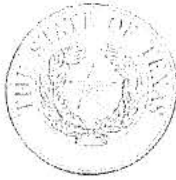


Bryan W. Shaw, Ph.D., *Chairman*
Buddy Garcia, *Commissioner*
Carlos Rubinstein, *Commissioner*
Mark R. Vickery, P.G., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

May 13, 2011

Mr. Joseph French, Senior Counsel
Ashland, Inc.
5200 Blazer Parkway
Dublin, Ohio 43017

RE: Municipal Setting Designation Certification (MSD) for Ashland, Inc.,
2503, 2525, 2531, and 2537 Butler Street, Dallas, TX; MSD No. 159

Dear Mr. French:

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) 239-2960 or via e-mail (richard.goldsmith@TCEQ.Texas.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "R. Stuart Goldsmith".

R. Stuart Goldsmith, Program Coordinator
VCP-CA Section
Remediation Division

RSG/jdm

Enclosure: MSD Certificate No. 159

cc: Ms. Kititke Cook, IHWCA No. T1802 Project Manager, Remediation
Division, MC-127

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



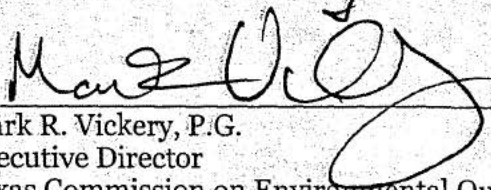
MUNICIPAL SETTING DESIGNATION CERTIFICATE

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

I, Mark R. Vickery, Executive Director of the Texas Commission on Environmental Quality certify the Municipal Setting Designation for MSD No. 159, in the City of Dallas, 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.

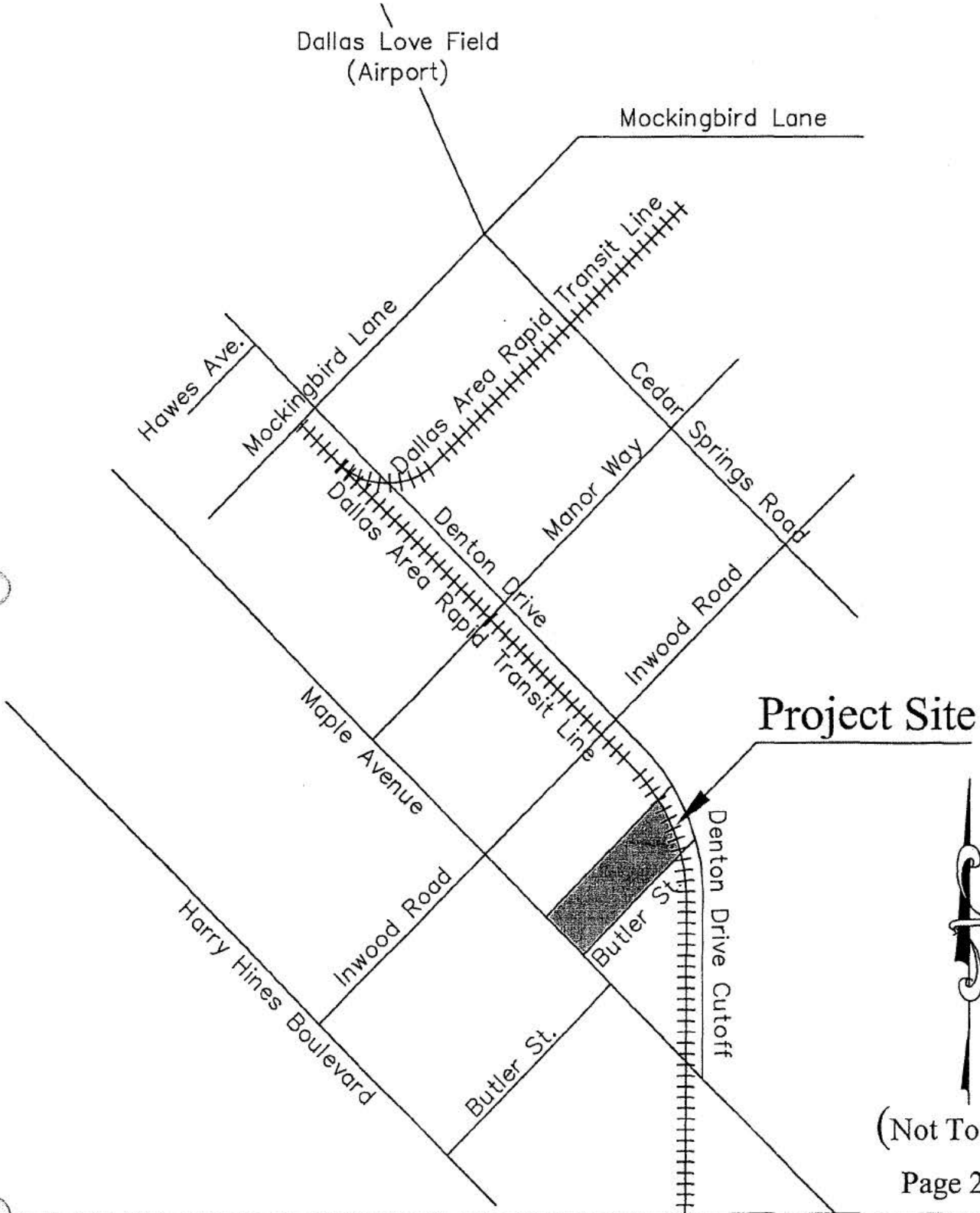
EXECUTED this the 9th day of May, 20 11



Mark R. Vickery, P.G.
Executive Director
Texas Commission on Environmental Quality

Site Location (Vicinity) Map

Butler Street



(Not To Scale)

Page 2 of 3

PROJECT:	URS-CORP.
JOB NUMBER:	27061-01
DATE:	07-02-2008
SURVEYOR:	M. NOWELL
PARTY CHIEF:	J.L.
FIELDBOOK:	360/1-31
FIELDNOTE:	H.W.S.
TECHNICIAN:	H.W.S.
DRAWING:	27061-01.DWG
SCALE:	N.T.S.



1450 Empire Central Drive
 Suite 175
 Dallas Texas, 75247
 (214) 381-7888
 Fax: (214) 831-7103
 EMAIL: SAM@SAMINCAUS.COM

Proposed M.S.D. Boundary
 Butler Avenue
 Crawford Grigsby Survey A-532
 City Block No. 5707
 City Of Dallas
 Dallas County, Texas

Field Notes Description - M.S.D. Parcel

Butler Street

City of Dallas, Dallas County, Texas

Being a tract of land situated in the Crawford Grigsby Survey, Abstract No. 532, City of Dallas, Dallas County, Texas and being all of the Maple - Denton Industrial Subdivision as recorded in volume 13, page 179 of the Map Records of Dallas County, Texas (M.R.D.C.T.), said Subdivision being a portion of City Block 5707 and consisting of three parcels with said Subdivision; said tract also consisting of all of Butler Street - a 50' Right-Of-Way (R.O.W.) - between Maple Avenue - a 75' R.O.W. - and a Dallas Area Rapid Transit (DART) 40' R.O.W., as described in a deed recorded in Volume 90177, Page 4219, Deed Records of Dallas County, Texas (D.R.D.C.T.), and that portion of Maple Avenue adjoining said Maple - Denton Industrial Subdivision and said Butler Street, and being more particularly described by metes and bounds as follows:

BEGINNING at the intersection of the Southeast R.O.W. line of said Butler Street with the West line of said DART R.O.W.;

THENCE with said Southeast R.O.W. line South 43 degrees 47 minutes 25 seconds West, passing at 471.40 feet the Northeast R.O.W. line of said Maple Avenue, in all, a distance of 542.11 feet to a point for corner on the Southwest R.O.W. line of Maple Avenue, from which a 3/8" iron rod (controlling monument) bears South 46 degrees 17 minutes 02 seconds East, a distance of 231.06 feet, same being the East corner of a tract described in C.C. # 20070238290 of said Deed Records;

THENCE with said Southwest R.O.W. line of Maple Avenue North 46 degrees 17 minutes 02 seconds West, passing at a distance of 188.94 feet a 1/2" iron rod & cap stamped "WAI" (controlling monument) for the North corner of said tract, in all, a distance of 200.74 feet to a point for corner being the intersection of said Southwest R.O.W. line with the southwest projection of the Northwest line of said Maple - Denton Industrial Subdivision, same being also the Southeast line of Maple Inwood Phase Two as recorded in volume 99039, page 14 of said Deed Records;

THENCE with said southwest projection and with the Northwest line of said Maple - Denton Industrial Subdivision North 43 degrees 47 minutes 25 seconds East, passing at 71.43 feet a P.K. nail found (controlling monument) in the Northeast line of said Maple Avenue, passing at 423.55 a 1/2" iron rod found (controlling monument) at the East corner of Lot 9 of said Maple Inwood Phase Two, in all, a distance of 738.51 feet to a point for corner on the West line of said DART R.O.W. being in a non-tangent curve to the right having a radius of 1849.30 feet, a central angle of 08 degrees 42 minutes 14 seconds and a chord bearing and distance of South 01 degrees 52 minutes 22 seconds East, 280.66 feet;

THENCE southerly along said curve and said West DART R.O.W. line, passing at an arc distance of 206.86 the Northwest R.O.W. line of said Butler Street, an arc distance of 280.93 feet to the POINT OF BEGINNING; and embracing a total of 129,534 square feet or 2.974 acres, of which 24,952 square feet or 0.573 acres lay within said Butler Street, 14,267 square feet or 0.328 acres lay within said portion of Maple Avenue and 90,315 square feet or 2.073 acres lay within said Maple - Denton Industrial Subdivision.

By:

Surveying And Mapping, Inc.
Empire Central, Suite 175
Dallas, Texas 75247

Mickey D. Nowell
Mickey D. Nowell
Registered Professional Land Surveyor
Texas Registration No. 4167



06-09-10

Dated

REVISED: 06-09-10 CORRECTED BEARING
IN 4TH PARAGRAPH OF FIELD NOTES

Page 3 of 3

PROJECT:	URS-CORP.
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DATE:	07-02-2008
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PARTY CHIEF:	JL
FIELDBOOK:	360/1-31
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Proposed M.S.D. Boundary
Butler Avenue
Crawford Grigsby Survey A-532
City Block No. 5707
City Of Dallas
Dallas County, Texas

c) each retail public utility, as defined by Texas Water Code, §13.002, that owns or operates a groundwater supply well located within five miles beyond the proposed MSD boundaries?	<input type="radio"/> Yes	<input type="radio"/> No ³	<input checked="" type="radio"/> NA ⁴
³ Do not submit application.			
⁴ NA only when no such municipality, private well owner, or retail public utility exists			

MSD Information:

List all existing TCEQ and US Environmental Protection Agency registration, permit, identification numbers (e.g., SWR No., VCP No., LPST ID No., UIC Registration No., PWS ID. No.), if any, that apply to the groundwater contamination situation within the proposed MSD boundary. State "none" if none applicable.
CN600390801; RN104011762; EPA No. TXR000058164; Air Registration No. 70363; Corrective Action Program No. T1802

Is the proposed designated groundwater contaminated in excess of an applicable potable water ⁵ use standard (i.e., 30 TAC 350, ^{GW} GW _{ing})?	<input checked="" type="radio"/> Yes	<input type="radio"/> No ⁶
Was the groundwater contamination previously reported to the TCEQ? (To support implementation of HB 3030, 78 th Legislature.)	<input checked="" type="radio"/> Yes, when? July 2002¹	<input type="radio"/> No
Is there a potable-use well within the boundary of the proposed MSD that uses the designated groundwater as source water?	<input type="radio"/> Yes ⁶	<input checked="" type="radio"/> No
Is there a potable-use well within the boundary of the proposed MSD that uses a deeper groundwater zone for the source water that is not properly sealed off from the designated groundwater?	<input type="radio"/> Yes ⁶	<input checked="" type="radio"/> No
Is the applicant aware of any non-consumptive use of the groundwater or other human health or ecological exposure pathways that are of concern? If yes, specify:	<input type="radio"/> Yes	<input checked="" type="radio"/> No
Has each municipality and retail public utility identified in §361.8065 provided firm commitment to adopt an ordinance or resolution in support of the application?	<input checked="" type="radio"/> Yes	<input type="radio"/> No ⁶
Is a copy of the ordinance or restrictive covenant that restricts consumptive use and appropriately restricts other uses of and contact with the designated groundwater, and any required resolutions provided with this application?	<input checked="" type="radio"/> Yes	<input type="radio"/> No

⁵ "Potable water" means water that is used for irrigating crops intended for human consumption, drinking, showering, bathing, or cooking purposes [THSC §361.801(2)].

⁶ Do not submit an application.

- I affirmatively state that (place an X in all applicable blanks):
- The MSD eligibility criteria of THSC §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 was 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.

Applicant Signature: Joseph A. French By: **Joseph A. French, Senior Counsel** Date: January 6, 2011

Before me Joseph A French the undersigned authority, on this day personally appeared **Joseph A. French**, Name of Notary **Senior Counsel for Ashland Inc.** and signed this Municipal Setting Designation Application. Name of Applicant

Sworn, subscribed and signed before me in the County of Franklin, State of Ohio, on the 6th day of January 2011

TCEQ-20149 June 2007



Joyce C. Deringer,
Notary Public, State of Ohio

Joyce C Deringer

¹The 2531 and 2537 Butler Street project is a priority project under the State's Priority Communities Program. Commission Expires 10-24-2015

10-24-15