

Bryan W. Shaw, Ph.D., *Chairman*
Buddy Garcia, *Commissioner*
Carlos Rubinstein, *Commissioner*
Mark R. Vickery, P.G., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

September 22, 2009

Mr. Daniel Cohen, Manger
Rodance Partners, Ltd.
4942 Crooked Lane
Dallas, TX 75229

RE: Municipal Setting Designation (MSD) Certificate for Uniforms by Star, 400 S. Jennings Avenue, Fort Worth, Tarrant County, Texas; MSD No. 106

Dear Mr. Cohen:

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) 239-3429 or via e-mail (ssetteme@tceq.state.tx.us).

Sincerely,

A handwritten signature in cursive script that reads "Scott Settemeyer".

Scott Settemeyer, P.G., Project Manager
VCP Team 1, VCP-CA Section
Remediation Division

DSS/jdm

Enclosure

cc: Ms. Lauren Pulliam, VCP No. 2229 Project Manager, Remediation Division,
MC-221

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



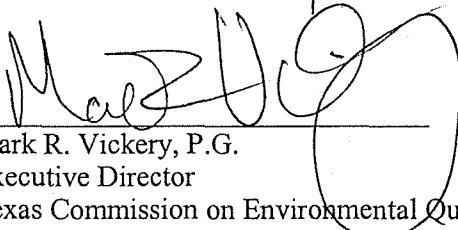
MUNICIPAL SETTING DESIGNATION CERTIFICATE

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

I, Mark R. Vickery, Executive Director of the Texas Commission on Environmental Quality certify the Municipal Setting Designation for MSD No. 106, in the City of Fort Worth, 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.

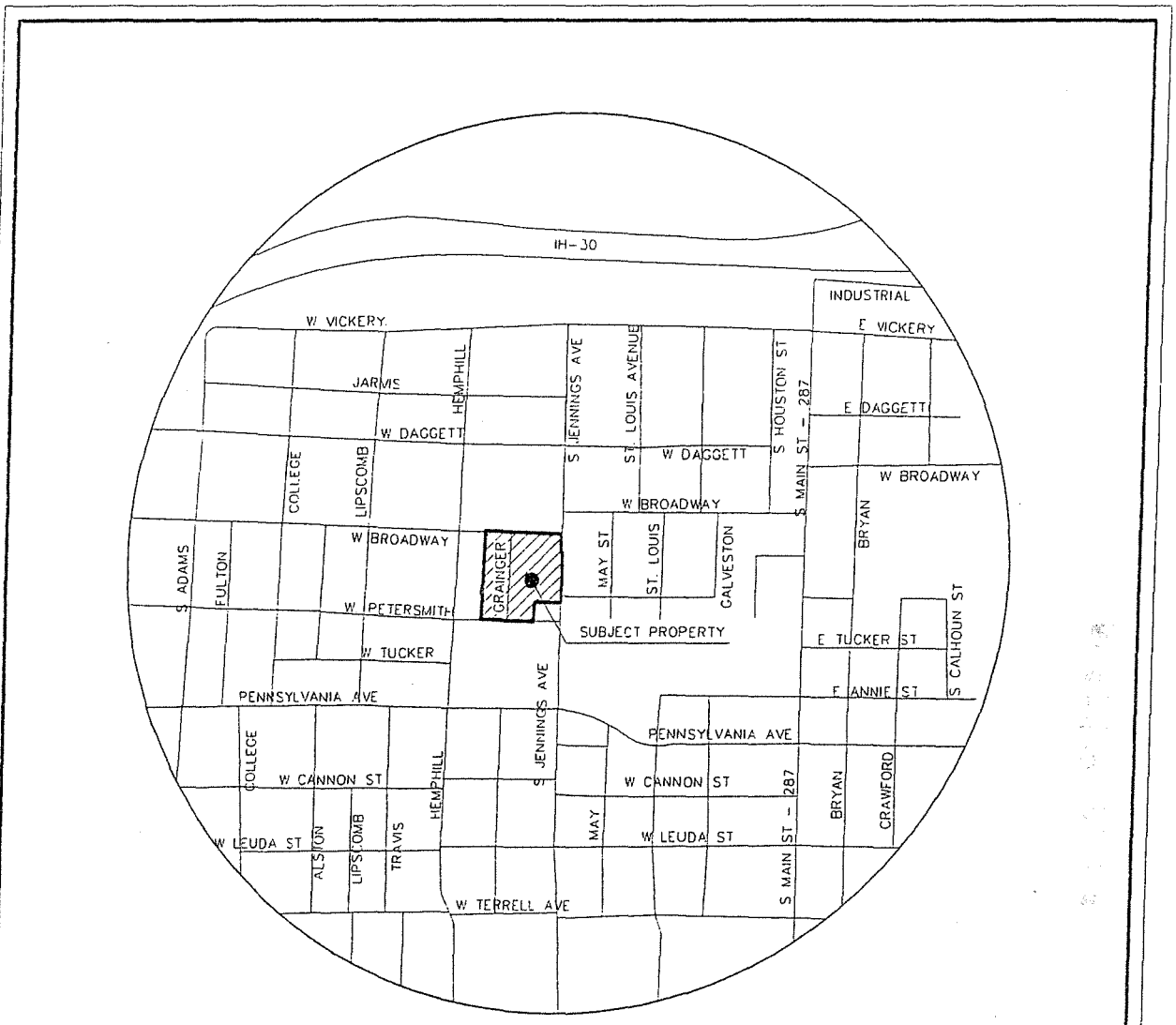
Any person addressing environmental impacts for a property located in the certified municipal setting designation shall complete any necessary investigation and response action requirements in accordance with Texas Health and Safety Code §361.808, in conjunction with the applicable Texas Commission on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

EXECUTED this the 9th day of September, 2009



Mark R. Vickery, P.G.
Executive Director
Texas Commission on Environmental Quality

Exhibit "A"



LOCATION MAP
N.T.S.

Winkelmann & Associates, Inc. <small>CONSULTING CIVIL ENGINEERS • SURVEYORS (972) 490-7090 FAX (972) 490-7099</small>	
Scale 1"=100'	Date 7/8/08
Design : WAI	
Drawn : L.J.L.	
Dwg. File 00891JENNINGSMSD.DWG	
Project No 00891.00	

RODANCO PARTNERS, LTD.
400 S. JENNINGS AVE.
FORT WORTH, TX 76104

EXHIBIT "A"
MSD AREA SURVEY
4.391 ACRES

SHEET 1 OF 1

FIELD NOTE DESCRIPTION
MSD AREA

STATE OF TEXAS
COUNTY OF TARRANT

BEING a tract of land situated in the S.G. JENNING S SURVEY, Abstract No. 844, W.B. TUCKER SURVEY, Abstract No. 1577 and the J.H. CHILDRESS SURVEY, Abstract No. 250 in the City of Fort Worth and being all of LOT 1-R, BLOCK 36 of the JENNINGS SOUTH ADDITION, an addition to the City of Fort Worth as recorded in Cabinet B, Slide 931 of the Plat Records of Tarrant County, Texas (PRCT) and being all of 4 tracts of land conveyed to RODANCO PARTNERS, LTD as recorded in Volume 14287, Page 293, Volume 15359, Page 190 and Document # D207401118 of the Deed Records of Tarrant County, Texas (DRCT) and being a portion of WEST BROADWAY (40' Right-of-Way) and a portion of SOUTH JENNINGS STREET (variable width Right-of-Way), WEST PETERSMITH (40' Right-of-Way) and GRAINGER (variable width Right-of-Way) and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod found at the most north westerly corner of Tract 1 Of said RODANCO PARTNERS, LTD tract as recorded in Volume 15359, Page 190 (DRCT), said point being found in the southerly Right-of-Way line of said WEST BROADWAY;

THENCE departing the southerly Right-of-Way line of said WEST BROADWAY North 02 deg 12 min 00 sec East a distance of 40.00 feet to a point for corner in the northerly Right-of-Way line of said WEST BROADWAY;

THENCE along the northerly Right-of-Way line of said WEST BROADWAY South 87 deg 41 min 39 sec East passing through a Pk. Nail found at a distance of 55.41 feet and passing through the intersection of the northerly Right-of-Way line of said WEST BROADWAY and SOUTH JENNINGS STREET at a distance of 351.21 feet from which a Pk. Nail found bears South 00 deg 06 min 40 sec East a distance of 0.58 feet continuing in all a distance of 417.73 feet to a point for corner in the easterly Right-of-Way line of said SOUTH JENNINGS STREET;

THENCE along the easterly Right-of-Way line of said SOUTH JENNINGS STREET as follows;

South 00 deg 06 min 41 sec East a distance of 98.99 feet to a point for corner;

South 89 deg 53 min 02 sec East a distance of 8.70 feet to a point for corner;

South 00 deg 03 min 53 sec West a distance of 271.60 feet to a point for corner;

THENCE departing the easterly Right-of-Way line of said SOUTH JENNINGS STREET North 89 deg 23 min 10 sec West passing the westerly Right-of-Way line of said SOUTH JENNINGS STREET at a distance of 75.76 feet continuing in all a distance of 147.55 feet to a point for corner;

THENCE South 02 deg 29 min 49 sec West passing the northerly Right-of-Way line of said WEST PETERSMITH at a distance of 65.56 feet continuing in all a distance of 105.56 feet to a point for corner in the southerly Right-of-Way line of said WEST PETERSMITH;

THENCE along the southerly Right-of-Way line of said WEST PETERSMITH North 87 deg 41 min 39 sec West a distance of 288.10 feet to a point for corner;

THENCE departing the southerly Right-of-Way line of said WEST PETERSMITH North 02 deg 27 min 41 sec East passing the northerly Right-of-Way line of said WEST PETERSMITH at a distance of 40.00 feet, said point being the most southwesterly corner of Tract 2 conveyed to RODANCO PARTNERS LTD as recorded in Volume 15359, Page 190 (DRCT) continuing in all a distance of 139.91 feet to a point for corner;

THENCE North 87 deg 42 min 33 sec West a distance of 5.02 feet to a point for corner;

THENCE North 02 deg 12 min 00 sec East a distance of 56.20 feet to the most northwesterly corner of said Tract 2;

THENCE South 87 deg 42 min 33 sec East a distance of 3.05 feet to the most southwesterly corner of a tract of land conveyed to RODANCO PARTNERS LTD recorded in Document # D 207401118 (DRCT);

THENCE North 01 deg 20 min 52 sec East a distance of 46.75 feet to the most northwesterly corner of said tract RODANCO PARTNERS LTD recorded in Document # D 207401118 (DRCT);

THENCE North 87 deg 42 min 33 sec West a distance of 2.37 feet to the most southwesterly corner of said Tract 1;

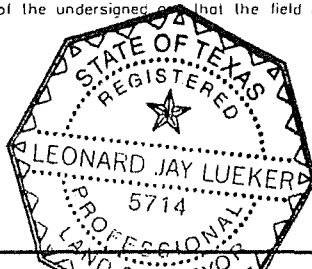
THENCE North 02 deg 12 min 00 sec East a distance of 197.02 feet to the POINT OF BEGINNING;

CONTAINING within these metes and bounds 4.391 acres or 191,268 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 2nd day of July, 2008 utilizing GPS measurements (WGS84) along the westerly Right-of-Way line of said SOUTH JENNINGS STREET.

SURVEYORS CERTIFICATE

The undersigned hereby certifies the above field note description was prepared from an on the ground survey performed in the field on the 2nd day of July, 2008 under the supervision of the undersigned and that the field notes description forms a mathematical figure of 1:15,000.

Date: 7/28/08



Leonard J. Lueker
Registered Professional Land Surveyor
Texas Registration No. 5714
Winkelmann & Associates, Inc.
6700 Hillcrest Plaza Drive, Suite 100
Dallas, Texas 75230
(972) 490-7090

Scale : 1"=100'	Date : 7/8/08
Design : WAI	
Drawn : L.J.L.	
Dwg File : 00891JENNINGSMSD.DWG	
Project No. 00891.00	

RODANCO PARTNERS, LTD.
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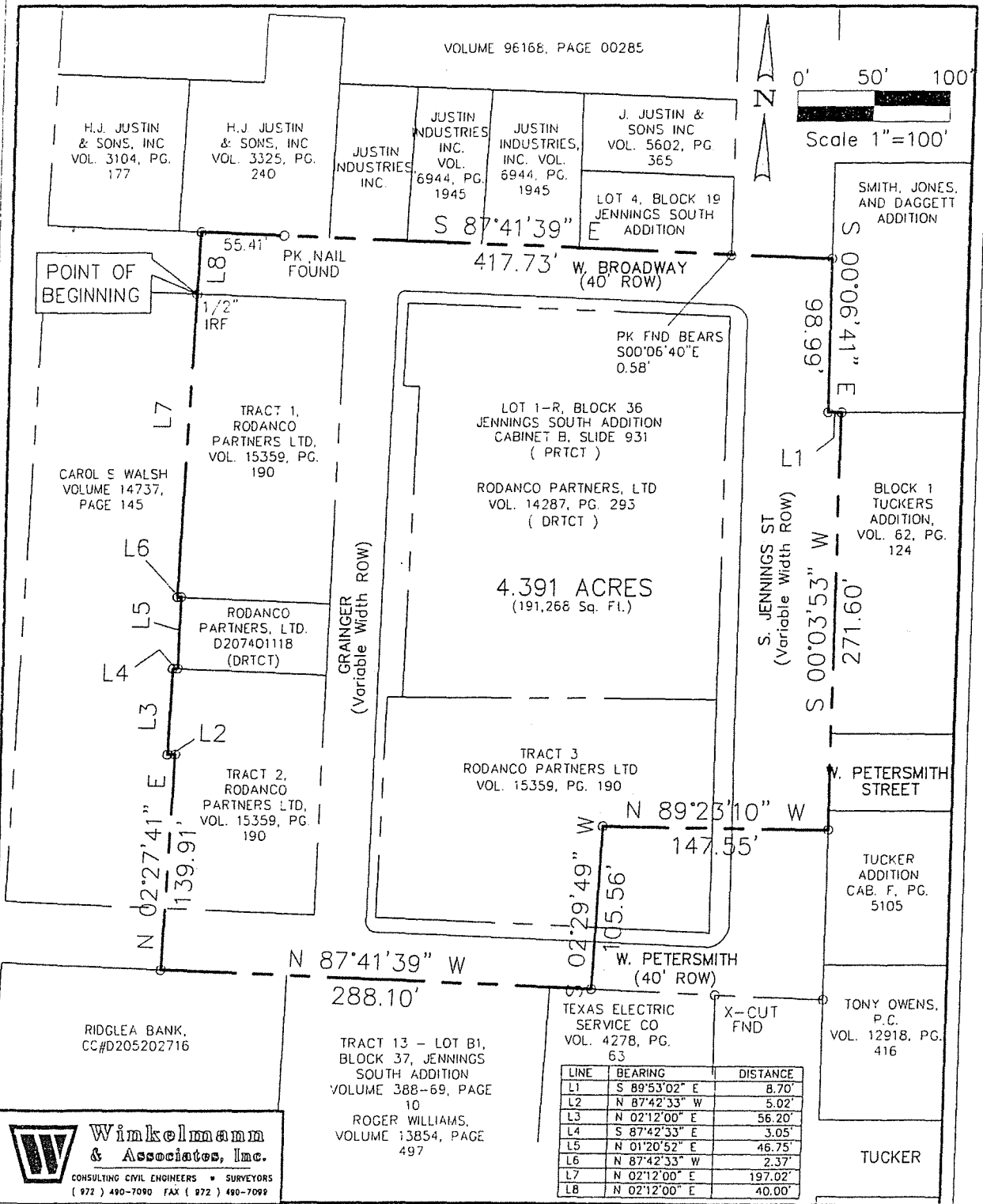
EXHIBIT "A"
MSD AREA SURVEY
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SHEET
1
OF
2

VOLUME 96168, PAGE 00285

0' 50' 100'

Scale 1"=100'



LINE	BEARING	DISTANCE
L1	S 89°53'02" E	8.70'
L2	N 87°42'33" W	5.02'
L3	N 02°12'00" E	56.20'
L4	S 87°42'33" E	3.05'
L5	N 01°20'52" E	46.75'
L6	N 87°42'33" W	2.37'
L7	N 02°12'00" E	197.02'
L8	N 02°12'00" E	40.00'

W **Winkelmann & Associates, Inc.**
 CONSULTING CIVIL ENGINEERS • SURVEYORS
 (972) 490-7090 FAX (972) 490-7099

Scale 1"=100' Date . 7/8/08
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 Drawn : LJJ
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EXHIBIT "A"
 MSD AREA SURVEY
 4.391 ACRES

SHEET
2
 OF
2

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. VCP No. 2229; SWR #55082 (inactive)		
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? 10 / 17 / 08	<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.

Applicant Signature: [Signature] Date: 12/10/08

Before me Sundeep Patel the undersigned authority, on this day personally appeared Daniel Cohen Name of Applicant and signed this Municipal Setting Designation Application.

Sworn, subscribed and signed before me in the County of Dallas, State of Tx, on the 10th day of December, this month of December, 2008

TCEQ-20149 June 2007

[Signature] 2

