



BILL HASLAM
GOVERNOR
STATE OF TENNESSEE

February 7, 2011

The Honorable Robert J. Martineau, Jr.
Commissioner
Department of Environment and Conservation
L & C Annex, 1st Floor
Nashville, Tennessee 37243

Dear Commissioner Martineau:

Natural resource damage claims are statutory causes of action created by two federal laws, Comprehensive Environmental Response, Compensation, and Liability Act of 1980, CERCLA, 42 U.S.C. §§9601 to 9675, and the Oil Pollution Act of 1990, 33 U.S.C. §§2701 to 2761. Natural Resources damages can also be recovered under state laws, including, but not limited to, the Tennessee Water Quality Control Act (T.C.A. Section 69-3-101 et seq.), the Tennessee Solid Waste Disposal Act (T.C.A. Section 68-211-101 et seq.), the Tennessee Hazardous Waste Acts (T.C.A. 68-212-101 et seq. and T.C.A. 68-212-201 et seq.)

I want to make recovery of compensation for damages to the State's Natural Resources one of your department's priorities. In furtherance of this goal, I hereby appoint and designate the Commissioner of the Department of Environment and Conservation as the Trustee for all Tennessee Natural Resources including for purposes of CERCLA, 42 U.S.C. 9607(f)(2)(B), and OPA, 33 U.S.C. 2706(b)(3). This delegation includes, but is not limited to, the authority to submit claims and receive reimbursement costs for activities listed in 33 USC 2712 and all other provisions of OPA. This designation will continue until revoked in writing.

Sincerely,

Bill Haslam, Governor