

Jon Niermann, *Chairman*
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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

November 3, 2022

Mr. Tim Palermo, Director of Capital Development
Denton County Transportation Authority
1955 Lakeway Drive, Suite 260
Lewisville, TX 75057

Re: Municipal Setting Designation (MSD) Certificate for Denton County
Transportation Authority, Vacant Tracts-DCTA Site, located at 640 Texas 121
Business, Lewisville, Denton County, TX; MSD No. 480; Voluntary Cleanup
Program (VCP) No. 2990; Customer No. CN604099812; Regulated Entity No.
RN108659905

Dear Mr. Palermo:

The Texas Commission on Environmental Quality (TCEQ) received the above referenced Municipal Setting Designation (MSD) application on February 23, 2022 and additional information supporting this MSD application. 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) 239-2241 or via e-mail (chris.swiderski@tceq.texas.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "CS", with a stylized flourish at the end.

Chris Swiderski, Project Manager
VCP-CA Section
Remediation Division

CS/jdm

cc: Mr. Lance Crabtree, P.G., Terracon Consultants, Inc. (via email)
Ms. Erin Gorman, Waste Section Manager, TCEQ Region 4 Office, Dallas/Fort
Worth

Enclosure: MSD Certificate

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. 480, in the City of Lewisville, 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 15th day of November, 2022

Beth Seaton

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

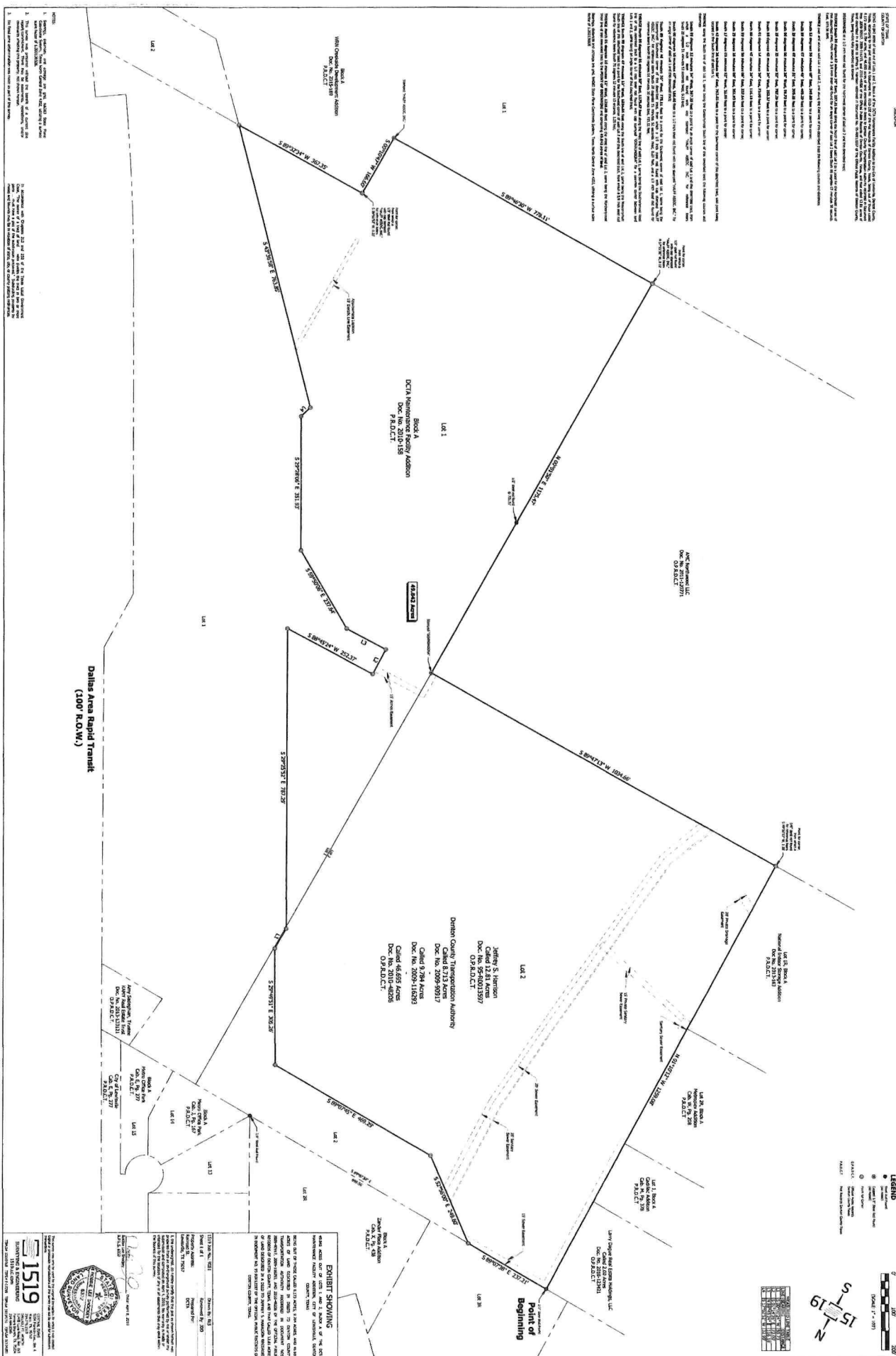


Exhibit B

Municipal Setting Designation

Affidavit of Eligibility

BEFORE ME, the undersigned authority, on this day personally appeared
Paul Cristina, as an authorized representative of
Denton County 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)

- ☒ 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.

Paul A. Cristina
Signature

Date: 1/24/2022

Paul A. Cristina
Printed Name

Deputy CEO
Title

STATE OF Texas
COUNTY OF Denton

SUBSCRIBED AND SWORN before me on this the 24th day of
January 2022, to which witness my hand and seal of office.

Kisha R. Morris-Perkins
Notary Public in and for the State of Texas

