

Jon Niermann, *Chairman*
Emily Lindley, *Commissioner*
Toby Baker, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

November 5, 2018

Dr. Larry Unruh
Technical Director
P.O. Box 584
Galena Park, Texas 77547

Re: Municipal Setting Designation (MSD) Certificate for American Plant Food Corporation Facility, 600 N. Georgia Street, Troup (Smith County), Texas
MSD No. 392, CN600411698, RN 101962488

Dear Mr. Unruh:

The Texas Commission on Environmental Quality (TCEQ) received the above-referenced Municipal Setting Designation (MSD) application on August 15, 2018 and additional information supporting this MSD application on October 24, 2018. 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) 239-2991 or via e-mail (jerry.wick@tceq.texas.gov).

Sincerely,

A handwritten signature in black ink that reads "Gerald F. Wick for" with a flourish at the end.

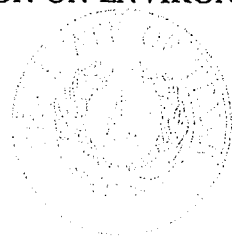
Gerald F. Wick, P.G., Project Manager
Team 1, VCP-CA Section
Remediation Division

GFW/mdh

cc: Ms. Michelle Baetz, Waste Section Manager, Tyler Regional Office, R-5

Enclosure: MSD Certificate

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, Beth Seaton, Director, Remediation Division, TCEQ, certify the Municipal Setting Designation (MSD) for MSD No. 392, in the City of Troup, 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 5th day of November, 2018

Beth Seaton

Beth Seaton, Director
Remediation Division
Texas Commission on Environmental Quality

CAIN

SURVEYING COMPANY

315 HWY 110 SOUTH WHITEHOUSE TEXAS 75791 LICENSE NO: 10129100 PHONE 903-839-1104 FAX 903-839-1184

7.217 ACRES
EASON GEE SURVEY, ABSTRACT 10
SMITH COUNTY, TEXAS
HYDREX ENVIRONMENTAL
J2898

JULY 18, 2018

BEING 7.217 acres situated in the Eason Gee Survey, Abstract 10, being more particularly described by Metes and Bounds as follows:

BEGINNING at a ½" Iron Rod set for the Northeast corner of this said 7.217 acre tract, being in the South and West Right-of-Way of the Union Pacific Railway;

THENCE South 34°15'04" West with the West Right-of-Way of said Union Pacific Railway, East line of said 7.217 acres, a distance of 1104.31 feet to a ½" Iron Rod set for the Southeast corner of same;

THENCE North 55°44'56" West with the South line of said 7.217 acres, a distance of 90.00 feet to a ½" Iron Rod set for the Southwest corner of same, East Right-of-Way of said Union Pacific Railway;

THENCE with a curve having a radius of 1543.83 feet, an arc length of 891.66 feet, through a delta angle of 33°05'30", with a chord bearing and distance of North 04°33'25" West – 879.31 feet;

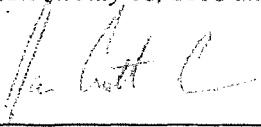
THENCE North 36°36'31" East to the North line of said 7.217 acres, a distance of 60.07 feet to a ½" Iron Rod set for the Northwest corner of same, South Right-of-Way of said Union Pacific Railway;

THENCE with a curve having a radius of 699.32 feet, an arc length of 768.03 feet, through a delta angle of 62°55'30", with a chord bearing and distance of South 85°13'59" East – 730.01 feet, to the **Place of Beginning** and containing **7.217 acres of land**. Being the same property located at 600 N. Georgia Street, Troup, Texas.

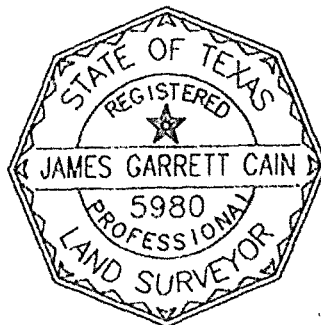
NOTE: Bearings are based on the Texas State Plane Coordinate System, Texas North Central Zone (4202), NAD 83.

NOTE: This tract was set up using information provided to Cain Surveying Company by Hydrex Environmental.

I, James Garrett Cain, do hereby state that this Legal Description represents an on the ground survey made under my supervision on July 18, 2018 and is being submitted along with a Plat of said tract herein described.

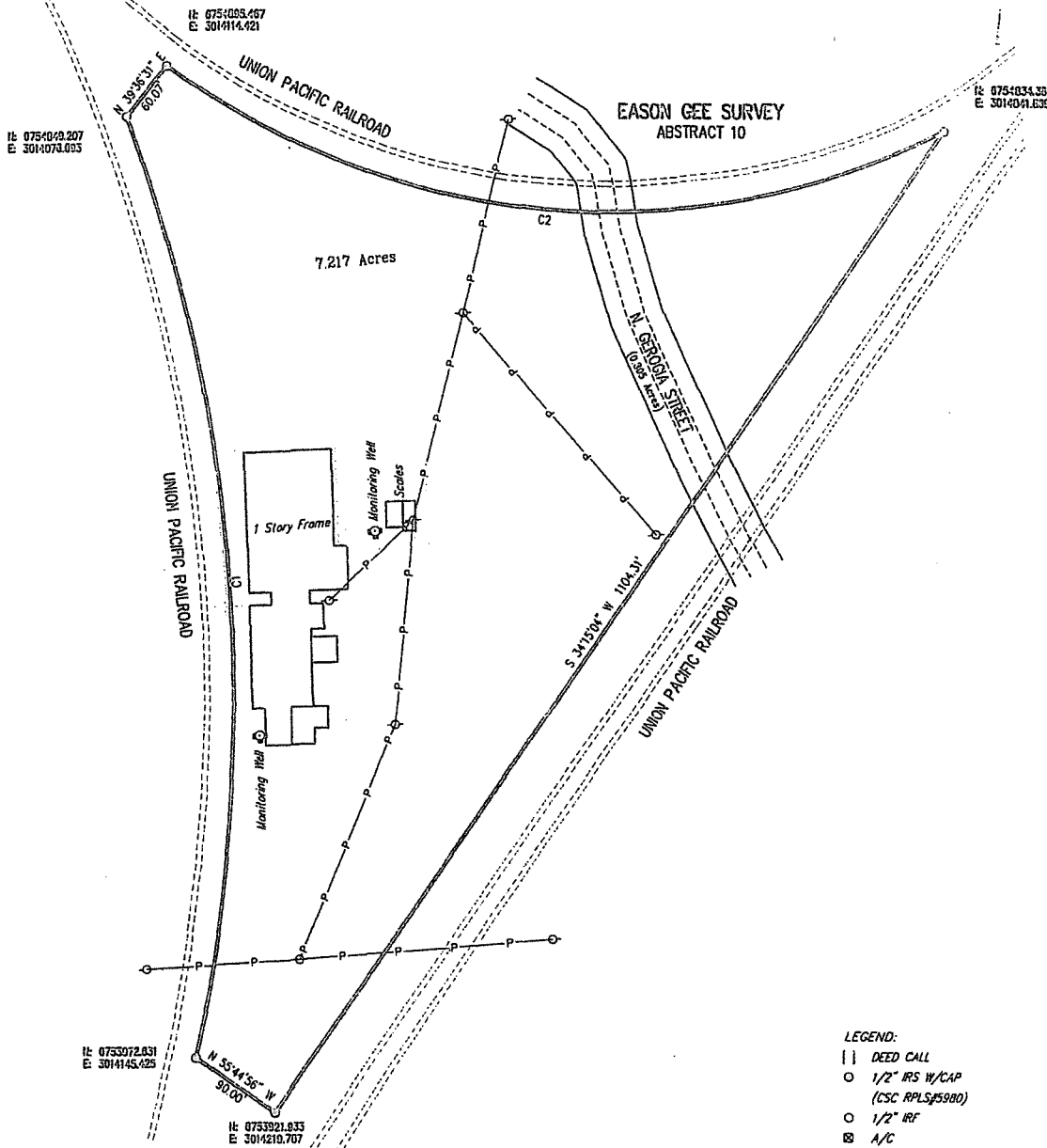


James Garrett Cain
Registered Professional Land Surveyor
State of Texas No. 5980



CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	1543.83'	891.66'	879.31'	N 04°33'25" W	33°05'30"
C2	699.32'	768.03'	730.01'	S 85°13'59" E	62°55'30"

7.217 ACRES
SMITH COUNTY, TEXAS



It: 0754043.207
E: 3014074.053

It: 0754003.467
E: 3014114.921

It: 0754034.301
E: 3014041.630

It: 0753072.631
E: 3014145.425

It: 0753321.833
E: 3014210.707

NOTE: This tract was set up using information provided to Cain Surveying Company by Hydrex Environmental.

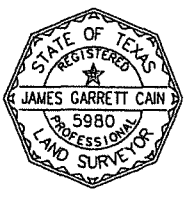
Note: Bearings are based on the Texas State Plane Coordinate System, Texas North Central Zone (4202), NAD 83.

This survey was prepared without the benefit of a Title Commitment and is subject to any easements of record not indicated or shown hereon.

I, James Garrett Cain, do hereby certify that this Plat accurately represents an on the ground survey made under my direct supervision on August 16, 2017 and is being submitted along with a Legal Description of the tract(s) shown hereon.

James Garrett Cain

James Garrett Cain
Registered Professional Land Surveyor
State of Texas No. 5980



- LEGEND:
- || DEED CALL
 - 1/2" IRS W/CAP (CSC RPLS5980)
 - 1/2" IRF
 - ⊗ A/C
 - ⊕ POWER POLE
 - ⊥ GUY ANCHOR
 - ⊥ LIGHT POLE
 - ⊗ WATER METER
 - ⊥ WATER VALVE
 - ⊗ TELEPHONE PEDESTAL
 - ⊗ CABLE BOX
 - ⊗ ELECTRIC BOX
 - ⊗ ELECTRIC METER
 - ⊗ GAS METER
 - ⊗ METER POLE
 - ⊗ MONITORING WELL
 - ⊗ CLEAN OUT
 - ⊗ SEPTIC TANK
 - ⊗ SANITARY SEWER MANHOLE
 - ⊗ TBM
- UNLESS OTHERWISE NOTED.

DRAWN BY:	J.D.B.	REVISIONS:
DATE:	08/16/2017	08/18/2017
DRG. NO.:	J2898	07/19/2018
FB/PG:	LL	

A SURVEY FOR
HYDREX ENVIRONMENTAL
600 N. GEORGIA STREET
TROUP, SMITH COUNTY, TEXAS

FIRM NO. 10129100
CAIN
SURVEYING COMPANY
315 HWY. 110 SOUTH-WHITEHOUSE, TEXAS 75791
PHONE: 903-839-1104 FAX: 903-839-1184

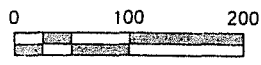


Exhibit B

Municipal Setting Designation

Affidavit of Eligibility

BEFORE ME, the undersigned authority, on this day personally appeared
Dr. Larry Unruh, as an authorized representative of
American Plant Food Corporation, 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)

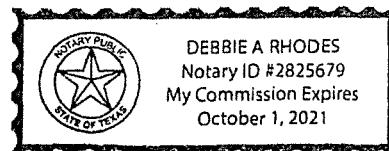
- The MSD eligibility criteria of THSC Section 361.803 are satisfied.
- True and accurate copies of all documents demonstrating that the MSD eligibility
criteria provided by THSC 361.803 have been satisfied and are included with the
application.
- A true and accurate copy of a legal description of the 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.

Larry Unruh
Signature

Date: August 13, 2018

Dr. Larry Unruh
Printed Name

Technical Director, American Plant Food Corporation
Title



STATE OF Texas
COUNTY OF Harris

SUBSCRIBED AND SWORN before me on this the 13 day of
August 2018, to which witness my hand and seal of office.

Debbie A. Rhodes
Notary Public in and for the State of Texas