

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

May 24, 2016

Mr. Damian Vickerman
Air Liquide USA, LLC
9811 Katy Freeway
Houston, Texas 77024-1273

Re: Municipal Setting Designation (MSD) Certificate for Air Liquide USA LLC,
Former Air Liquide America L. P. Facility, 4836 TX-2801 Loop, Longview, Gregg
County, Texas; MSD No. 322; Customer No. CN603109125123456789; Regulated
Entity No. RN105666390

Dear Mr. Vickerman:

The Texas Commission on Environmental Quality (TCEQ) received the above referenced Municipal Setting Designation (MSD) application on March 4, 2016 and additional information supporting this MSD application on May 10, 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) 239-2238 or via e-mail Charles.Brigance@tceq.texas.gov.

Sincerely,

A handwritten signature in cursive script that reads "Charles Brigance".

Charles Brigance, Project Manager
Team 1, VCP-CA Section
Remediation Division
Texas Commission on Environmental Quality

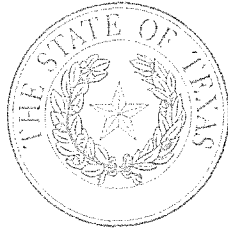
CEB/mdh

cc: Ms. Rebecca C. Daprato, Geosyntec Consultants, 11490 Westheimer Road, Suite
150, Houston, TX 77077.

Mr. Micheal Brashear, Waste Section Manager, TCEQ Region 5 Office, Tyler

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):

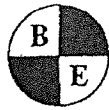
I, Beth Seaton, Director, Remediation Division, TCEQ, certify the Municipal Setting Designation (MSD) for MSD No. 322, in the City of Longview, for the tract of land described in Exhibit "A". The eligibility requirements of Texas Health and Safety Code §361.803 are satisfied as attested to by the affidavit 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 20th day of May, 2016

Beth Seaton

Beth Seaton, Director
Remediation Division
Texas Commission on Environmental Quality



BLACKALLER ENGINEERING

Civil Engineering & Surveying
P.O. Box 10231 Longview, Texas 75608
PH. (903) 759-5048 FAX (903) 297-3086

STATE OF TEXAS
COUNTY OF GREGG

FIELD NOTES OF 16.450 ACRES OF LAND

Being 16.450 acres of land situated in the J. L. McCarty Survey, A-150, and the Manson Taylor Survey, A-205, Gregg County, Texas, wholly located within the Corporate Limits of the City of Longview, and being all that certain 0.250 acre tract of land described in deed from Big Three Industries, Inc. to Air Liquide America Corporation, recorded under Gregg County Clerk's File No. (GCC) 200204291, of the Official Public Records, Gregg County, Texas, together with that certain 3.33 acres tract of land, designated Tract 1, and the residue of that certain 13.79 acres tract, designated Tract 2, described in deed from Big Three Industries, Inc. to Big Three Management Services, Inc., recorded in Vol. 1803, Pg. 411, Public Official Records, Gregg County, Texas (PORGCT), and being more particularly described as follows:

BEGINNING at a ½" steel rebar found in the southeast right-of-way (ROW) line of the Union Pacific Railroad (Deed Reference: to International Railroad Company in Vol. P, Pg. 1 and to International Railroad Company in Vol. P, Pg. 48, of the Deed Records, Upshur County, Texas) for the northernmost corner of the said 0.250 acre tract and being the northernmost corner of this tract;

THENCE: S 14 deg 53' 04" W, with the east line of the said 0.250 acre tract, 135.87 feet, to a ½" steel rebar found for the southernmost corner of the 0.250 acre tract, same being the southernmost SW Corner of the Longview Asphalt, Inc. 26.16 acres tract (Deed Reference: GCC 9823829) and being an interior ell corner of this tract;

THENCE: S 52 deg 57' 47" E, with the southwest line of the said 26.16 acres tract and the northeast line of the said 3.33 acres tract, 600.63 feet, to a 3/8" steel rebar found for the NE Corner of the 3.33 acres tract and being the NW Corner of the said 13.79 acres tract;

THENCE: S 52 deg 45' 21" E, continuing with the said southwest line of the 26.16 acres tract and the northeast line of the 13.79 acres tract, 110.66 feet, to a 2-1/2" steel pipe found for the NW Corner of the Longview Asphalt Inc. 17.76 acres tract (Deed Reference: GCC 9823825), same being the NE Corner of the 13.79 acres tract;

THENCE: S 10 deg 51' 10" E, with the west line of the said 17.76 acres tract and the east line of the said 13.79 acres tract, 446.13 feet, to a 3/8" steel rebar found for the northernmost corner of the Hi-Temp Systems, Inc. 6.626 acres tract (Deed Reference: Vol. 2853, Pg. 192, PORGCT) and being the easternmost corner of the 13.79 acres tract;

THENCE: S 78 deg 43' 50" W, with the north line of the said 6.626 acres tract, 90.54 feet, to a 3/8" steel rebar found for an interior ell corner of the said 13.79 acres tract;

THENCE: S 39 deg 59' 47" W, with the northwest line of the said 6.626 acres tract and the southeast line of the said 13.79 acres tract, 836.40 feet, to a capped (Johnson & Pace) 5/8" steel rebar found in the northwest ROW line of South Loop Circle;

THENCE: S 76 deg 49' 03" W, with the said northwest ROW line of South Loop Circle, 81.60 feet, to a capped (Johnson & Pace) 5/8" steel rebar found at the beginning of a curve;

THENCE: Continuing with the said northwest ROW of South Loop Circle, a curve to the left having a radius of 234.00 feet, an arc length of 112.52 feet, and a chord which bears S 63 deg 01' 53" W, 111.44 feet, to a capped (Johnson & Pace) 5/8" steel rebar found at the end of said curve;

THENCE: S 49 deg 13' 41" W, continuing with the said northwest ROW line of South Loop Circle, 189.86 feet, to a capped (Johnson & Pace) 5/8" steel rebar found in the new north ROW line (per TxDOT ROW map), of West Loop 281 (also known as Farm to Market Road 1845) for the southernmost corner of this tract;

THENCE: N 55 deg 00' 22" W, across the said 13.79 acres tract, with the said new north ROW line 133.96 feet, to a 3/8" steel rebar set for angle point in the ROW line;

THENCE: N 50 deg 41' 12" W, continuing across the 13.79 acres tract, with the said new north ROW line, at 45.91 feet passing a capped (RPLS 4164) ½" steel rebar, and continuing for a total distance of 144.38 feet, to a 3/8" steel rebar set in the intersection of the new ROW line with the northwest line of the 13.79 acres tract, same being the southeast line of the residue of the Norris Cylinder Company 24.65 acres tract (Deed Reference: GCC 9829007), from which a Type II TxDOT ROW monument found for an angle point in said new ROW line bears N 50 deg 41' 12" W, 61.89 feet;

THENCE: N 40 deg 01' 52" E, with the said southeast line of the 24.65 acres tract and the northwest line of the said 13.79 acres tract, 1296.73 feet, to a capped (Hart Eng.) 1/2" steel rebar found for the southernmost corner of the above referenced 3.33 acres tract and being an interior ell corner of this tract;

THENCE: N 52 deg 55' 18" W, across the said 24.65 acres tract and with the south line of the said 3.33 acres tract, 264.13 feet, to a point of curvature;

THENCE: Continuing across the said 24.65 acres tract, along a curve to the right having a radius of 475.28 feet, an arc length of 516.45 feet, and a chord which bears N 21 deg 48' 29" W, 491.49 feet, to a 1/2" steel rebar found in the northeast line of the 24.65 acres tract for the northernmost corner of the 3.33 acres tract and being an interior ell corner of this tract;

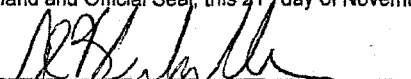
THENCE: N 52 deg 32' 34" W, with the northeast line of the said 24.65 acres tract, 3.38 feet, to a 1/2" steel rebar found in the said southeast ROW line of the Union Pacific Railroad for the northernmost corner of the 24.65 acres tract, same being the westernmost corner of the above referenced 0.250 acre tract;

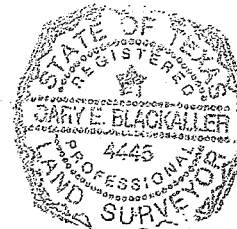
THENCE: N 40 deg 07' 26" E, with the said southeast ROW line, 219.33 feet, to the POINT OF BEGINNING and containing 16.450 acres of land.

SURVEYOR'S CERTIFICATE

I, Gary E. Blackaller, Registered Professional Land Surveyor No. 4445, do hereby certify that the above field notes and attached plat correctly represent the results of a survey made on the ground by personnel under my supervision. This survey substantially complies with the current Texas Society of Professional Surveyors Standards and Specifications for a Category 1B, Condition II Survey and does not include a determination of flood zone boundaries.

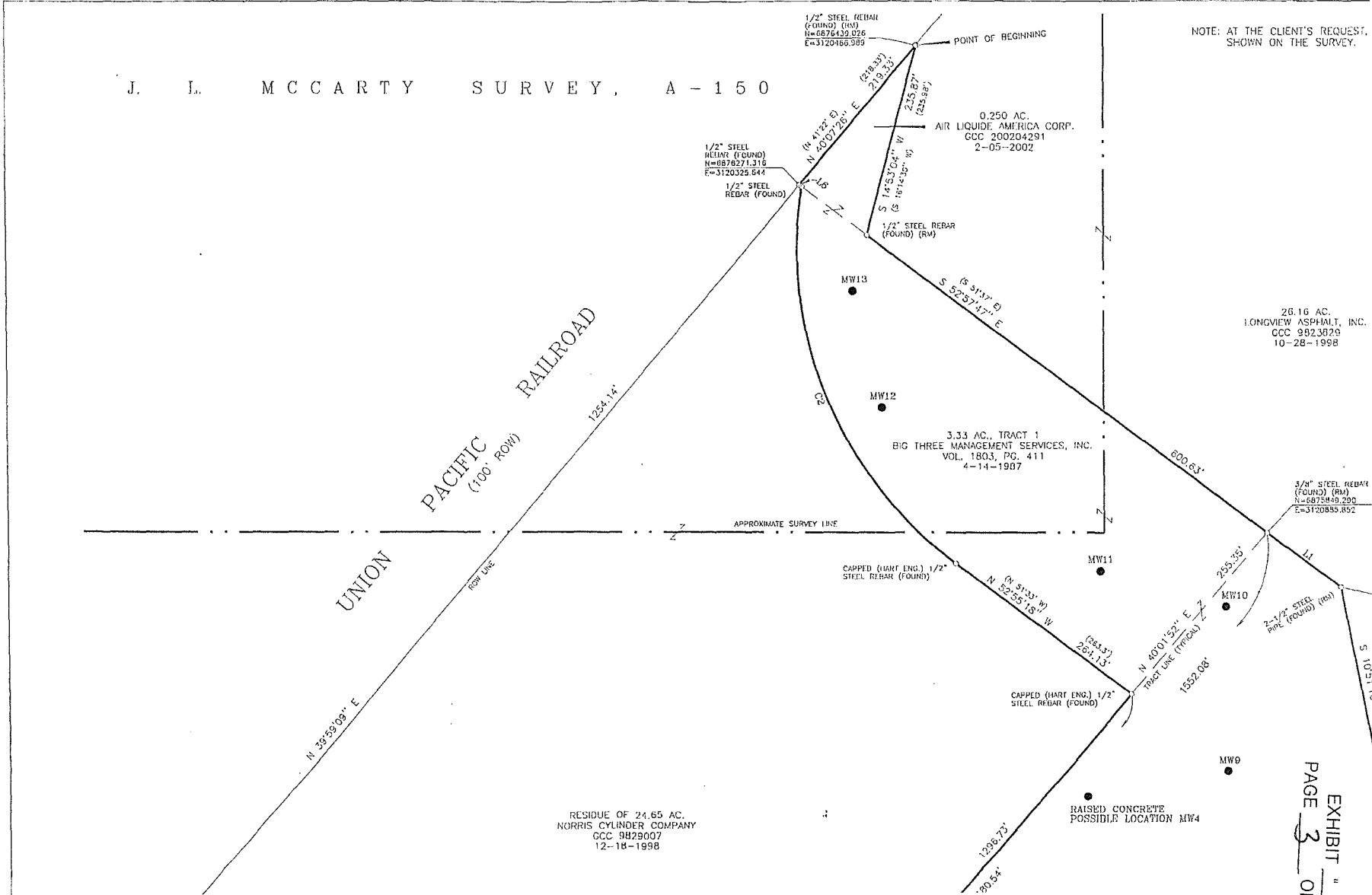
Witness my Hand and Official Seal, this 21st day of November, 2014.


Gary E. Blackaller, RPLS No. 4445



Job No. 101426G

J. L. MCCARTY SURVEY, A - 150



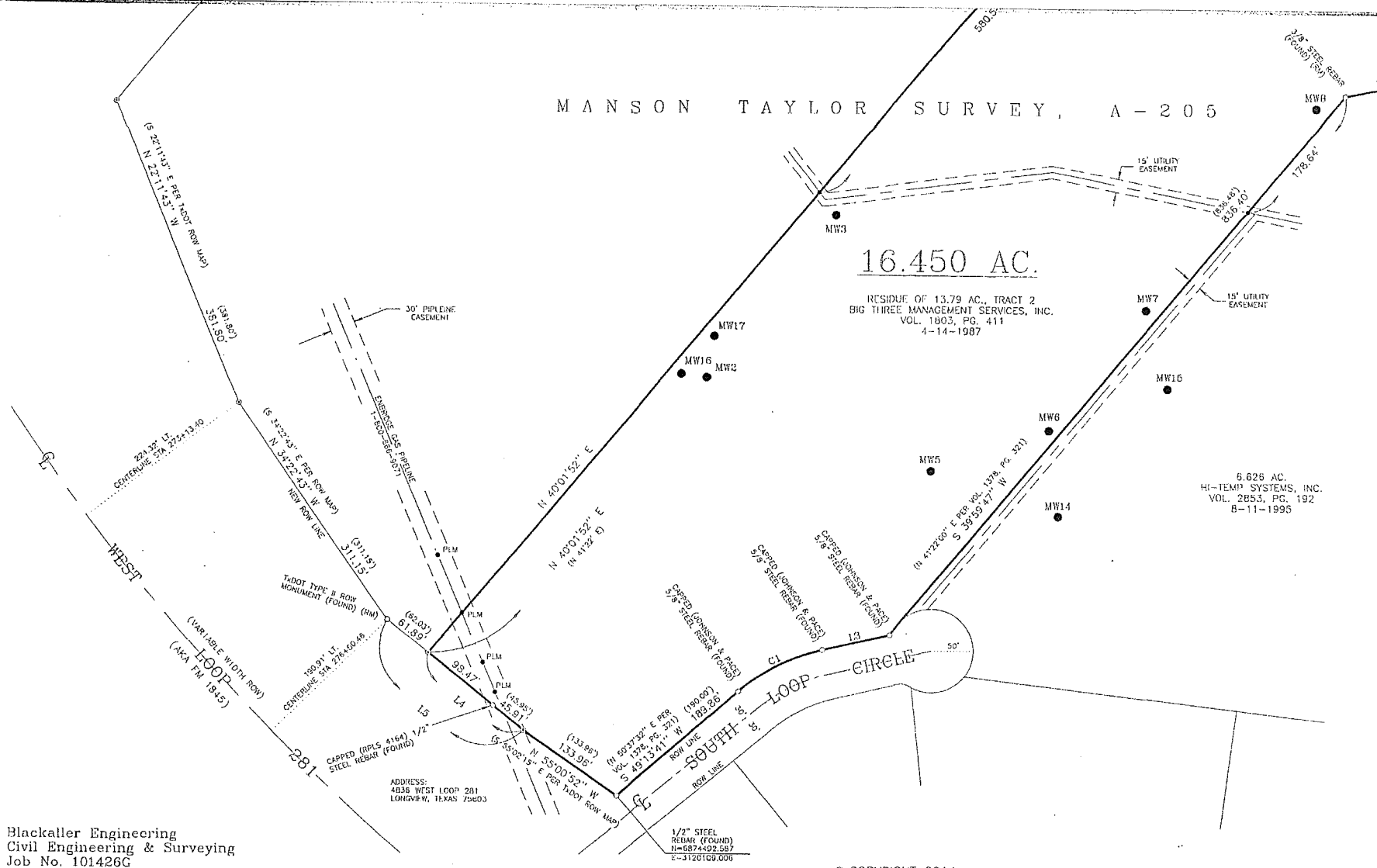
NOTE: AT THE CLIENT'S REQUEST, SHOWN ON THE SURVEY.

MANSON TAYLOR SURVEY, A-205

16.450 AC.

RESIDUE OF 13.79 AC., TRACT 2
BIG THREE MANAGEMENT SERVICES, INC.
VOL. 1803, PG. 411
4-14-1987

6.628 AC.
HI-TEMP SYSTEMS, INC.
VOL. 2853, PG. 192
8-11-1993



Blackaller Engineering
Civil Engineering & Surveying
Job No. 101426G

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NO IMPROVEMENTS ARE

MONITORING WELL TABLE

WELL NO.	ELEVATION		STATE PLANE COORDINATES	
	TOP OF CASING	AT BASE	NORTHING	EASTING
MW1*				
MW2	287.52'	287.86'	6874990.066	3120216.286
MW3	289.98'	287.68'	6875182.425	3120367.766
MW4**		287.76'	6875527.145	3120667.187
MW5	287.30'	287.70'	6874880.405	3120480.564
MW6	286.01'	286.21'	6874929.240	3120620.006
MW7	285.33'	285.87'	6875073.087	3120735.031
MW8	287.62'	288.01'	6875311.200	3120934.994
MW9	288.45'	288.83'	6875559.854	3120836.598
MW10	287.96'	288.29'	6875759.395	3120836.193
MW11	289.67'	289.99'	6875802.989	3120685.461
MW12	292.91'	290.33'	6876002.156	3120422.906
MW13	294.97'	291.25'	6876143.757	3120389.095
MW14	286.55'	283.81'	6874827.789	3120630.922
MW15	286.91'	283.91'	6874978.786	3120760.158
MW16	291.02'	288.42'	6874994.272	3120186.423
MW17	290.91'	288.27'	6875039.128	3120224.860

- * ABANDONED
- ** POSSIBLE LOCATION OF MW4

SHORT LINE TABLE

NUMBER	BEARING	DISTANCE
L1	S 52°45'21" E (S 51°37' E)	110.66' (110.15')
L2	S 78°43'50" W (S 80°25' W)	90.54' (90.70')
L3	S 76°49'03" W (N 78°10'09" E PER VOL. 1378, PG. 321)	81.60' (81.63')
L4	N 50°41'12" W (S 50°41'22" E PER ROW MAP)	144.38' (144.38')
L5	N 50°41'12" W (S 50°41'22" E PER ROW MAP)	206.27' (206.41')
L6	N 52°32'34" W (N 51°45' W)	3.38' (3.40')

CURVE TABLE

NUMBER	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	234.00 (234.00)	112.52 (112.49)	S 63°01'53" W	111.44 (111.41)
C2	475.28 (475.28)	516.45	N 21°48'29" W	491.41 (491.45)

BEARINGS SHOWN HEREON WERE OBTAINED ON SITE BY STATIC GPS OBSERVATIONS RELATED TO THE TEXAS COORDINATE SYSTEM OF 1983, NORTH CENTRAL ZONE, AND ARE REFERENCED TO CSM 1225 AND CSM 1325, AS REPORTED IN THE CITY OF LONGVIEW VERTICAL AND HORIZONTAL CONTROL PROJECT OF 2002.

LEGEND

- 3/8" STEEL REBAR (FOUND)
UNLESS OTHERWISE NOTED
- ⊙ CAPPED (RPLS 4445)
3/8" STEEL REBAR (SET)
- MW MONITORING WELL
- RM RECORD MONUMENT



17.76 AC.
LONGVIEW ASPHALT INC.
GCC 9823825
10-28-1998

3/4"
1/4"

3/8" STEEL REBAR
(FOUND) (RM)
N=6975344.170
E=3121057.244

() PIPELINE MARKER
() DENOTES DEED
CALL.

SCALE: 1" = 100'

LAND SURVEY OF
16.450 AC.
IN THE
J. L. MCCARTY SURVEY, A-150
AND THE
MANSON TAYLOR SURVEY, A-205
CITY OF LONGVIEW, GREGG COUNTY, TEXAS

STATE OF TEXAS
COUNTY OF GREGG

SURVEYOR'S CERTIFICATE

I, Gary E. Blackaller, Registered Professional Land Surveyor No. 4445, do hereby certify that this plat and the attached field notes correctly represent the results of a survey made on the ground by personnel under my supervision. This survey is in substantial compliance with the Texas Society of Professional Surveyors Standards and Specifications for a Category 1A, Condition II Survey.

Witness my Hand and Official Seal, this 21st day of November, 2014.

Gary E. Blackaller

FIRM REGISTRATION NO. 10019800

P.O. Box 10231
Longview, TX 75608
(903) 759-5048

PAGE 4 OF 10
EXHIBIT "A"

Exhibit B

Municipal Setting Designation

Affidavit of Eligibility

BEFORE ME, the undersigned authority, on this day personally appeared HENRY K. BATTLE, JR., as an authorized representative of AIR HAULING AMERICA L.P., 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.

Henry K. Battle Jr.
Signature

Date: March 3, 2014

Henry K. Battle Jr.
Printed Name

Vice President
Title

STATE OF Texas

COUNTY OF Harris

SUBSCRIBED AND SWORN before me on this the 3rd day of March 2014, to which witness my hand and seal of office.

Donna C. Dailey
Notary Public in and for the State of Texas

