Bryan W. Shaw, Ph.D., P.E., Chairman Toby Baker, Commissioner Zak Covar, Executive Director



### TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

January 10, 2014

Ms. Courtney J. Riley, Environmental Manager Sherman Wire Company 5430 LBJ Frwy, Suite 1700 Dallas, Texas 75240

RE: Municipal Setting Designation (MSD) Certificate for Sherman Wire Company, 1305 Southland Drive, Gainesville, Texas; MSD No. 246

Dear Ms. Riley:

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) 239-6753 or via e-mail (Joseph.Bell@TCEQ.Texas.gov).

Sincerely,

Joe Bell, P.G., Project Manager

VCP-CA Section

Remediation Division

Eve Bur

JNB/jdm

Enclosure: MSD Certificate No. 246

cc: Ms. Shannon Walker, H<sub>2</sub>A Environmental, Ltd., 1862 Keller Parkway,

Keller, TX 76248

Mr. Sam Barrett, Waste Section Manager, TCEQ Region 4 Office, Fort

Worth

#### 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. 246, in the City of Gainesville, 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.

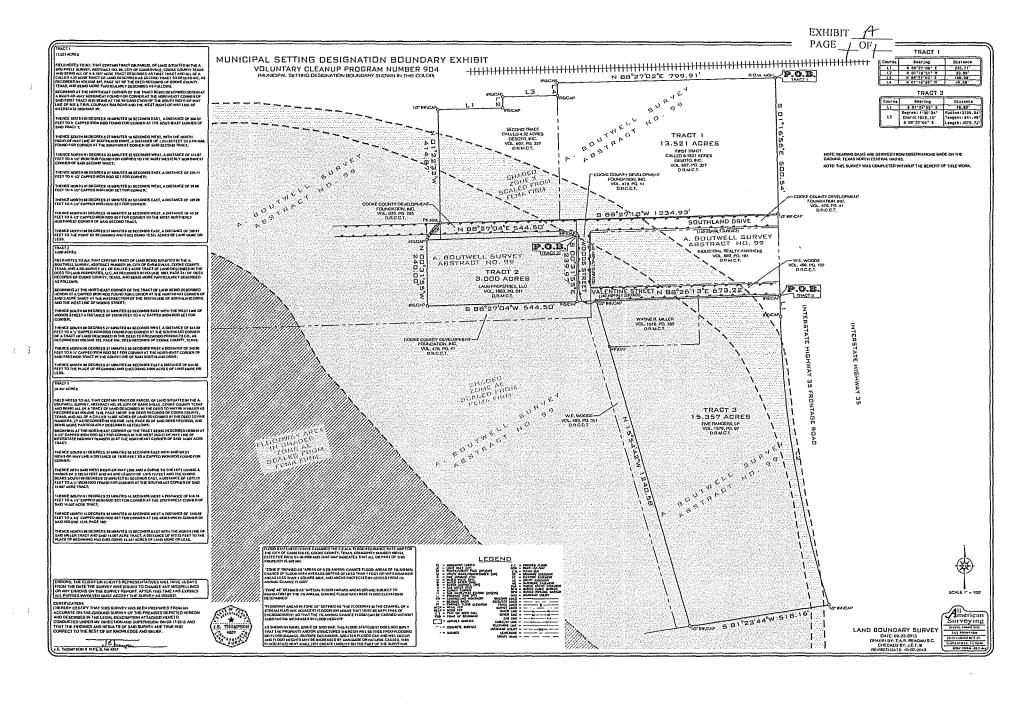
Any person addressing environmental impacts for a property located in the certified municipal setting designation shall complete any necessary investigation and response action requirements in accordance with Texas Health and Safety Code §361.808, in conjunction with the applicable Texas Commission on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

EXECUTED this the 18th day of December, 20 13

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  Bert E. Downing, Jr., President , as an authorized representative of	
	n Wire Company , known to me to be the person
	se name is subscribed below who being by me first duly sworn, upon their oath, d 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 affii	rmatively state that (place an X in all applicable blanks)
$\boxtimes$	The MSD eligibility criteria of THSC Section 361.803 are satisfied.
$\boxtimes$	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.
$\boxtimes$	A true and accurate copy of a legal description of the proposed MSD property is included with the application.
$\boxtimes$	Notice has been provided in accordance with THSC 361.805.
$\boxtimes$	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.
Signa	Date: 181/13
Bert E. Downing, Jr.	
Printed Name	
President	
Title	<u> </u>
STATE OF CX AS	
	NTY OF DAMAS
<u>O</u>	SUBSCRIBED AND SWORN before me on this the day of 2013, to which witness my hand and seal of office.
	GRETA WALLACE NY COMMISSION EXPIRES February 22, 2014  ON A WAY A WALLACE Notary Public in and for the State of TEXAS
TCEQ	20149 August 2011