

Buddy Garcia, *Chairman*
Larry R. Soward, *Commissioner*
Bryan W. Shaw, Ph.D., *Commissioner*
Glenn Shankle, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

December 14, 2007

Ms. Allison K. Exall
Curran Tomko Tarski LLP
2001 Bryan Street, Suite 2050
Dallas, Texas 75201

Re: Municipal Setting Designation (MSD) Certification for Goodrich Corporation, 4000 S. State Highway 157, Fort Worth, TX; MSD No. 53

Dear Ms. Exall:

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 "Mike Frew".

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

MF/jhm

Enclosure

Texas Commission on Environmental Quality



Municipal Setting Designation

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 MSD No. 53, in the City of Fort Worth, the tract of land described in Exhibit "A". 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 10th day of December, 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

'A'

FIELD NOTE DESCRIPTION
BF GOODRICH LANDING GEAR DIVISION MSD AREA

STATE OF TEXAS
COUNTY OF TARRANT

BEING a tract of land situated in the J.R. WALLACE SURVEY, Abstract No. 1699 and being a portion of LOT 1, BLOCK 1 of the MENASCO MANUFACTURING COMPANY ADDITION, an addition to the City of Forth Worth as recorded in Volume 388-133, Page 93 of the Plat Records of Tarrant County, Texas (PRTCT) and being all of a tract of land conveyed to GOODRICH LANDING GEAR, LLC as recorded in Volume 015723, Page 0131 of the Deed Records of Dallas County, Texas (DRDCT) and being more particularly described as follows;

BEGINNING at the most northwesterly corner of LOT 1, BLOCK 1 of the TREE TOPS SCHOOL ADDITION, an addition to the City of Fort Worth as recorded in Volume 388-138, Page 51 (PRTCT), said point being in the southerly Right-of-Way of SOUTH PIPELINE ROAD (variable width Right-of-Way);

THENCE departing the southerly Right-of-Way line of said SOUTH PIPELINE ROAD and along the westerly line of said LOT 1, BLOCK 1 of the said TREE TOPS SCHOOL ADDITION as follows;

South 00 deg 01 min 02 sec East passing through a 5/8 inch iron rod found at a distance of 15.25 feet continuing in all a distance of 493.26 feet to a point for corner;

South 89 deg 53 min 02 sec East a distance of 165.00 feet to a 3/4" iron rod found for corner;

South 00 deg 01 min 02 sec East a distance of 991.40 feet to a 5/8 inch iron rod found for the most southwestly corner of said LOT 1, BLOCK 1 of the said TREE TOPS SCHOOL ADDITION , said point being found in the northerly line of a tract of land conveyed to KOCH PETROLEUM GROUP, L.P. as recorded in Volume 015394, Page 00441 (DRTCT);

THENCE departing the westerly line of said LOT 1, BLOCK 1 of the said TREE TOPS SCHOOL ADDITION and along the northerly line of said KOCH PETROLEUM GROUP tract South 89 deg 42 min 28 sec West a distance of 1260.81 feet to a point for corner in the easterly Right-of-Way line of FARM TO MARKET ROAD NO. 157 (variable width Right-of-Way as dedicated in Volume 014460, Page 0514 DRTCT);

THENCE departing the northerly line of said KOCH PETROLEUM GROUP tract and along the easterly Right-of-Way line of said FARM TO MARKET ROAD NO. 157 as follows;

North 00 deg 10 min 41 sec East a distance of 1175.94 feet to a point for corner;

North 06 deg 03 min 03 sec East a distance of 115.44 feet to a point for corner;

North 00 deg 10 min 41 sec East a distance of 176.19 feet to a point for corner at a corner-clip;

THENCE departing the easterly Right-of-Way line of said FARM TO MARKET ROAD NO. 157 and along said corner-clip North 50 deg 40 min 18 sec East a distance of 31.61 feet to a point for corner in the southerly Right-of-Way line of said SOUTH PIPELINE ROAD;

THENCE along the southerly Right-of-Way line of said SOUTH PIPELINE ROAD as follows;

South 89 deg 55 min 02 sec East a distance of 116.30 feet to a point for corner;

North 88 deg 33 min 28 sec East a distance of 225.00 feet to a point for corner;

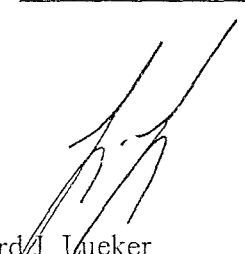
South 89 deg 55 min 02 sec East a distance of 713.30 feet to the POINT OF BEGINNING;

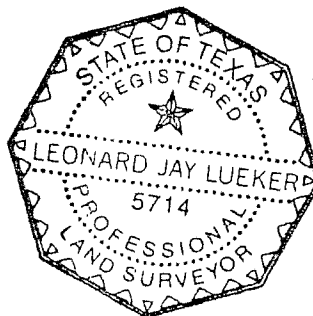
CONTAINING within these metes and bounds 41.027 acres or 1,787,147 square feet of land more or less. Bearings contained within this field note description are based upon an on the ground survey performed in the field on the 29th day of March, 2007 utilizing GPS Measurements.

SURVEYORS CERTIFICATE

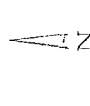
The undersigned hereby certifies the above field note description was prepared from an on the ground survey performed in the field March 29, 2007 under the supervision of the undersigned and that the field note description forms a mathematical figure of 1:15,000.

DATE: 4/10/07

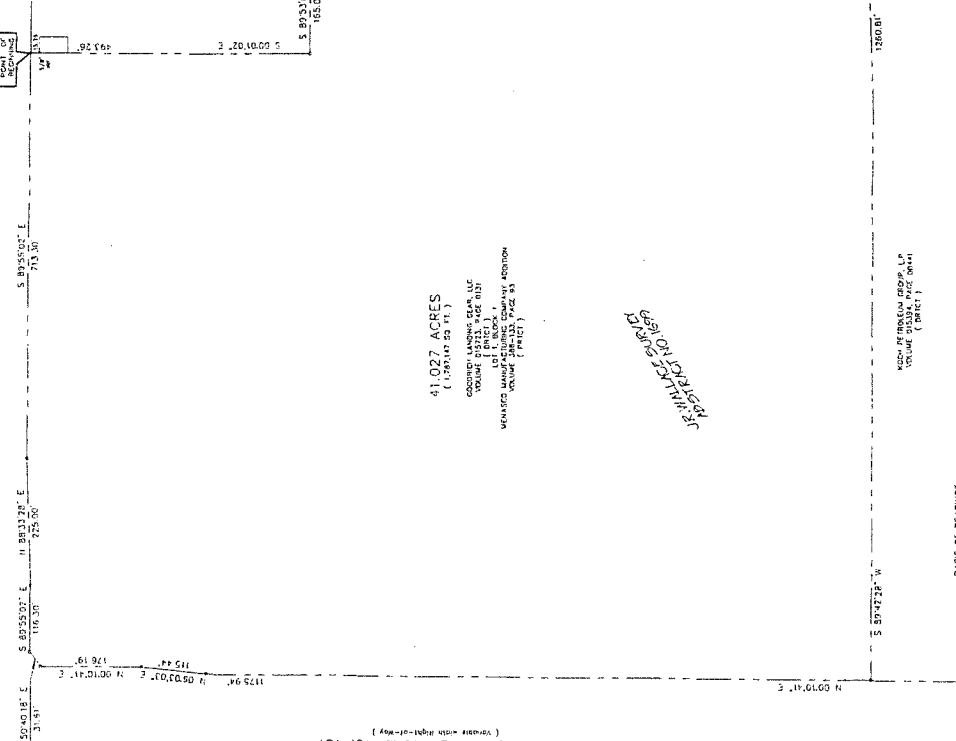

Leonard J. Lueker
Registered Professional Land Surveyor
Texas Registration No. 5714
Winkelmann & Associates, Inc.
6750 Hillcrest Plaza Drive, Suite 100
Dallas, Texas 75230
(972) 490-7090



SECTION
 BE
 200' 240' 240'
 200' 240' 240'
 200' 240' 240'



SOUTH PIPELINE ROAD
(former 200' Right-of-Way)

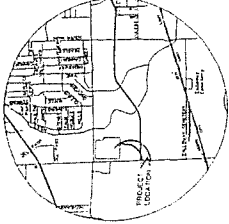


41.027 ACRES
 (1.28 ACRES FL. EASE)
 WINDMILL COUNTRY GOLF AND COUNTRY CLUB
 LOT 2, BLOCK 1
 VOLUME 55122 PAGE 001
 LONE STAR RECORDS

WINDMILL COUNTRY GOLF AND COUNTRY CLUB

WINDMILL COUNTRY GOLF AND COUNTRY CLUB
 VOLUME 55122 PAGE 001
 (PART)

BASIS OF BEARINGS
 Bearings taken between the block points on the Survey performed in the field on the 29th day of March, 2007 utilizing GPS Measurements.



WINDMILL COUNTRY
 WINDMILL COUNTRY GOLF AND COUNTRY CLUB
 LOT 2, BLOCK 1
 VOLUME 55122 PAGE 001
 LONE STAR RECORDS

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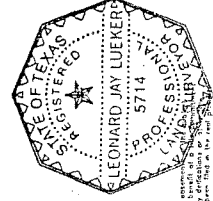
WINDMILL COUNTRY GOLF AND COUNTRY CLUB
 LOT 2, BLOCK 1
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 LONE STAR RECORDS

WINDMILL COUNTRY GOLF AND COUNTRY CLUB
 LOT 2, BLOCK 1
 VOLUME 55122 PAGE 001
 LONE STAR RECORDS

SURVEYORS CERTIFICATE

The undersigned hereby certifies that the above field notes, description and plat were prepared from an actual survey performed in the field on the 29th day of March, 2007, under the supervision of the undersigned and that the field notes, description and plat are a true and correct representation of the same.

DATE: 4/11/07



Leonard J. Lueker
 Registered Professional Land Surveyor
 State of Texas, Registration No. 27173
 Dallas, Texas 75230
 (972) 496-1930

The Surveyor hereby certifies that the above field notes, description and plat were prepared from an actual survey performed in the field on the 29th day of March, 2007, under the supervision of the undersigned and that the field notes, description and plat are a true and correct representation of the same.

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 checked="" type="radio"/> Yes	<input type="radio"/> No ³	<input 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.

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 checked="" type="radio"/> Yes, when? 8 / 8 / 00	<input 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)].

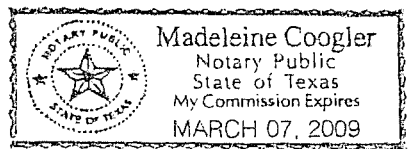
⁶ Do not submit an application.

- 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.

Brian C. King Applicant Signature 02/18/07 Date

Before me Madeleine Coogler the undersigned authority, on this day personally appeared
 Name of Notary Brian C. King and signed this Municipal Setting Designation Application.
 Name of Applicant

Sworn, subscribed and signed before me in the County of Tarrant, State of TX, on the 18th day of Sept., this month of Sept., 2006.





Municipal Setting Designation Application Form

TCEQ Office Use Only: Application No: <u>053</u> Date Received: <u>9/18/07</u>	Date Add. Info Req. <u>12/6/07</u> Date Add. Info Rec'd <u>12/7/07</u> Date Certified: <u>1/1</u> Date Denied: <u>1/1</u>
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Reset Form

Municipal Setting Designation Eligibility Criteria:

Is the proposed municipal setting designation (MSD) within the corporate limits of a municipality authorized by statute?	<input checked="" type="radio"/> Yes	<input type="radio"/> No ¹
Is the proposed municipal setting designation (MSD) within the extraterritorial jurisdiction of a municipality authorized by statute?	<input checked="" type="radio"/> Yes	<input type="radio"/> No ¹
Municipality name: Fort Worth, Texas		
Is there a public drinking water supply system that satisfies the requirements of THSC Chapter 341 and supplies or is capable of supplying drinking water to: a) the proposed MSD property, and b) each property within 0.5 miles beyond the boundary of the proposed MSD?	<input checked="" type="radio"/> Yes	<input type="radio"/> No ¹
¹ If No, the eligibility criteria are not met. Do not submit an application.		

Applicant and Fee Payment Information:

Contact Person: <input checked="" type="radio"/> Mr. <input type="radio"/> Ms. Bruce Amic		
Title: Director, Global Remediation Services		
Company: Goodrich Corporation		
Mailing Address: 2730 West Tyvola Road		
City: Charlotte	State: North Carolina	Zip: 28217
Telephone: 704 / 423-7071	Telefax: 704 / 423-7572	
E-mail Address: [REDACTED]		
Is the required \$1,000 application being submitted to TCEQ in advance or at the same time the MSD application is being submitted to TCEQ?	<input checked="" type="radio"/> Yes	<input type="radio"/> No ²
² Do not submit application.		

MSD Property Address:

Street Address: 4000 S. State Highway 157	Zip: 76040
City: Fort Worth	Acres: 41.027
County: Tarrant	
If multiple properties provide an attachment to the application providing the above information for each property.	

Notice Information:

On or before the date of submission of the application to TCEQ, was notice provided to:		
a) each municipality:		
1) where the proposed MSD is located?	<input checked="" type="radio"/> Yes	<input type="radio"/> No ⁴
2) with a border within 0.5 miles beyond the proposed MSD boundaries?	<input checked="" type="radio"/> Yes	<input type="radio"/> No ³ <input type="radio"/> NA ⁴
3) that owns or operates a groundwater supply well located within five miles beyond the proposed MSD boundaries?	<input checked="" type="radio"/> Yes	<input type="radio"/> No ³ <input type="radio"/> NA ⁴
b) each current owner of a private well registered with the commission and located within five miles beyond the proposed MSD boundaries?	<input checked="" type="radio"/> Yes	<input type="radio"/> No ³ <input type="radio"/> NA ⁴