

Bryan W. Shaw, Ph.D., *Chairman*
Carlos Rabinstein, *Commissioner*
Toby Baker, *Commissioner*
Zak Covar, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

January 14, 2013

Ms. Laura Myers, Environmental Health & Safety Manager
GNR Recycling, LP
4305 S. Lamar Street
Dallas, Texas 75215

RE: Municipal Setting Designation (MSD) Certificate for 308 and 320 Hughes Street, Houston, Harris County, Texas; MSD No. 215

Dear Ms. Myers:

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) 239-2241 or via e-mail (Chris.Swiderski@TCEQ.Texas.gov).

Sincerely,

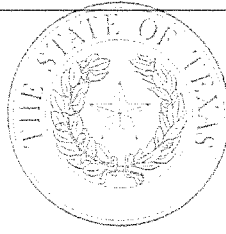
Mark R. Riggle

For Chris Swiderski, Project Manager
VCP-CA Section
Remediation Division

CS/jdm

Enclosure

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



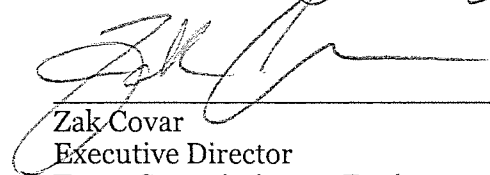
MUNICIPAL SETTING DESIGNATION CERTIFICATE

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

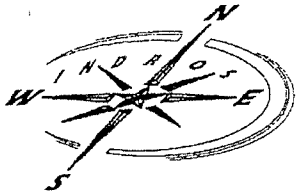
I, Zak Covar, Executive Director of the Texas Commission on Environmental Quality certify the Municipal Setting Designation (MSD) for MSD No. 215, in the City of Houston, for the tract of land described in Exhibit "A". The eligibility requirements of Texas Health and Safety Code §361.803 are satisfied 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 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 3rd day of January 2013



Zak Covar
Executive Director
Texas Commission on Environmental Quality



Windrose Land Services, Inc

3628 Westchase

Houston, Texas 77042

Phone (713) 458-2281 Fax (713) 461-1151

Professional Development Consultants

Land Surveying, Platting, Project Management and GIS Services

**DESCRIPTION OF
9.9574 ACRES OR 433,746 SQ. FT.**

A TRACT OR PARCEL CONTAINING 9.9574 ACRES OR 433,746 SQUARE FEET OF LAND, SITUATED IN THE S.M. WILLIAMS SURVEY, ABSTRACT NO. 87, HARRIS COUNTY, TEXAS BEING ALL OF A CALLED 5.1631 ACRE TRACT CONVEYED TO GNR RECYCLING, L.P. IN H.C.C.F. NO. 20080565301 AND THE RESIDUE OF A CALLED 10.4145 ACRE TRACT CONVEYED TO GNR RECYCLING IN H.C.C.F. NO. 20080565300 AS WELL AS ALL OF LOT 3 OF SUPPLY ROW CENTER, MAP OR PLAT THEREOF RECORDED IN VOL. 30, PG. 16, H.C.M.R., WITH SAID 9.9574 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS WITH ALL BEARINGS BEING BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NAD 83:

BEGINNING AT AN "X" FOUND IN CONCRETE ON THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF HUGHES STREET (R.O.W. VARIES) MARKING THE CALLED MOST NORTHERLY CORNER OF SAID 5.1631 ACRE TRACT AND THE MOST NORTHERLY CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE SOUTH 71 DEG. 58 MIN. 30 SEC. EAST, ALONG AND WITH THE NORTHERLY LINE OF SAID 5.1631 ACRE TRACT, A DISTANCE OF 488.12 FEET TO AN ANGLE POINT;

THENCE SOUTH 32 DEG. 31 MIN. 30 SEC. WEST, ALONG AND WITH AN EASTERLY LINE OF SAID 5.1631 ACRE TRACT, A DISTANCE OF 21.65 FEET TO AN INTERIOR CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE SOUTH 71 DEG. 58 MIN. 30 SEC. EAST, ALONG AND WITH A NORTHERLY LINE OF SAID 5.1631 ACRE TRACT, A DISTANCE OF 64.77 FEET TO A POINT ON THE CALLED NORTHWESTERLY LINE OF LOT 1 OF SAID SUPPLY ROW CENTER MARKING THE COMMON MOST EASTERLY CORNER OF SAID 5.1631 ACRE TRACT AND OF THE HEREIN DESCRIBED TRACT;

THENCE SOUTH 18 DEG. 04 MIN. 58 SEC. WEST, ALONG AND WITH CALLED NORTHWESTERLY LINE A DISTANCE OF 360.28 FEET TO A POINT ON THE CALLED NORTHERLY LINE OF LOT 3 OF SAID SUPPLY ROW CENTER, MARKING AN INTERIOR CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE SOUTH 72 DEG. 02 MIN. 41 SEC. EAST, ALONG AND WITH CALLED NORTHERLY LINE OF SAID LOT 3, A DISTANCE OF 0.80 FEET TO AN ANGLE POINT;

THENCE SOUTH 17 DEG. 57 MIN. 19 SEC. WEST, ALONG AND WITH THE CALLED COMMON LINE BETWEEN SAID LOTS 2 AND 3, A DISTANCE OF 285.63 FEET TO A POINT ON THE CALLED NORTHEASTERLY RIGHT-OF-WAY LINE OF SUPPLY ROW (BASED ON A WIDTH OF 60 FEET) MARKING THE MOST EASTERLY SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE NORTH 72 DEG. 02 MIN. 41 SEC. WEST, ALONG AND WITH SAID NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 100.83 FEET TO THE MOST NORTHERLY CORNER OF SAID SUPPLY ROW, SAME BEING THE SOUTHWEST CORNER OF SAID LOT 3, AND AN INTERIOR CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE SOUTH 17 DEG. 57 MIN. 19 SEC. WEST, ALONG AND WITH THE WESTERLY LINE OF SAID SUPPLY ROW, A DISTANCE OF 60.00 FEET TO THE MOST SOUTHERLY SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

**DESCRIPTION OF
9.9574 ACRES OR 433,746 SQ. FT. (CONTD.)**

THENCE NORTH 71 DEG. 56 MIN. 00 SEC. WEST, A DISTANCE OF 231.80 FEET TO AN ANGLE POINT;

THENCE ALONG AND WITH THE CALLED SOUTHERLY LINE OF SAID 10.4145 ACRE TRACT, THE FOLLOWING COURSES AND DISTANCES:

NORTH 72 DEG. 02 MIN. 41 SEC. WEST, A DISTANCE OF 24.55 FEET TO AN ANGLE POINT;

SOUTH 88 DEG. 56 MIN. 15 SEC. WEST, A DISTANCE OF 62.22 FEET TO AN ANGLE POINT;

NORTH 80 DEG. 10 MIN. 42 SEC. WEST, A DISTANCE OF 71.87 FEET TO AN ANGLE POINT;

NORTH 86 DEG. 58 MIN. 33 SEC. WEST, A DISTANCE OF 46.57 FEET TO AN ANGLE POINT;

NORTH 07 DEG. 30 MIN. 54 SEC. WEST, A DISTANCE OF 46.52 FEET TO AN ANGLE POINT;

NORTH 16 DEG. 53 MIN. 47 SEC. EAST, A DISTANCE OF 57.61 FEET TO AN ANGLE POINT;

NORTH 62 DEG. 30 MIN. 48 SEC. WEST, A DISTANCE OF 42.20 FEET TO AN ANGLE POINT;

THENCE NORTH 74 DEG. 47 MIN. 19 SEC. WEST, A DISTANCE OF 56.58 FEET TO A POINT ON THE CALLED EASTERLY LINE OF SAID HUGHES STREET, MARKING THE COMMON MOST WESTERLY CORNER OF SAID 10.4145 ACRE TRACT, AND THE HEREIN DESCRIBED TRACT;

THENCE NORTH 31 DEG. 34 MIN. 19 SEC. EAST, ALONG AND WITH SAID EASTERLY RIGHT-OF-WAY, A DISTANCE OF 211.20 FEET TO AN ANGLE POINT;

THENCE NORTH 10 DEG. 55 MIN. 19 SEC. EAST, CONTINUING ALONG SAID RIGHT-OF-WAY, A DISTANCE OF 79.82 FEET TO AN ANGLE POINT;

THENCE NORTH 10 DEG. 50 MIN. 24 SEC. EAST, CONTINUING ALONG SAID RIGHT-OF-WAY, A DISTANCE OF 97.58 FEET TO AN ANGLE POINT;

THENCE NORTH 71 DEG. 58 MIN. 30 SEC. WEST, CONTINUING ALONG SAID RIGHT-OF-WAY, A DISTANCE OF 0.33 FEET TO AN ANGLE POINT;

THENCE NORTH 32 DEG. 59 MIN. 27 SEC. EAST, CONTINUING ALONG SAID RIGHT-OF-WAY, A DISTANCE OF 294.41 FEET TO THE PLACE OF BEGINNING AND CONTAINING 9.9574 ACRES OR 433,746 SQUARE FEET OF LAND, AS SHOWN ON THE SURVEY, JOB NO. 47136WC, FILED IN THE OFFICES OF WINDROSE LAND SERVICES, INC. THIS LEGAL DESCRIPTION IS A COMPILATION OF EXISTING DESCRIPTIONS PREPARED UNDER PROVISIONS OF 22 TAC 663.21. IT IS NOT TO BE USED TO CONVEY OR ESTABLISH INTEREST IN REAL PROPERTY EXCEPT THOSE RIGHTS IMPLIED OR ESTABLISHED BY THE CREATION OR RECONFIGURATION OF THE BOUNDARY OF THE POLITICAL SUBDIVISION FOR WHICH IT WAS PREPARED.

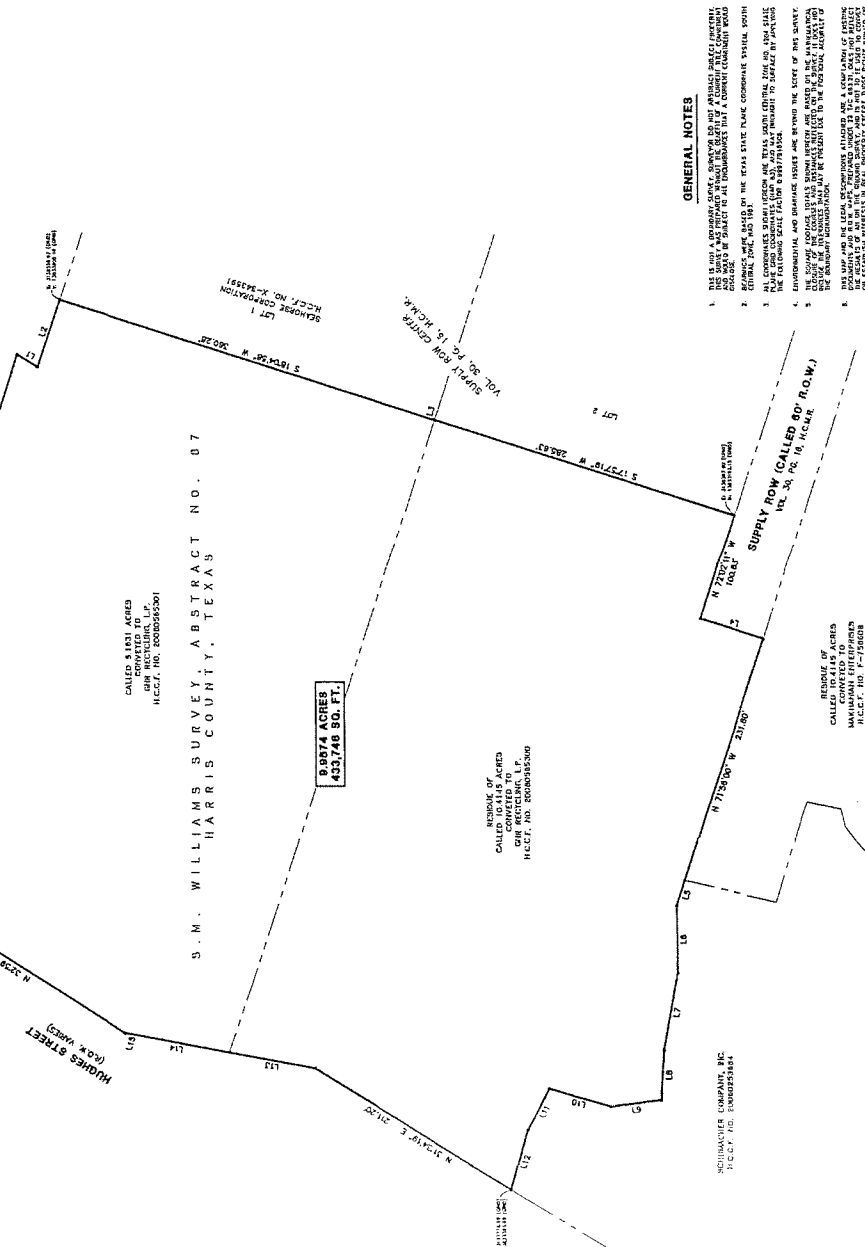
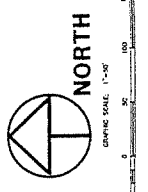
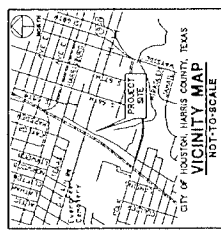


MIKE KURKOWSKI
R.P.L.S. NO. 5101
STATE OF TEXAS



DATE: 12/14/10

MSD No. 215
EXHIBIT "A"



REVISIONS

DATE	REASON

GENERAL NOTES
1. THIS IS A DOCUMENTARY SURVEY...
2. BEARING AND DISTANCE...
3. THE SURVEY...
4. ENVIRONMENTAL AND...
5. THE SURVEY...
6. THE SURVEY...
7. THE SURVEY...

LINE TABLE

LINE	BEARING	DISTANCE
1	S 71° 28' 30" E	217.80
2	S 71° 28' 30" E	84.17
3	S 11° 02' 41" E	0.07
4	N 12° 52' 31" W	24.55
5	S 85° 03' 10" W	61.79
6	N 89° 02' 30" W	44.37
7	N 10° 52' 30" W	47.32
8	N 11° 32' 41" E	57.81
9	N 62° 20' 45" W	47.37
10	N 14° 44' 10" E	58.19
11	N 12° 52' 31" E	72.27
12	N 11° 32' 41" E	53.39
13	N 11° 32' 41" E	53.39

DESCRIPTION
A TRACT OR PARTS CONTAINING...
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SURVEYOR'S CERTIFICATION
I, THE SURVEYOR...
WILLIAMSON SURVEYS, INC.
1717/10 DATE
12/27/10 FILED DATE

9.9574 ACRES / 433,748 SQ. FT.
DESIGNATED BOUNDARY FOR A MUNICIPAL SETTING DESIGNATION (MSD) SITUATED IN THE S.M. WILLIAMS SURVEY, A-B7 HARRIS COUNTY, TEXAS

PREPARED BY:	CHECKED BY:	DRAWN BY:	DATE:

Exhibit B

Municipal Setting Designation

Affidavit of Eligibility

BEFORE ME, the undersigned authority, on this day personally appeared Read Langford, as an authorized representative of GNR Recycling, LP, 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.

Read Langford
Signature

Date: 7-30-2012

Read Langford
Printed Name

Managing Member
Title

STATE OF Texas
COUNTY OF Harris

SUBSCRIBED AND SWORN before me on this the 30th day of July 2012, to which witness my hand and seal of office.

Gesa Anne Cranton
Notary Public in and for the State of Texas