

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

July 16, 2015

Mr. David Jackson Wilburn II
Trustee
c/o Prengler Iron and Metal Company
2340 E. Trinity Mills Rd., Suite 300
Carrollton, Texas 75006

Re: Municipal Setting Designation (MSD) Certificate for Prengler Iron & Metal; Prengler Iron & Metal Facility, 1000 Highway 175 West, Athens, Henderson County, TX; MSD No. 277; Customer No. CN601018401; Regulated Entity No. RN102506276

Dear Mr. Prengler:

The Texas Commission on Environmental Quality (TCEQ) received the above referenced Municipal Setting Designation (MSD) application on March 17, 2015 and additional information supporting this MSD application on May 8, 2015. Based on our review, the application contains the required information as outlined in Texas Health and Safety Code (THSC) §361.804. Enclosed is the Municipal Setting Designation Certification for your site. If you have any questions, please do not hesitate to contact me at (512) 239-6542 or via e-mail (eleanor.wehner@tceq.texas.gov).

Sincerely,

A handwritten signature in cursive script that reads "Eleanor Wehner".

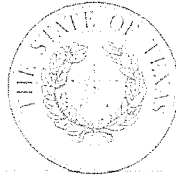
Eleanor Wehner, P.G.
Project Manager
VCP-CA Section
Remediation Division

EW/jdm

cc: Mr. Michael Brashear, Waste Section Manager, TCEQ Region 5 Office, Tyler
Mr. Howard L. Gilberg, Attorney, Guida, Slavich, and Flores, 750 North St. Paul Street,
Suite 200, Dallas, TX 75201

Enclosure: MSD Certificate

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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

July 16, 2015

Mr. Mike Harrington, General Manager
Bethel-Ash Water Supply Corporation
6435 State Highway 19N
Athens, TX 75752

Re: Municipal Setting Designation Certification (MSD) for Prengler Iron & Metal;
Prengler Iron & Metal Facility, 1000 Highway 175 West, Athens, Henderson
County, TX; MSD No. 277; Customer No. CN601018401; Regulated Entity No.
RN102506276

Dear Mr. Harrington:

As required by TEX. HEALTH AND SAFETY CODE §361.807(a)(2), please find an enclosed copy of the Municipal Setting Designation Certificate for the above-referenced property. The application was certified on July 13, 2015. Bethel-Ash Water Supply Corporation issued a resolution of support dated February 11, 2015 for this Municipal Setting Designation application. For this reason, the Texas Commission on Environmental Quality is required to provide you a copy of this Municipal Setting Designation Certificate.

If you have any questions, please do not hesitate to contact me at (512) 239-6542.

Sincerely,

A handwritten signature in cursive script that reads "Eleanor T. Wehner".

Eleanor T. Wehner, P.G.
Project Manager
VCP-CA Section
Remediation Division

ETW/jdm

Enclosure: Copy of MSD Certificate No. 277

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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

July 16, 2015

Mr. Dexter Monroe, Owner-Operator
Dal High Water System Inc.
P.O. Box 1531
Athens, TX 75751-1531

Re: Municipal Setting Designation Certification (MSD) for Prengler Iron & Metal;
Prengler Iron & Metal Facility, 1000 Highway 175 West, Athens, Henderson
County, TX; MSD No. 277; Customer No. CN601018401; Regulated Entity No.
RN102506276

Dear Mr. Monroe:

As required by TEX. HEALTH AND SAFETY CODE §361.807(a)(2), please find an enclosed copy of the Municipal Setting Designation Certificate for the above-referenced property. The application was certified on July 13, 2015. Dal High Water System Inc. issued a resolution of support dated December 18, 2014 for this Municipal Setting Designation application. For this reason, the Texas Commission on Environmental Quality is required to provide you a copy of this Municipal Setting Designation Certificate.

If you have any questions, please do not hesitate to contact me at (512) 239-6542.

Sincerely,

A handwritten signature in cursive script that reads "Eleanor T. Wehner".

Eleanor T. Wehner, P.G.
Project Manager
VCP-CA Section
Remediation Division

ETW/jdm

Enclosure: Copy of MSD Certificate No. 277

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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

July 16, 2015

Ms. Melba Gibson, General Manager
Crescent Heights WSC
P.O. Box 375
Athens, TX 75751

Re: Municipal Setting Designation Certification (MSD) for Prengler Iron & Metal;
Prengler Iron & Metal Facility, 1000 Highway 175 West, Athens, Henderson
County, TX; MSD No. 277; Customer No. CN601018401; Regulated Entity No.
RN102506276

Dear Ms. Gibson:

As required by TEX. HEALTH AND SAFETY CODE §361.807(a)(2), please find an enclosed copy of the Municipal Setting Designation Certificate for the above-referenced property. The application was certified on July 13, 2015. Crescent Heights WSC issued a resolution of support dated February 10, 2015 for this Municipal Setting Designation application. For this reason, the Texas Commission on Environmental Quality is required to provide you a copy of this Municipal Setting Designation Certificate.

If you have any questions, please do not hesitate to contact me at (512) 239-6542.

Sincerely,

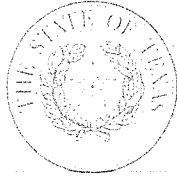
A handwritten signature in cursive script that reads "Eleanor T. Wehner".

Eleanor T. Wehner, P.G.
Project Manager
VCP-CA Section
Remediation Division

ETW/jdm

Enclosure: Copy of MSD Certificate No. 277

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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

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July 16, 2015

Ms. Debra Scott, General Manager
Virginia Hill WSC
707 E. College Street
Athens, TX 75751-2618

Re: Municipal Setting Designation Certification (MSD) for Prengler Iron & Metal;
Prengler Iron & Metal Facility, 1000 Highway 175 West, Athens, Henderson
County, TX; MSD No. 277; Customer No. CN601018401; Regulated Entity No.
RN102506276

Dear Ms. Scott:

As required by TEX. HEALTH AND SAFETY CODE §361.807(a)(2), please find an enclosed copy of the Municipal Setting Designation Certificate for the above-referenced property. The application was certified on July 13, 2015. Virginia Hill WSC issued a resolution of support dated January 20, 2015 for this Municipal Setting Designation application. For this reason, the Texas Commission on Environmental Quality is required to provide you a copy of this Municipal Setting Designation Certificate.

If you have any questions, please do not hesitate to contact me at (512) 239-6542.

Sincerely,

A handwritten signature in cursive script that reads "Eleanor T. Wehner".

Eleanor T. Wehner, P.G.
Project Manager
VCP-CA Section
Remediation Division

ETW/jdm

Enclosure: Copy of MSD Certificate No. 277

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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

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July 16, 2015

Mr. Rick Brown, Owner
Dogwood Estates Water Company
3100 FM 317
Athens, TX 75752

Re: Municipal Setting Designation Certification (MSD) for Prengler Iron & Metal;
Prengler Iron & Metal Facility, 1000 Highway 175 West, Athens, Henderson
County, TX; MSD No. 277; Customer No. CN601018401; Regulated Entity No.
RN102506276

Dear Mr. Brown:

As required by TEX. HEALTH AND SAFETY CODE §361.807(a)(2), please find an enclosed copy of the Municipal Setting Designation Certificate for the above-referenced property. The application was certified on July 13, 2015. Dogwood Estates Water Company issued a resolution of support dated December 17, 2014 for this Municipal Setting Designation application. For this reason, the Texas Commission on Environmental Quality is required to provide you a copy of this Municipal Setting Designation Certificate.

If you have any questions, please do not hesitate to contact me at (512) 239-6542.

Sincerely,

A handwritten signature in cursive script that reads "Eleanor T. Wehner".

Eleanor T. Wehner, P.G.
Project Manager
VCP-CA Section
Remediation Division

ETW/jdm

Enclosure: Copy of MSD Certificate No. 277

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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

July 16, 2015

Mr. Timothy W. Coffey, Owner
Athens Water System Co-op
P.O. Box 423
Centerville, TX 75833-0423

Re: Municipal Setting Designation Certification (MSD) for Pregler Iron & Metal;
Pregler Iron & Metal Facility, 1000 Highway 175 West, Athens, Henderson
County, TX; MSD No. 277; Customer No. CN601018401; Regulated Entity No.
RN102506276

Dear Mr. Coffey:

As required by TEX. HEALTH AND SAFETY CODE §361.807(a)(2), please find an enclosed copy of the Municipal Setting Designation Certificate for the above-referenced property. The application was certified on July 13, 2015. Athens Water System Co-op issued a resolution of support dated January 20, 2015 for this Municipal Setting Designation application. For this reason, the Texas Commission on Environmental Quality is required to provide you a copy of this Municipal Setting Designation Certificate.

If you have any questions, please do not hesitate to contact me at (512) 239-6542.

Sincerely,

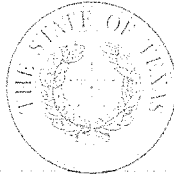
A handwritten signature in cursive script that reads "Eleanor T. Wehner".

Eleanor T. Wehner, P.G.
Project Manager
VCP-CA Section
Remediation Division

ETW/jdm

Enclosure: Copy of MSD Certificate No. 277

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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

July 16, 2015

Ms. Bonny Hambrick, City Secretary
City of Athens
508 East Tyler Street
Athens, TX 75751

Re: Municipal Setting Designation Certification (MSD) for Prengler Iron & Metal;
Prengler Iron & Metal Facility, 1000 Highway 175 West, Athens, Henderson
County, TX; MSD No. 277; Customer No. CN601018401; Regulated Entity No.
RN102506276

Dear Ms. Hambrick:

As required by TEX. HEALTH AND SAFETY CODE §361.807(a)(2), please find an enclosed copy of the Municipal Setting Designation Certificate for the above-referenced property. The application was certified on July 13, 2015. The City of Athens passed an ordinance (Ordinance No. O-28-14) in support of this MSD application (certification signed and dated December 11, 2014). For this reason, the Texas Commission on Environmental Quality is required to provide you a copy of the MSD Certificate.

If you have any questions, please do not hesitate to contact me at (512) 239-6542.

Sincerely,

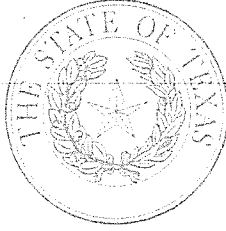
A handwritten signature in black ink that reads "Eleanor T. Wehner".

Eleanor T. Wehner, P.G.
Project Manager
VCP-CA Section
Remediation Division

ETW/jdm

Enclosure: Copy of MSD Certificate No. 277

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



MUNICIPAL SETTINGS 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. 277, in the City of Athens, 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 ordinance or restrictive covenant required by Texas Health and Safety Code §361.8065 remains 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 13th day of July, 2015

Beth Seaton

Beth Seaton, Director
Remediation Division
Texas Commission on Environmental Quality

PRENGLER TRACT
16.21 ACRES

B. C. WALTERS SURVEY
ABSTRACT 797

HENDERSON COUNTY

All that certain lot, tract, or parcel of land situated in the B.C. Walters Survey Abstract 797, Henderson County, Texas, being all of a called 7.794 acre tract described by deed recorded in Volume 1812, Page 006 and being part of a certain tract described by deed recorded in Volume 436, Page 25 of the Deed Records of Henderson County, Texas. Said tract or parcel of land being more fully described by metes and bounds as follows.

BEGINNING on a found 1/2" iron rod for the most easterly southeast corner of this tract and the above mentioned 7.794 acre tract located on the southwest line of the Old Kaufman Road;

THENCE S39° 50' 43" W 167.83 feet to a found T-Post for the southeast corner of this tract and the beginning of a curve to the left located on the north R.O.W. of the T. & N.O. Railroad;

THENCE with said curve having a Delta Angle of 09° 46' 43" a Radius of 3075.27 feet, a Chord of N67° 31' 41" W 524.22 feet for a Length of 524.22 feet to the end of this curve;

THENCE continuing with said R.O.W. N72° 24' 55" W 252.22 feet to a set 1/2" iron rod for the southwest corner of this tract located on the east R.O.W. of U.S. Highway 175;

THENCE with said east R.O.W. N19° 59' 00" W 181.00 feet, N25° 15' 33" W 598.14 feet and N19° 59' 00" W 313.63 feet to a found concrete monument (damaged) for the northwest corner of this tract;


THENCE N89° 21' 09" E 452.34 feet to a set 1/2" iron rod for the northeast corner of this tract located on said southwest line of the Old Kaufman Road;

THENCE with said southwest line S34° 43' 01" E 1343.28 feet to the place of beginning and containing 16.21 acres of land.

SURVEYOR'S CERTIFICATE

I, Mark Ferrell, Registered Professional Land Surveyor 4373, do hereby certify that I directed an on the ground survey of the property described above and prepared the above field notes and plat of even date describing the boundaries of same just as they were found and surveyed upon the ground.

Witness my hand and seal at Athens, Texas, this the 24th day of September, 2014.


Mark Ferrell
Registered Professional Land
Surveyor Number 4373
Firm No. 10019900



PRENGLER TRACT
22.12 ACRESB. C. WALTERS SURVEY
ABSTRACT 797

HENDERSON COUNTY

All that certain lot, tract, or parcel of land situated in the B.C. Walters Survey Abstract 797, Henderson County, Texas, and being all of a called 22.10 acre tract described by deed recorded in Instrument 2012-00015339 of the Official Records of Henderson County, Texas. Said tract or parcel of land being more fully described by metes and bounds as follows.

BEGINNING on a found 1/2" iron rod for the southeast corner of this tract and the above mentioned 22.10 acre tract located at the intersection of the west R.O.W. of U.S. Highway 175 and the north R.O.W. of the T. & N.O. Railroad;

THENCE with said north R.O.W. of the T. & N.O. Railroad N72°32'00"W 845.54 feet to the beginning of a curve to the right;

THENCE with said curve having a Delta Angle of 06°59'00" a Radius of 55505.03 feet, a Chord of N69°02'30"W 670.54 feet for a Length of 670.96 feet to the end of this curve;

THENCE continuing with said R.O.W. N65°32'00"W 461.96 feet to a found 1/2" iron rod for the southwest corner of this tract located on the east R.O.W. of F.M. Loop 7;

THENCE with said east R.O.W. of F.M. Loop 7 N48°11'00"E 279.98 feet and N56°15'52"E 74.12 to a set 1/2" iron rod for the northwest corner of this tract;

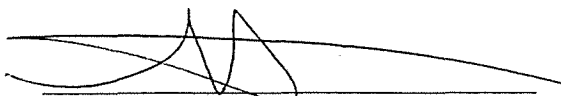
THENCE with the north line of this tract N89°23'40"E 132.11 feet and N89°56'40"E 1159.57 feet to a set 1/2" iron rod for the northeast corner of this tract located on said west R.O.W. of U.S. Highway 175;

THENCE with said R.O.W. S20°07'17"E 363.65 feet to a found 1/2" iron rod, S14°08'50"E 100.67 feet to a found 1/2" iron rod, S20°02'01"E 300.00 feet to a found 1/2" iron rod and S11°16'31"E 198.23 feet to the place of beginning and containing 22.12 acres of land.

SURVEYOR'S CERTIFICATE

I, Mark Ferrell, Registered Professional Land Surveyor 4373, do hereby certify that I directed an on the ground survey of the property described above and prepared the above field notes and plat of even date describing the boundaries of same just as they were found and surveyed upon the ground.

Witness my hand and seal at Athens, Texas, this the 24th day of September, 2014.



Mark Ferrell
Registered Professional Land
Surveyor Number 4373
Firm No. 10019900

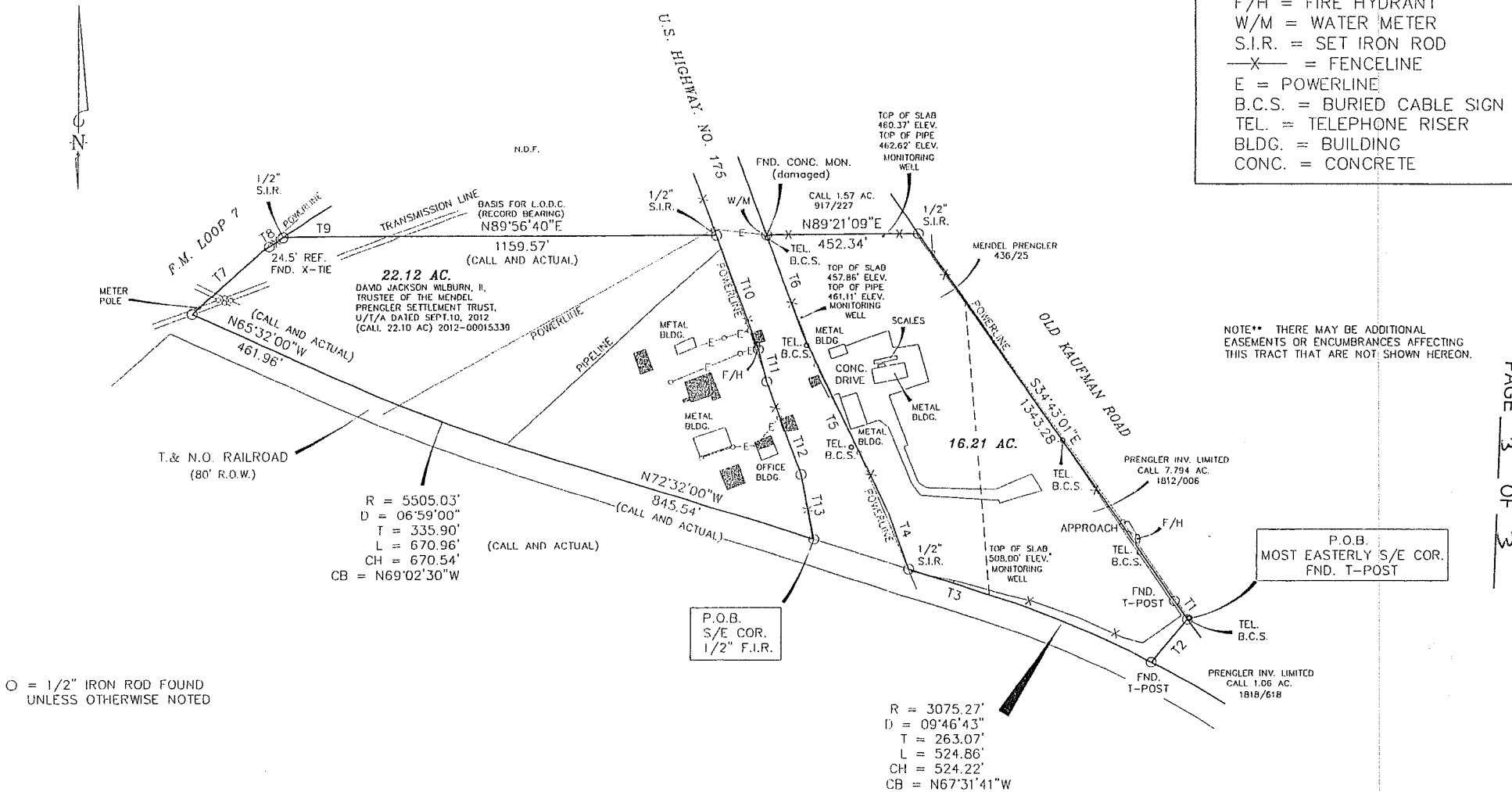
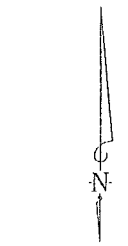


LEGEND

F/H = FIRE HYDRANT
 W/M = WATER METER
 S.I.R. = SET IRON ROD
 —X— = FENCELINE
 E = POWERLINE
 B.C.S. = BURIED CABLE SIGN
 TEL. = TELEPHONE RISER
 BLDG. = BUILDING
 CONC. = CONCRETE

NOTE** THERE MAY BE ADDITIONAL
 EASEMENTS OR ENCUMBRANCES AFFECTING
 THIS TRACT THAT ARE NOT SHOWN HEREON.

EXHIBIT "A"
 PAGE 3 OF 3



○ = 1/2" IRON ROD FOUND
 UNLESS OTHERWISE NOTED

TANGENT	BEARING	LENGTH	
T1	S35°48'37"E	67.19'	(CALL S36°12'50"E 67.13')
T2	S39°50'43"W	167.83'	(CALL S39°29'50"W 167.85')
T3	N72°24'55"W	252.22'	(CALL BEARING: N72°48'45"W)
T4	N19°59'00"W	181.00'	
T5	N25°15'33"W	598.14'	
T6	N19°59'00"W	313.63'	
T7	N48°11'00"E	279.98'	(CALL AND ACTUAL)
T8	N56°15'52"E	74.12'	(CALL N56°43'00"E 75.39')
T9	N89°23'40"E	132.11'	(CALL N89°53'00"E 131.72')
T10	S20°07'17"E	363.65'	(CALL S19°59'17"E 363.29')
T11	S14°08'50"E	100.67'	(CALL S14°16'00"E 100.50')
T12	S20°02'01"E	300.00'	(CALL S19°59'00"E 300.00')
T13	S11°16'31"E	198.23'	(CALL S11°16'00"E 197.89')

SCALE: 1" = 200'
 COUNTY: HENDERSON
 ACREAGE: SEE PLAT

SURVEY: BOLEY C. WALTERS A-797
 DESCRIPTION: SEE PLAT
 SURVEYED FOR: DAVID JACKSON WILLBURN II

I, Mark Ferrell, Registered Professional Land Surveyor 4373, do hereby certify that the above survey plot and notes of even date represent the results of an on the ground survey made under my direction and supervision.
 This the 24th Day of SEPTEMBER, 2014.

Mark Ferrell
 Registered Professional Land Surveyor
 Number 4373



HEARN SURVEYING ASSOCIATES
 FIRM NUMBER: 10019900
 201 HWY. 175 W, SUITE 2
 ATHENS, TX 75751
 (903) 675-2858
 1-800-432-7670

USE OR REPRODUCTION OF THIS SURVEY FOR ANY PURPOSE BY OTHER PARTIES IS PROHIBITED. SURVEYOR IS NOT RESPONSIBLE FOR ANY LOSS RESULTING THEREFROM.

Exhibit B
Municipal Setting Designation

Affidavit of Eligibility

BEFORE ME, the undersigned authority, on this day personally appeared David J. Wilburn II, as an authorized representative of Premier Iron + Metal, 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.

David J. Wilburn II
Signature

Date: 3-12-15

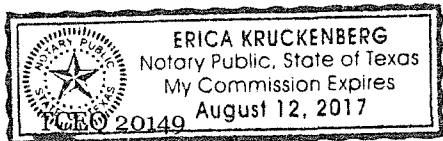
David J. Wilburn II
Printed Name

President
Title

STATE OF Texas

COUNTY OF Collin

SUBSCRIBED AND SWORN before me on this the 12th day of March 2015, to which witness my hand and seal of office.



Erica Kruckenberg
Notary Public in and for the State of Texas