Ryan W. Shaw, Ph.D., *Chairman* Carlos Aubinstein, *Commissioner* Toby Baker, *Commissioner* Zak Covar, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

January 14, 2013

Mr. Tony Facciolo, Environmental Coordinator Schumacher Company, Inc. 5610 Polk Street Houston, Texas 77023

RE: Municipal Setting Designation (MSD) Certificate for IWECO, 600 Hughes St., Houston, Harris County, Texas; MSD No. 218

Dear Mr. Facciolo:

Enclosed is the Municipal Setting Designation Certification for your site. You can use this certification as the basis to avail of the groundwater assessment and remediation flexibility offered in accordance with Texas Health and Safety Code §361.808, consistent with the site-specific circumstances.

If I can be of any further assistance, please do not hesitate to contact me at (512) 239-2204 or via e-mail (Andre.Price@TCEQ.Texas.gov).

Sincerely

André V. Price, Project Manager VCP-CA Section Remediation Division

AP/jdm

Enclosure

cc: Mr. Chuck Epperson, Epperson Environmental Group, LLC,



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

January 14, 2013

Mr. Jim DeFoyd, City Attorney City of Galena Park 103 East Way Street Galena Park, Texas 77547

Re: Municipal Setting Designation Certification (MSD) for Schumacher Company, 600 Hughes St., Houston, Harris County, Texas; MSD No. 218

Dear Mr. DeFoyd:

As required by TEX. HEALTH AND SAFETY CODE §361.807(a)(2), please find an enclosed copy of the Municipal Setting Designation Certificate for the abovereferenced property. The application was certified on January 3, 2013. The City of Galena Park was notified of the Municipal Setting Designation application. For this reason, the Texas Commission on Environmental Quality is required to provide you a copy of this Municipal Setting Designation Certificate.

If you have any questions, please do not hesitate to contact me at (512) 239-0053.

Sincerely,

Andre Price, Project Manager VCP-CA Section Remediation Division

AP/jdm

Enclosure

Bryan W. Shaw, Ph.D., *Chairman* Carlos Rubinstein, *Commissioner* Toby Baker, *Commissioner* Zak Covar, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

January 14, 2013

Ms. Joyce Raines, City Secretary City of Jacinto City 1301 Mercury Drive Jacinto City, Texas 77029

Re: Municipal Setting Designation Certification (MSD) for Schumacher Company, 600 Hughes St., Houston, Harris County, Texas; MSD No. 218

Dear Ms. Raines:

As required by TEX. HEALTH AND SAFETY CODE §361.807(a)(2), please find an enclosed copy of the Municipal Setting Designation Certificate for the abovereferenced property. The application was certified on January 3, 2013. The City of Jacinto City was notified of the Municipal Setting Designation application. For this reason, the Texas Commission on Environmental Quality is required to provide you a copy of this Municipal Setting Designation Certificate.

If you have any questions, please do not hesitate to contact me at (512) 239-0053.

Sincerely,

Andre Price, Project Manager VCP-CA Section Remediation Division

AP/jdm

Enclosure

Toby Baker, Commissioner Zak Covar, Executive Director



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

January 14, 2013

Ms. Anna Russell, City Secretary City of Houston 900 Bagby, Public Level Houston, Texas 77002

Re: Municipal Setting Designation Certification (MSD) for Schumacher Company, 600 Hughes St., Houston, Harris County, Texas; MSD No. 218

Dear Ms. Russell:

As required by TEX HEALTH & SAFETY CODE §361.807(a)(2), enclosed is a copy of the MSD dated January 3, 2013. The City of Houston passed an ordinance (Ordinance No. 2012-347) in support of this MSD application. For this reason, the Texas Commission on Environmental Quality is required to provide you a copy of the MSD Certificate.

If you have any questions, please contact me at (512) 239-2204.

Sincerely,

André V. Price, Project Manager VCP-CA Section Remediation Division

AP/jdm

Enclosure



MUNICIPAL SETTING DESIGNATION CERTIFICATE

As provided for in §361.807, Subchapter W, Texas Health and Safety Code (Solid Waste Disposal Act):

I, Zak Covar, Executive Director of the Texas Commission on Environmental Quality certify the Municipal Setting Designation (MSD) for MSD No. 218, 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 institutional control required by Texas Health and Safety Code §361.8065 is maintained 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 <u>3</u> day of <u>kuran</u> 20 Zak Cóvar

Zak Covar Executive Director Texas Commission on Environmental Quality

EXHIBIT A

BEGINNING at 1" iron pipe at the southwest corner of said 33.75 acre tract and at the northwest corner of the Subdivision of the Lunnen Estate Tract on the easterly right-of-way line of Hughes Street, generally 58 feet wide as occupied, and from which a chain link fence corner post bears Southerly 2.0 feet and Westerly 1.5 feet;

THENCE North 33° 54' 17" East with the westerly line of said 33.75 acre tract and said easterly right-of-way line and generally along a chain link fence, at 381.07 feet pass a 1" iron pipe set for reference located 3.9 feet south of a corner post of said fence on the southerly high bank of Slaughter Pen Bayou, and continuing a total distance of 431.07 feet to a point for corner in the centerline of said Bayou;

THENCE down said bayou in a southeasterly direction with the meanders of its centerline with the following fifteen (15) courses and distances:

1.	South	67°	22'	53"	East	\$1.03	feet		
2.	South	48°	43'	02"	East	27.61	feet		
3.	South	5°	15	13"	West	29.60	feet		
4.	South	8°	24'	38"	West	36.63	feet		
S.	South	21°	42	00"	East	16.57	feet		
6.	South	27°	46'	00"	East	16.57	feet	LOUD DEL COUL HARRIS	***
7.	South	78°	12'	00"	East	163.25	feet	Bacoufy S. Keyford County CLERK HARRIS COUNTY CLERK	2
8.	South	29°	39'	10 ⁿ	East	20.92	feet	RRISC	لد. ر ا
9.	South	5°	42'	39"	East	61.00	feet	二級 名 二	
10.	South	49°	58'	39"	East	45.83	feet	ች። እና -	9 0
11.	South	54°	10'	03"	East	47.86	feet		
12.	South	46°	58'	27"	West	51.58	feet		
13.	South	32°	13'	10"	West	62.19	feet	2	<u>п</u> Л
14.	South	2°	50'	05"	West	75.04	feet		
15.	South	14°	27	09*	West	54.18	feet		
		~			-				

to a point for corner at its intersection with the southerly line of said 33.75 acre tract;

THENCE North 71° 32' 00" West with said southerly line and the northerly line of said Lunnen Estate subdivision, at 50.00 feet pass a 1" iron pipe set for reference on the westerly high bank of said Bayou and located 4.70 feet south of an angle corner post of a chain link fence, and continuing generally along and on both sides of a series of chain link fences a total distance of 507.66 feet to the PLACE OF BEGINNING.

RECORDER'S MEMORANDUM: At the time of recordation, this instrument was found to be inadequate for the best photographic reproduction because of illegibility, carbon or photo copy, discolated uppar, etc. All blocketts additions and changes were present all the time the instrument was field and recorded.

HOUSTON: 013867 00167; 1118057vf

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County & Kayfacen County clerk Harris county texas



Exhibit A MSD No. 2

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Exhibit B

Municipal Setting Designation

Affidavit of Eligibility

BEFORE ME, the undersigned authority, on this day personally appeared Tony Facciolo _______, as an authorized representative of Schumacher Company, 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.

Date: 08/28/12

Signature

Environm

Title

STATE OF COUNTY OF SUBSCRIBED AND SWORN before me on this the ______ day of 20_12 , to which witness my hand and seal of office. Notary Public in and for the State of TCEQ 20149 August 2011