

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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

August 15, 2019

Mr. Peter Belle
BASF
675 Central Avenue
New Providence, New Jersey 07974

Mr. Matt Tiller, Environmental Affairs - Remediation
Georgia Pacific LLC
133 Peachtree Street NE
Atlanta, Georgia 30303

Re: Municipal Setting Designation (MSD) Certificate for Chemetall, US, Inc. and Georgia-Pacific, LLC; Hirsch Road Properties, 10100 & 10120 Hirsch Road, Houston, Harris County, Texas; MSD No. 385; Customer Nos. CN600133169 and CN602406290; Regulated Entity No. RN10419496

Dear Mr. Belle and Mr. Tiller:

The Texas Commission on Environmental Quality (TCEQ) received the above referenced MSD application on May 3, 2018 and additional information supporting this MSD application on November 12, 2018, April 17, 2019, and July 18, 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) 239-2238 or via e-mail (aaron.correll@tceq.texas.gov).

Sincerely,

A handwritten signature in cursive script, appearing to read "Aaron Correll".

Aaron Correll, P.G., Project Manager
VCP-CA Section
Remediation Division

AC/jdm

Enclosure: MSD Certificate

cc: Mr. Austin Cooley, P.E., P.G., Vice President, Brown and Caldwell, 10777 Westheimer Road, Suite 975, Houston, Texas 77042
Ms. Alma Jefferson, Waste Section Manager, TCEQ, Houston Regional Office, MC R-12

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. 385, 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 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 9th day of August, 20 19

Beth Seaton

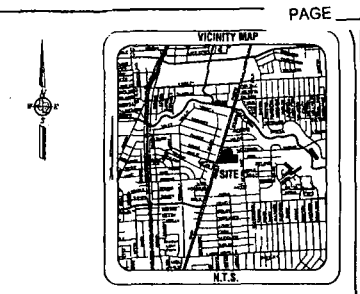
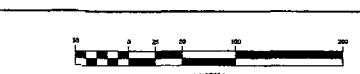
Beth Seaton, Director
Remediation Division
Texas Commission on Environmental Quality

LEGEND

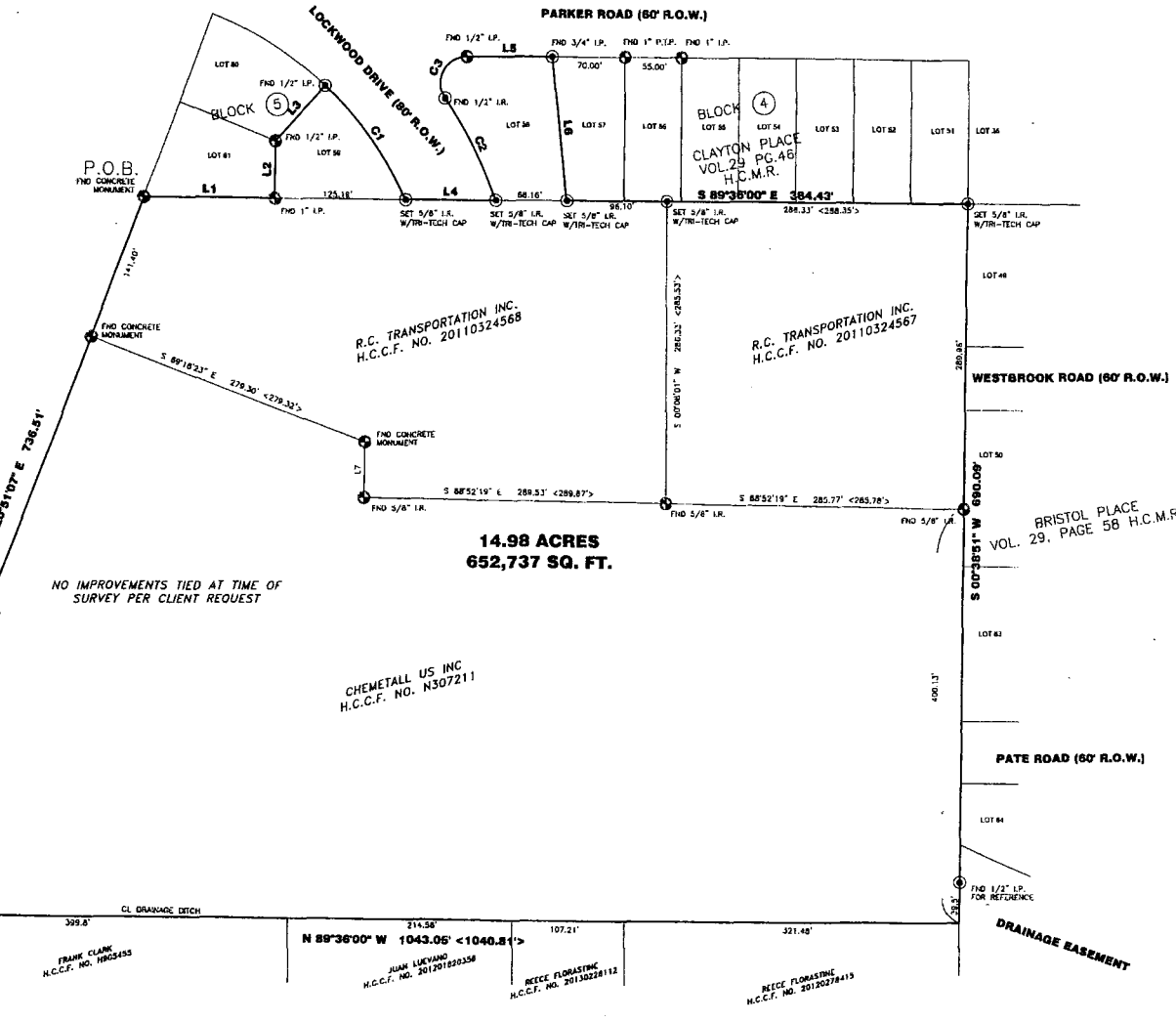
1. ALL BUILDINGS AND BUILDING LINES SHOWN ARE PER THE PROPOSED PLAT UNDER CHANGING ROSTER.
 2. SUBJECT TO A DRAINAGE EASEMENT ON EACH SIDE OF THE CENTERLINE OF ALL NATURAL DRAINAGE COURSES.
 3. ALL BUILDING LINES, EXCEPT BUILDING RESTRICTIONS, SHALL BE SUBJECT TO THE DRAINAGE EASEMENT. ANY THAT MAY AFFECT DRAINAGE RESTRICTIONS SHALL BE MOVED PRIOR TO PLANNING THROUGH CONSTRUCTION.
 4. UNLESS FROM FLOOR REQUIREMENTS, IF ROOMS ARE PERMITTED THAT EXCEED FLOOR REQUIREMENTS, AND NOTED AS SUCH, ADDITIONAL FLOOR REQUIREMENTS MAY BE REQUIRED BY LOCAL AND/OR LOGICAL CONSTRUCTION AUTHORITY.
 5. SURFACE OR SUBSURFACE FALTING, INADEQUATE WASTE, SEWER, DRAINAGE, WETLAND DEMONSTRATION OR OTHER ENVIRONMENTAL ISSUES AND LOGICAL CONCERN, SHALL NOT BE ADDRESSABLE WITHIN THE SCOPE OF THIS SURVEY.
 6. THIS SURVEY HAS BEEN MADE IN THE BEST INTEREST OF THE TITLE INSURANCE COMPANY AND MAY NOT SHOW ALL BUILDING LINES, EXCEPT BUILDING RESTRICTIONS AND CONSTRAINTS, AND THAT ANY SUCH BUILDING RESTRICTIONS SHALL BE SUBJECT TO CONSTRUCTION. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY THE SURVEYOR. SURVEYOR RECOMMENDS THAT A COMPLETE TITLE SEARCH SHOULD HAVE BEEN OBTAINED.
 7. A CHANGING ROSTER RECORD EASEMENT MAY BE SUBJECT TO ANY AND ALL OTHER TITLE, CONSTRUCTION, BUILDING RESTRICTIONS, EASEMENTS AND EMBODIMENTS WITH AVAILABLE UTILITY COMPANIES PRIOR TO PLANNING AND CONSTRUCTION.
 8. SURVEY LINES HAVE NOT BEEN SHOWN, VERIFY ALL UTILITIES PRIOR TO CONSTRUCTION.
 9. THIS SURVEY DOES NOT ADDRESS ARCHITECTURAL, PROFESSIONAL SUCH AS BANK, DRAINAGE, WETLAND LEGISLATION, ETC. IN RELATION TO BUILDINGS AND/OR BUILDING LINES.

LINE TABLE

LINE	LENGTH	BEARING
L1	141.85	S89°30'00" E
L2	33.24	S00°00'00" E
L3	25.98	N17°41'00" E
L4	83.93	S89°30'00" E
L5	83.93	S89°30'00" E
L6	136.49	S00°00'00" E
L7	53.14	S00°00'00" E



- NOTES**
1. ALL BUILDINGS AND BUILDING LINES SHOWN ARE PER THE PROPOSED PLAT UNDER CHANGING ROSTER.
 2. SUBJECT TO A DRAINAGE EASEMENT ON EACH SIDE OF THE CENTERLINE OF ALL NATURAL DRAINAGE COURSES.
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FLOOD INFORMATION

FLOOD ZONE: 100-YEAR FLOOD ZONE
 FLOOD ELEVATION: 101.50
 FLOOD DATE: 12/1/2011
 FLOOD SOURCE: 100-YEAR FLOOD ZONE
 FLOOD RISK: 100-YEAR FLOOD ZONE
 FLOOD DAMAGE: 100-YEAR FLOOD ZONE
 FLOOD PROTECTION: 100-YEAR FLOOD ZONE

LAND DESCRIPTION

This plat shows the boundaries of the 14.98 acre parcel of land known as Block 4 of Clayton Place, located in the City of Houston, Texas, and is subject to the following conditions:
 1. The boundaries of the land shown on this plat are as shown on the plat and are not to be construed as a warranty of title or a warranty of accuracy of the survey.
 2. The survey was made in accordance with the standards and practices of the Surveying and Mapping Board of the State of Texas.
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 9. The survey was made in accordance with the standards and practices of the Surveying and Mapping Board of the State of Texas.
 10. The survey was made in accordance with the standards and practices of the Surveying and Mapping Board of the State of Texas.

ALTA/CMS LAND TITLE SURVEY

Surveyor's Certificate
 I, the undersigned, being duly sworn, depose and say that I am a duly Licensed Professional Land Surveyor in the State of Texas, and that I have personally conducted the survey shown on this plat, and that the same is true and correct in all particulars.
 My commission expires on 12/31/2011.
 Global Surveyors, Inc.
 14716
 1/1/16

LAND TITLE SURVEY

10100 AND 10120 HIRSCH ROAD
 HOUSTON, TEXAS 77058

Global Surveyors, Inc.
 14716
 1/1/16

Exhibit B

Municipal Setting Designation

Affidavit of Eligibility

BEFORE ME, the undersigned authority, on this day personally appeared Michael Resh, as an authorized representative of Chemetall US, 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.

Michael Resh
Signature

Date: 4/11/2018

Michael Resh
Printed Name

Director - Safety, Health, Environment & Quality
Title

STATE OF New Jersey
COUNTY OF Union

CYNTHIA G. GORDON
NOTARY PUBLIC OF NEW JERSEY
I.D. # 2442797
My Commission Expires 2/7/2019

SUBSCRIBED AND SWORN before me on this the 11 day of April 2018, to which witness my hand and seal of office.

Cynthia Gordon
Notary Public in and for the State of New Jersey

Exhibit B

Municipal Setting Designation

Affidavit of Eligibility

BEFORE ME, the undersigned authority, on this day personally appeared Matt Tiller, as an authorized representative of Georgia-Pacific LLC, 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.

Matt Tiller
Signature

Date: 8/27/2018

Matt Tiller
Printed Name

Environmental Affairs - Remediation
Title

STATE OF Georgia
COUNTY OF Cobb

SUBSCRIBED AND SWORN before me on this the 27th day of August 2018, to which witness my hand and seal of office.

Stacie Terchuk
Notary Public in and for the State of Georgia
My commission expires 11-22-19