

ILLINOIS POLLUTION CONTROL BOARD
October 20, 1988

RICK MOORE, ELEANOR MORRIS)
and LEONARD MORRIS,)
)
Petitioners,)
)
vs.) PCB 88-24
)
WAYNE COUNTY BOARD and)
DAUBS LANDFILL, INC.,)
)
Respondents.)

ORDER OF THE BOARD (by J. Theodore Meyer):

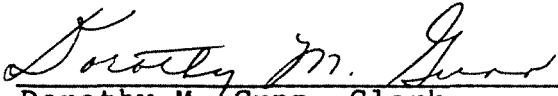
This matter is before the Board on a motion for rehearing filed by petitioners Rick Moore, Eleanor Morris, and Leonard Morris on July 7, 1988. Respondent Daubs Landfill, Inc. filed its response in opposition to the motion for rehearing on July 20, 1988. On August 4, 1988 this Board stated that it would defer ruling on this motion until after ruling upon a motion to vacate filed in a related case. Moore v. Wayne County Board, PCB 86-197 (Daubs 1). After completion of a briefing schedule, the Board denied the motion to vacate in Daubs 1 on October 6, 1988. Thus, the instant motion for rehearing is ready for decision.

Petitioners' motion asks that the Board reconsider and vacate its June 2, 1988 decision in this case. That decision found that this siting appeal is moot because of the Board's June 2 opinion in Daubs 1, upholding the Wayne County Board's grant of site approval. Petitioners then moved to vacate the Board decision in Daubs 1, and thus filed the instant motion seeking rehearing of Daubs 2 if the Daubs 1 motion to vacate was granted. As stated above, the motion to vacate Daubs 1 was denied on October 6, 1988. Thus, the instant motion for rehearing is also denied.

IT IS SO ORDERED.

J. D. Dumelle dissented and B. Forcade abstained.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Order was adopted on the 20th day of October, 1988, by a vote of 5-1.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board