

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

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](mailto:Andre.Price@TCEQ.Texas.gov)).

Sincerely,

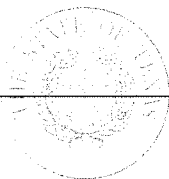
A handwritten signature in black ink, appearing to read "Andre V. Price".

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

AP/jdm

Enclosure

cc: Mr. Chuck Epperson, Epperson Environmental Group, LLC,  
A black rectangular redaction box covering contact information.



## 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 above-referenced 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,

A handwritten signature in black ink, appearing to read "Andre Price", with a long horizontal flourish extending to the right.

Andre Price, Project Manager  
VCP-CA Section  
Remediation Division

AP/jdm

Enclosure

Bryan W. Shaw, Ph.D., *Chairman*  
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## 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 above-referenced 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,

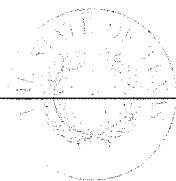
A handwritten signature in black ink, appearing to read "Andre Price", with a horizontal line extending to the right.

Andre Price, Project Manager  
VCP-CA Section  
Remediation Division

AP/jdm

Enclosure

Bryan W. Shaw, Ph.D., *Chairman*  
Carlos Rubinstein, *Commissioner*  
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## 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,

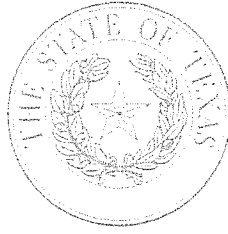
A handwritten signature in black ink, appearing to read "AP", written over a horizontal line.

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

AP/jdm

Enclosure

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, 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 3<sup>rd</sup> day of January, 2013

  
\_\_\_\_\_  
Zak Covar  
Executive Director  
Texas Commission on Environmental Quality





**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.

Tony Facciolo  
Signature

Date: 08/28/12

Tony Facciolo  
Printed Name

Environmental Coordinators  
Title

STATE OF Texas  
COUNTY OF Harris

SUBSCRIBED AND SWORN before me on this the 28<sup>th</sup> day of August 2012, to which witness my hand and seal of office.

Kathy L. Pitcock  
Notary Public in and for the State of Texas

