

ILLINOIS POLLUTION CONTROL BOARD  
February 2, 1978

CITY OF SPRINGFIELD, DEPARTMENT OF )  
PUBLIC PROPERTY, )  
 )  
Petitioner )  
 )  
v. )  
 )  
ENVIRONMENTAL PROTECTION AGENCY, )  
 )  
Respondent. )

PCB 77-185

ORDER OF THE BOARD (by Mr. Goodman)

On January 9, 1978, the City of Springfield submitted a Motion for Reconsideration of the Board's Order of December 8, 1977, which had denied the City's Petition for Variance. The Motion for Reconsideration alleges that the Federal Clean Water Act of 1977, signed into law on December 27, 1977, would allow the Board to issue the requested variance. The Agency filed its Objection to Motion for Reconsideration on January 26, 1978.

It is not appropriate for the Board to reconsider a prior Order based upon complex factual and legal questions which were not at issue at the time the Order was entered. The Motion for Reconsideration is, therefore, denied. The City can, of course, apply again for a variance.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Order was adopted on the 2<sup>nd</sup> day of February, 1978 by a vote of 4-0.

  
Christan L. Moffett, Clerk  
Illinois Pollution Control Board