

ILLINOIS POLLUTION CONTROL BOARD
September 9, 1993

LARRY SLATES, LONNIE)	
SEYMOUR, JAMES KLABER,)	
FAYE MOTT, and HOOPESTON)	
COMMUNITY MEMORIAL HOSPITAL,)	
)	
Petitioners,)	
)	
v.)	PCB 93-106
)	(Landfill Siting Review)
ILLINOIS LANDFILLS, INC., and)	
HOOPESTON CITY COUNCIL, on)	
behalf of the CITY OF)	
HOOPESTON,)	
)	
Respondent.)	

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

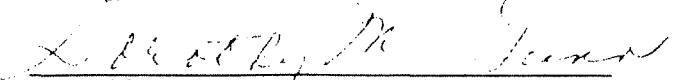
This matter is before the Board on petitioners' motion to reconsider, mailed on August 31, 1993 and filed on September 1, 1993. Petitioners ask the Board to reconsider its July 22, 1993 order dismissing C.A.R.E. and the Hoopeston Industrial Commission as petitioners for lack of standing. Respondent Illinois Landfills, Inc. filed a response in opposition on September 3, 1993.

Petitioners' motion to reconsider is denied. As respondents note, petitioners' motion is untimely. The Board's procedural rules clearly state that motions for reconsideration shall be filed within 35 days of the adoption of the order. (35 Ill. Adm. Code 101.246(a).) Thirty-five days after the July 22 adoption of the order expired on August 26, 1993. Thus, even applying the Board's mail-box rule (see 35 Ill. Adm. Code 101.102(d)), the motion is untimely. Petitioners did not include a motion to file *instanter*. The motion to reconsider is denied as untimely.

IT IS SO ORDERED.

B. Forcade dissented, and G. T. Girard and C. Manning concurred.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above order was adopted on the 9th day of September, 1993, by a vote of 6-1.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board