

Bryan W. Shaw, Ph.D., P.E., *Chairman*
Toby Baker, *Commissioner*
Jon Niermann, *Commissioner*
Richard A. Hyde, P.E., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

April 6, 2016

Mr. Gary J. Shelby
Legacy Site Services LLC
486 Thomas Jones Way, Suite 110
Exton, Pennsylvania 19341-2528

Re: Municipal Setting Designation (MSD) Certificate for Turkish Products, Inc., 1606 Henderson Street, Houston, Harris County, Texas; MSD No. 304; Customer No. CN600124044; Regulated Entity No. RN102644523

Dear Mr. Shelby:

The Texas Commission on Environmental Quality (TCEQ) received the above-referenced Municipal Setting Designation (MSD) application on October 29, 2015 and additional information supporting this MSD application on December 18, 2015 and February 4, 2016. 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) 239-2960 or via e-mail (Richard.Peltier@tceq.texas.gov).

Sincerely,

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

Richard Peltier, P.G., Project Manager
VCP-CA Section
Remediation Division

RP/jdm

cc: Ms. Elizabeth B. Woodard, Riviana Foods, Inc., 2777 Allen Parkway, Houston, TX 77019
Ms. Susan T. Litherland, P.E., SQ Environmental, LLC, P.O. Box 1991, Austin, TX 78767
Mr. Jason Ybarra, Waste Section Manager, TCEQ Region 12 Office, Houston

Enclosure: MSD Certificate

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



MUNICIPAL SETTINGS 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. 304, 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 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 6th day of April, 2016

Beth Seaton

Beth Seaton, Director
Remediation Division
Texas Commission on Environmental Quality

METES AND BOUNDS
17.9467 ACRES

Being a tract of land containing 17.9467 (781,760 square feet) of land, more or less, and being all of Lots 1 - 12 in Block 337 of the Shearn Addition, an unrecorded subdivision, and Lots 1 - 12 and tracts 13 and 14 in Block 338, Lots 1 - 12 and tract 13 in Block 345 of the Shearn Addition, Tract 5 in the John Austin Survey, Abstract 5, and Reserve "A" in Block 1 of Riviana Foods Section 1 as recorded in File Number W355376 of the Harris County Map Records, and Lots 1 - 12 in Block 322 of the Shearn Addition, and Lots 1 - 12 in Block 344, Lots 1 - 13 in Block 339 of the Shearn Addition, and Tracts 7A and 8 in the John Austin Survey, Abstract 1, a 95' x 35' tract recorded under Volume 3062, Page 213 of the Harris County Deed Records, and a called 23,844 square foot tract recorded under Volume 2993, Page 134 of the Harris County Deed Records, said 17.9467 acres also including the right-of-way of Crockett Street (70 feet wide) from the west right-of-way of Taylor Street to the east right-of-way of Hemphill Street, the right-of-way of Summer Street (70 feet wide) from the west right-of-way of Sawyer Street to the east right of White Street, the right-of-way of Winter Street (70 feet wide) from the west right-of-way of Sawyer Street to the east right-of-way of White Street, the right-of-way of Sawyer Street (50 feet wide) from the north right-of-way of Summer Street to the intersection of the west right-of-way of Sawyer Street and the projection of the south line of Block 344 of the Shearn Addition, the right-of-way of Taylor Street (50 feet wide) from the north right-of-way of Crockett Street to the south right-of-way of Summer Street, the right-of-way of Hemphill Street from the north right-of-way of Crockett Street to the south right-of-way of Summer Street and also from the north right-of-way of Winter Street to the projection of the south lines of Blocks 339 and 328 of the Shearn Addition, the right-of-way of Henderson Street (60 feet wide) from the north right-of-way of Summer Street to the south right-of-way of Winter Street, and the right-of-way of White Street from the north right-of-way of Summer Street to the south right-of-way of Winter Street, said 17.9467 acre tract being described more particularly by metes and bounds as follows;

BEGINNING at a point marking the intersection of the north right-of-way of Crockett Street and the west right-of-way of Taylor Street;

THENCE N 87 degrees 46 minutes 39 seconds E a distance of 400.00 feet along the north right-of-way of Crockett Street to a point marking the intersection of the north right-of-way of Crockett Street and the east right-of-way of Hemphill Street;

THENCE S 2 degrees 13 minutes 21 seconds E a distance of 270.00 feet along the east right-of-way of Hemphill Street to a point marking the intersection of the east right-of-way of Hemphill Street and the north right-of-way of Summer Street;

THENCE N 87 degrees 46 minutes 39 seconds E a distance of 700.00 feet along the north right-of-way of Summer Street to a point marking the intersection of the north right-of-way of Summer Street and the east right-of-way of White Street;

THENCE S 2 degrees 13 minutes 21 seconds E a distance of 340.00 feet along the east right-of-way of White Street to a point marking the intersection of the east right-of-way of White Street and the south right-of-way of Winter Street;

THENCE S 87 degrees 46 minutes 39 seconds W a distance of 700.00 feet along the south right-of-way of Winter Street to a point marking the intersection of the south right-of-way of Winter Street and the east right-of-way of Hemphill Street;

THENCE S 2 degrees 13 minutes 21 seconds E a distance of 188.51 feet along the east right-of-way of Hemphill Street to a point;

THENCE S 87 degrees 46 minutes 39 seconds W a distance of 777.80 feet along the south line of said called 23,844 square foot tract and the south line of the said 95' x 35' tract to a point on the east right-of-way of Sawyer Street;

THENCE N 2 degrees 13 minutes 21 seconds W a distance of 35.00 feet along the east right-of-way of Sawyer Street to a point;

THENCE S 87 degrees 46 minutes 39 seconds E a distance of 50.00 feet to a point on the west right-of-way of Sawyer Street;

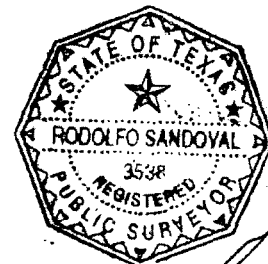
THENCE N 2 degrees 13 minutes 21 seconds W a distance of 493.51 feet along the west right-of-way of Sawyer Street to a point marking the intersection of the west right-of-way of Sawyer Street and the north right-of-way of Summer Street;

THENCE N 87 degrees 46 minutes 39 seconds E a distance of 427.80 feet along the north right-of-way of Summer Street to a point marking the intersection of the north right-of-way of Summer Street and the west right-of-way of Taylor Street;

THENCE N 2 degrees 13 minutes 21 seconds W a distance of 270.00 feet along the west right-of-way of Taylor Street to the POINT OF BEGINNING of the herein described tract containing 17.9467 (781,760 square feet) of land, more or less.

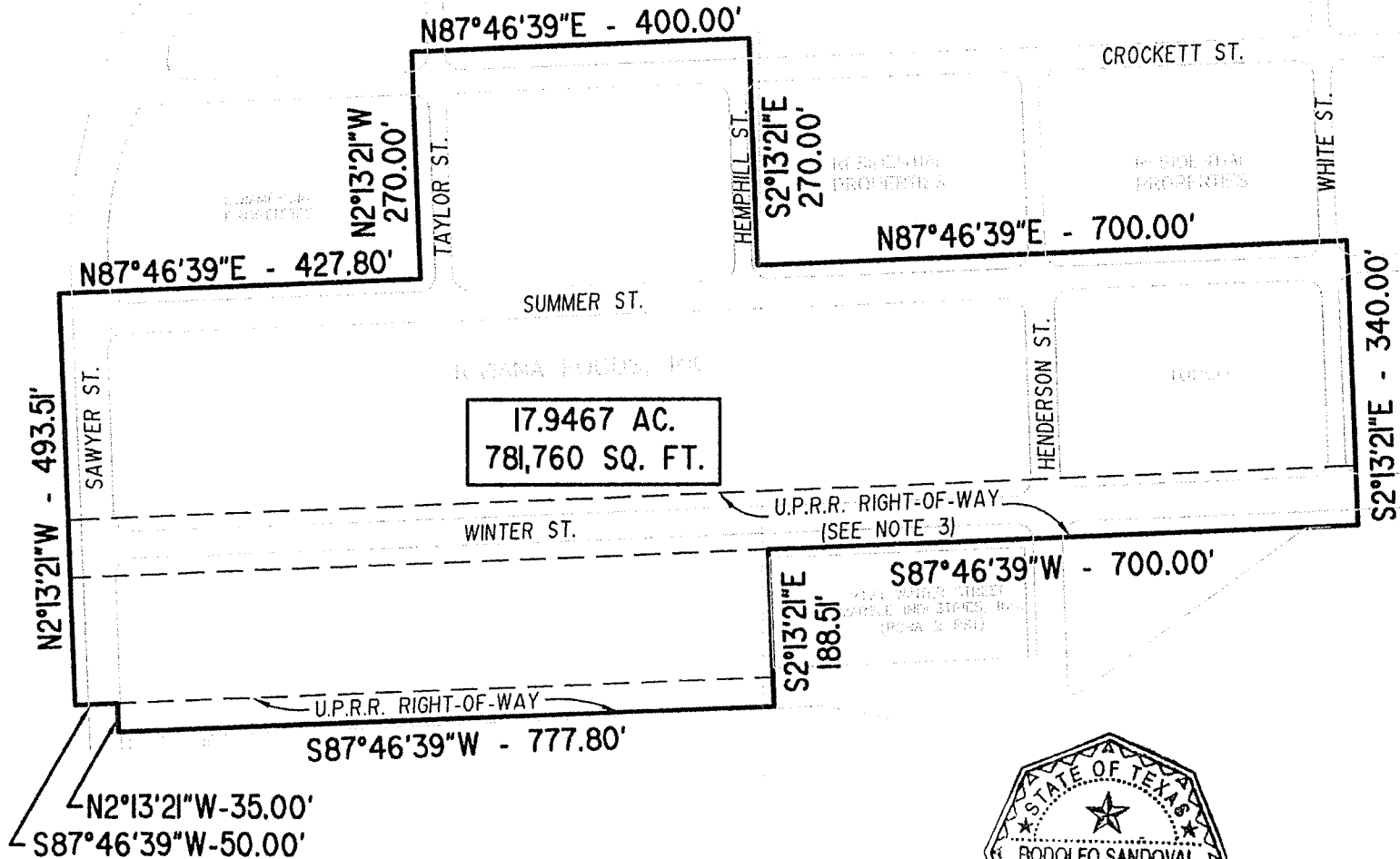
NOTES:

1. This metes and bounds description was prepared in conjunction with a drawing exhibit.
2. Bearings shown on this written description are referenced to the Texas State Grid Coordinate System.



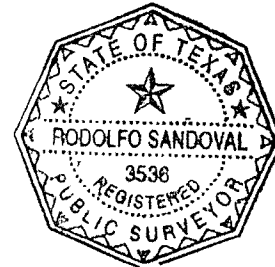
Rodolfo Sandoval

EXHIBIT



NOTES:

1. This exhibit was prepared in conjunction with a written metes and bounds description.
2. Bearings shown on this exhibit are referenced to the Texas State Grid Coordinate System.
3. Winter Street appears to be a 70' wide public right-of-way, however, there are railroad tracks through the street that indicate Winter Street being used as a railroad right-of-way.



Rodolfo Sandoval

Exhibit B

Municipal Setting Designation

Affidavit of Eligibility

BEFORE ME, the undersigned authority, on this day personally appeared ELIZABETH B. WOODARD, as an authorized representative of Riviana Foods, Inc., 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.

Riviana Foods, Inc.

Elizabeth B. Woodard
Signature

Date: October 12, 2015

Elizabeth B. Woodard

Printed Name

Vice President & General Counsel

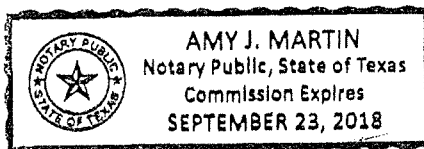
Title

STATE OF Texas

COUNTY OF Harris

SUBSCRIBED AND SWORN before me on this the 12th day of October 2015, to which witness my hand and seal of office.

Amy J. Martin
Notary Public in and for the State of Texas



Municipal Setting Designation

Affidavit of Eligibility (Item 6 of Supporting Information Checklist)

BEFORE ME, the undersigned authority, on this day personally appeared Elizabeth B. Woodard, as an authorized representative of **Riviana Foods, Inc.**, 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 the (place an X in all applicable blanks)

- No resolution opposing the MSD has been adopted by any municipality or retail public utility that is required to be notified pursuant to THSC 361.805 within 120 days of receiving their notice.
- The MSD property is currently or has previously been under the oversight of the U.S. EPA or the TCEQ.
- The MSD property is subject to an ordinance or restrictive covenant restricting the designated groundwater use beneath the property as potable water and other restricted uses as appropriate.

Riviana Foods, Inc.

By: Elizabeth B. Woodard

Name: Elizabeth B. Woodard

Title: Vice President & General Counsel

Date: October 26, 2015

STATE OF Texas
COUNTY OF Harris

SUBSCRIBED AND SWORN before me on this the 26th day of October 2015, to which witness my hand and seal of office.

Amy J. Martin
Notary Public in and for the State of Texas

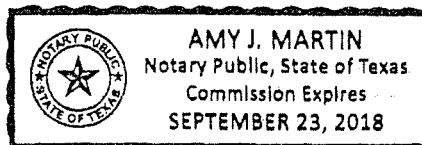


Exhibit B

Municipal Setting Designation

Affidavit of Eligibility

BEFORE ME, the undersigned authority, on this day personally appeared **Gary J. Shelby**, as an authorized representative of Legacy Site Services, LLC as agent for **Turkish Products, Inc.** 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.

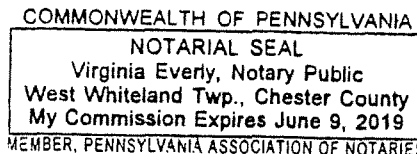
I affirmatively state that (place an X in all applicable blanks)

- 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.

Gary J. Shelby
Signature

Date: 9/18/15

Gary J. Shelby
Printed Name
Assistant Vice President
Title



STATE OF PENNSYLVANIA
COUNTY OF CHESTER

SUBSCRIBED AND SWORN before me on this the 18 day of SEPTEMBER 2015, to which witness my hand and seal of office.

Virginia Every
Notary Public in and for the State of Pennsylvania

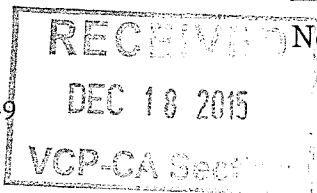


Exhibit B

Municipal Setting Designation

Affidavit of Eligibility (Item 6 of Supporting Information Checklist)

BEFORE ME, the undersigned authority, on this day personally appeared **Gary J. Shelby**, as an authorized representative of **Legacy Site Services, LLC as Agent For Turkish Products, Inc.**, 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)

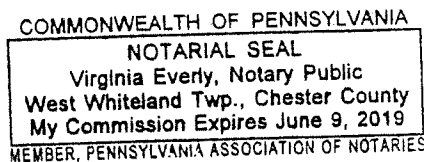
- No resolution opposing the MSD has been adopted by any municipality or retail public utility that is required to be notified pursuant to THSC 361.805 within 120 days of receiving their notice.
- The MSD property is currently or has previously been under the oversight of the U.S. EP or the TCEQ.
- The MSD property is subject to an ordinance or restrictive covenant restricting the designated groundwater use beneath the property as potable water and other restricted uses as appropriate.

Turkish Products, Inc.

Gary J. Shelby
Signature

Date: 10/23/15

Gary J. Shelby
Printed Name
Assistant Vice President
Title



STATE OF PA

COUNTY OF CHESTER

SUBSCRIBED AND SWORN before me on this the 23 day of OCTOBER 2015, to which witness my hand and seal of office.

Virginia Everly
Notary Public in and for the State of PA