

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

December 22, 2016

Mr. Robert O'Neil, President
Industrial Power LLC
712 North Beach Street
Fort Worth, Texas 76111

Re: Municipal Setting Designation (MSD) Certificate for Industrial Power LLC,
Former Panther Chemical Company, 600 North Beach Street, Fort Worth,
Tarrant County, TX; MSD No. 334; Customer No. CN604386672; Regulated
Entity No. RN100543743

Dear Mr. O'Neil:

The Texas Commission on Environmental Quality (TCEQ) received the above referenced Municipal Setting Designation (MSD) application on August 2, 2016 and additional information supporting this MSD application on August 24, 2016 as well as November 28, 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) 239-2205 or via e-mail (rodney.bryant@tceq.texas.gov).

Sincerely,

A handwritten signature in black ink that reads "Rodney Bryant".

Rodney Bryant, Project Manager
VCP-CA Section
Remediation Division

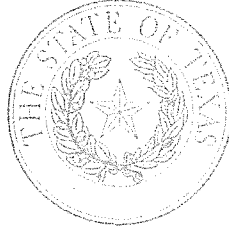
RB/jdm

cc: Ms. Valerie Honeycutt, Koos & Associates, 10410 Markison Road, Dallas, Texas
75238

Mr. Sam Barrett, Waste Section Manager, TCEQ Dallas/Fort Worth Regional
Office, R-4

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. 334, in the City of Fort Worth, 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 21st day of December 2016

Beth Seaton

Beth Seaton, Director
Remediation Division
Texas Commission on Environmental Quality

INDUSTRIAL POWER, LLC

LOT A, BLOCK 1
E & M ADDITION
VOL. 388-62, PG. 13

LETZ RE
HOLDINGS, LLC
CC #D212270675

NAD 83 (GRID)
N=6,966,290.35
E=2,341,224.90

NAD 83 (GRID)
N=6,966,294.90
E=2,342,008.06

NAD 83 (GRID)
N=6,966,264.02
E=2,342,008.24

BEACH STREET
(variable width right-of-way)

1/2" IRF
N00°11'33"W 597.95'

N89°40'01"E 783.17'

S00°19'59"E

3/4" IRF CM 30.88'

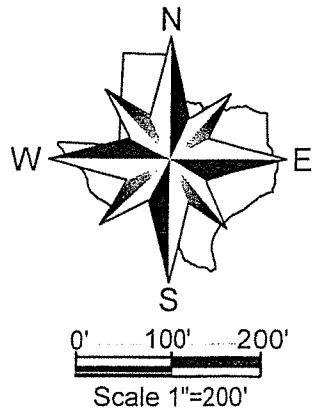
IP PROPERTIES, LTD.
CC #D213274928

5.653 ACRES
(246,262 SQ. FT.)

LOT 1, BLOCK 1
PANTHER G&O
ADDITION
CC #D211045967

TRINITY RAILWAY EXPRESS
(variable width right-of-way)

S53°48'39"W 968.10'



POINT OF BEGINNING

1" IRF CM

NAD 83 (GRID)
N=6,965,692.41
E=2,341,226.91

NAD 83 (GRID)

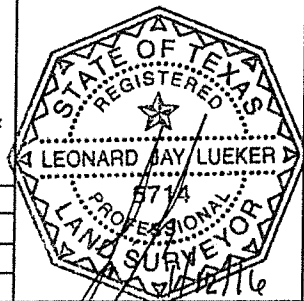
MW NO.	NORTHING	EASTING	GROUND ELEV.	TOP OF CASING ELEV.
1	6966020.31	2341419.68	554.2'	554.08'
2	6965911.23	2341474.44	554.2'	553.82'
3	6966219.45	2341458.17	554.6'	554.28'
4	6966236.36	2341690.66	554.6'	554.40'
5	6966134.21	2341734.06	554.2'	554.12'
6	6966050.38	2341679.14	552.7'	552.61'
7	6966256.52	2341822.24	553.3'	553.06'
8	6966281.05	2341985.77	553.0'	552.58'
9	6966233.97	2341950.56	552.2'	551.95'
10	6966190.98	2341886.41	552.2'	552.00'
11	6966279.67	2342005.82	551.7'	551.72'
12	6966321.75	2342002.94	553.3'	552.66'
13	6966301.66	2341758.30	552.8'	552.31'

IRF
MW
CM
CC #

LEGEND
Iron Pipe Found
Monitoring Well
Controlling Monument
County Clerks' Instrument No.

Winkelmann & Associates, Inc.
CONSULTING CIVIL ENGINEERS ■ SURVEYORS

HILLCREST PLAZA DRIVE, SUITE 325
S. TEXAS 75250 (972) 480-7090 (972) 480-7099 FAX
Texas Engineers Registration No. 89
Firm Registration/License No. 10085600 Expires 12-31-16
COPYRIGHT © 2016, Winkelmann & Associates, Inc.



MSD EXHIBIT
5.653 ACRES
(246,262 SQ. FT.)
INDUSTRIAL POWER TRUCK &
EQUIPMENT
712 NORTH BEACH STREET
FORT WORTH, TEXAS 76111

SHEET
1
OF
2

Scale: 1" = 200'

Date: 01.06.16

Dwg. File: 69135-MSD

Project No.: 69135.00

MSD EXHIBIT DESCRIPTION

STATE OF TEXAS §
COUNTY OF TARRANT §

BEING a tract of land situated in the L.G. TINSLEY Survey, Abstract No. 1523, City of Fort Worth, Tarrant, County, Texas and being all of Lot 1, Block 1, Panther G & O Addition, an addition to the City of Fort Worth, Tarrant County, Texas according to the plat thereof recorded in Volume 388-62, Page 13, Plat Records, Tarrant County, Texas (P.R.T.C.T.) and also being all of the same tract of land as described in deed to IP Properties, Ltd., recorded in County Clerk's File No. D211045967, Deed Records, Tarrant County, Texas (D.R.T.C.T.) and being more particularly described as follows:

BEGINNING at a 1 inch iron rod found (Controlling Monument) (N-6,965,692.41, E-2,341,226.91, NAD 83 grid) for the most southerly corner of said Lot 1, Block 1 and being at the intersection of the northwesterly right-of-way line of Trinity Railway Express (variable width right-of-way) and the easterly right-of-way line of Beach Street (variable width right-of-way);

THENCE North 00 deg 11 min 33 sec West, departing said northwesterly right-of-way line and along said easterly right-of-way line, a distance of 597.95 feet to a 1/2 inch iron rod found for corner (N-6,966,290.35, E-2,341,224.90, NAD 83 grid);

THENCE North 89 deg 40 min 01 sec East, departing the easterly right-of-way line of said Beach Street, a distance of 783.17 feet to a point for corner (N-6,966,294.90, E-2,342,008.06, NAD 83 grid);

THENCE South 00 deg 19 min 59 sec East, a distance of 30.88 feet to a 3/4 inch iron rod found (Controlling Monument) for corner (N-6,966,264.02, E-2,342,008.24, NAD 83 grid), said iron rod being situated in the northwesterly right-of-way line of said Trinity Railway Express;

THENCE South 53 deg 48 min 39 sec West (Basis of Bearing), along said northwesterly right-of-way line, a distance of 968.10 feet to the POINT OF BEGINNING.

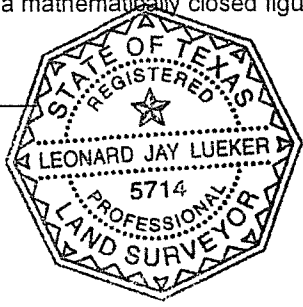
CONTAINING within these metes and bounds 5.653 acres or 246,262 square feet of land, more or less.

Bearings shown hereon are based upon an on-the-ground Survey performed in the field on the 30th day of December, 2015, utilizing a G.P.S. measurement (NAD 83, grid) from the GeoShack VRS network.

CERTIFICATION

The undersigned does hereby declare that the survey shown hereon was prepared from an actual on the ground survey performed on the 30th day of December, 2015, and form a mathematically closed figure of 1:15,000.

h.j. 1/12/16
Leonard J. Lueker
Registered Professional Land Surveyor
Texas Registration # 5714
Winkelmann & Associates, Inc.
6750 Hillcrest Plaza Drive, Suite 325
Dallas, Texas 75230
(972) 490-7090



Please note that the use of the word "CERTIFY" or "CERTIFICATE" used hereon constitutes an expression of professional opinion regarding those facts or findings which are the subject of the certification, and does not constitute a warranty or guarantee, either expressed or implied.

Winkelmann & Associates, Inc.
CONSULTING CIVIL ENGINEERS ■ SURVEYORS
6750 HILLCREST PLAZA DRIVE, SUITE 325 DALLAS, TEXAS 75230
(972) 490-7090 (972) 490-7099 FAX
Texas Engineers Registration No. 89
Firm Registration/license No. 10086600 Expires 12-31-16
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Scale : N/A
Date : 01.09.15
Dwg. File : 69135-MSD
Project No. : 69135.00

MSD EXHIBIT
5.653 ACRES
(246,262 SQ. FT.)

INDUSTRIAL POWER TRUCK & EQUIPMENT
712 NORTH BEACH STREET
FORT WORTH, TEXAS 76111

SHEET
2
OF
2

Exhibit B

Municipal Setting Designation

Affidavit of Eligibility

BEFORE ME, the undersigned authority, on this day personally appeared Robert O'Neil, as an authorized representative of Industrial Power LLC, 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.

Robert O'Neil
Signature

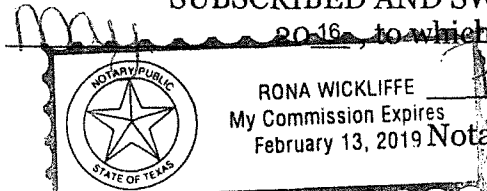
Date: 5-6-16

Robert O'Neil
Printed Name

President
Title

STATE OF Texas
COUNTY OF Tarrant

SUBSCRIBED AND SWORN before me on this the 6 day of May, 2016, to which witness my hand and seal of office.



Rona Wickliffe
Notary Public in and for the State of Texas