

ILLINOIS POLLUTION CONTROL BOARD
March 5, 1998

SIERRA CLUB and JIM BENSMAN,)	
)	
Petitioners,)	
)	PCB 98-43
v.)	(Pollution Control Facility Siting Appeal)
)	
CITY OF WOOD RIVER and NORTON)	
ENVIRONMENTAL,)	
)	
Respondents.)	

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

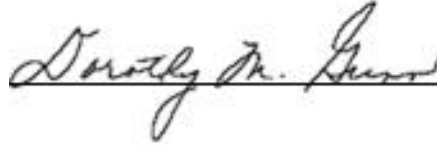
On February 13, 1998, petitioner Sierra Club filed a motion to reconsider the Board's January 8, 1998, order. In that order the Board affirmed the City of Wood River's August 18, 1997, siting approval granted to Norton Environmental. On February 18, 1998, petitioner Jim Bensman also filed a motion for reconsideration. On February 20, 1998, the City of Wood River filed a response to the motions to reconsider. On February 24, 1998, Norton Environmental also filed a response to the motions to reconsider.

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 noted 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 motions to reconsider are denied. The Board finds nothing in the motions that persuades the Board that its decision of January 8, 1998, was in error, or that facts were overlooked.

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 5th day of March 1998, by a vote of 6-0.

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

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board