

ILLINOIS POLLUTION CONTROL BOARD
August 7, 1975

ENVIRONMENTAL PROTECTION AGENCY,)
Complainant,)
v.) PCB 74-351
WHEATON SANITARY DISTRICT, a)
municipal corporation,)
Respondent.)

ORDER OF THE BOARD (by Mr. Zeitlin):

On July 31, 1975 the Board received a Motion from Respondent Wheaton Sanitary District, seeking reconsideration of the Board's final Opinion and Order in this matter, adopted June 6, 1975. The Board on that same date received from the Attorney General a Motion to Strike, asking either that Wheaton's Motion be stricken, or that the Attorney General be allowed sufficient opportunity for response on the merits.

First, Wheaton's Motion is not timely. Board Procedural Rules allow 35 days for the filing of a Motion Subsequent To Entry of Final Order. Wheaton's Motion clearly fails to meet this standard.

Second, Wheaton's Motion presents neither new evidence, nor any new matters in mitigation. Instead, Wheaton merely questions the conclusions drawn by the Board on the facts before it in the Record, and the facts themselves, as found by the Board. Wheaton's Motion is wholly without merit, and is hereby denied.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Order was adopted on the 7th day of August, 1975, by a vote of 5-0.


Christan L. Moffett, Clerk
Illinois Pollution Control Board