

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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

March 28, 2017

Ms. Anna Russell, City Secretary
City of Houston
P.O. Box 1562
Houston, Texas 77251

Re: Dixie Electroplating Company, 3001 Engelke Street, Houston, Harris County, TX;
Municipal Setting Designation (MSD) No. 284 Voluntary Cleanup Program (VCP) No. 495;
Customer No. CN60030346; Regulated Entity No. RN100293920

Dear Ms. Russell:

As required by Texas Health & Safety Code §361.807(a)(2), enclosed is a copy of the MSD certificate dated March 28, 2017. The City of Houston passed an ordinance (Ordinance No. 2015-225) in support of this MSD application. 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 contact me at (512) 239-2236 or via e-mail (alayna.goetsch@tceq.texas.gov).

Sincerely,

A handwritten signature in cursive script that reads "Alayna M. Goetsch".

Alayna M. Goetsch, Project Manager
VCP-CA Section
Remediation Division

AMG/mdh

Enclosure: Copy of MSD Certificate No. 284

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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

March 30, 2017

Mr. Charles Epperson, President
Epperson Environmental Group
12407 N. MoPac Expressway STE 250-353
Austin, Texas 78758

Re: Municipal Setting Designation (MSD) Certificate; Dixie Electroplating Company, 3001 Engelke Street, Houston, Harris County, TX; MSD No. 284 Voluntary Cleanup Program (VCP) No. 495; Customer No. CN60030346; Regulated Entity No. RN100293920

Dear Mr. Epperson:

The Texas Commission on Environmental Quality (TCEQ) received the above referenced Municipal Setting Designation (MSD) application on May 29, 2015, and additional information supporting this MSD application on September 2, 2016 and March 01, 2017. 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) 239-2236 or via e-mail (alayna.goetsch@tceq.texas.gov).

Sincerely,

A handwritten signature in cursive script that reads "Alayna M. Goetsch".

Alayna M. Goetsch, Project Manager
VCP-CA Section
Remediation Division

AMG/mdh

cc: Mr. Jason Ybarra, Waste Section Manager, TCEQ Region 12 Office, Houston

Enclosure: MSD Certificate

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. 284, in the City of Houston, 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 28th day of March, 2017

Beth Seaton

Beth Seaton, Director
Remediation Division
Texas Commission on Environmental Quality

Exhibit Page 1 of 3 Pages

County: Harris
Project: Engelke St.
Job No. 135536
MBS No. 13-099

FIELD NOTES FOR 2.50 ACRES

Being a tract of land containing 2.50 acres located in the S.M. Williams Survey, Abstract No. 87, City of Houston, Harris County, Texas; Said 2.50 acres of land being comprised of those call 0.03 acre and 1.478 acre tracts of land recorded in the name of Dixie Electro Plating Company, Inc., in Volume 1116, Page 674, of the Harris County Deed Records (H.C.D.R.), and a call 0.9880 acre tract of land recorded in the name of Dixie Electro Plating Company, a Texas corporation, under Harris County Clerk's File Number (H.C.C.F. No.) S219389; and said 2.50 acres of land being more particularly described by metes and bounds as follows (grid bearings and coordinates are referenced to the Texas Plane Coordinate System, South Central Zone, NAD83, US Survey Feet):

BEGINNING at the intersection for the Northeast line of Engelke Street, a variable width right-of-way, and the Southeast line of North Ennis Street, a call 30 foot wide right-of-way as shown on map of Dukes Addition recorded in Volume 326, Page 91, H.C.D.R., for the West corner of said 1.478 acres, and said point having coordinate values N: 13840801.68, E: 3129674.26;

THENCE, with said Southeast line, North 32 degrees 53 minutes 18 seconds East, a distance of 230.00 feet to the East corner of said Dukes Addition, same being a point at the Southwest line of said 0.9880 acre tract;

THENCE, with said Southwest line, North 57 degrees 06 minutes 42 seconds West, passing the North corner of said Dukes Addition, and continuing for a total distance of 193.00 feet to the North corner of a tract of land recorded in the name of Anna Maria Perez under H.C.C.F. No. M909577;

THENCE, with the Northwest line of said Perez tract, South 32 degrees 53 minutes 18 seconds West, a distance of 16.68 feet to the Southwest line of Decker Place, a subdivision of record in Volume 208, Page 1, H.C.D.R.;

THENCE, with said Southwest line, North 57 degrees 47 minutes 50 seconds West, a distance of 44.98 feet to the West corner of Lot 6, Block 2, of said Decker Place;

THENCE, with the Northwest line of said Lot 6, North 32 degrees 15 minutes 17 seconds East, a distance of 114.00 feet to the Southwest line of Cary Street (formerly Bering Street);

THENCE, with said Southwest line, South 57 degrees 47 minutes 50 seconds East, a distance of 29.92 feet;

THENCE, with centerline of a gully, North 35 degrees 44 minutes 52 seconds East, a distance of 67.84 feet to the West corner of a call 3.0134 acre tract of land recorded in the name of Texas Coast Broadcasters, Inc., a Texas corporation, in Volume 4710, Page 608, H.C.D.R.;

THENCE, with the common line for said 3.0134 acres and said 0.9880 acre, the following three (3) courses:

1. South 54 degrees 29 minutes 50 seconds East, a distance of 196.45 feet;
2. South 21 degrees 14 minutes 44 seconds East, a distance of 154.85 feet;
3. South 32 degrees 49 minutes 52 seconds West, a distance of 10.20 feet to the Northeast line of the aforementioned 1.478 acres;

THENCE, with the Southwesterly line of said 3.0134 acres, South 57 degrees 06 minutes 42 seconds East, a distance of 120.70 feet to the Westerly terminus of Bering Street for the East corner of said 0.03 acre;

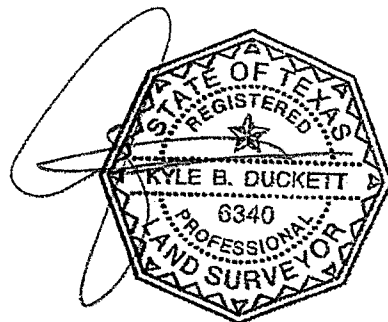
THENCE, with the Southeast line of said 0.03 acre, the following three (3) courses:

1. South 32 degrees 53 minutes 18 seconds West, a distance of 36.62 feet;
2. North 57 degrees 06 minutes 42 seconds West, a distance of 5.50 feet;
3. South 33 degrees 35 minutes 13 seconds West, a distance of 248.40 feet to an iron pipe in the aforementioned Northeast line of Engelke Street for the South corner of said 0.03 acre;

THENCE, with said Northeast line, North 57 degrees 06 minutes 42 seconds West, a distance of 227.98 feet to the **POINT OF BEGINNING** and containing 2.50 acres of land.

This document was prepared under 22 TAC §663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

GBI Partners, L.P.
Ph: 713.995.1306
July 03, 2013



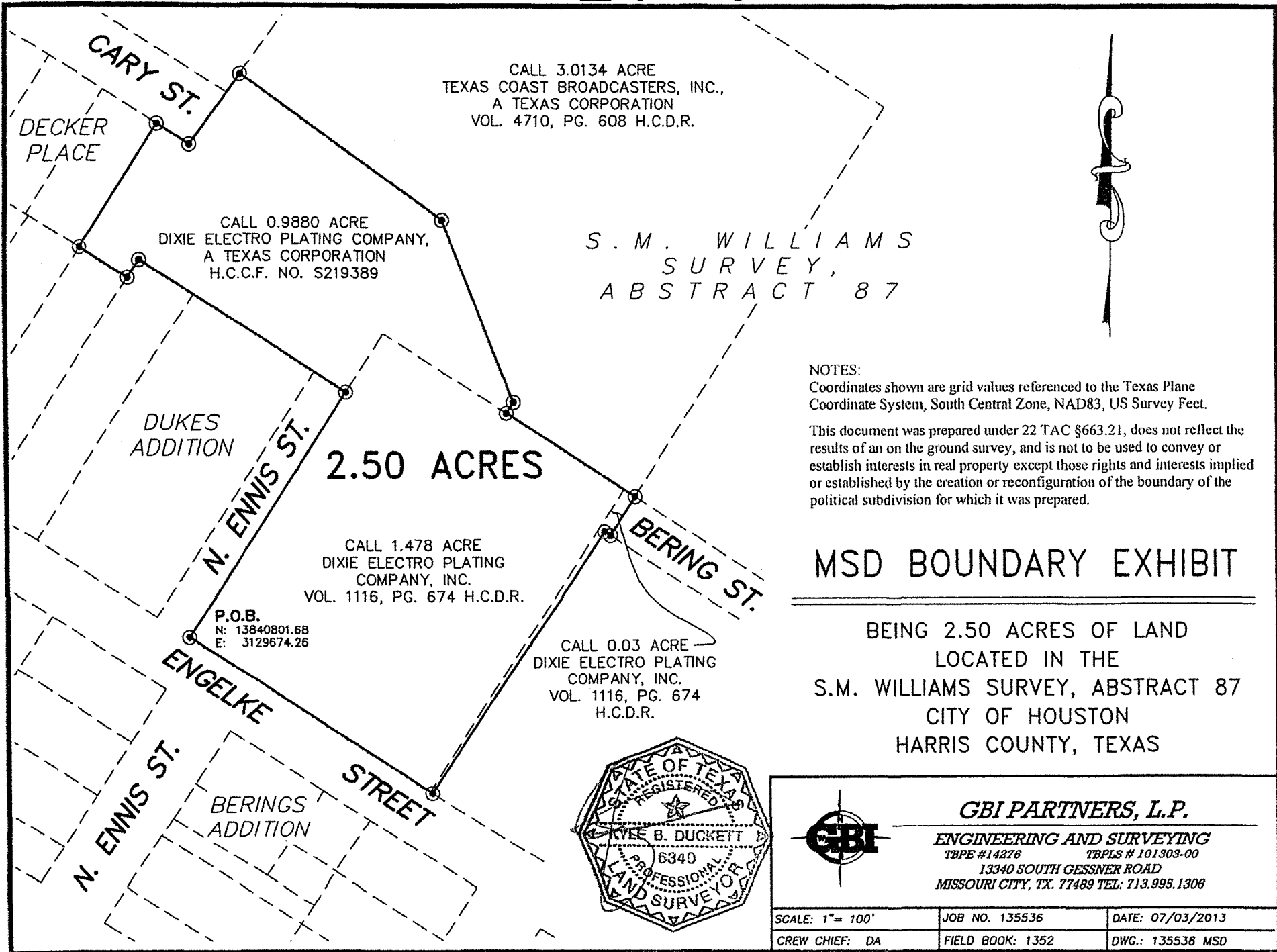


Exhibit B

Municipal Setting Designation

Affidavit of Eligibility

BEFORE ME, the undersigned authority, on this day personally appeared Charles Epperson, as an authorized representative of Epperson Environmental Group, 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.

Charles Epperson
Signature

Date: 9/2/16

Charles Epperson

Printed Name

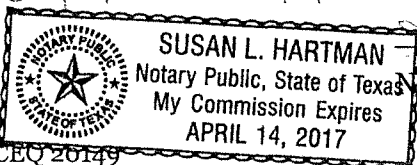
President

Title

STATE OF Texas

COUNTY OF TRAVIS

SUBSCRIBED AND SWORN before me on this the 2nd day of September 2016, to which witness my hand and seal of office.



Susan L. Hartman
Notary Public in and for the State of Texas