

ILLINOIS POLLUTION CONTROL BOARD

August 19, 1999

ESG WATTS, INC., an Iowa corporation,)	
)	
Petitioner,)	
)	
v.)	PCB 98-2
)	(Pollution Control Facility Siting Appeal)
SANGAMON COUNTY BOARD,)	
)	
Respondent.)	

ORDER OF THE BOARD (by K.M. Hennessey):

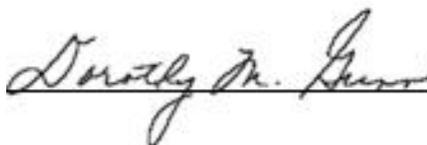
On July 19, 1999, ESG Watts, Inc. (ESG Watts) moved the Board to reconsider its June 17, 1999 order in this matter (Motion). See ESG Watts, Inc. v. Sangamon County Board (June 17, 1999), PCB 98-2. The Sangamon County Board filed a response on August 2, 1999, in which it opposes the Motion.

A motion to reconsider may be brought "to bring to the [Board's] attention newly discovered evidence which was not available at the time of the hearing, changes in the law or errors in the [Board's] previous application of existing law." Citizens Against Regional Landfill v. County Board of Whiteside County (March 11, 1993), PCB 92-156, slip op. at 2, citing Korogluyan v. Chicago Title & Trust Co., 213 Ill. App. 3d 622, 627, 572 N.E.2d 1154, 1158 (1st Dist. 1991); see also 35 Ill. Adm. Code 101.246(d) (allowing the Board to consider, on a motion to reconsider, errors in its decision and facts in the record that it has overlooked).

In the Motion, ESG Watts fails to show that the Board erred or overlooked facts in its June 17, 1999 decision. Nor does ESG Watts present any change in the law or newly discovered evidence. Accordingly, the Board denies the Motion.

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 19th day of August 1999 by a vote of 7-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board