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 3, 2016

Mr. Christopher Clodfelter, P.G. Senior HS&E Specialist Baker Hughes, Inc. 2929 Allen Parkway, Suite 2100 Houston, Texas 77019

Re: Municipal Setting Designation (MSD) Certificate for Baker Hughes, Inc., Former Landreth Metal Facility, 7135 Ardmore Street, Houston, Harris County, TX; MSD No. 316: Customer No. CN603295247; Regulated Entity No. RN101996569

Dear Mr. Clodfelter:

The Texas Commission on Environmental Quality (TCEQ) received the abovereferenced Municipal Setting Designation (MSD) application on January 14, 2016 and additional information supporting this MSD application on July 19, 2016 and July 26, 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) 239-6526 or via e-mail at Amanda.Pirani@tceq.texas.gov.

Sincerely,

mandam

Amanda Pirani, P.G. VCP-CA Section Remediation Division

AP/jdm

cc: Ms. Laurie Rodriguez, P.G., ARCADIS U.S., Inc., 1717 West 6th Street, Suite 600, Austin, TX 78703

Mr. Jason Ybarra, Regional 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. 316, 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 day of

Beth Seaton, Director Remediation Division Texas Commission on Environmental Quality

MSD PARCEL "A" BOUNDARY 13.2435 ACRES D. W. C. HARRIS SURVEY ABSTRACT NUMBER 325 HARRIS COUNTY, TEXAS PAGE 1 OF 5

Being a parcel containing 13.2435 acres (576,886 square feet) of land, located in the D. W. C. Harris Survey, Abstract No. 325, Harris County, Texas, being all of the remainder of that certain called 14.473 acre tract (Parcel No. 2) conveyed from Vetco Gray Inc. to Combustion Engineering, Inc. and Baker Hughes Incorporated (in equal undivided interests) by deed dated June 24th, 1988 and recorded under Harris County Clerk's File (HCCF) No. L969161 of the Official Public Records of Real Property of Harris County, Texas (OPRRPHCT), said remainder tract being further conveyed from Combustion Engineering, Inc. to ABB Prospects Inc. (as to a fifty percent interest) by deed dated November 11th, 1999 and recorded under HCCF No. U324474 of said OPRRPHCT; said remainder tract being more particularly described by metes and bounds as follows (the coordinates (and or bearings) shown hereon were derived from redundant RTK GPS observations and are based on the Texas Coordinate System, South Central Zone (4204) NAD 83 CORS adjustment. The distances shown hereon are grid datum. A combined project adjustment factor for this project has not been determined):

BEGINNING at a five-eighths inch iron rod found for the southeast corner of said called 14.473 acre tract and the herein described parcel, being the intersection of the westerly right-of-way line of State Highway (SH) 288 (width varies) and the northerly right-of-way line of Corder Street (also known as Nichols Road) (60 feet wide), and having coordinates of N= 13,816,532.47, E= 3,118,093.85;

THENCE, North 72° 01' 07" West, along said northerly right-of-way line of Corder Street, a distance of 516.34 feet to a five-eighths inch iron rod with E.H.R.&A. cap found for the southwest corner of said called 14.473 acre tract and the herein described parcel, and being the intersection of said northerly right-of-way line of Corder Street and the easterly right-of-way line of Ardmore Street (80 feet wide);

THENCE, North 14° 41' 41" East, along said easterly right-of-way line of Ardmore Street, a distance of 316.85 feet to the southwest corner of a called 1.2215 acre tract conveyed from Baker Hughes Incorporated and ABB Prospects, Inc. to Ardmore Professional Center, LLC by deed dated December 3rd, 2002 and recorded under HCCF No. W286138 of said OPRRPHCT;

THENCE, South 72° 09' 44" East, departing said easterly right-of-way line of Ardmore Street and along the southerly line of said called 1.2215 acre tract, a distance of 95.87 feet to the southeast corner of said called 1.2215 acre tract, and from which a found five-eighths inch iron rod with Russ & Pape cap bears North 02° 08' West, a distance of 0.32 feet;

THENCE, along the easterly lines of said called 1.2215 acre tract, the following seven (7) courses and distances:

North 17° 54' 49" East, a distance of 105.22 feet to an "X" set on concrete for an angle point;

South 72° 05' 26" East, a distance of 36.60 feet to an "X" set on concrete for an angle point;

North 18° 21' 31" East, a distance of 125.84 feet to an angle point;

North 71° 38' 29" West, a distance of 26.00 feet to an "X" set on concrete for an angle point;

FXHIBIT

North 18° 21' 31" East, a distance of 20.00 feet to an "X" set on concrete for an angle point;

North 71° 38' 29" West, a distance of 11.21 feet to an "X" set on concrete for an angle point;

North 18° 01' 19" East, a distance of 193.16 feet to an "X" set on concrete for the northeast corner of said called 1.2215 acre tract;

THENCE, North 72° 12' 24" West, along the northerly line of said called 1.2215 acre tract, a distance of 121.75 feet to a PK nail found for the northwest corner of said called 1.2215 acre tract, and lying on said easterly right-of-way line of Ardmore Street;

THENCE, North 14° 41' 41" East, along said easterly right-of-way line of Ardmore Street, a distance of 532.33 feet to the northwest corner of said called 14.473 acre tract and the herein described parcel, and being the intersection of said easterly right-of-way line of Ardmore Street and the southerly right-of-way line of Alice Street (also known as Graves Road) (80 feet wide), and from which a found three-quarter inch iron pipe bears South 06° 38' East, a distance of 2.06 feet;

THENCE, South 72° 01' 47" East, along said southerly right-of-way line of Alice Street, a distance of 430.74 feet to a five-eighths inch iron rod found for the northeast corner of said called 14.473 acre tract and the herein described parcel, and being the intersection of said southerly right-of-way line of Alice Street and said westerly right-of-way line of SH 288;

THENCE, South 05° 25' 39" West, along said westerly right-of-way line of SH 288, a distance of 291.44 feet to an angle point in said westerly right-of-way line of SH 288, and from which a found five-eighths inch iron rod bears South 39° 48' West, a distance of 1.12 feet;

THENCE, South 12° 30' 49" West, continuing along said westerly right-of-way line of SH 288, a distance of 1,012.34 feet to the POINT OF BEGINNING, containing 13.2435 acres (576,886 square feet) of land.

This description is based upon an Exhibit Survey performed by Robert L. Davis, Registered Professional Land Surveyor, Texas Registration Number 4299, completed May 31st, 2013, and is on file in the office of Baseline Corporation, Houston, Texas, Job No. 13.039.

May 31st, 2013 RLD Job No. 13.039 File: H:\2013\13039 MSD 7125 Ardmore\Data\documents\7125 Ardmore MSD_Part 1.docx



MSD PARCEL "B" BOUNDARY 0.4292 OF ONE ACRE P. W. ROSE SURVEY ABSTRACT NUMBER 645 HARRIS COUNTY, TEXAS PAGE 3 OF 5

Being a parcel containing 0.4292 of one acre (18,697 square feet) of land, located in the P. W. Rose Survey, Abstract No. 645, Harris County, Texas, being all of the remainder of that certain called 6.4938 acre tract (Parcel No. 3) conveyed from Vetco Gray Inc. to Combustion Engineering, Inc. and Baker Hughes Incorporated (in equal undivided interests) by deed dated June 24th, 1988 and recorded under Harris County Clerk's File (HCCF) No. L969161 of the Official Public Records of Real Property of Harris County, Texas (OPRRPHCT), said remainder tract being further conveyed from Combustion Engineering, Inc. to ABB Prospects Inc. (as to a fifty percent interest) by deed dated November 11th, 1999 and recorded under HCCF No. U324474 of said OPRRPHCT; said remainder tract being more particularly described by metes and bounds as follows (the coordinates (and or bearings) shown hereon were derived from redundant RTK GPS observations and are based on the Texas Coordinate System, South Central Zone (4204) NAD 83 CORS adjustment. The distances shown hereon are grid datum. A combined project adjustment factor for this project has not been determined):

BEGINNING at the northeast corner of said called 6.4938 acre tract and the herein described parcel, being the intersection of the westerly right-of-way line of State Highway (SH) 288 (width varies) and the southerly right-of-way line of Corder Street (also known as Nichols Road) (60 feet wide), and having coordinates of N= 13,816,486.67, E= 3,118,040.62, from which a found five-eighths inch iron rod bears South 48° 55' East, a distance of 2.45 feet, a found five-eighths inch iron rod bears South 71° 17' East, a distance of 1.61 feet, and a found five-eighths inch iron rod with Russ & Pape cap bears South 82° 49' East, a distance of 1.22 feet;

THENCE, S 13° 56' 53" W, along said westerly right-of-way line of SH 288, a distance of 149.94 feet to the easterly common corner of the herein described parcel and Unrestricted Reserve "A", Alexan at 288, according to the map or plat recorded at Film Code No. 578280 of the Map Records of Harris County, and from which a found five-eighths inch iron rod with Russ & Pape cap bears South 75° 57' East, a distance of 1.44 feet;

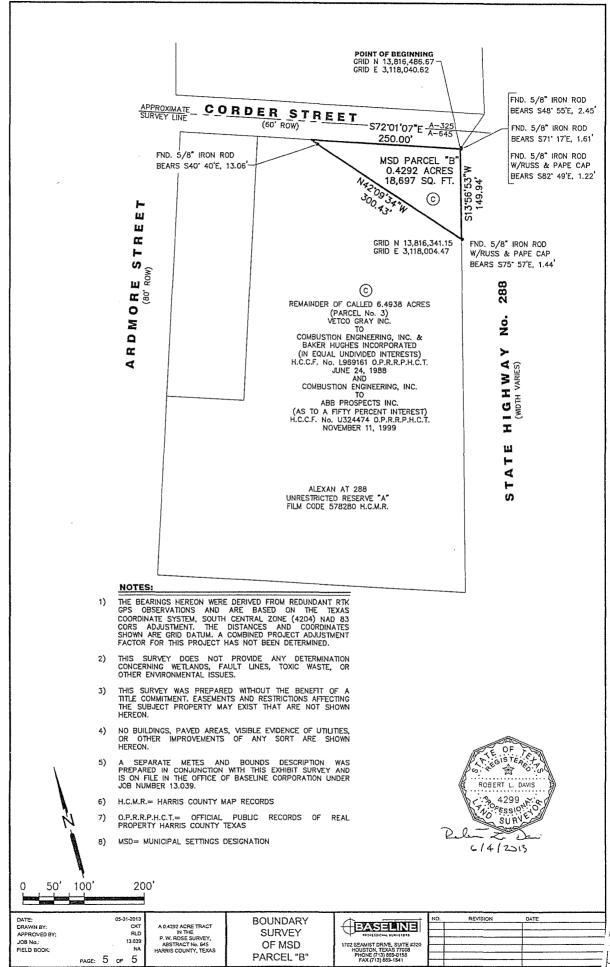
THENCE, N 42° 09' 34" W, departing said westerly right-of-way line of SH 288 and along the northeasterly line of said Unrestricted Reserve "A", a distance of 300.43 feet to the westerly common corner of the herein described parcel and Unrestricted Reserve "A", being on said southerly right-of-way line of Corder Street, and from which a found five-eighths inch iron rod bears South 40° 40' East, a distance of 13.06 feet;

THENCE, S 72° 01' 07" E, along said southerly right-of-way line of Corder Street, a distance of 250.00 feet to the POINT OF BEGINNING, containing 0.4292 of one acre (18,697 square feet) of land.

This description is based upon an Exhibit Survey performed by Robert L. Davis, Registered Professional Land Surveyor, Texas Registration Number 4299, completed May 31st, 2013, and is on file in the office of Baseline Corporation, Houston, Texas, Job No. 13.039.

May 31st, 2013 RLD Job No. 13.039 File: H:\2013\13039 MSD 7125 Ardmore\Data\documents\7125 Ardmore MSD_Part 2.docx

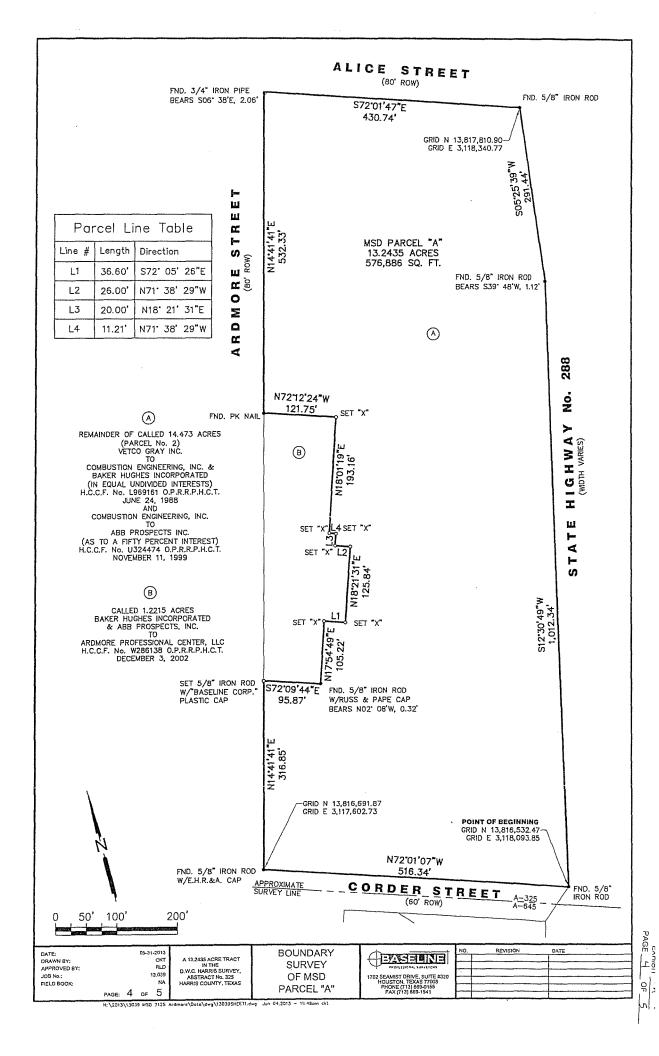




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Exhibit **B**

Municipal Setting Designation

Affidavit of Eligibility

 BEFORE ME, the undersigned authority, on this day personally appeared

 CLODFELTER

 BAKER HUGHES OUCLED OFFATIONS

 , as an authorized representative of

 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.

Signature (HRIS CLOOFELTER Printed Name SR. HSE SACIALIST EILEEN M. HALM Notary Public, State of Texas Comm. Expires 04-28-2019 STATE OF TEXAS Notary ID 1084703-3 COUNTY OF <u>HArris</u>

Date: 7 JAN 2016

SUBSCRIBED AND SWORN before me on this the <u>7th</u> day of <u>JAHUAry</u> 20<u>16</u>, to which witness my hand and seal of office.

Notary Public in and for the State of ______

TCEQ 20149

August 2011

EXHIBIT PAGE I