

ILLINOIS POLLUTION CONTROL BOARD  
August 7, 1980

CITY OF MORRIS, ILLINOIS, )  
 )  
 ) Petitioner, )  
 )  
 ) v. ) PCB 80-138  
 )  
 ) ILLINOIS ENVIRONMENTAL PROTECTION )  
 ) AGENCY, )  
 )  
 ) Respondent. )

ORDER OF THE BOARD (by J.D. Dumelle):

On July 31, 1980, Petitioner filed a petition captioned "Second Amended Petition for Variance." The original variance petition was denied on the merits on April 3, 1980, in PCB 80-11. Petitioner later filed another petition, docketed as PCB 80-73, which was dismissed on procedural grounds on May 29, 1980.

The petition in this case requests the same relief as the two earlier petitions. In that the first was decided on the merits, the Board construes the petition in this case as a motion for reconsideration under the Board's Procedural Rule 334(b). The Board finds that this petition fails to allege any facts which could afford relief under that rule. The petition is, therefore, dismissed.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify that the above Order was adopted on the 7<sup>th</sup> day of August, 1980 by a vote of 5-0.

  
Christan L. Moffett, Clerk  
Illinois Pollution Control Board