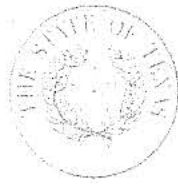


Bryan W. Shaw, Ph.D., *Chairman*
Carlos Rubinstein, *Commissioner*
Toby Baker, *Commissioner*
Zak Covar, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

December 2, 2013

Mr. David M. Smith, President
The RectorSeal Corporation
2601 Spenwick Drive
Houston, Texas 77055

Re: The RectorSeal Corporation, 2601 Spenwick Drive, Houston, Harris County, Texas; Municipal Setting Designation (MSD) No. 237; Voluntary Cleanup Program (VCP) No. 613; RN100701812; CN602531469

Dear Mr. Smith:

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) 239-6753 or via e-mail (Joseph.Bell@TCEQ.Texas.gov).

Sincerely,

A handwritten signature in cursive script, appearing to read "Joe Bell".

Joe Bell, P.G., Project Manager
VCP-CA Section
Remediation Division

JNB/jdm

Enclosure: MSD certificate

cc: Mr. Scott Kerns, The RectorSeal Corporation, 2601 Spenwick Drive, Houston, TX 77055
Mr. Edward W. James, P.G., Terracon Consulting, Inc., 11555 Clay Road, Suite 100, Houston, TX 77043
Mr. Jason Ybarra, Waste Program Manager, TCEQ Region 12 Office, Houston

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. 237, 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 22nd day of November, 20 13

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

Zak Covar
Executive Director
Texas Commission on Environmental Quality

METES AND BOUNDS DESCRIPTION
2601 SPENWICK DRIVE
EXHIBIT "A"

All that certain 21.5656 acres of land out of the Daniel Alexander Survey, A-92, Houston, Harris County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at an "X" in concrete marking the intersection of the center line of Spenwick Drive (60' wide) with the north line of Kempwood Industrial Park, Section 1, according to the plat thereof filed at Volume 81, Page 47 Harris County Map Records;

THENCE S 89° 55' 38" W – 764.65', along the north line of said Kempwood Industrial Park, Section 1, to a 3/4" iron pipe for corner;

THENCE S 00° 00' 32" W – 125.59' to a 5/8" iron rod for corner;

THENCE West – 25.00' to the Point of Curvature of a curve having a central angle of 90° 00' 00", a radius of 125.00', the center of said curve being located on a radial line bearing West from said point;

THENCE in a northwesterly direction along said curve and along the center line of a 50' wide Harris County Flood Control District recorded at Volume 3064, Page 616, Harris County Deed Records, for an arc distance of 196.35' to the Point of Tangency;

THENCE West – 54.80', continuing along the center line of said easement, to the Point of Curvature of a curve to the right having a central angle of 85° 13' 00", a radius of 125.00';

THENCE along said curve to the right and continuing along the center line of said easement for an arc distance of 185.91' to the Point of Tangency;

THENCE N 04° 47' 00" W – 556.99', continuing along the center line of said easement, to a point for corner, being a point on a curve having a central angle of 17° 40' 28", a radius of 381.97', the center of said curve being located on a radial line bearing N 01° 47' 27" W from said point;

THENCE along the meanders of Brickhouse Gully, as improved, as follows:

In an easterly direction along said curve for an arc distance of 117.83' to the Point of Tangency;

Thence N 70° 32' 05" E – 449.40' to the Point of Curvature of a curve to the right having a central angle of 20° 01' 00", a radius of 381.97';

Thence along said curve for an arc distance of 133.44' to the Point of Tangency;

Thence S 89° 26' 55" E – 170.00';

Thence S 87° 53' 18" E – 52.52';

Thence N 85° 24' 06" E – 33.16' to a point for corner;

THENCE S 50° 25' 33" E – 371.52', along the southwesterly right-of-way for Southern Pacific Railroad Company (100' wide), to a 1" iron pipe for angle point;

THENCE S 50° 13' 45" E – 145.69', continuing along the southwesterly right-of-way for said Southern Pacific Railroad Company, to a 1/2" iron rod for corner;

THENCE S 23° 05' 02" W – 368.18', along the westerly line of that certain called 5.3960 acres of land described in a deed dated 8-7-1980 from Great-West Life Assurance Company to Reef Mid American Fund-I filed in the official public records of real property of Harris County, Texas at Clerk File No. G-636624, Film Code No. 164-83-1332, to the Point of Curvature of a curve to the left having a central angle of 23° 08' 19", a radius of 487.95';

THENCE along said curve and continuing along the westerly line of said 5.3960 acre tract, for an arc distance of 197.06' to the POINT OF BEGINNING and containing 21.5656 acres of land (939,399 square feet) of land, more or less.

Exhibit B
Municipal Setting Designation
Affidavit of Eligibility

BEFORE ME, the undersigned authority, on this day personally appeared David M. Smith, as an authorized representative of The RectorSeal Corporation, 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

Date: May 13, 2013

David M. Smith
Printed Name

President
Title

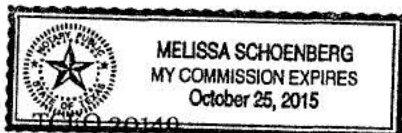
President
Title

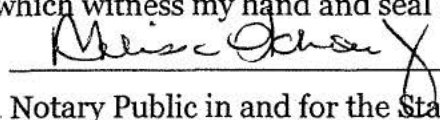
President
Title

STATE OF TEXAS

COUNTY OF HARRIS

SUBSCRIBED AND SWORN before me on this the 13th day of MAY 2013, to which witness my hand and seal of office.




Notary Public in and for the State of TEXAS