

ILLINOIS POLLUTION CONTROL BOARD
March 5, 1998

MORTON COLLEGE BOARD OF)
TRUSTEES OF ILLINOIS COMMUNITY)
COLLEGE DISTRICT NO. 527,)
)
Complainant,)
)
v.) PCB 98-59
) (Enforcement - Land - Citizens)
TOWN OF CICERO,)
)
Respondent.)

ORDER OF THE BOARD (by G.T. Girard):

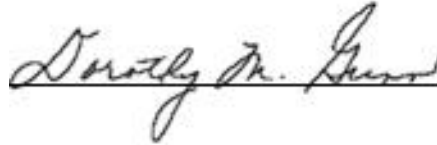
On February 9, 1998, the Town of Cicero (Cicero) filed a motion for reconsideration asking that the Board reconsider its January 8, 1998, order denying Cicero's motion to strike and dismiss. On February 23, 1998, the complainant filed a response opposing the motion to reconsider.

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 motion to reconsider is denied. The Board finds nothing in the motion that persuades the Board that the 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