

ILLINOIS POLLUTION CONTROL BOARD  
January 22, 1998

PEOPLE OF THE STATE OF ILLINOIS,	)	
	)	
Complainant,	)	
	)	PCB 96-209
v.	)	(Enforcement - Land)
	)	
MACON COUNTY LANDFILL	)	
CORPORATION, a Delaware corporation,	)	
	)	
Respondent.	)	

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

This matter is before the Board upon complainant's motion to reconsider the Board's order of November 20, 1997. In that order the Board denied complainant's motion for partial summary judgment. Respondent has not responded to the motion.

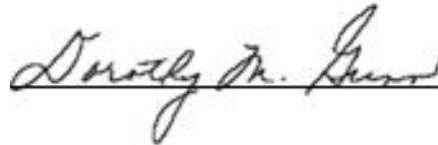
In ruling upon a motion for reconsideration, the Board is to consider factors including, but not limited to, error in the previous decision and facts in the record which are overlooked. 35 Ill. Adm. Code 101.246(d). In Citizens Against Regional Landfill v. County Board of Whiteside County (March 11, 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 that persuades the Board that its decision of November 20, 1997, was in error, or that facts were overlooked. Therefore, this case shall proceed as ordered on November 20, 1997.

IT IS SO ORDERED.

Board Chairman C.A. Manning abstained.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above order was adopted on the 22nd day of January 1998, by a vote of 6-0.

A handwritten signature in cursive script that reads "Dorothy M. Gunn". The signature is written in black ink and is positioned above a horizontal line.

Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board