



STATE OF TEXAS
OFFICE OF THE GOVERNOR
AUSTIN, TEXAS 78711

WILLIAM P. CLEMENTS, JR.
GOVERNOR

July 29, 1988

Mr. Lee Thomas, Administrator
United States Environmental
Protection Agency
Washington, D.C. 20460

Dear Mr. Thomas:

This letter serves as designation of the Texas Water Commission (TWC) as the State's natural resource trustee. As such, TWC will serve as the State lead trustee agency consistent with that agency's legislated activities for oil and hazardous substances releases affecting natural resources.

The Comprehensive Environmental Response, Compensation and Liability Act (CERCLA or "Superfund"), as amended by the Superfund Amendments and Reauthorization Act (SARA), provides that "(t)he President, or the authorized representative of any State, shall act on behalf of the public as trustee for such natural resources..." (CERCLA Section 107 (f)(1)). The Act further provides that "(t)he Governor of each State shall designate State officials..." and that "(s)uch State officials shall assess damages to natural resources... for those natural resources under their trusteeship." (CERCLA Section 107 (f)(2)(B)). These State trustee officials are to act on behalf of the public as trustees for their natural resources for the purposes of CERCLA and of the Clean Water Act (CWA, Section 311).

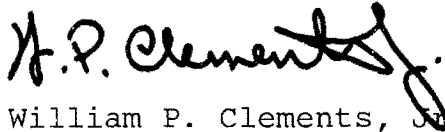
State activities in this matter will be coordinated by the TWC pursuant to the State of Texas Oil and Hazardous Substances Spill Contingency Plan, a copy of which is enclosed. Appendix R, page 105, of the enclosure presents the TWC's authorities in this regard.

The coordination contact for the TWC is Mr. David Barker. Mr. Barker has been serving for some time now as the State Regional Response Team member. He may be contacted at (512) 463-7727 or P.O. Box 13087, Capitol Station, Austin, Texas 78711-3087.

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We are looking forward to working with the various federal authorities to assess and restore damages to natural resources.

Sincerely,



William P. Clements, Jr.
Governor

WPC:RLL/smm

Enclosure

cc: Mr. Raymond P. Churan,
U.S. Department of Interior

Mr. Robert E. Layton, Jr.,
U.S. Environmental Protection
Agency, Region VI

DEPARTMENT OF THE INTERIOR
BUREAU OF LANDS

JUL 29 1988

REGIONAL ENVIRONMENTAL OFFICE
ALBUQUERQUE, NM