

Bryan W. Shaw, Ph.D., P.E., *Chairman*
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Richard A. Hyde, P.E., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

February 10, 2017

Mr. Ted Boyd
Vice President Business Development
Wendland Manufacturing Corporation
601 West 11th Street
San Angelo, Texas 76903

Re: Municipal Setting Designation (MSD) Certificate for Mr. Ted Boyd, Wendland Manufacturing Corporation, 601 West 11th Street, San Angelo, Tom Green County, TX; MSD No. 306; TCEQ SWR No. 39150; Customer No. CN600383731; Regulated Entity No. RN100676220

Dear Mr. Boyd:

The Texas Commission on Environmental Quality (TCEQ) received the above referenced Municipal Setting Designation (MSD) application on November 10, 2016 and additional information supporting this MSD application on January 17, 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) 239-2238 or via e-mail (Charles.Brigance@tceq.texas.gov).

Sincerely,

A handwritten signature in cursive script, appearing to read "Charles Brigance".

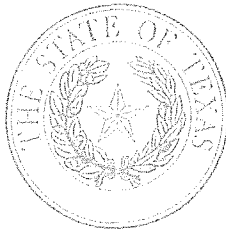
Charles Brigance, Project Manager
VCP-CA Section
Remediation Division

CEB/jdm

cc: Mr. Brett Hamby, Ensafe, Inc., 4545 Fuller Drive, Suite 342, Irving, TX 75038
Mr. Christopher Mayben, Waste Section Manager, TCEQ Region 8 Office, San Angelo

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. 306, in the City of San Angelo, 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 February, 2017

Beth Seaton

Beth Seaton, Director
Remediation Division
Texas Commission on Environmental Quality

FIELD NOTES

4.225 Acres

16-S-0817
July 19, 2016

Being an area of 4.225 acres of land out of the Michael Himmer Survey No. 321, San Angelo, Tom Green County, Texas and said 4.225 acre tract being out of that same tract as described as a 0.97 acre tract and 2.87 acre tract by deed recorded in Volume 287 at page 369 of the Deed Records of said Tom Green County and a certain 0.85 acre tract described by deed recorded in Volume 305 at page 96 of the Deed Records of said Tom Green County and said 4.225 acre tract being more particularly described by metes and bounds as follows;

Beginning at a 1/2" iron rod with cap marked "SKG ENGINEERS" found for the northwest corner of this tract and being in the west line of said 0.97 acre tract, 36.00 feet S. 09° 09' 27" W. from the northwest corner of said 0.97 acre tract and also being the southwest corner of a certain 0.283 acre tract out of said 0.97 acre tract and said 2.87 acre tract described and recorded as Instrument No. 703611 Official Public Records of Tom Green County;

Thence with the north line of this tract and the south line of said 0.283 acre tract same being the south line of 11th Street, N. 79° 35' 50" E. at 106.14 feet pass the common line of said 0.97 acre and 2.87 acre tracts, in all a total distance of 134.57 feet to a 1/2" iron pipe found for an angle corner, N. 60° 00' 00" E. at 134.92 feet pass a 1/2" iron pipe found for the southeast corner of said 0.283 acre tract and the northwest corner of said 0.85 acre tract, in all a total distance of 197.12 feet to a 1/2" iron pipe found for the northeast corner of this tract and said 0.85 acre tract;

Thence with an east line of said 0.85 acre tract, S. 25° 31' 00" E. 90.60 feet to a 1/2" iron rod with cap marked "SKG ENGINEERS" found for an angle corner, S. 82° 59' 00" E. 60.00 feet to a 1/2" iron rod with cap marked "SKG ENGINEERS" found for an angle corner, S. 21° 39' 00" E. 182.83 feet to a 1/2" iron pipe found for the southeast corner of said 0.85 acre tract and being in the north line of certain City of San Angelo tract described by deed recorded in Volume 232 at page 218 of the Deed Records of said Tom Green County;

Thence with the south line of said 0.85 acre tract and north line of said City of San Angelo tract, S. 60° 00' 00" W. 144.09 feet to a 1/2" iron pipe found for the southwest corner of said 0.85 acre tract and being in the east or northeast line of said 2.87 acre tract;

Thence with the east or northeast line of said 2.87 acre tract and west line of said City of San Angelo Tract S. 17° 35' 40" E. 139.55 feet (called S. 17° 35' 33" E. 139.50 feet) to a 1/2" iron pipe found for an angle corner of this tract, said 2.87 acre tract and said City of San Angelo Tract, S. 10° 10' 51" W. 77.50 feet to a 1/2" iron pipe found for the southeast corner of this tract, said 2.87 acre tract and the southwest corner of said City of San Angelo Tract and being in the north line of Texas Pacifico Railroad;

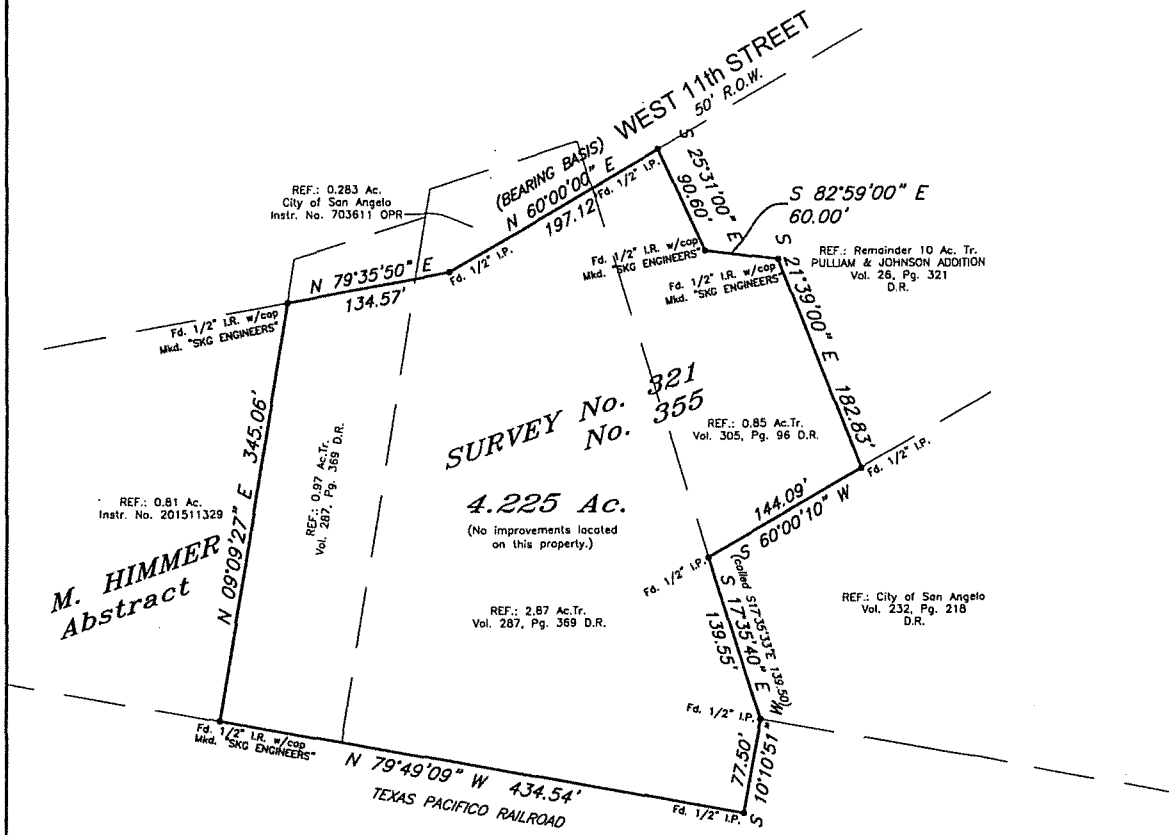
Thence with the south line of this tract, said 2.87 acre tract and 0.97 acre tract and north line of said Texas Pacifico Railroad, N. 79° 49' 09" W. 434.54 feet to a 1/2" iron rod with cap marked "SKG ENGINEERS" found for the southwest corner of this tract and said 0.97 acre tract;

Thence with the west line of this tract and said 0.97 acre tract, N. 09° 09' 27" E. 345.06 feet to the place of beginning and containing an area of 4.225 acres of land.

Russell T. Gully
Registered Professional Land Surveyor No. 5636
SKG Engineering, LLC
Firm No. 10102400



THIS SURVEY IS PROTECTED BY ALL APPLICABLE STATE AND FEDERAL COPYRIGHT LAWS. THIS SURVEY IS VOID WITHOUT AN ORIGINAL SIGNATURE AND SEAL.



M. HIMMER Abstract

SURVEY No. 321 No. 355

4.225 Ac. (No improvements located on this property.)

REF.: 0.81 Ac. Instr. No. 201511329

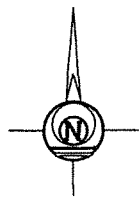
REF.: 0.97 Ac.Tr. Vol. 287, Pg. 369 D.R.

REF.: 2.87 Ac.Tr. Vol. 287, Pg. 369 D.R.

REF.: 0.85 Ac.Tr. Vol. 305, Pg. 96 D.R.

REF.: City of San Angelo Vol. 232, Pg. 218 D.R.

REF.: Remainder 10 Ac. Tr. PULLIAM & JOHNSON ADDITION Vol. 26, Pg. 321 D.R.



SCALE: 1"= 100'

GRAPHIC SCALE: FEET BEARINGS ARE BASED ON THAT 0.283 AC.TR. INST.NO. 703611 OPR.

SKG
ENGINEERING, LLC
SURVEYING • ENVIRONMENTAL • LAB/ICMT

706 SOUTH ABE STREET SAN ANGELO, TEXAS 76903 FIRM NO. 10102400 www.skge.com

PHONE: 325.655.1288 FAX: 325.657.8188

601 WEST 11th STREET

PLAT SHOWING A SURVEY OF 4.225 ACRES OF LAND OUT OF THE MICHAEL HIMMER SURVEY NO. 321, ABSTRACT NO. 355, CITY OF SAN ANGELO, TOM GREEN COUNTY, TEXAS. SEE ATTACHED FIELD NOTES.

Certification is hereby made that a survey was made on the ground under my supervision according to the minimum standards of the Professional Land Surveying Practices Act and the General Rules of Procedures and Practices set forth by the Texas Board of Professional Land Surveying.

This survey is prepared for the exclusive use and benefit of the parties listed. Use of this survey by a third party may not be transferred or assigned. Not valid without the original signature and seal of a Registered Professional Land Surveyor.

Surveyed on the ground July 15, 2016.

RUSSELL T. GULLY REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5636



16-S-0817

EXHIBIT A PAGE 2 OF 2

Exhibit B

Municipal Setting Designation

Affidavit of Eligibility

BEFORE ME, the undersigned authority, on this day personally appeared Ted Boyd, as an authorized representative of Wendland MFG., 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.

Ted Boyd **ORIGINAL** Date: 10-13-2015
Signature

Ted Boyd
Printed Name

VP
Title

STATE OF Texas
COUNTY OF Tom Green



SUBSCRIBED AND SWORN before me on this the 13 day of October 2015, to which witness my hand and seal of office.
Teresa A. Vail
Notary Public in and for the State of Texas

