

ILLINOIS POLLUTION CONTROL BOARD
April 9, 1992

JAMES W. TURNER, SR.,)
)
Complainant,)
)
v.) PCB 91-146
) (Enforcement)
CHICAGO, TITLE & TRUST COMPANY,)
TRUSTEE, TRUST NO. 1086573,)
)
Respondent.)

ORDER OF THE BOARD (by R.C. Flemal):

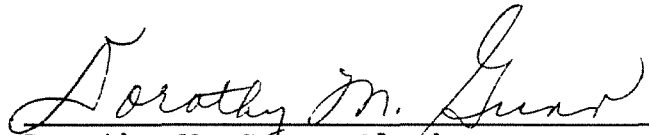
This matter comes before the Board on a motion for rehearing filed on March 30, 1992 by Chicago Title and Trust Co., Trustee, Trust No. 1086573 (Trustee).

The Board notes that the Trustee, in filing this motion, appends and incorporates a motion for rehearing filed by Don Franke, the respondent in the related case, PCB 91-148. The Board finds that the facts and arguments made in the Franke motion are particular to Franke's case before this Board, and do not pertain to the Trustee's case. The Trustee therefore makes no argument on its own behalf. "[The Board] is not simply a depository in which the [respondent] may dump the burden of argument and research." (Williams v. Danley Lumber Co., 472 N.E.2d 586, 587 (2d Dist. 1984).) There being no reason presented for rehearing, the Trustee's motion is denied.

IT IS SO ORDERED.

Section 41 of the Environmental Protection Act, Ill. Rev. Stat. 1991 ch. 111½ par. 1041, provides for appeal of final orders of the Board within 35 days. The Rules of the Supreme Court of Illinois establish filing requirements.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above order was adopted on the 9th day of April, 1992, by a vote of 7-0.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board