

Jon Niermann, *Chairman*
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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

December 6, 2023

Mr. Mark Nini
Toledo Maxroy, LLC
9000 Hempstead Road, Suite 200
Houston, Texas 77008

Re: Municipal Setting Designation (MSD) Certificate for Toledo Maxroy, LLC, Lubricant Compound Site, located at 3004 Maxroy Street, Houston, Harris County, Texas; Voluntary Cleanup Program (VCP) No. 2924; Municipal Setting Designation (MSD) No. 487; Customer No. CN606026177; Regulated Entity No. RN100556802

Dear Mr. Nini:

The Texas Commission on Environmental Quality (TCEQ) received the above referenced MSD application on May 9, 2022 and additional information supporting this MSD application on December 21, 2022, July 7, 2023, and October 26, 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) 239-3044 or via email at timothy.eckert@tceq.texas.gov.

Sincerely,

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

Timothy Eckert
VCP-CA Section
Remediation Division
Texas Commission on Environmental Quality

Enclosure: MSD Certificate No. 487

cc: Ms. Karina Rocha, Waste Manager, TCEQ Houston Regional Office, R-12
Mr. Mohammad Kashkouli, Plusco, Inc., (via email)
Mr. Larry Nettles, Counsel for Toledo Maxroy, LLC, Vinson & Elkins, LLP (via e-mail)
Mr. Paul Stefan, ERM (via e-mail)

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. 487, 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 6th day of December, 2022



Merrie Smith, P.G., Assistant 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
Mark Nini, as an authorized representative of
Toledo Maxroy, 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)

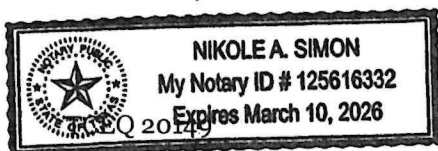
- ☒ The MSD eligibility criteria of THSC Section 361.803 are satisfied.
- ☒ True and accurate copies of all documents demonstrating that the MSD eligibility
criteria provided by THSC 361.803 have been satisfied and are included with the
application.
- ☒ A true and accurate copy of a legal description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

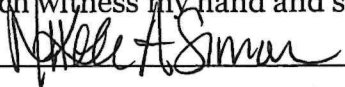

Signature
MARK NINI
Printed Name
VP
Title

Date: 5/2/2022

STATE OF Texas
COUNTY OF Harris

SUBSCRIBED AND SWORN before me on this the 2 day of
May 2022, to which witness my hand and seal of office.




Notary Public in and for the State of Texas