

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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

June 11, 2021

Mr. Robby West, President
Wichita Falls Manufacturing, Inc.
2000 Old Burk Highway
Wichita Falls, Texas 76306-5340

Re: Municipal Setting Designation (MSD) Certificate for Wichita Falls Manufacturing (WFM),
WFM Site, 2000 Old Burk Highway, Wichita Falls, Wichita County, Texas
MSD No. 445; Voluntary Cleanup Program (VCP) No. 3028
Customer No. CN600724421; Regulated Entity No. RN101303519

Dear Mr. West:

The Texas Commission on Environmental Quality (TCEQ) received the above-referenced MSD application on September 1, 2020 and additional information supporting this MSD application on March 24, 2021 and May 4, 2021. 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 via e-mail mac.vilas@tceq.texas.gov.

Sincerely,

A handwritten signature in blue ink that reads "John M. Vilas".

John M. Vilas, P.G., Project Manager
VCP-CA Section
Remediation Division

JMV/jdm

Enclosure: MSD Certificate

cc: Mr. Brett Hamby, P.G., EnSafe (via email)
Mr. Michael Taylor, Waste Section Manager, TCEQ Region 3 Office, Abilene

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):

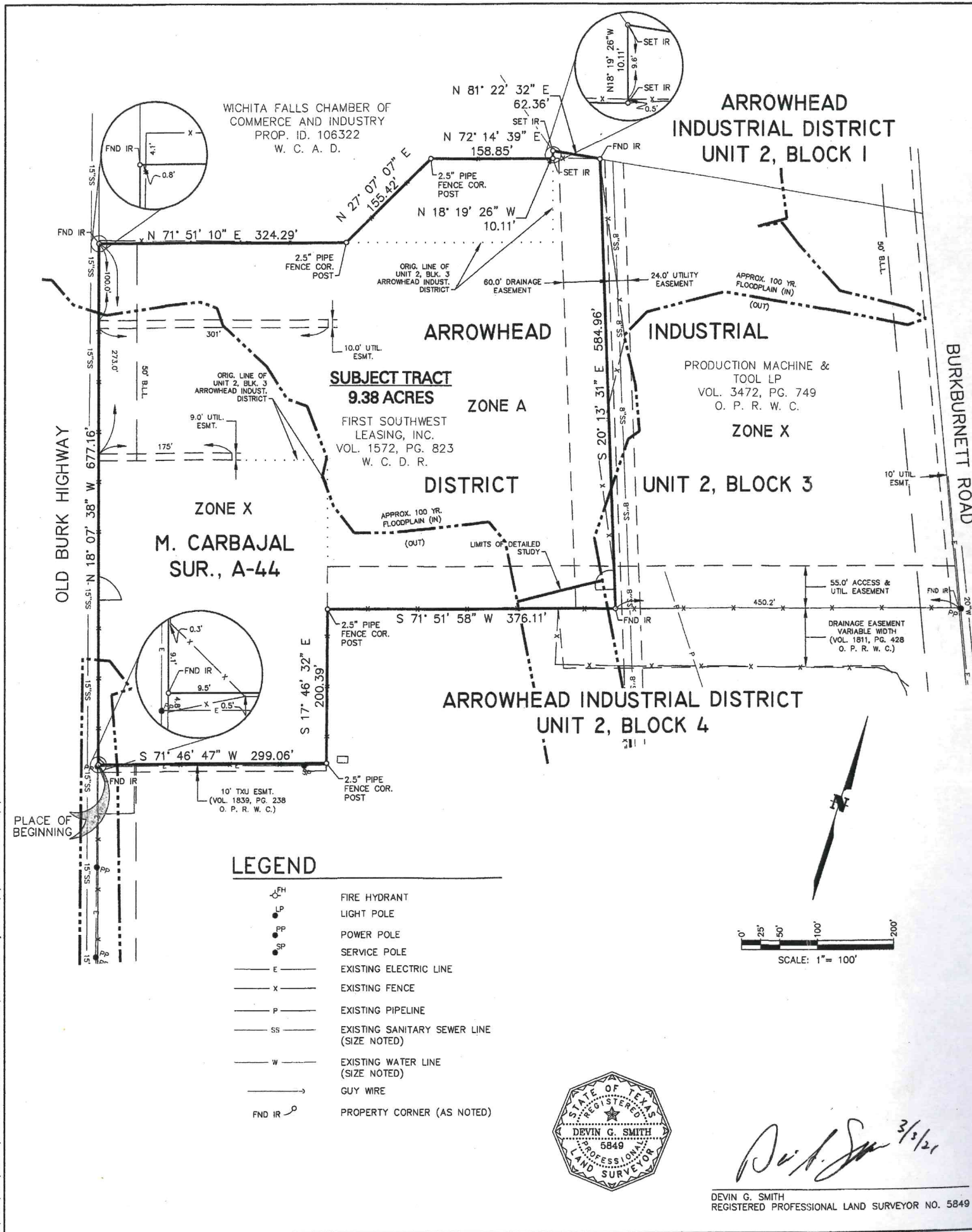
I, Beth Seaton, Deputy Director, Remediation Division, TCEQ, certify the Municipal Setting Designation (MSD) for MSD No. 445, in the City of Wichita Falls, for the tract of land described in Exhibit "A". The eligibility requirements of Texas Health and Safety Code §361.803 are satisfied as attested to 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 11th day of June, 2021

Beth Seaton, Deputy Director
Remediation Division
Texas Commission on Environmental Quality

C:\MARK\2021\SURVEY\21-0096-2000 BURKBURNETT ROAD\21-0096.DWG Layout1 P-3/7/2021 1:42 PM S-3/7/2021 1:40 PM MC



WICHITA FALLS CHAMBER OF COMMERCE AND INDUSTRY
PROP. ID. 106322
W. C. A. D.

SUBJECT TRACT
9.38 ACRES
ZONE A
FIRST SOUTHWEST LEASING, INC.
VOL. 1572, PG. 823
W. C. D. R.

ARROWHEAD INDUSTRIAL DISTRICT UNIT 2, BLOCK 1

ARROWHEAD INDUSTRIAL DISTRICT

PRODUCTION MACHINE & TOOL LP
VOL. 3472, PG. 749
O. P. R. W. C.

UNIT 2, BLOCK 3

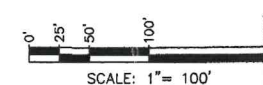
ARROWHEAD INDUSTRIAL DISTRICT UNIT 2, BLOCK 4

M. CARBAJAL SUR., A-44

- LEGEND**
- FIRE HYDRANT
 - LIGHT POLE
 - POWER POLE
 - SERVICE POLE
 - EXISTING ELECTRIC LINE
 - EXISTING FENCE
 - EXISTING PIPELINE
 - EXISTING SANITARY SEWER LINE (SIZE NOTED)
 - EXISTING WATER LINE (SIZE NOTED)
 - GUY WIRE
 - PROPERTY CORNER (AS NOTED)



DEVIN G. SMITH
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5849



FIELD NOTES

FIELD NOTES OF 9.38 ACRES OUT OF THE M. CARBAJAL SURVEY, A-44 AND OUT OF BLOCK 3, UNIT TWO, ARROWHEAD INDUSTRIAL DISTRICT, AN ADDITION TO THE CITY OF WICHITA FALLS AS RECORDED IN VOLUME 13, PAGES 40-41, WICHITA COUNTY PLAT RECORDS. SAID TRACT BEING THAT SAME TRACT OF LAND CONVEYED TO FIRST SOUTHWEST LEASING, INC. BY DEED RECORDED IN VOLUME 1572, PAGE 823, WICHITA COUNTY DEED RECORDS, AND MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at an iron rod found in the East Right-of-Way line of Old Burk Highway at the most Westerly Northwest corner of Block 4, Unit 2, Arrowhead Industrial District, an addition to the City of Wichita Falls, as recorded in Volume 21, Pages 21-22, Wichita County Plat Records, for the Southwest corner of this tract;

THENCE N 18° 07' 38" W with the East Right-of-Way line of Old Burk Highway, a distance of 677.16 feet to an iron rod found for the Southwest corner of a tract of land shown to be owned by The Wichita Falls Chamber of Commerce and Industry, by Property ID Number 106322, Wichita County Appraisal District, and being the most Westerly Northwest corner of this tract;

THENCE N 71° 51' 10" E with the South line of said Wichita Falls Chamber of Commerce and Industry tract, a distance of 324.29 feet to a 2.5 inch fence corner post for an angle corner of this tract;

THENCE N 27° 07' 07" E with the South line of said Wichita Falls Chamber of Commerce and Industry tract, a distance of 155.42 feet to a 2.5 inch fence corner post for an angle corner of this tract;

THENCE N 72° 14' 39" E with the South line of said Wichita Falls Chamber of Commerce and Industry tract, a distance of 158.85 feet to an iron rod set for the Southeast corner of said Wichita Falls Chamber of Commerce and Industry tract and an angle corner of this tract;

THENCE N 18° 19' 26" W with the East line of said Wichita Falls Chamber of Commerce and Industry tract, a distance of 10.11 feet to an iron rod set for an angle corner of said Wichita Falls Chamber of Commerce and Industry tract, the Southwest corner of Block 1, Unit 2, Arrowhead Industrial District, an addition to the City of Wichita Falls, as recorded in Volume 13, Pages 16-17, Wichita County Plat Records and the most Northerly Northwest corner this tract;

THENCE N 81° 22' 32" E with the South line of said Unit 2, Block 1, Arrowhead Industrial District tract, a distance of 62.36 feet to an iron rod found for the Northwest corner of a tract of land conveyed to Production Machine & Tool, LP by deed recorded in Volume 3472, Page 749, Official Public Records of Wichita County and the Northeast corner this tract;

THENCE S 20° 13' 31" E with the East line of said Production Machine & Tool, LP tract, a distance of 584.96 feet to an iron rod found in the North line of said Block 4, Unit 2, Arrowhead Industrial District, for the Southwest corner of said Production Machine & Tool, LP and the most Easterly Southeast corner of this tract;

THENCE S 71° 51' 58" W with the North line of said Block 4, Unit 2, Arrowhead Industrial District tract, a distance of 376.11 feet to a 2.5 inch fence corner post for an angle corner of said Block 4, Unit 2, Arrowhead Industrial District tract and an angle corner of this tract;

THENCE S 17° 46' 32" E with the said Block 4, Unit 2, Arrowhead Industrial District tract, a distance of 200.39 feet to a 2.5 inch fence corner post for an angle corner of said Block 4, Unit 2, Arrowhead Industrial District tract and the most Southerly Southeast corner of this tract;

THENCE S 71° 46' 47" W with the North line of said Block 4, Unit 2, Arrowhead Industrial District tract, a distance of 299.06 feet to the PLACE OF BEGINNING and containing 9.38 acres of land.

Part of the herein described property does lie within the Special Flood Hazard Areas inundated by 100 Year Flood as delineated on the Flood Insurance Rate Map for the City of Wichita Falls, Wichita County, Texas.

Panel Number: 48485C0310G

Dated: February 3, 2010

as published by the U.S. Department of Homeland Security, Federal Emergency Management Agency. The 100 Year Flood elevation is 951' above MSL.

Flood Zone designation is Zone X and A

BASIS OF BEARINGS ARE NAD 83 - TEXAS NORTH CENTRAL

BOUNDARY SURVEY
OF 9.38 ACRES OUT OF
UNIT TWO, BLOCK 3,
ARROWHEAD INDUSTRIAL DISTRICT
AND THE M. CARBAJAL SURVEY, A-44

DRAWN	MWC	CORLETT, PROBST & BOYD, P.L.L.C. ENGINEERS - SURVEYORS 4605 OLD JACKSBORO HIGHWAY WICHITA FALLS, TEXAS 76302
CHECKED	DGS	
APPROVED	DGS	
PHONE (940)723-1455	TBPE F-279	TBPLS-100541-00
FAX (940)397-0549	SCALE: 1" = 100'	MARCH, 2021 SHEET 1 OF 1


Exhibit B
Municipal Setting Designation
Affidavit of Eligibility

BEFORE ME, the undersigned authority, on this day personally appeared Robby West, as an authorized representative of Wichita Falls Manufacturing, 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.

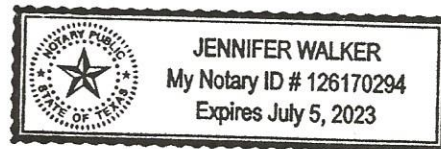
I affirmatively state that (place an X in all applicable blanks)

- 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.


Signature

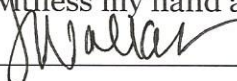
Date: 8-13-20

Robby West
Printed Name
President
Title



STATE OF Texas
COUNTY OF Wichita

SUBSCRIBED AND SWORN before me on this the 13th day of August 2020, to which witness my hand and seal of office.


Notary Public in and for the State of Texas