

Jon Niermann, *Chairman*
Emily Lindley, *Commissioner*
Bobby Janecka, *Commissioner*
Kelly Keel, *Interim Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

December 8, 2023

Mr. Chad Whitton, Senior Director Finance
Hilite Industries Automotive, LLC
250 Kay Industrial Drive
Orion, Michigan 48359

Re: Municipal Setting Designation (MSD) Certificate for, Hilite Industries Automotive, LLC, Former Industrial Building Site, located at 1671 S. Broadway Street, Carrollton, Dallas County, TX; MSD No. 502; Voluntary Cleanup Program (VCP) No. 3191; TCEQ Solid Waste Registration (SWR) No. 30747; Customer No. CN605696145; Regulated Entity No. RN100772615

Dear Mr. Whitton:

The Texas Commission on Environmental Quality (TCEQ) received the above referenced MSD application on February 7, 2023 and additional information supporting this MSD application on June 15, August 14, and October 11, 2023. 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 email at aaron.correll@tceq.texas.gov.

Sincerely,

A handwritten signature in black ink that reads "Aaron Correll".

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

AC/mdh

Enclosure: MSD Certificate No. 502

cc: Mr. Kenneth S. Tramm, PhD, PG, CHMM, Project Manager, Modern Geosciences (via email)
Ms. Erin Gorman, Waste Section Manager, TCEQ Region 4, Dallas/Fort Worth

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, Merrie Smith, Assistant Deputy Director, Remediation Division, TCEQ, certify the Municipal Setting Designation (MSD) for MSD No. 502, in the City of Carrollton, 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 8th day of December, 2023


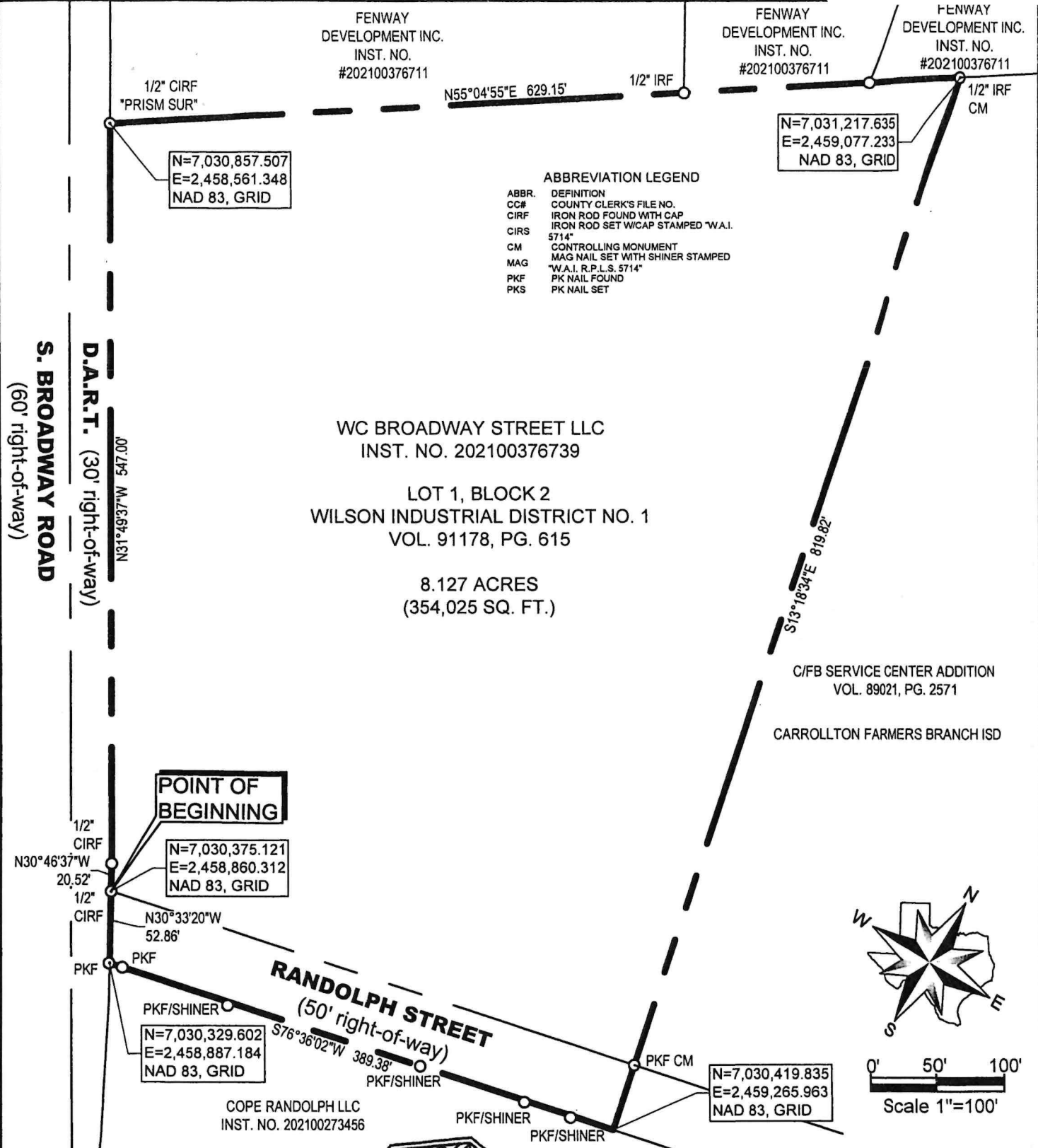

Merrie Smith, R.G., Assistant Deputy Director
Remediation Division
Texas Commission on Environmental Quality

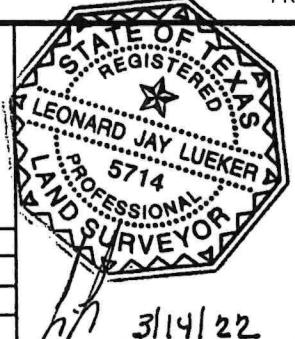
Exhibit A - Site Map and Legal Description

EXHIBIT "A"
PAGE 1 OF 2



Winkelmann & Associates, Inc.
CONSULTING CIVIL ENGINEERS ■ SURVEYORS
6750 HILLCREST PLAZA DRIVE, SUITE 215 DALLAS, TEXAS 75230 (972) 490-7090 (972) 490-7099 FAX
Texas Engineers Registration No. 89
Texas Surveyors No. 10086600 Expires 12-31-22
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Scale : 1" = 100'
Date : 03.09.22
Dwg. File : 47727-MSD
Project No. : 47727.00



MSD EXHIBIT
8.127 ACRES
(354,025 SQ. FT.)

MODERN GEOSCIENCES
5100 THOMPSON TERRACE
COLLEYVILLE, TEXAS 76034

SHEET 1 OF 2

MSD EXHIBIT

STATE OF TEXAS §
COUNTY OF DALLAS §

BEING a tract of land situated in the WILLIAM LARNER SURVEY, ABSTRACT NO. 799, City of Carrollton, Dallas County, Texas, and being a portion of the right-of-way of Randolph Street (50' right-of-way) and all of the same tract of land as described in deed to WC Broadway Street LLC, recorded in Instrument No. 202100376739, Official Public Records, Dallas County, Texas (O.P.R.D.C.T.), and also being all of Lot 1, Block 2, Wilson Industrial District No. 1, an addition to the City of Carrollton, Dallas County, Texas, according to the plat thereof recorded in Volume 91178, Page 615, Deed Records, Dallas County, Texas (D.R.D.C.T.), and being more particularly described as follows:

BEGINNING at a 1/2-inch iron rod with red plastic cap stamped "W.A.I. 5714" found for corner (N=7,030,329.602, E=2,458,887.184, NAD 83 Grid) at the intersection of the Northerly right-of-way line of said Randolph Street and the Easterly right-of-way line of D.A.R.T. (Dallas Area Rapid Transit, 30' right-of-way);

THENCE North 30 deg 46 min 37 sec West, departing said Northerly right-of-way line and along said Easterly right-of-way line, a distance of 20.52 feet to a 1/2-inch iron rod with red plastic cap stamped "W.A.I. 5714" found for corner (N=7,030,375.121, E=2,458,860.312, NAD 83 Grid);

THENCE North 31 deg 49 min 37 sec West, continuing along said Easterly right-of-way line, a distance of 547.00 feet to a 1/2-inch iron rod with plastic cap stamped "PRISM SUR" found for corner (N=7,030,857.507, E=2,458,561.348, NAD 83 Grid), said iron rod being the Southwesterly corner of a tract of land as described in deed to Fenway Development Inc., recorded in Instrument No. 202100376711, O.P.R.D.C.T.;

THENCE North 55 deg 04 min 55 sec East, departing the Easterly right-of-way line of said D.A.R.T. and along the Southerly line of said Fenway Development Inc. tract, a distance of 629.15 feet to a 1/2-inch iron rod found for corner (N=7,031,217.635, E=2,459,077.233, NAD 83 Grid), said iron rod being the Northwesterly corner of C/FB Service Center Addition, an addition to the City of Carrollton, Dallas County, Texas, according to the plat thereof recorded in Volume 89021, Page 2571, D.R.D.C.T.;

THENCE South 13 deg 18 min 34 sec East, departing the Southerly line of said Fenway Development Inc. tract and along the Westerly line of said C/FB Service Center Addition and over and across said Randolph Street right-of-way, a distance of 819.82 feet to a point for corner (N=7,030,419.835, E=2,459,265.963, NAD 83 Grid), said point being situated in the Southerly right-of-way line of said Randolph Street and the Northerly line of a tract of land as described in deed to Cope Randolph LLC, recorded in Instrument No. 202100273456, O.P.R.D.C.T.;

THENCE South 76 deg 36 min 02 sec West, along said common line, a distance of 389.38 feet, to a P.K. nail found for corner (N=7,030,329.602, E=2,458,887.184, NAD 83 Grid), said P.K. nail being the intersection of the Southerly right-of-way line of said Randolph Street and the Easterly right-of-way line of said D.A.R.T., and being the Northwesterly corner of said Cope Randolph LLC tract;

THENCE North 30 deg 33 min 20 sec West, departing said common line and over and across the right-of-way of said Randolph Street, a distance of 52.86 feet to the POINT OF BEGINNING (N=7,030,375.121, E=2,458,860.312, NAD 83 Grid).

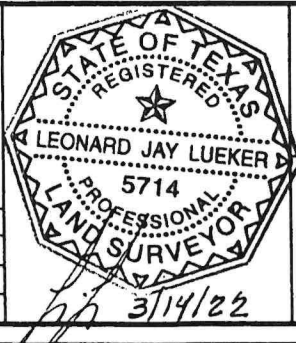
CONTAINING within these metes and bounds 8.127 acres or 354,025 square feet of land, more or less.

Winkelmann
& Associates, Inc.

CONSULTING CIVIL ENGINEERS ■ SURVEYORS
8750 HILLCREST PLAZA DRIVE, SUITE 215 (972) 490-7090
DALLAS, TEXAS 75220 (972) 490-7099 FAX

Texas Engineers Registration No. 89
Texas Surveyors No. 10086500 Expires 12-31-22
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Scale: N/A
Date: 03.09.22
Dwg. File: 47727-MSD
Project No.: 47727.00



MSD EXHIBIT
8.127 ACRES
(354,025 SQ. FT.)

MODERN GEOSCIENCES
5100 THOMPSON TERRACE
COLLEYVILLE, TEXAS 76034

SHEET
2
OF
2

ORIGINAL


Exhibit B
Municipal Setting Designation
Affidavit of Eligibility

BEFORE ME, the undersigned authority, on this day personally appeared
Chad Whitton, as an authorized representative of
Hilite Industries Automotive, 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)

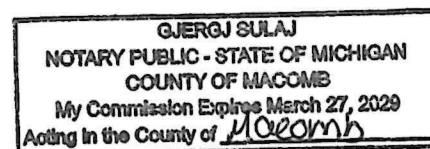
- ☒ The MSD eligibility criteria of THSC Section 361.803 are satisfied.
- ☒ True and accurate copies of all documents demonstrating that the MSD eligibility
criteria provided by THSC 361.803 have been satisfied and are included with the
application.
- ☒ A true and accurate copy of a legal description 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.


Signature

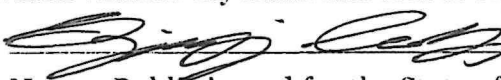
Date: 6-1-2023

Chad Whitton
Printed Name
Senior Director Finance
Title

STATE OF Michigan
COUNTY OF Macomb



SUBSCRIBED AND SWORN before me on this the 1 day of
June 2023, to which witness my hand and seal of office.


Notary Public in and for the State of Michigan

Macomb