

Jon Niermann, *Chairman*
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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

June 28, 2022

Mr. Steve Kemper, Managing Partner
Cozobel, LLC
2019 Valley View Lane
Farmers Branch, Texas 75234

Re: Municipal Settings Designation (MSD) for Cozobel, LLC; Cozobel Site, located at 13333 Hutton Drive and 2019 Valley View Lane, Farmers Branch, Dallas County, TX; Municipal Settings Designation (MSD) No. 481; Customer No. CN605439421; Regulated Entity No. RN111465266

Dear Mr. Kemper:

The Texas Commission on Environmental Quality (TCEQ) received the above referenced Municipal Setting Designation (MSD) application on March 7, 2022 and additional information supporting this MSD application on June 10, 2022. 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) 239-3044 or via e-mail (timothy.eckert@tceq.texas.gov).

Sincerely,

A handwritten signature in blue ink, appearing to read "Timothy Eckert".

Timothy Eckert, Project Manager
VCP-CA Section
Remediation Division

cc: Ms. Erin Gorman, Waste Section Manager, TCEQ DFW Regional Office, R-4 (via e-mail)
Ms. Mary Ellen Smith, Smith Kendall PLLC (via e-mail)
Ms. Valerie Honeycutt, Koos & Associates, Inc. (via e-mail)

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):

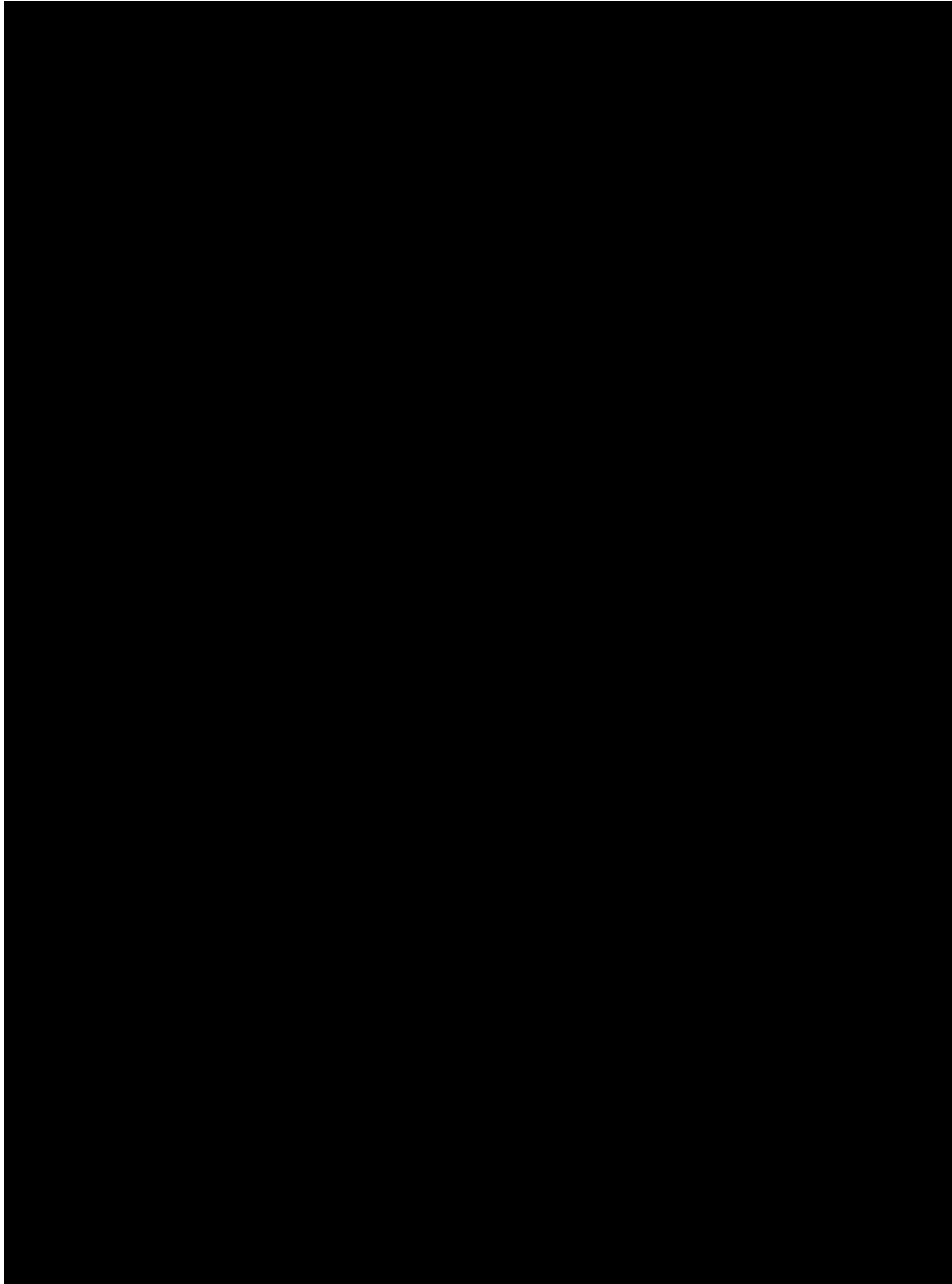
I, Beth Seaton, Deputy Director, Remediation Division, TCEQ, certify the Municipal Setting Designation (MSD) for MSD No. 481, in the City of Farmers Branch, for the tract of land described in Exhibit "A". The eligibility requirements of Texas Health and Safety Code §361.803 are satisfied as attested 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 20th day of June, 2022

Beth Seaton

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



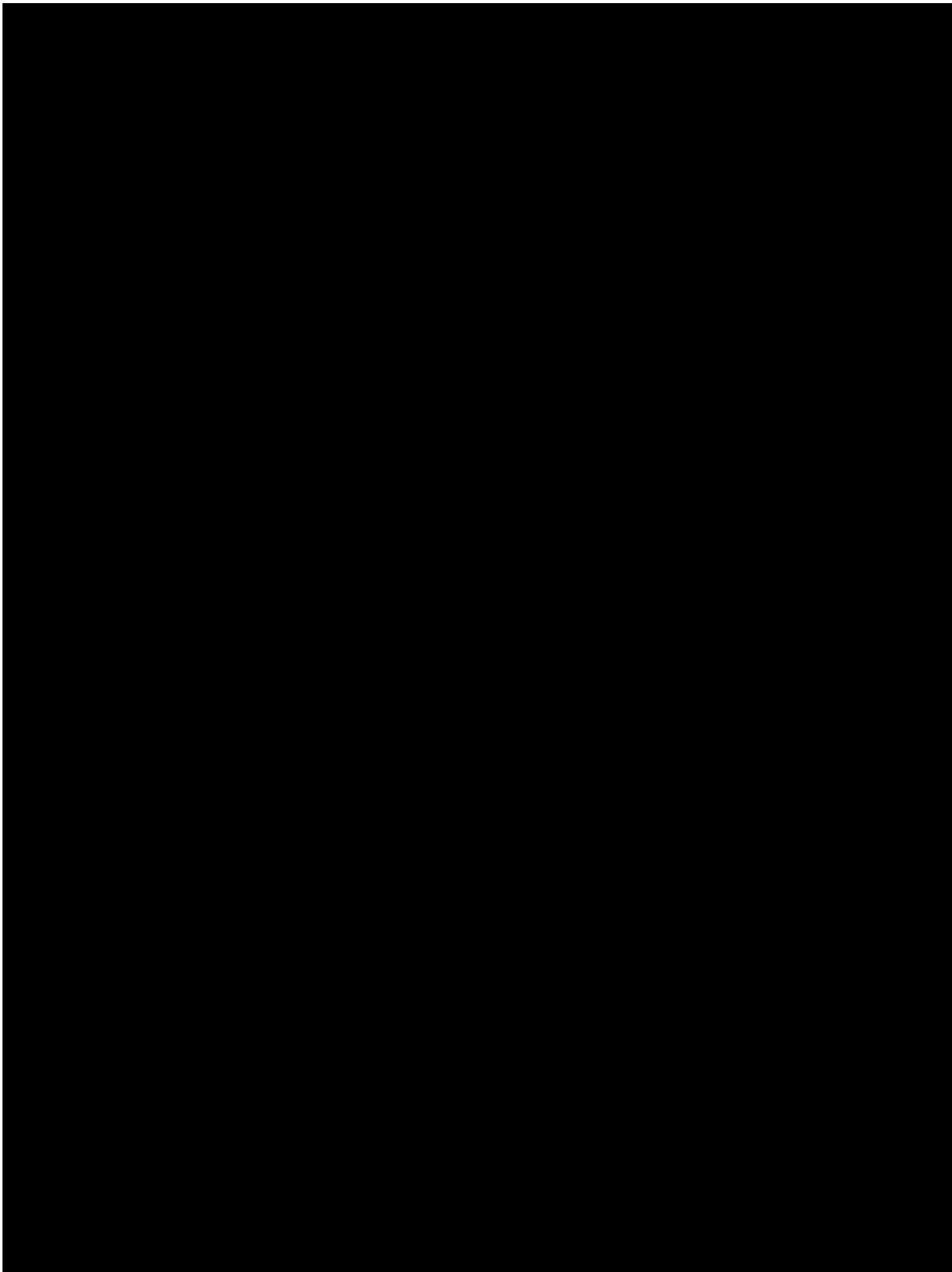


Exhibit B

Municipal Setting Designation


Affidavit of Eligibility

BEFORE ME, the undersigned authority, on this day personally appeared
Steve Kemper, as an authorized representative of
Cozobel 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

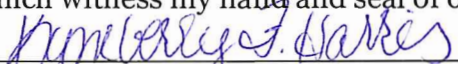
Date: 1-25-2022

Steve Kemper
Printed Name

Managing Member
Title

STATE OF Texas
COUNTY OF DALLAS

SUBSCRIBED AND SWORN before me on this the 25TH day of
JANUARY 2022, to which witness my hand and seal of office.


Notary Public in and for the State of Texas

