

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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

July 18, 2019

Mr. Richey Thompson, TEX Rail Chief Engineer
Fort Worth Transportation Authority
Burnett Plaza
801 Cherry Street, Suite 850
Fort Worth, Texas 76102

Re: Municipal Setting Designation (MSD) Certificate for APAC - Texas Fort Worth Site,
located at 1401 Swift Street, Fort Worth, Tarrant County, Texas; MSD No. 405, Voluntary
Cleanup Program (VCP) No. 2883; Customer No. CN600364830; Regulated Entity No.
RN109761676

Dear Mr. Thompson:

The Texas Commission on Environmental Quality (TCEQ) received the above referenced MSD application on October 24, 2018 and additional information supporting this MSD application on November 12, 2018, November 14, 2018, April 11, 2019, and May 2, 2019. 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) 239-2603 or via e-mail (Heather.Podlipny@tceq.texas.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Heather Podlipny".

Heather Podlipny, Project Manager
VCP-CA Section
Remediation Division

HP/mdh

Enclosure: MSD Certificate

cc: Mr. Y. Lynn Clark, P.G., Principal Geoscientist, LCA Environmental, Inc (via email)
Ms. Erin Gorman, Waste Section Manager, Dallas/Fort Worth Regional Office, R-4
Ms. Carrie Weir, Director, Stateside Right of Way Services(via email)

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. 405, in the City of Fort Worth, 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 18th day of July, 2019

Beth Seaton

Beth Seaton, Director
Remediation Division
Texas Commission on Environmental Quality

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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

July 18, 2019

Ms. Wendy Blocker
City Secretary
City of Sansom Park
5705 Azle Avenue
Sansom Park, Texas 76114

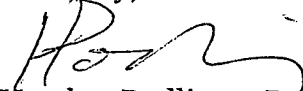
Re: Municipal Setting Designation (MSD) Certificate for APAC - Texas Fort Worth Site, located at 1401 Swift Street, Fort Worth, Tarrant County, TX; Municipal Setting Designation (MSD) No. 405, Voluntary Cleanup Program (VCP) No. 2883; Customer No. CN600364830; Regulated Entity No. RN109761676

Dear Ms. Blocker:

As required by Texas Health & Safety Code §361.807(a)(2), enclosed is a copy of the MSD certificate dated July 18, 2019. The City of Sansom Park passed a resolution (Resolution No. 1034-19) 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) 239-2603 or via e-mail (Heather.Podlipny@tceq.texas.gov).

Sincerely,


Heather Podlipny, Project Manager
VCP-CA Section
Remediation Division

HP/mdh

Enclosure: Copy of MSD Certificate No. 405

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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

July 18, 2019

Ms. Mary J. Kayser, City Secretary
City Hall
City of Fort Worth
200 Texas Street
Fort Worth, Texas 76102


Re: Municipal Setting Designation (MSD) Certificate for APAC - Texas Fort Worth Site, located at 1401 Swift Street, Fort Worth, Tarrant County, TX; Municipal Setting Designation (MSD) No. 405, Voluntary Cleanup Program (VCP) No. 2883; Customer No. CN600364830; Regulated Entity No. RN109761676

Dear Ms. Kayser:

As required by Texas Health & Safety Code §361.807(a)(2), enclosed is a copy of the MSD Certificate dated July 18, 2019. The City of Fort Worth passed an ordinance (Ordinance No. 23085-01-2018) 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.

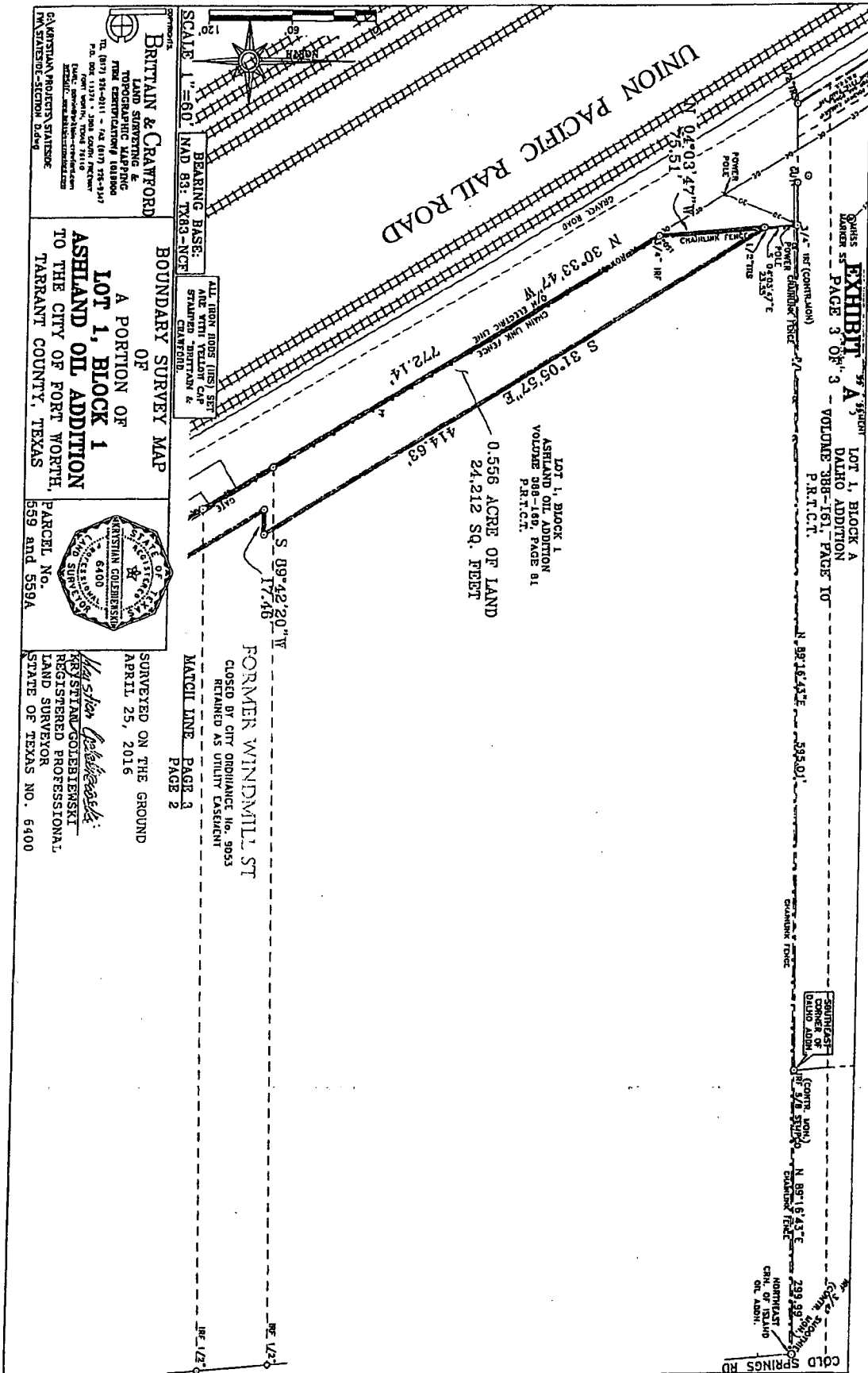
If you have any questions, please contact me at (512) 239-2603 or via e-mail (Heather.Podlipny@tceq.texas.gov).

Sincerely,


Heather Podlipny, Project Manager
VCP-CA Section
Remediation Division

HP/mdh

Enclosure: Copy of MSD Certificate No. 405



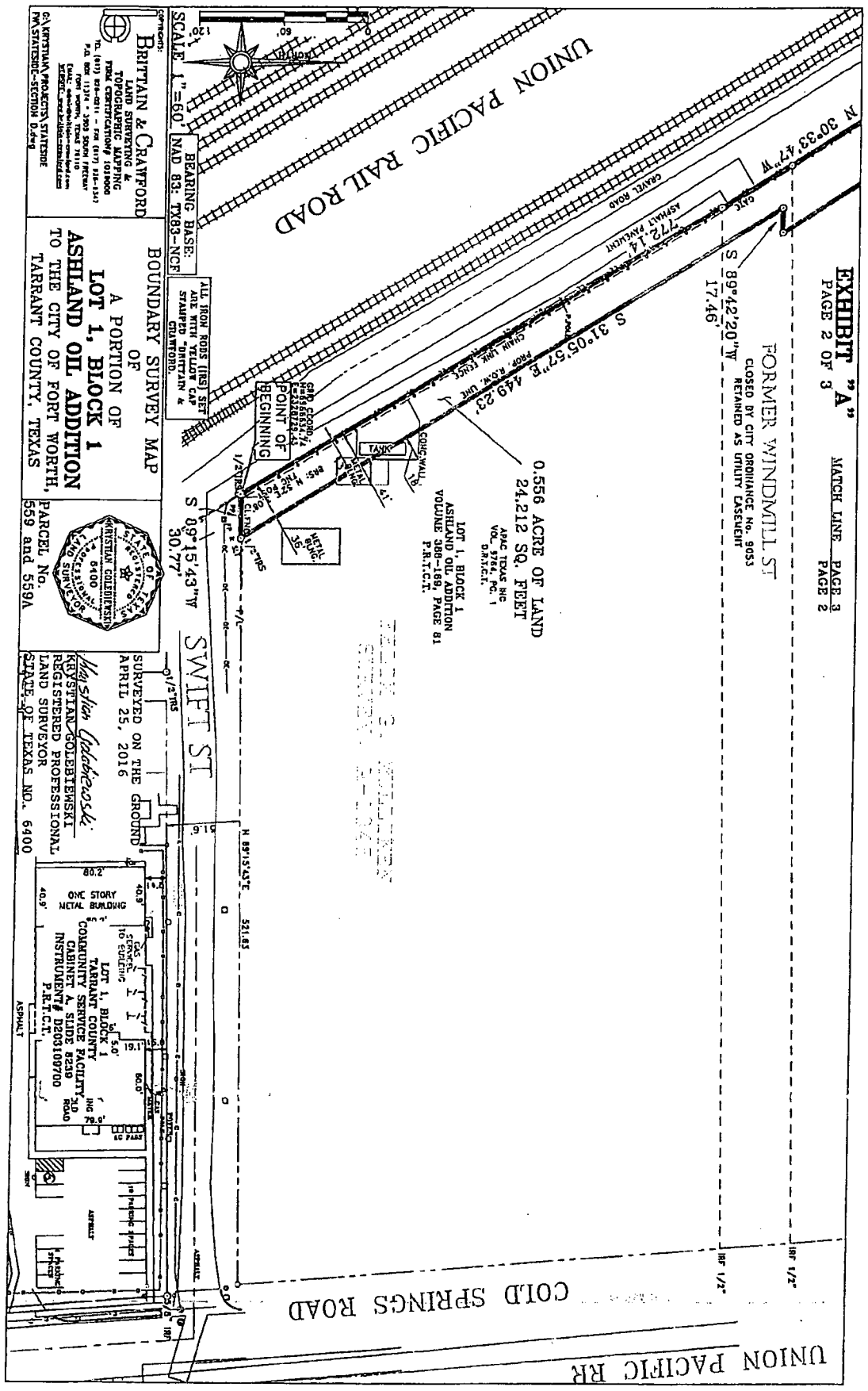


EXHIBIT "A"
PAGE 2 OF 3

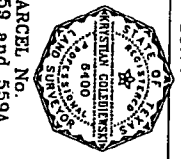
FORMER WINDMILL ST
CLOSED BY CITY ORDINANCE NO. 9033
REMAINED AS UTILITY EASEMENT

0.556 ACRE OF LAND
24,212 SQ. FEET
LOT 1, BLOCK 1
ASHLAND OIL ADDITION
VOLUME 388-189, PAGE 81
P.R.C.T.

LOT 1, BLOCK 1
ASHLAND OIL ADDITION
VOLUME 388-189, PAGE 81
P.R.C.T.

BOUNDARY SURVEY MAP
OF
A PORTION OF
LOT 1, BLOCK 1
ASHLAND OIL ADDITION
TO THE CITY OF FORT WORTH,
TARRANT COUNTY, TEXAS

BRITAIN & CRAWFORD
SURVEYING &
CONSULTING ENGINEERS
1010 S. W. 11TH ST., SUITE 100
FORT WORTH, TEXAS 76104
TEL: (817) 342-4111 - FAX: (817) 342-1343
FAX: (817) 342-4111 - FAX: (817) 342-1343
WWW.BCANDC.COM
LICENSED PROFESSIONAL SURVEYORS
STATE OF TEXAS - LICENSE NO. 10000
P.M. STATE BAR - SECTION D-449



SURVEYED ON THE GROUND
APRIL 25, 2016
BY
MAGUIR G. GALEBERG
REGISTERED PROFESSIONAL
LAND SURVEYOR
STATE OF TEXAS, NO. 6400

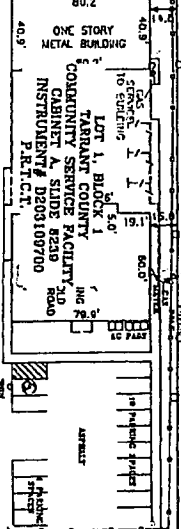


EXHIBIT "A"
LEGAL DESCRIPTION
PARCEL No. 559

BEING 0.556 acre of land located in Lot 1, Block 1, ASHLAND OIL ADDITION, to the City of Fort Worth, Tarrant County, Texas, according to the plat recorded in Volume 388-169, Page 81, of the Plat Records of Tarrant County, Texas. Said 0.556 acre of land being more particularly described by metes and bounds as follows:

BEGINNING at a ½" iron rod marked "Brittain & Crawford" set, at the Southwest corner of said Lot 1, and said POINT lying at the intersection of the North right-of-way line of Swift Street (a variable width public right-of-way) with the East right-of-way line of Union Pacific Railroad, and said POINT OF BEGINNING also having Texas State Grid Coordinates N: 6,966,634.74 and E: 2,328,729.43;

THENCE along the Southwest boundary line of said Lot 1 and the Northeast right-of-way line of said Union Pacific Railroad, as follows:

1. N 30° 33' 47" W 772.14 feet, to a ¾" iron rod found;
2. N 04° 03' 47" W 75.51 feet, to a ½" iron rod marked "Brittain & Crawford" set;

THENCE severing said Lot 1, as follows:

1. S 31° 05' 57" E 414.63 feet, to a ½" iron rod marked "Brittain & Crawford" set;
2. S 89° 42' 20" W 17.46 feet, to a ½" iron rod marked "Brittain & Crawford" set;
3. S 31° 05' 57" E 449.23 feet, to a ½" iron rod marked "Brittain & Crawford" set, in the South boundary line of said Lot 1 and the North right-of-way line of said Swift Street;

THENCE S 89° 15' 43" W 30.77 feet, along the South boundary line of said Lot 1 and the North right-of-way line of said Swift Street, to the POINT OF BEGINNING, containing 0.556 acre (24,212 square feet) of land.

Exhibit B
Municipal Setting Designation
Affidavit of Eligibility

BEFORE ME, the undersigned authority, on this day personally appeared
Carrie Weir
Fort Worth Transportation Authority, as an authorized representative of
Fort Worth Transportation Authority, 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)

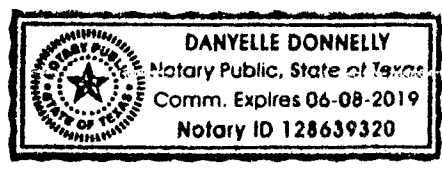
- X The MSD eligibility criteria of THSC Section 361.803 are satisfied.
X True and accurate copies of all documents demonstrating that the MSD eligibility
criteria provided by THSC 361.803 have been satisfied and are included with the
application.
X A true and accurate copy of a legal description of the proposed MSD property is
included with the application.
X Notice has been provided in accordance with THSC 361.805.
X 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.

Carrie Weir
Signature

Date: 12 SEPT 2018

Carrie Weir, VP Stateside ROW Services
Printed Name

as Agent for Fort Worth Transportation Authority
Title



STATE OF Texas
COUNTY OF Tarrant

SUBSCRIBED AND SWORN before me on this the 12th day of
September 2018, to which witness my hand and seal of office.

Danyelle Donnelly
Notary Public in and for the State of Texas