

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

April 10, 2008

Mr. Bryan H. Turner, PE, CHG
Environmental Project Manager
P&G – Gillette Environment, Health & Safety
Global Technical & Manufacturing
37 A Street
Needham, MA 02494-2806

RE: Municipal Setting Designation (MSD) Certificate for The Gillette Company, 1001 Rutherford Drive, Greenville, Hunt County, TX; MSD NO. 060

Dear Mr. Turner:

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 cursive script, appearing to read "Mike Frew", with a horizontal line extending to the right.

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

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. 60, in the City of Greenville, 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 3rd day of April, 2008

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

Glenn Shankle
Executive Director
Texas Commission on Environmental Quality

A

DESCRIPTION

All that certain lot, tract or parcel of land situated in the Jacob Dunn Survey, Abstract No. 249, Hunt County, Texas, and being known as those tract of land described as Tract 1 and Tract 2 in a Deed from Atrium Companies, Inc. to Delaware Frame (TX), L.P., as recorded in Volume 814, Page 184 of the Official Public Records of Hunt County, Texas, and being known as that tract of land described in a Deed from AT&T Corp., to Delaware Frame (TX), L.P., as recorded in Volume 1327, Page 289 of the Official Public Records of Hunt County, Texas, and being part of that tract of land described in a Right-Of-Way Easement recorded in Volume 828, Page 556 of the Deed Records of Hunt County, Texas, and being part of that tract of land described in a Right-Of-Way Easement recorded in Volume 828, Page 550 of the Deed Records of Hunt County, Texas, and being part of that tract of land described in a Right-Of-Way Easement recorded in Volume 828, Page 558 of the Deed Records of Hunt County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found for corner at the Southwest corner of the above cited Tract 1;

THENCE N. 01 deg. 48 min. 30 sec. W. with the West line of Tract 1 a distance of 2383.87 feet to a 1/2" iron rod with cap stamped "STOVALL & ASSOC." found for corner at the Northwest corner of said Tract 1, from which a 1/2" iron rod found bears S. 01 deg. 48 min. 30 sec. E. a distance of 2.83 feet;

THENCE N. 88 deg. 23 min. 31 sec. E. with the most Westerly North line of said Tract 1 a distance of 1005.61 feet to a 1/2" iron rod found for corner at the most Northerly Northeast corner of said Tract 1, said point also being in the most Northerly West line of Lot 1, Block 1 of the New Phoenix Metals Addition, an Addition to the City of Greenville, according to the Plat thereof recorded in Volume 400, Page 1897 of the Plat Records of Hunt County, Texas;

THENCE S. 00 deg. 58 min. 42 sec. E. with the most Northerly East line of said Tract 1 and with the most Northerly West line of said New Phoenix Metals Addition, a distance of 49.66 feet to a 1/2" iron rod found for corner at an interior corner of said Tract 1, said point also being the most Westerly Southwest corner of said New Phoenix Metals Addition;

THENCE N. 88 deg. 22 min. 57 sec. E. with the most Easterly North line of said Tract 1 and with the most Westerly South line of said New Phoenix Metals Addition a distance of 745.78 feet to a 5/8" iron rod found for corner at the Northeast corner of said Tract 1, said point also being an interior corner of said New Phoenix Metals Addition;

THENCE S. 02 deg. 18 min. 51 sec. E. with the East line of said Tract 1 and with the most Southerly West line of said New Phoenix Metals Addition a distance of 51.59 feet to a 1/2" iron rod with cap stamped "WISDOM" found for corner at the most Southwest corner of said New Phoenix Metals Addition, said point also being at the intersection of the East line of said Tract 1 with the North line of Industrial Boulevard;

THENCE N. 88 deg. 12 min. 12 sec. E. with the North line of Industrial Boulevard a distance of 47.43 feet to a point for corner at the intersection of the North line of Industrial Boulevard with the projection of the East line of Ed Rutherford Drive;

THENCE S. 02 deg. 33 min. 17 sec. E., passing a 1/2" iron rod found at the Northwest corner of Lot 1, Block 1 of the Replat of the Fleischmann's Addition, an Addition to the City of Greenville, according to the Plat thereof recorded in Volume 400, Page 1363 of the Plat Records of Hunt County, Texas, at a distance of 70.56 feet, and continuing with the East line of Ed Rutherford Drive for a total distance of 378.43 feet to a 1/2" iron rod found for corner;

THENCE S. 02 deg. 25 min. 57 sec. E. with the East line of Ed Rutherford Drive a distance of 889.32 feet to a point for corner at the Southwest corner of Lot 1, Block 1 of the F & F Metal Products Addition, an Addition to the City of Greenville, according to the Plat thereof recorded in Volume 400, Page 1362 of the Plat Records of Hunt County, Texas, said point also being in the North line of that tract of land described in a Deed from Cleveland-Greenville Corporation to the City of Greenville, as recorded in Volume 815, Page 833 of the Deed Records of Hunt County, Texas;

THENCE S. 87 deg. 41 min. 34 sec. W. with the North line of said City of Greenville tract a distance of 9.67 feet to a point for corner in the East line of Ed Rutherford Drive at the Northwest corner of said City of Greenville tract;

THENCE S. 02 deg. 24 min. 56 sec. E. with the East line of Ed Rutherford Drive a distance of 250.77 feet to a point for corner at the Southwest corner of said City of Greenville tract;

THENCE S. 01 deg. 38 min. 03 sec. E. with the East line of Ed Rutherford Drive a distance of 782.54 feet to a point for corner at the intersection of the East line of Ed Rutherford Drive with the projection of the South line of Walter Grady Drive;

THENCE S. 88 deg. 48 min. 04 sec. W., passing the intersection of the West line of Ed Rutherford Drive with the South line of Walter Grady Drive, and continuing with the South line of Walter Grady Drive a distance of 755.43 feet to a point for corner at the most Westerly Southwest corner of the above cited Right-Of-Way easement recorded in Volume 828, Page 558 of the Deed Records of Hunt County, Texas, said point also being in the West line of that tract of land described in a Deed from Lance, Inc. to June Wycbe Hines, et al, as recorded in Volume 70, Page 53 of the Real Property Records of Hunt County, Texas, from which a 1/2" iron rod found bears N. 02 deg. 26 min. 09 sec. W. a distance of 1.80 feet;

THENCE N. 02 deg. 26 min. 09 sec. W. with the West line of said Hines tract a distance of 15.00 feet to a point for corner in the South line of the above cited Tract 1 at the Northwest corner of said Hines tract;

THENCE S. 86 deg. 48 min. 04 sec. W. with the South line of said Tract 1 a distance of 50.01 feet to a 1/2" iron rod found for corner at the Northeast corner of the Final Plat of the Lance Addition, an Addition to the City of Greenville, according to the Plat thereof recorded in Volume 400, Page 1282 of the Plat Records of Hunt County, Texas;

THENCE S. 02 deg. 26 min. 09 sec. E. with the East line of said Lance Addition a distance of 20.01 feet to a point for corner in the South line of Walter Grady Drive at the most Easterly Northeast corner of Lot 1, Block 1 of the Lance Addition, from which a 1/2" iron rod found bears N. 02 deg. 26 min. 09 sec. W. a distance of 6.44 feet;

THENCE S. 88 deg. 46 min. 22 sec. W. with the South line of Walter Grady Drive a distance of 820.40 feet to a point for corner at an interior corner of Lot 1, Block 1 of the Lance Addition;

THENCE N. 01 deg. 33 min. 46 sec. W. with an interior line of said Lance Addition, passing a 1/2" iron rod found at the most Northerly Northeast corner of Lot 1, Block 1 of the Lance Addition at a distance of 5.00 feet, and continuing for a total distance of 20.64 feet to a point for corner in the most Westerly South line of said Tract 1;

THENCE S. 88 deg. 50 min. 36 sec. W. with the most Westerly South line of said Tract 1 a distance

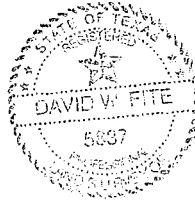
NOTES:

- 1) BEARINGS BASED ON THE TEXAS STATE PLAIN COORDINATE SYSTEM, NAD-83
- 2) SURVEY PREPARED WITHOUT BENEFIT OF TITLE COMMITMENT. SURVEYOR DID NOT RESEARCH FOR EASEMENTS OF RECORD OR NOT OF RECORD.

I, David W. Fite, Registered Professional Land Surveyor, State of Texas, do certify that the plat hereon was made from measurements performed upon the ground, the lines and dimensions of said property being indicated by plat, the corner monuments shown hereon were set or found as described, and is a true survey to the best of my knowledge and belief.



David W. Fite, R.P.L.S. No. 5837



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STOVALL & ASSOCIATES SURVEYORS

LEGEND

DATE: 10-26-2007

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
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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.
VCP No. 253

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? /1987/	<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.

Franklyn Lejall
Applicant Signature

11/05/07
Date

Before me H. Eileen McConnon the undersigned authority, on this day personally appeared
Name of Notary
Franklyn Lejall and signed this Municipal Setting Designation Application.
Name of Applicant

Sworn, subscribed and signed before me in the County of Norfolk, State of MA, on the 5
day of Nov., 2007

