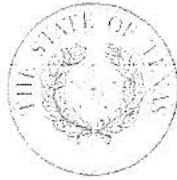


Bryan W. Shaw, Ph.D., P.E., *Chairman*
Toby Baker, *Commissioner*
Zak Covar, *Commissioner*
Richard A. Hyde, P.E., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

August 28, 2014

Mr. John Toic, Vice President
First BTS, LLC
149 Colonial Road
Manchester, Connecticut 06045

RE: Municipal Setting Designation (MSD) Certificate for First BTS, LLC, NWC
Avenue I and Sam Houston Ave., Huntsville, Walker County, Texas 77340; MSD
No. 260

Dear Mr. Toic:

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) 239-2261 or via e-mail (michael.kuitu@TCEQ.Texas.gov).

Sincerely,


Michael Kuitu, GIT, Project Manager
VCP-CA Section
Remediation Division

MK/jdm

Enclosure: MSD Certificate No. 260

cc: Mr. Kyle Knight, Modern Geosciences, 1904 Industrial Blvd, Suite 107,
Colleyville, TX 76034
Mr. Frances E. Phillips, 1601 Elm Street, Dallas, TX 75201
Mr. Jason Ybarra, Waste Program Manager, TCEQ Region 12 Office, Houston

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



MUNICIPAL SETTING DESIGNATION CERTIFICATE

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

I, Beth Seaton, Director, Remediation Division, TCEQ, certify the Municipal Setting Designation (MSD) for MSD No. 260, in the City of Huntsville, for 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 the 26th day of August, 2014

Beth Seaton

Beth Seaton, Director
Texas Commission on Environmental Quality

Exhibit B
Municipal Setting Designation
Affidavit of Eligibility

BEFORE ME, the undersigned authority, on this day personally appeared John Toic, as an authorized representative of First BTS, LLC, known to me to be the person whose name is subscribed below who being by me first duly sworn, upon their oath, stated as follows:

I am over the age of 18 and legally competent to make this affidavit. I have personal knowledge of the facts stated herein.

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

- The MSD eligibility criteria of THSC Section 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 has been 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.


Signature

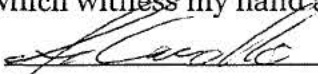
Date: 2/27/14

John Toic
Printed Name

Vice President
Title

STATE OF Connecticut
COUNTY OF Hartford

SUBSCRIBED AND SWORN before me on this the 26th day of February 2014, to which witness my hand and seal of office.


Notary Public in and for the State of Connecticut