

ILLINOIS POLLUTION CONTROL BOARD  
September 18, 2003

PEOPLE OF THE STATE OF ILLINOIS,	)	
	)	
Complainant,	)	
	)	
v.	)	PCB 01-7
	)	(Enforcement - Air)
QC FINISHERS Inc.,	)	
	)	
Respondent.	)	

ORDER OF THE BOARD (by M.E. Tristano):

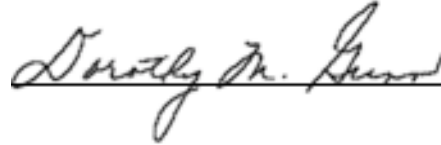
On June 19, 2003, the Board issued an order that granted in part the People of the State of Illinois' (People) motion to strike several of QC Finishers, Inc., (respondent) affirmative defenses. On July 31, 2003, respondent filed a motion (Mot.) asking the Board to reconsider the June 19 order. On August 28, 2003, the People filed a response in opposition to the motion for reconsideration.

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 were overlooked. 35 Ill. Adm. Code 101.246(d). In Citizens Against Regional Landfill v. County Board of Whiteside, PCB 92 -156 (Mar. 11, 1993), the Board stated that "the 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 Board finds that the motion for reconsideration does not present the Board with new evidence, a change in law, or any other reason to conclude that the Board's June 19, 2003 decision was in error. Nothing in the motion to reconsider convinces the Board that an "error in the decision" was made. Further, the Board finds that the motion to reconsider does not point to any "facts in the record which are overlooked," or any other reason to conclude that the Board's decision was in error. Therefore, the motion to reconsider is denied. The parties are directed to expeditiously proceed to hearing.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on September 18, 2003, by a vote of 5-0.

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

Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board