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Kathleen Hartnett White, *Chairman*
Larry R. Soward, *Commissioner*
H. S. Buddy Garcia, *Commissioner*
Glenn Shankle, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

August 28, 2007

Mr. Happy Baggett, President
Synstation, L.P., a Texas Limited Partnership
300 Burnett Street
Fort Worth, TX 76102

RE: Certification of Municipal Setting Designation Application for Synstation, L.P. a Texas Limited Partnership, Southeast Corner of Norwood Drive and Trinity Boulevard, Fort Worth, TX; MSD NO. 036

Dear Mr. Baggett:

Enclosed is the Municipal Setting Designation Certification for your site. You can use this certification as the basis to avail of the groundwater assessment and remediation flexibility offered in accordance with Texas Health and Safety Code §361.808, consistent with the site-specific circumstances.

If I can be of any further assistance, please do not hesitate to contact me at 512/239-5872 or via e-mail (mfrew@tceq.state.tx.us).

Sincerely,

A handwritten signature in black ink, appearing to read "mfrew".

Mike Frew, P.G.
Environmental Cleanup Section II
Remediation Division

Enclosure

MF/pk

Texas Commission on Environmental Quality



Municipal Setting Designation Certificate 036

As provided for in §361.807, Subchapter W, Texas Health and Safety Code (Solid Waste Disposal Act):

I, Glenn Shankle, Executive Director of the Texas Commission on Environmental Quality certify the Municipal Setting Designation for Synstation, L.P., A Texas Limited Partnership, the tract of land described in Exhibit "A", in Fort Worth, Texas. The eligibility requirements of Texas Health and Safety Code §361.803 are satisfied as attested to by the affidavit in Exhibit "B" provided pursuant to Texas Health and Safety Code §361.804(b)(2)(D). This certificate shall continue in effect so long as the institutional control required by Texas Health and Safety Code §361.8065 is maintained in effect.

Any person addressing environmental impacts for a property located in the certified municipal setting designation shall complete any necessary investigation and response action requirements in accordance with Texas Health and Safety Code §361.808, in conjunction with the applicable Texas Commission on Environmental Quality environmental remediation regulation, as modified by Texas Health and Safety Code §361.808.

EXECUTED this 22 day of August, 2007.

A handwritten signature in black ink, appearing to read "Glenn Shankle", written over a horizontal line.

Glenn Shankle
Executive Director
Texas Commission on Environmental Quality

TRACT 4:

BEING that certain tract of land situated in the S. Cotrail Survey, Abstract Number 330, and being a portion of that certain tract of land described by deed to Bell Helicopter Textron, Inc. as recorded as Parcel H in Volume 7231, Page 1786, Deed Records, Tarrant county, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 4 inch wood post found at the southwest corner of said Parcel H, said post also being the northwest corner of that certain tract of land described by deed to TXI Operations, Inc. as recorded in volume 13191, Page 252, Deed Records, Tarrant County, Texas and being in the east right-of-way line of Norwood Drive (an 80 foot public right-of-way) and being in the approximate south line of said Cotrail Survey, and being in the approximate north line of the W. P. Burns Survey, Abstract Number 121

- Texas State Plane North Central Coordinates, NAD83 Datum, US Feet:
X = 2377429.4, Y = 6976577.6;

THENCE N 00 degrees 07 minutes 58 seconds W, 725.95 feet (previously recorded as N 00 degrees 23 minutes 17 seconds E, 726.27 feet) along the west line of said Parcel H and said east right-of-way line of Norwood Drive to a 5/8 inch iron rod with cap stamped "Carter & Burgess" set at the northwest corner of said Parcel H, said iron rod also being in the south right-of-way line of Trinity Boulevard (a 120 foot public right-of-way)

- Texas State Plane North Central Coordinates, NAD83 Datum, US Feet:
X = 2377427.7, Y = 6977303.6;

THENCE N 88 degrees 39 minutes 32 seconds E, 823.30 feet (previously recorded as N 89 degrees 11 minutes E) along the north line of said Parcel H and said south right-of-way line of Trinity Boulevard to a 5/8 inch iron rod with cap stamped "Carter & Burgess" set

- Texas State Plane North Central Coordinates, NAD83 Datum, US Feet:
X = 2378250.8, Y = 6977322.8;

THENCE S 01 degrees 20 minutes 17 seconds E, 532.28 feet, departing said north line of Parcel H and said south right-of-way line of Trinity Boulevard to a 5/8 inch iron rod with cap stamped "Carter & Burgess" set

- Texas State Plane North Central Coordinates, NAD83 Datum, US Feet:
X = 2378263.2, Y = 6976790.7;

THENCE S 21 degrees 24 minutes 20 seconds W, 213.54 feet to a 5/8 inch iron rod with cap stamped "Carter Burgess" set in the south line of said Parcel H, said iron rod also being in the north line of said TXI tract, and being in the

approximate south line of said Cotrail Survey and the approximate north line of said Burns Survey

- Texas State Plane North Central Coordinates, NAD83 Datum, US Feet:
X = 2378185.3, Y = 6976591.9;

THENCE S 88 degrees 55 minutes 07 seconds W, 756.02 feet (previously recorded as S 89 degrees 26 minutes 24 seconds W) along the common line of said Parcel H and said TXI tract and along the approximate common line of said Cotrail Survey and said Burns Survey to the POINT OF BEGINNING and containing 596,528 square feet or 13.694 acres of land, more or less.

Exhibit 'B'

c) each retail public utility, as defined by Texas Water Code, §13.002, that owns or operates a groundwater supply well located within five miles beyond the proposed MSD boundaries?	<input type="radio"/> Yes	<input type="radio"/> No ³	<input checked="" type="radio"/> NA ⁴
³ Do not submit application.			
⁴ NA only when no such municipality, private well owner, or retail public utility exists			

MSD Information:

List all existing TCEQ and US Environmental Protection Agency registration, permit, identification numbers (e.g., SWR No., VCP No., LPST ID No., UIC Registration No., PWS ID. No.), if any, that apply to the groundwater contamination situation within the proposed MSD boundary. State "none" if none applicable. NONE. Plan on entering into a Cleanup Program upon approval of MSD Application.		
Is the proposed designated groundwater contaminated in excess of an applicable potable water ⁵ use standard (i.e., 30 TAC 350, ^{GW} GW _{ing})?	<input checked="" type="radio"/> Yes	<input type="radio"/> No ⁶
Was the groundwater contamination previously reported to the TCEQ? (To support implementation of HB 3030, 78 th Legislature.)	<input type="radio"/> Yes, when? / /	<input checked="" type="radio"/> No
Is there a potable-use well within the boundary of the proposed MSD that uses the designated groundwater as source water?	<input type="radio"/> Yes ⁶	<input checked="" type="radio"/> No
Is there a potable-use well within the boundary of the proposed MSD that uses a deeper groundwater zone for the source water that is not properly sealed off from the designated groundwater?	<input type="radio"/> Yes ⁶	<input checked="" type="radio"/> No
Is the applicant aware of any non-consumptive use of the groundwater or other human health or ecological exposure pathways that are of concern? If yes, specify:	<input type="radio"/> Yes	<input checked="" type="radio"/> No
Has each municipality and retail public utility identified in §361.8065 provided firm commitment to adopt an ordinance or resolution in support of the application?	<input checked="" type="radio"/> Yes	<input type="radio"/> No ⁶
Is a copy of the ordinance or restrictive covenant that restricts consumptive use and appropriately restricts other uses of and contact with the designated groundwater, and any required resolutions provided with this application?	<input checked="" type="radio"/> Yes	<input type="radio"/> No
⁵ "Potable water" means water that is used for irrigating crops intended for human consumption, drinking, showering, bathing, or cooking purposes [THSC §361.801(2)].		
⁶ Do not submit an application.		

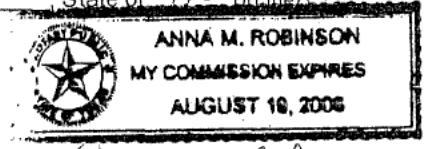
I affirmatively state that (place an X in all applicable blanks):

- The MSD eligibility criteria of THSC §361.803 are satisfied.
- True and accurate copies of all documents demonstrating that the MSD eligibility criteria provided by THSC §361.803 have been satisfied and are included with the application.
- A true and accurate copy of a legal description of the proposed MSD property is included with the application.
- Notice was provided in accordance with THSC §361.805.
- A copy of an ordinance or restrictive covenant and any required resolutions are provided in this application or will be provided before the executive director certifies this application.

Applicant Signature: *Anna M. Robinson* Date: 5-8-2007

Before me, *Anna M. Robinson*, the undersigned authority, on this day personally appeared *Anna M. Robinson* Name of Applicant and signed this Municipal Setting Designation Application.

Sworn, subscribed and signed before me in the County of Tarrant State of TX on the 8th day of May, this month of May, 2007.



Anna M. Robinson