

ILLINOIS POLLUTION CONTROL BOARD
July 21, 1994

MICHAEL TURLEK, LILLIAN)
SMEJKAL and JOHN LATHROP,)
)
Petitioners,)
)
v.) PCB 94-19
) (Land Siting Review)
VILLAGE OF SUMMIT and)
WEST SUBURBAN RECYCLING)
AND ENERGY CENTER, INC.,)
)
Respondents.)

KAY KULAGA AND ALICE ZEMAN,)
)
Petitioners,)
)
v.) PCB 94-21
) (Land Siting Review)
VILLAGE OF SUMMIT and)
WEST SUBURBAN RECYCLING)
AND ENERGY CENTER, INC.,)
)
Respondents.)

CITIZENS FOR A BETTER)
ENVIRONMENT, PATRICIA J.)
BARTLEMAN, NANCI KATZ)
and MICHELLE SCHMITS,)
)
Petitioners,)
)
v.) PCB 94-22
) (Land Siting Review)
) (Consolidated)
VILLAGE OF SUMMIT and)
WEST SUBURBAN RECYCLING)
AND ENERGY CENTER, INC.,)
)
Respondents.)

ORDER OF THE BOARD (by M. McFawn):

This matter is before the Board on two motions to reconsider: a June 7, 1994 motion filed by petitioners Michael Turlek, Lillian Smejkal, and John Lathrop (Turlek), and a June 9, 1994 motion filed by petitioners Citizens for a Better Environment, Patricia J. Bartleman, Nanci Katz, and Michelle Schmits (CBE). Respondent West Suburban Recycling and Energy

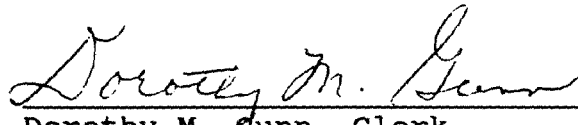
Center, Inc. (WSREC) filed a response to both motions on June 20, 1994. Both motions ask the Board to reconsider its May 5, 1994 decision upholding the Village of Summit's (Village) grant of siting approval to WSREC for a waste-to-energy facility.

In ruling on a motion for reconsideration the Board is to consider, but is not limited to, error in the decision and facts in the record which may have been overlooked. (35 Ill. Adm. Code 101.246(d).) In Citizens Against Regional Landfill v. County of Board of Whiteside (March 11, 1993), PCB 93-156, we stated that "[t]he 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 hearing, changes in the law or errors in the court's previous application of the existing law. (Korogluyan v. Chicago Title & Trust Co. (1st Dist. 1992), 213 Ill.App.3d 622, 572 N.E.2d 1154, 1158.)"

Neither motion for reconsideration presents the Board with new evidence, a change in the law, or any other reason to conclude that the Board's May 5, 1994 decision was in error. Accordingly, both motions for reconsideration are hereby denied.

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 21st day of July 1994, by a vote of 6-0.


 Dorothy M. Gunn, Clerk
 Illinois Pollution Control Board