

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*

June 14, 2016

Mr. John Thill, General Partner  
East Division Street Partners, LP  
6241 Alverton Drive  
Carlsbad, California 92009

Re: Municipal Setting Designation (MSD) Certificate for StorageLand I, a General Partnership, StorageLand Facility and Adjacent Vacant Tract, 1830 & 1840 East Division Street, Arlington, Tarrant County, TX; Municipal Setting Designation (MSD) No. 310; Customer No. CN604705202; Regulated Entity No. RN102337953

Dear Mr. Thill:

The Texas Commission on Environmental Quality (TCEQ) received the above referenced Municipal Setting Designation (MSD) application on December 4 2015 and additional information supporting this MSD application on March 9 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) 239-3170 or via e-mail ([Estefani.jimenez@tceq.texas.gov](mailto:Estefani.jimenez@tceq.texas.gov)).

Sincerely,

A handwritten signature in black ink, appearing to read "Estefani D. Jimenez".

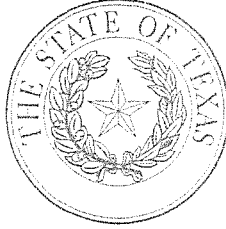
Estefani D. Jimenez, Title  
VCP-CA Section  
Remediation Division

EDJ/jdm

cc: Mr. Sam Barrett, Waste Section Manager, TCEQ Ft. Worth/Dallas Regional Office, R-4  
Mr. Lance Crabtree, Terracon Consultants, Inc., 8901 Carpenter Freeway, Suite 100, Dallas, TX 75247

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. 310, in the City of Arlington, 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 13<sup>th</sup> day of June, 2016

Beth Seaton

Beth Seaton, Director  
Remediation Division  
Texas Commission on Environmental Quality



# Municipal Setting Designation

## Affidavit of Eligibility

BEFORE ME, the undersigned authority, on this day personally appeared JOHN E THILL, as an authorized representative of STORAGELAND I, 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.

Signature [Handwritten Signature]

Date: 11/25/15

Printed Name John E. Thill

Title GENERAL PARTNER

STATE OF CALIFORNIA  
COUNTY OF SAN DIEGO

SUBSCRIBED AND SWORN before me on this the 25<sup>th</sup> day of NOVEMBER 2015, to which witness my hand and seal of office.

[Handwritten Signature]  
Notary Public in and for the State of CALIFORNIA

