



STATE OF TENNESSEE

DON SUNDQUIST  
GOVERNOR

May 29, 2001

Mr. Luther V. Gibson, Chair  
Oak Ridge Site Specific Advisory Board  
PO Box 2001  
Oak Ridge TN 37831-2001

Dear Mr. Gibson:

**Recommendation Concerning the State of Tennessee's Position on the Proposed FY 2001 Burn Plan for the U.S. Department of Energy Toxic Substances Control Act Incinerator**

I first want to thank you for your letter dated May 9, 2001, and inform you that the State of Tennessee, by my letter of May 2, 2001, has approved the proposed FY 2001 Burn Plan for the U.S. Department of Energy Toxic Substances Control Act Incinerator.

This approval is based on our understanding of a path forward for continued dialog on remaining issues and a commitment by DOE to ship Legacy Low Level Waste to the Nevada Test Site this Fiscal Year. It is unlikely that the State would approve receipt of out-of-state waste in future years if Tennessee Legacy Low Level Waste Streams do not continue to be shipped for disposal at a satisfactory rate.

State Policy regarding utilization of the TSCA Incinerator is carefully established, based on the status of current Oak Ridge environmental restoration and waste management activities, public health and safety considerations, as well as State equity issues. Should you have additional questions or comments, please contact John Owsley at (865) 481-0995 or me at (615) 532-4648.

Sincerely,

Justin P. Wilson  
Deputy to the Governor for Policy

- xc: Rodney Nelson - DOE
- Patricia Halsey - DOE
- Connie Jones - EPA
- Susan Gawarecki - LOC
- John Owsley - TDEC

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