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**BEFORE THE TENNESSEE WATER QUALITY CONTROL BOARD**

<b>IN THE MATTER OF:</b>	)	
<b>DIVISION OF WATER POLLUTION</b>	)	
<b>CONTROL § 401 WATER QUALITY</b>	)	
<b>CERTIFICATION No. NRS 03-246</b>	)	<b>CASE No. 05-0582</b>
<b>(WASTE MANAGEMENT, INC.</b>	)	
<b>OF TENNESSEE)</b>	)	<b>DOCKET No. 04.30-082242A</b>
	)	
<b>BORDEAUX BEAUTIFUL, INC.,</b>	)	
<b>PEER, et al.</b>	)	
	)	
<b>PETITIONERS.</b>	)	

**ORDER**

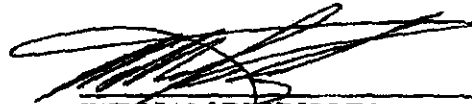
Having convened a telephone conference on the 22<sup>nd</sup> day of August, 2006 to conduct a hearing with all parties to address the pending motions, the court orders the following:

1. Motion to Compel filed by Waste Management is withdraw at the request of counsel for Waste Management.
2. The order granting the Motion to Compel, dated June 26<sup>th</sup> is hereby vacated based on <sup>COURT'S APPROVAL OF THE</sup> ~~the~~ agreement of the parties.
3. Tennessee Department of Environment and Conservation reserves the right to contest standing on the part of PEER at the time of the hearing before the Water Board.
4. This order is valid by fax signature or by electronic approval or as signed by Judge Reynold's express permission pending the Judge's return to Nashville when an original may be substituted. The purpose is to allow expeditious filing and entry of this order and avoid delay.

**IT IS SO ORDERED**

(Page 2 Order DOCKET No. 04.30-082242A, August 22, 2006)

ORDERED AND ENTERED and effective this <sup>23<sup>rd</sup></sup> date of August, 2006.

  
WILLIAM REYNOLDS  
Administrative Judge

Certificate of Service

I hereby certify that the foregoing order has been served after signature upon the following parties on this the <sup>23<sup>rd</sup></sup> day of August, 2006 by U.S. Mail postage pre-paid. Mr. Patrick Parker, TDEC 20<sup>th</sup> Floor, L & C Tower, 401 Church St. Nashville, TN 37243-1548; and John Williams, Tune, Entekin 315 Deaderick Street, Nashville, TN 37238-1700; Greg Buppert, Dotson, Parker, 306 Gay Street, Suite 400, P.O. Box 198806, Nashville TN 37219.

  
Elizabeth L. Murphy