

Jon Niermann, *Chairman*  
Emily Lindley, *Commissioner*  
Toby Baker, *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

March 12, 2019

Mr. Jack Spicuzza, Director of Remediation  
Univar USA, Inc.  
17411 NE Union Hill Road  
Redmond, WA 98025

Re: Municipal Setting Designation (MSD) Certificate for Univar USA, Inc., 4707 Alpha Road, Farmer's Branch, Dallas County, Texas; MSD No. 399; TCEQ SWR No. 31657, TCEQ Agreed Order Docket No. 94-0833-IHW-E, EPA ID No. TXD042291591, CN600471346, RN102664307

Dear Mr. Spicuzza:

The Texas Commission on Environmental Quality (TCEQ) received the above referenced MSD application on September 06, 2018 and additional information supporting this MSD application on Date(s). Based on our review, the application contains the required information as outlined in Texas Health and Safety Code (THSC) §361.804. Enclosed is the MSD Certification for your site. If you have any questions, please do not hesitate to contact me at (512) 239-2266 or via e-mail ([prasanthi.bollineni@tceq.texas.gov](mailto:prasanthi.bollineni@tceq.texas.gov)).

Sincerely,

A handwritten signature in black ink, appearing to read "Prasanthi Bollineni".

Prasanthi Bollineni, P.E., Project Manager  
VCP-CA Section  
Remediation Division

PVB/jdm

Enclosure: MSD Certificate

cc: Mr. Erin Gorman, Waste Section Manager, TCEQ Dallas/Fort Worth Office, R4

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



MUNICIPAL SETTING 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. 399, in the City of Farmers Branch, 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 12<sup>th</sup> day of March, 2019

Beth Seaton

Beth Seaton, Director  
Remediation Division  
Texas Commission on Environmental Quality

**MUNICIPAL SETTING DESIGNATION SURVEY  
ELISHA FIKE SURVEY, ABSTRACT NO. 478  
CITY OF FARMERS BRANCH, DALLAS COUNTY, TEXAS**

BEING all those certain tract and parcel of land situated in the Elisha Fike Survey, Abstract no. 478, in the City of Farmers Branch, Dallas County, Texas, and being a tract of land conveyed to Van Waters & Roger Inc., by Warranty Deed recorded in Volume 97087, Page 5239, Deed Records, Dallas County, Texas, and also being a tract of land conveyed to Bell & McCoy, Inc., by Special Warranty Deed with Vendor's Lien, recorded in Instrument No. 201400179504, Official Public Records, Dallas County, Texas, and also being a tract of land conveyed to Seelcco Street Partner's, LTD., by Special Warranty Deed recorded in Instrument No. 201600062726, Official Public Records, Dallas County, Texas, and also being a tract of land conveyed to Rolex Properties, LLC, Series A-13725 Welch by Warranty Deed recorded in Instrument No. 2013002819747, Official Public Records, Dallas County, Texas, and also being a tract of land conveyed to Mittal Surinder, by Special Warranty Deed recorded in Volume 2001239, Page 5743, Deed Records, Dallas County, Texas, and also being a tract of land conveyed to Calandro Development Incorporated by Special Warranty Deed recorded in Instrument No. 201400150853, Official Public Records, Dallas County, Texas, and being a portion of Alpha Road (called 60 foot right-of-way) and Welch Road (called 60 foot right-of-way) as dedicated by Metropolitan Industrial Park, Section No. 1, an Addition to the City of Farmers Branch, Dallas County, Texas according to the Plat or Map thereof recorded in Volume 363, Page 1216 Map Records, Dallas County, Texas, and also being a portion of a Nall Road (called 60 foot right-of-way) as dedicated by Metropolitan Industrial Park, Section 1, a new subdivision of Lot C, Block No. 3, an Addition to the City of Farmer Branch, Dallas County, Texas according to the Plat or Map thereof recorded in Volume 71052, Page 2198, Map Records, Dallas County, Texas, and also being a portion Sigma Road (called 60 foot right-of-way) as dedicated by Metropolitan Commercial Park, an addition to the City of Farmers Branch, Dallas County, Texas according to the Plat or Map thereof recorded in Volume 69121, Page 1241, Map Records, Dallas County, Texas, and being more particularly described by metes and bounds as follows:

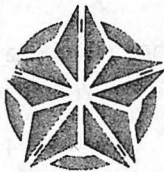
BEGINNING at a point for corner and being the centerline intersection of said Welch Road and said Alpha Road;

THENCE North 00 degrees 38 minutes 20 seconds West, departing the centerline right-of-way of said Alpha Road in a northerly direction along the centerline of the right-of-way line of said Welch Road, a distance of 1009.50 feet to a point for corner and being an interior ell corner of the herein described tract;

THENCE South 89 degrees 21 minutes 40 seconds West, departing the centerline right-of-way of said Welch Road, passing at a distance of 30.00 feet the southeast corner of said Rolex tract and being the common line of said Rolex tract and the northerly line of a tract of land conveyed to Peter W. Garratt, as to a 1/3 interest, Robert L. Garratt, as to a 1/3 interest, Tyler M. Garratt, as to a 1/6 interest and Elizabeth Jennings Hayden, Trustee of the Elizabeth Jennings Hayden Separate Property trust U/D/T dated February 13, 2013 as to a 1/6 interest, by Warranty Deed as recorded in Instrument No. 201500196144, Official Public Records, Dallas County, Texas, a total distance of 247.51 feet to a 1/2 inch iron rod being the southwest corner of said lying on the easterly line of Lot 1, Block 1, Conlon-Thomas Addition No. 2, according to the Plat thereof recorded in Volume 89241, Page 2976, Plat Records, Dallas County, Texas;

THENCE North 00 degrees 38 minutes 20 seconds West, along the easterly line of said Lot 1, Block 1, passing at 110.20 feet a 1/2 inch iron rod found for the southwesterly corner of said Lot 2, Block A, and the northwesterly corner of said Rolex tract, and passing at 215.27 feet a point for the northwesterly corner of said Lot 2, Block A, and being the southwesterly corner of said Calandro Development Incorporated tract and passing at 257.72 feet a 1/2 inch iron rod found for a tract of land conveyed to E.C. Carmack by Warranty Deed with Vendor's Lien, recorded in Volume 94088, Page 3186, Deed Records, Dallas County, Texas, and continuing a total of 418.66 feet to a point for corner and being the northeasterly corner of said E.C. Carmack tract from which a 1/2 inch iron rod found bears South 20 degrees 30 minutes 48 seconds West, and lying on the southerly right-of-way line of said Sigma Road;

THENCE South 89 degrees 00 minutes 26 West, along the northerly line of said E.C. Carmack common with the southerly righth-of-way line of said Sigma Road, a distance of 199.89 feet to a 1/2 inch iron rod found lying on the easterly right-of-way line of Beta Road (called 60 foot right-of-way);



TEXAS HERITAGE SURVEYING, INC.  
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Firm No. 10169300

BEARINGS ARE BASED UPON THE  
TEXAS STATE PLANE COORDINATE  
SYSTEM, NORTH CENTRAL ZONE, (4202)  
NORTH AMERICAN DATUM OF 1983,  
(2011)

JOB# 1700889-2  
DATE: 7/6/2017  
DRAWN BY: JAM  
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**MUNICIPAL SETTING DESIGNATION SURVEY  
ELISHA FIKE SURVEY, ABSTRACT NO. 478  
CITY OF FARMERS BRANCH, DALLAS COUNTY, TEXAS**

THENCE North 00 degrees 35 minutes 56 seconds West, departing the southerly right-of-way line of said Sigma Road, a distance of 29.56 feet to a point for corner lying in the centerline right-of-way line of said Sigma Road;

THENCE North 89 degrees 00 minutes 26 seconds East, along the centerline right-of-way of said Sigma Road, a distance of 447.41 feet to a point for corner, being the intersection of said Sigma Road and said Welch Road;

THENCE South 00 degrees 38 minutes 07 seconds East, along the centerline right-of-way of said Welch Road, a distance of 140.55 feet, to a point for corner lying in the centerline right-of-way of said Welch Road;

THENCE North 89 degrees 04 minutes 33 seconds East, departing the centerline right-of-way of said Welch Road, passing at a distance of 30.00 feet the southwest corner of Lot 1, Block 1 of Greenbriar Addition, an addition to the City of Farmers Branch, Dallas County, Texas as recorded in Volume 94140, Page 4887, Plat Records, Dallas County, Texas, also being the northwest corner of said Seelcco Street Partners tract, from which a 5/8 inch iron rod found bears South 17 degrees 32 minutes 32 seconds West, a distance of 0.24 feet, a total distance of 268.02 feet to a 1/2 inch iron rod being the northeasterly corner of said Seelcco Street Partners tract and the northwesterly corner of Lot C-7A, Block 3, Metropolitan Industrial Park Section I, an addition to the City of Farmers Branch, Dallas County, Texas, as recorded in Volume 79104, Page 1498, Plat Records, Dallas County, Texas;

THENCE South 00 degrees 55 minutes 27 seconds East, along easterly line of said Seelcco Street Partners tract common with said Lot C-7A, Block 3, passing at a distance of 360.00 feet a 5/8 inch iron rod found for the southeasterly corner of said Seelcco Street Partners tract and the southwesterly corner of said Lot C-7A, Block 3, a total distance of 390.00 feet to a point for corner lying in the centerline right-of-way of said Nall Road;

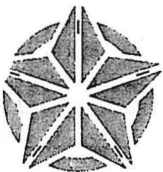
THENCE North 89 degrees 04 minutes 33 seconds East, along the centerline right-of-way of said Nall Road, a distance of 130.00 feet to a point for corner;

THENCE South 00 degrees 55 minutes 27 seconds East, departing the centerline right-of-way of said Nall Road, passing at a distance of 30.00 feet to a 5/8 inch iron rod found for the northeasterly corner of said Bell & McCoy tract and being the northwesterly corner of a tract of land conveyed to Reep-Ind Valwood TX LLC., by Special Warranty Deed as recorded in Instrument No. 201300385599, Official Public Records, Dallas County, Texas, and continuing a total distance of 357.73 feet to a point for corner, from which a 1/2 inch iron rod found bears South 73 degrees 38 minutes 04 seconds East, a distance of 0.50 feet for reference, lying on the northerly line of said Van Water & Rogers, Inc. tract;

THENCE North 89 degrees 04 minutes 33 seconds East, along a northerly line of said Van Water & Rogers tract common with the southerly line of said Reep-Ind Valwood tract, a distance of 229.49 feet to a 1/2 inch iron rod found for corner the most easterly northwest corner of Lot 2, Block 1, Revised Alpha Metropolitan Addition, an Addition to the City of Farmers Branch, Dallas County, Texas, as recorded in Volume 98093, Page 81, Plat Records, Dallas County, Texas;

THENCE South 00 degrees 55 minutes 27 seconds East, along an easterly line of said Van Water & Rogers tract, common with Lot 2, Block 1, a distance of 83.00 feet to a 1/2 inch iron rod found for corner;

THENCE South 89 degrees 04 minutes 33 seconds West, along a common line of said Van Water & Rogers tract, and a northerly line of Lot 2, Block 1, a distance of 195.00 feet to a point for corner from which a 1/2 inch iron found bears South 57 degrees 27 minutes 37 seconds West, 0.25 feet for reference;



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**MUNICIPAL SETTING DESIGNATION SURVEY  
ELISHA FIKE SURVEY, ABSTRACT NO. 478  
CITY OF FARMERS BRANCH, DALLAS COUNTY, TEXAS**

THENCE South 00 degrees 55 minutes 27 seconds East, along an easterly line of said Van Water & Rogers tract common with the westerly line of Lot 2, Block 1, passing at 438.00 feet a 1/2 inch iron rod found lying on the northerly line of said Alpha Road and continuing a total distance of 488.00 feet to a point for corner lying in the centerline right-of-way of said Alpha Road;

THENCE South 89 degrees 04 minutes 33 seconds West, along the centerline right of way line of said Alpha Road, a distance of 439.19 feet to the POINT OF BEGINNING and containing 631,487 square feet or 14.497 acres of land.

*Raul D. Reyes*

Raul D. Reyes, R.P.L.S.# 5390



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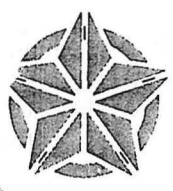
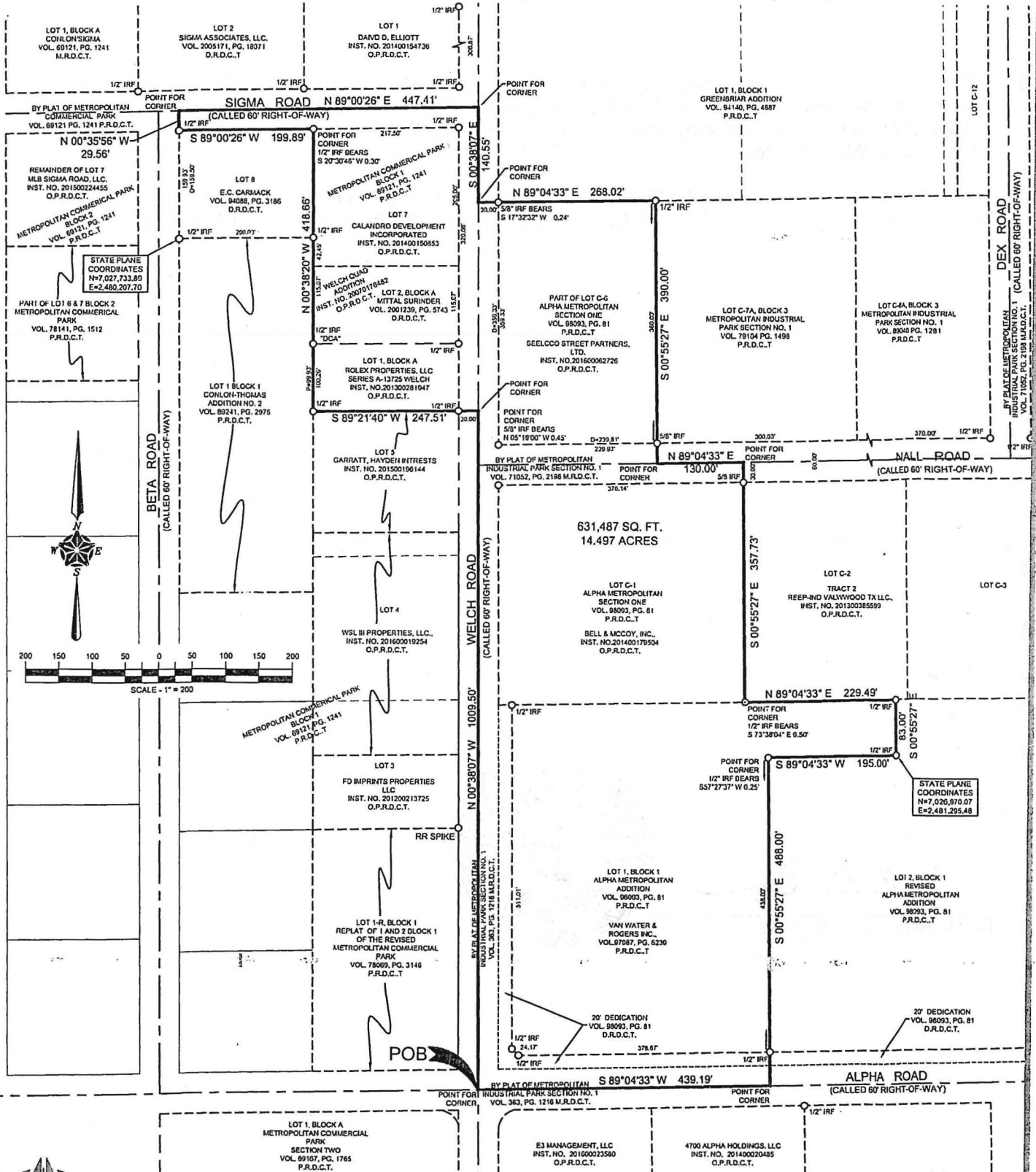
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DATE: 6/7/2017  
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# MUNICIPAL SETTING DESIGNATION SURVEY

## ELISHA FIKE SURVEY, ABSTRACT NO. 478

### CITY OF FARMERS BRANCH, DALLAS COUNTY, TEXAS



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JOB# 1700889-2  
 DATE: 7/6/2017  
 SCALE: 1" = 200'  
 DRAWN BY: JAM  
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# Exhibit B

## Municipal Setting Designation

### Affidavit of Eligibility

BEFORE ME, the undersigned authority, on this day personally appeared Jack Spicuzza, as an authorized representative of Univar USA, Inc., 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.

Jack Spicuzza  
Signature

Date: 1.9.2019

Jack Spicuzza  
Printed Name

Senior Director, Environmental and Product Compliance  
Title

STATE OF Ohio  
COUNTY OF Franklin

SUBSCRIBED AND SWORN before me on this the 9th day of January 2019, to which witness my hand and seal of office.

Kay E. Gaskill  
KAY E. GASKILL  
Notary Public, State of Ohio  
My Commission Expires 08-13-2021  
Notary Public in and for the State of Ohio

