

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



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

November 18, 2013

Mr. Trey Kostohryz, Director of Acquisitions  
TLC Bledsoe, LLC  
314 Main Street, Suite 250  
Fort Worth, TX 76102

RE: Municipal Setting Designation (MSD) Certificate for TLC Bledsoe, LLC  
2800-2824 Bledsoe Street, Fort Worth, TX; MSD No. 238

Dear Mr. Kostohryz:

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) 239-6989 or via e-mail ([Roslyn.Kygar@TCEQ.Texas.gov](mailto:Roslyn.Kygar@TCEQ.Texas.gov)).

Sincerely,

A handwritten signature in cursive script that reads "Roslyn Kygar".

Roslyn Kygar, Project Manager  
VCP-CA Section  
Remediation Division

RK/jdm

Enclosure: MSD Certificate No. 238

cc: Mr. Sam Barret, Waste Section Manager, TCEQ Region 4 Office, DFW

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. 238, 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 13<sup>th</sup> day of November, 2013

A handwritten signature in black ink, appearing to read "Zak Covar", written over a horizontal line.

Zak Covar  
Executive Director  
Texas Commission on Environmental Quality



# Exhibit B

## Municipal Setting Designation


### Affidavit of Eligibility

BEFORE ME, the undersigned authority, on this day personally appeared TREY KOSTOHRYZ, as an authorized representative of TLC BLEDSOE, 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: 7/10/13

TREY KOSTOHRYZ  
Printed Name

DIRECTOR OF ACQUISITIONS  
Title

STATE OF TEXAS

COUNTY OF TARRANT

SUBSCRIBED AND SWORN before me on this the 10th day of JULY 2013, to which witness my hand and seal of office.

Elke Barnard  
Notary Public in and for the State of TEXAS

