

ILLINOIS POLLUTION CONTROL BOARD

September 7, 2000

SILVER GLEN HOMEOWNERS' ASSOCIATION, INC.,)
an Illinois not-for-profit corporation,)
)
Petitioner,)
)
v.)
) PCB 00-223
ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,) (Permit Appeal - Water)
)
Respondent.)
)
)
)

ORDER OF THE BOARD (by E.Z. Kezelis):

On August 23, 2000, the Board received a special appearance and motion for reconsideration from the Illinois Environmental Protection Agency (Agency). The Agency seeks to have the Board reconsider its August 10, 2000 order, wherein the Board deferred ruling on the Agency's motion to dismiss until such time as the Agency's administrative record is filed.

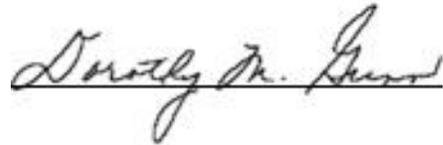
In ruling upon a motion for reconsideration, the Board is to consider factors including, but not limited to, error in the previous decision and facts in the record which were overlooked. 35 Ill. Adm. Code 101.246(d).

The motion to reconsider is denied. The Board finds nothing in the motion to reconsider which persuades the Board that its decision of August 10, 2000, was in error, or that facts were overlooked. The Agency's administrative record must be filed within seven days of the date of this order.

The special appearance filed by the Agency attorney is accepted and the Agency's objection to the Board's jurisdiction over this matter is preserved so that future filings can be made without waiver of that objection.

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 7th day of September 2000 by a vote of 7-0.

A handwritten signature in cursive script that reads "Dorothy M. Gunn". The signature is written in black ink and is positioned above a solid horizontal line.

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board