Environmental Protection Agency (Agency) filed a motion for reconsideration of the Board's July 7, 1995 order. On July 7, 1995, the Board denied the Agency's motion to dismiss the amended petition for lack of jurisdiction that was filed on June 16, 1995. The Galesburg Sanitary District (District) had seven (7) days from service of the motion to respond to the motion for reconsideration pursuant to 35 Ill. Adm Code 101.241. Therefore the District's response was due August 3, 1995.

On August 3, 1995 the District filed a response to the motion for reconsideration, wherein it argues that the motion should be denied because the Agency has stated no new facts or errors in the law applied. The Board's procedural rules at Section 101.246(d) state that the Board will consider factors including, but not limited to "error in the decision and facts in the record which are overlooked". (35 Ill. Adm. Code 101.246.)

The Board has reviewed the motion to reconsider and finds that the Agency has not pointed to any error in the Board's original order, presented new facts or arguments or stated any other reason to conclude that the order was in error. Therefore, the Agency's motion for reconsideration is denied.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above order was adopted on the 24th day of August, 1995, by a vote of 7-0.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board