

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

August 15, 2017

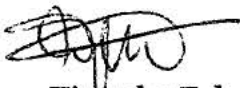
Ms. Stephanie Heldt-Sheller
Northwest Pipe Company
12005 North Burgard Way
Portland, Oregon 97203

Re: Municipal Setting Designation (MSD) Certificate for Northwest Pipe Houston, 6307 Toledo Street, Houston, Harris County, Texas; MSD No. 355; Voluntary Cleanup Program (VCP) No. 2665; Customer No. CN600278303; Regulated Entity No. RN100567668

Dear Ms. Heldt-Sheller:

The Texas Commission on Environmental Quality (TCEQ) received the above referenced Municipal Setting Designation (MSD) application on March 6, 2017 and additional information supporting this MSD application on July 24, 2017. 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) 239-3044 or via e-mail at timothy.eckert@tceq.texas.gov.

Sincerely,



Timothy Eckert, P.G., Project Manager
VCP-CA Section
Remediation Division

TJE/jdm

cc: Mr. Jason Ybarra, Waste Section Manager, TCEQ Houston Region Office, R-12
Mr. Travis McGuire, GSI Environmental (via e-mail)
Mr. Bill Smith, Northwest Pipe Co. (via e-mail)
Ms. Claudia Powers, Ater Wynne, LLP (via e-mail)

Enclosure: MSD Certificate

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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

August 16, 2017

Ms. Roxanne Benitez, City Secretary
City of Spring Valley Village
1025 Campbell Road
Houston, Texas 77055

Re: Municipal Setting Designation (MSD) Certificate for Northwest Pipe Houston, 6307 Toledo Street, Houston, Harris County, Texas; MSD No. 355; Voluntary Cleanup Program (VCP) No. 2665; Customer No. CN600278303; Regulated Entity No. RN100567668

Dear Ms. Benitez:

As required by Texas Health & Safety Code §361.807(a)(2), enclosed is a copy of the MSD certificate dated August 10, 2017. The City of Houston passed an ordinance (Ordinance No. 2017-47) in support of this MSD application. For this reason, the Texas Commission on Environmental Quality is required to provide you a copy of the MSD Certificate.

If you have any questions, please contact me at (512) 239-3044 or via e-mail (timothy.eckert@tceq.texas.gov).

Sincerely,

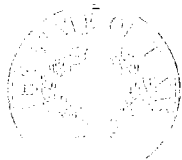
A handwritten signature in black ink, appearing to read "Timothy Eckert".

Timothy Eckert, Project Manager
VCP-CA Section
Remediation Division

TJE/jdm

Enclosure: Copy of MSD Certificate No. 355

Bryan W. Shaw, Ph.D., P.E., *Chairman*
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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

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August 16, 2017

Ms. Olga Garza, City Secretary
City of Southside Place
6309 Edloe Street
Houston, Texas 77005

Re: Municipal Setting Designation (MSD) Certificate for Northwest Pipe Houston, 6307 Toledo Street, Houston, Harris County, Texas; MSD No. 355; Voluntary Cleanup Program (VCP) No. 2665; Customer No. CN600278303; Regulated Entity No. RN100567668

Dear Ms. Garza:

As required by Texas Health & Safety Code §361.807(a)(2), enclosed is a copy of the MSD certificate dated August 10, 2017. The City of Houston passed an ordinance (Ordinance No. 2017-47) in support of this MSD application. For this reason, the Texas Commission on Environmental Quality is required to provide you a copy of the MSD Certificate.

If you have any questions, please contact me at (512) 239-3044 or via e-mail (timothy.eckert@tceq.texas.gov).

Sincerely,

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Timothy Eckert, Project Manager
VCP-CA Section
Remediation Division

TJE/jdm

Enclosure: Copy of MSD Certificate No. 355

Bryan W. Shaw, Ph.D., P.E., *Chairman*
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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

August 16, 2017

Ms. Thelma A. Gilliam, City Secretary
City of West University Place
3800 University Boulevard
Houston, Texas 77005

Re: Municipal Setting Designation (MSD) Certificate for Northwest Pipe Houston, 6307 Toledo Street, Houston, Harris County, Texas; MSD No. 355; Voluntary Cleanup Program (VCP) No. 2665; Customer No. CN600278303; Regulated Entity No. RN100567668

Dear Ms. Gilliam:

As required by Texas Health & Safety Code §361.807(a)(2), enclosed is a copy of the MSD certificate dated August 10, 2017. The City of Houston passed an ordinance (Ordinance No. 2017-47) in support of this MSD application. For this reason, the Texas Commission on Environmental Quality is required to provide you a copy of the MSD Certificate.

If you have any questions, please contact me at (512) 239-3044 or via e-mail (timothy.eckert@tceq.texas.gov).

Sincerely,

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Timothy Eckert, Project Manager
VCP-CA Section
Remediation Division

TJE/jdm

Enclosure: Copy of MSD Certificate No. 355

Bryan W. Shaw, Ph.D., P.E., *Chairman*
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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

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August 16, 2017

Ms. Anna Russell, City Secretary
City of Houston
900 Bagby Street
Houston, Texas 77002

Re: Municipal Setting Designation (MSD) Certificate for Northwest Pipe Houston, 6307 Toledo Street, Houston, Harris County, Texas; MSD No. 355; Voluntary Cleanup Program (VCP) No. 2665; Customer No. CN600278303; Regulated Entity No. RN100567668

Dear Ms. Russell:

As required by Texas Health & Safety Code §361.807(a)(2), enclosed is a copy of the MSD certificate dated August 10, 2017. The City of Houston passed an ordinance (Ordinance No. 2017-47) in support of this MSD application. For this reason, the Texas Commission on Environmental Quality is required to provide you a copy of the MSD Certificate.

If you have any questions, please contact me at (512) 239-3044 or via e-mail (timothy.eckert@tceq.texas.gov).

Sincerely,

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Timothy Eckert, Project Manager
VCP-CA Section
Remediation Division

TJE/jdm

Enclosure: Copy of MSD Certificate No. 355

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. 355, 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 10th day of August, 2017

Beth Seaton

Beth Seaton, Director
Remediation Division
Texas Commission on Environmental Quality

METES AND BOUNDS DESCRIPTION
12.3622 ACRES OF LAND OUT OF
JOHN REINERMAN SURVEY, A-642
HOUSTON, HARRIS COUNTY, TEXAS

All that certain 12.3622 acres of land out of the John Reinerman Survey, A-642, Houston, Harris County, Texas being the residue of that same called 15.167 acre tract described in a deed dated 05-08-1997 from Southwestern Pipe, Inc. to SPI Acquisition Corp. filed in the Official Public Records of Real Property of Harris County, Texas, at Clerk File No. S443456, Film Code No. 512-95-3295 and being more particularly described by metes and bounds as follows:

BEGINNING at a found 5/8" iron rod marking the northwest corner of said 15.167 acre tract;

THENCE N 89° 55' 01" E – 868.29', with the north line of said 15.167 acre tract to a found 5/8" iron rod with cap for corner;

THENCE S 0° 57' 26" E – 197.64', with the west line of Block 1 of the Stanley Park Subdivision, according to the plat thereof recorded in Harris County Clerk's File No. 523059, to a found 5/8" iron rod and being the centerline of an existing gully, the following bearings and distances;

S 0° 48' 49" W – 19.94', to a point for corner;
S 63° 17' 51" E – 7.37', to a point for corner;
S 31° 56' 24" E – 21.24', to a point for corner;
S 18° 18' 34" E – 50.38', to a point for corner;
S 16° 04' 56" E – 49.22', to a point for corner;
S 22° 28' 19" E – 33.54', to a point for corner;
S 29° 28' 37" E – 25.88', to a point for corner;
S 67° 57' 54" E – 61.02', to a point for corner;
S 63° 48' 36" E – 65.91', to a point for corner;
S 39° 47' 54" E – 18.68', to a point for corner;
S 06° 56' 04" E – 25.88', to a point for corner;

THENCE S 83° 03' 56" W – 214.94', with the south line of said 15.167 acre tract to a set 5/8" iron rod with cap for corner;

THENCE S 0° 53' 55" W – 50.40', with the south line of said 15.167 acre tract to a found 5/8" iron rod with cap for corner;

THENCE S 83° 42' 17" W – 473.40', with the north line of the MK & T Railroad to a found 5/8" iron rod for angle point;

THENCE N 89° 18' 18" E – 483.00', with the north line of said MK & T Railroad to a found 6" fence post for corner;

THENCE N 62° 27' 39" E – 109.43', with the east line of that certain called 1.6191 tract described in a deed dated 08-27-1971 from James H. Greer to the Toledo Company filed in the Official Public Records of Real Property of Harris County, Texas, at Clerk File No. D404321, Film Code No. 133-27-0899 to a found 6" fence post for corner;

THENCE N 0° 14' 25" E – 550.11' with the west line of said 15.167 tract to the POINT OF BEGINNING and containing 12.3622 acres (538,496 square feet) of land, more or less.

Exhibit B

Municipal Setting Designation

Affidavit of Eligibility

BEFORE ME, the undersigned authority, on this day personally appeared Stephanie Heldt-Sheller, as an authorized representative of Northwest Pipe Company, 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.

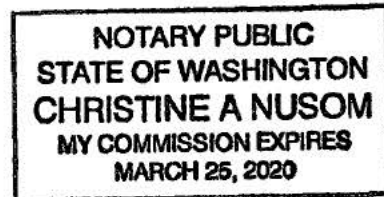
I affirmatively state that (place an X in all applicable blanks)

- 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.

Stephanie Heldt-Sheller
Signature

Date: 02/28/2017

Stephanie Heldt-Sheller
Printed Name
Corporate Environmental Manager
Title



STATE OF Washington

COUNTY OF Clark

SUBSCRIBED AND SWORN before me on this the 28 day of February 2017, to which witness my hand and seal of office.

Christine A Nusom
Notary Public in and for the State of Washington