



In the Matter of:

**COLEEN L. POWERS,
COMPLAINANT,**

**ARB CASE NOS. 03-061
03-125**

**ALJ CASE NOS. 2003-CAA-8
2003-CAA-16**

v.

DATE: August 16, 2005

**TENNESSEE DEPARTMENT
OF ENVIRONMENT AND
CONSERVATION AND
TENNESSEE MILITARY
DEPARTMENT,**

RESPONDENTS.

BEFORE: THE ADMINISTRATIVE REVIEW BOARD

Appearances:

For the Complainant:

**Edward A. Slavin, Jr., Esq., *St. Augustine, Florida* (No. 03-061)
Coleen L. Powers, pro se, *Memphis, Tennessee* (No. 03-125)**

For the Respondents:

**R. Jan. Jennings, Esq.; Carrol D. Kilgore, Esq., *Branstetter, Kilgore, Stranch
& Jennings, Nashville, Tennessee***

ERRATA

On June 30, 2005, the Administrative Review Board issued a Final Decision and Order in this case. The decision contained technical errors, which we correct as follows:

In the first full paragraph on page 7, where “waiver” appears substitute “abrogation.”

In the second full paragraph on page 7, where “waiver” appears both times substitute “abrogation.” Add the following sentence at the end of the paragraph: “The same analysis applies to SDWA, *see* 42 U.S.C.A. §§ 300j-9(j)(1), (2)(B)(i), 300f(12), 300j-8(a)(1)(B).”

In the first full paragraph on page 12, where “SWDA” appears for the second time substitute “SDWA.”

Accordingly, we reissue the Final Decision and Order with the foregoing corrections. In all other respects, the decision remains unchanged.

SO ORDERED.

WAYNE C. BEYER
Administrative Appeals Judge

M. CYNTHIA DOUGLASS
Chief Administrative Appeals Judge

OLIVER M. TRANSUE
Administrative Appeals Judge