

ILLINOIS POLLUTION CONTROL BOARD
December 18, 1997

PEOPLE OF THE STATE OF ILLINOIS,)	
)	
Complainant,)	
)	
v.)	PCB 98-37
)	(Enforcement - RCRA)
AMERICAN WASTE PROCESSING, LTD.,)	
an Illinois corporation,)	
)	
Respondent.)	

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

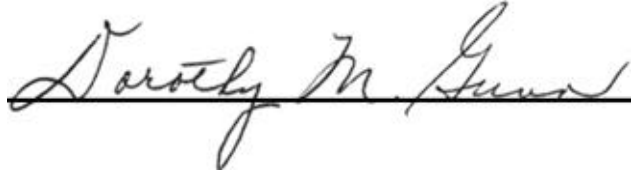
On November 17, 1997, American Waste Processing, Ltd. (American Waste Processing) filed a motion to reconsider the Board's October 16, 1997 order in which Board denied American Waste Processing's motion to dismiss. The People filed a response to the motion to dismiss on December 1, 1997.

In ruling upon a motion for reconsideration, the Board is to consider factors including, but not limited to, error in the previous decision and facts in the record which are overlooked. 35 Ill. Adm. Code 101.246(d). In Citizens Against Regional Landfill v. County Board of Whiteside County (March 11, 1993), PCB 93-156, the Board stated that "[t]he intended purpose of a motion for reconsideration is to bring to the court's attention newly-discovered evidence which was not available at the time of the hearing, changes in the law, or errors in the court's previous application of the existing law." Korogluyan v. Chicago Title & Trust Co., 213 Ill. App.3d 622, 572 N.E.2d 1154 (1st Dist. 1992).

The motion to reconsider is denied. The Board finds nothing in the motion to reconsider which persuades the Board that its decision of October 16, 1997, was in error, or that facts were overlooked. Therefore, this case shall proceed as ordered on October 16, 1997.

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 18th day of December, 1997 by a vote of 7-0.

A handwritten signature in cursive script, reading "Dorothy M. Gunn", written over a horizontal line.

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board