

Jon Niermann, *Chairman*
Bobby Janecka, *Commissioner*
Catarina R. Gonzales, *Commissioner*
Kelly Keel, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

June 26, 2024

Ms. Shannon S. Walker, Environmental Manager
NL Industries, Inc.
Three Lincoln Centre, Ste. 1700
5430 JBJ Freeway
Dallas, Texas 75240

Re: Municipal Setting Designation (MSD) Certificate for HOMCO International
Odessa Site, located at 2122 Maurice Road, Odessa, Ector County, TX; MSD No.
506; TCEQ Solid Waste Registration (SWR) No. 52075; Customer No.
CN601244932; Regulated Entity No. RN100699214

Dear Ms. Walker:

The Texas Commission on Environmental Quality (TCEQ) received the above-referenced MSD application on March 23, 2023, and additional information supporting this MSD application on November 30, 2024, and May 24, 2024. 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) 239-2362 or via email at wyatt.hooks@tceq.texas.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Wyatt Hooks".

Wyatt Hooks, Project Manager
VCP-CA Section
Remediation Division

Enclosure: MSD Certificate No. 506

cc: Mr. Gerardo Ruiz de la Pena, P.G., WSP (via email)
Ms. Crystal Garcia, TCEQ, Waste Section Manager, Midland Regional Office, R-7

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, P.G., Deputy Director, Remediation Division, TCEQ, certify the Municipal Setting Designation (MSD) for MSD No. 506, in the City of Odessa, 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 26th day of June, 2024

A handwritten signature in blue ink, appearing to read "Merrie Smith", written over a horizontal line.

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

EXHIBIT "A"

TRACT 1 BEING A 6.30 ACRE TRACT OF LAND IN THE SOUTH PART OF A 25.9 ACRE TRACT OUT OF THE 75.9 ACRE "WILLIS" TRACT IN THE SOUTHEAST PART OF SECTION 32, BLOCK 42, T-2-S, T&P RY CO. SURVEY, VOLUME 709, PAGE 587, ECTOR COUNTY, TEXAS. TRACT 2 BEING A 15.045 ACRE TRACT OF LAND OUT OF LOT 1, BLOCK 3, WILLIS ADDITION, 4TH FILING, A SUBDIVISION IN ECTOR COUNTY, TEXAS, PLAT OF WHICH SUBDIVISION IS RECORDED IN VOLUME 23, PAGE 3, PLAT RECORDS OF ECTOR COUNTY.

TRACT 1: 6.30 ACRE TRACT

BEGINNING at a 1/2-inch rod found in the north line of Maurice Road for the southeast corner of this tract.

- 1) Thence South 74°47' West with the North Boundary line of Maurice Road, 537.80 feet to a 3/4-inch iron rod found for the southwest corner of this tract.
- 2) Thence North 15°16' West, 510.30 feet to a 1/2-inch iron rod found for the Northwest corner of this tract.
- 3) Thence North 74°47' East, 537.80 feet to a 1/2-inch iron rod found for the Northeast corner of this tract.
- 4) Thence South 15°16' East, 510.30 feet to the **POINT OF BEGINNING**, containing 6.3 acres of land.

TRACT 2: 15.045 ACRE TRACT

BEGINNING at a 1/2-inch rod found in the west boundary line of Lot 1, Block 3, Willis Addition, 4th Filing, plat of which addition is recorded in Volume 23, Page 3, Ector County Plat Records, for the northwest corner of a 0.543 acre tract for the most westerly southwest corner of this tract, from which point the southwest corner of said Lot 1, bears S15°16'E 465.18 feet.

- 1) Thence North 15°16' West along the west boundary line of said Lot 1, 443.12 feet to a point the northwest corner of said Lot 1, for the northwest corner of this tract.
- 2) Thence North 74°47' East, along the north boundary line of said Lot 1, 955 feet to a point the northeast corner of this tract.
- 3) Thence South 15°16' East, along the east boundary line of said Lot 1, 908.30 feet to a 5/8-inch iron rod found in the north boundary line of Maurice Road, the southeast corner of said Lot 1, for the southeast corner of this tract.
- 4) Thence South 74°47' West, along the south boundary of said Lot 1, 413.70 feet to a 1/2-inch found in the southeast corner of a 1.765 acre tract, for the most southerly southwest corner of this lot.
- 5) Thence North 15°16' West, along the east boundary line of said 1.765 acre tract, 262.50 feet to a 1/2-inch iron rod found for the most easterly northeast corner of said 1.765 acre tract and an interior corner of this tract.
- 6) Thence South 74°30' West, 50.50 feet to a 1/2-inch iron rod found for the interior corner of said 1.765 acre tract and an interior corner of this tract.
- 7) Thence North 15°32' West, 90.00 feet to a 1/2-inch iron rod found for the most northerly northeast corner of said 1.765 acre tract and an interior corner of this tract.
- 8) Thence South 75°52'30" West, 260.5 feet to a point the southeast corner of a 0.543 acre tract and an exterior corner of this tract.
- 9) Thence North 15°21'48" West, 101.80 feet to a 1/2-inch iron rod found for the northeast corners of said 0.543 acre tract and an interior corner of this tract.
- 10) Thence South 76°19' West, along the north boundary line of said 0.543 acre tract, 230.28 to the **POINT OF BEGINNING** and containing 15.045 acres of land.

TOTAL ACREAGE OF TRACT 1 AND TRACT 2 COMBINED EQUALS 21.345 ACRES. MORE OR LESS.

Notes:

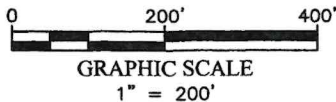
- 1) For additional information, see attached area plat (Exhibit "B") made in conjunction with and considered an integral part of the above described area.
- 2) Bearings shown hereon are grid bearings of the Texas State Plane Coordinate System, Central Zone (4203), NAD83, US Survey Feet. Distances shown hereon are grid. Data captured by GPS (RTK), Basis of bearings is the south line of tract 1.
- 3) This description and the attached area plat (Exhibit "B") were prepared for the purposes of describing a site and are not intended for use as a property boundary survey.
- 4) Record information shown hereon is based upon a public records search performed by Surveying and Mapping, LLC. Owner name shown as provided. Record volume and page noted per vesting document provided.
- 5) Date of Survey: 12/13/2018

I, Lindy F. Glenn, a Registered Professional Land Surveyor in the State of Texas, do hereby certify, that the plat of area and metes and bounds descriptions, represent the results of a survey performed under my direct supervision and meets the minimum requirements of an on-the ground survey as promulgated by the Texas Board of Professional Land Surveying.

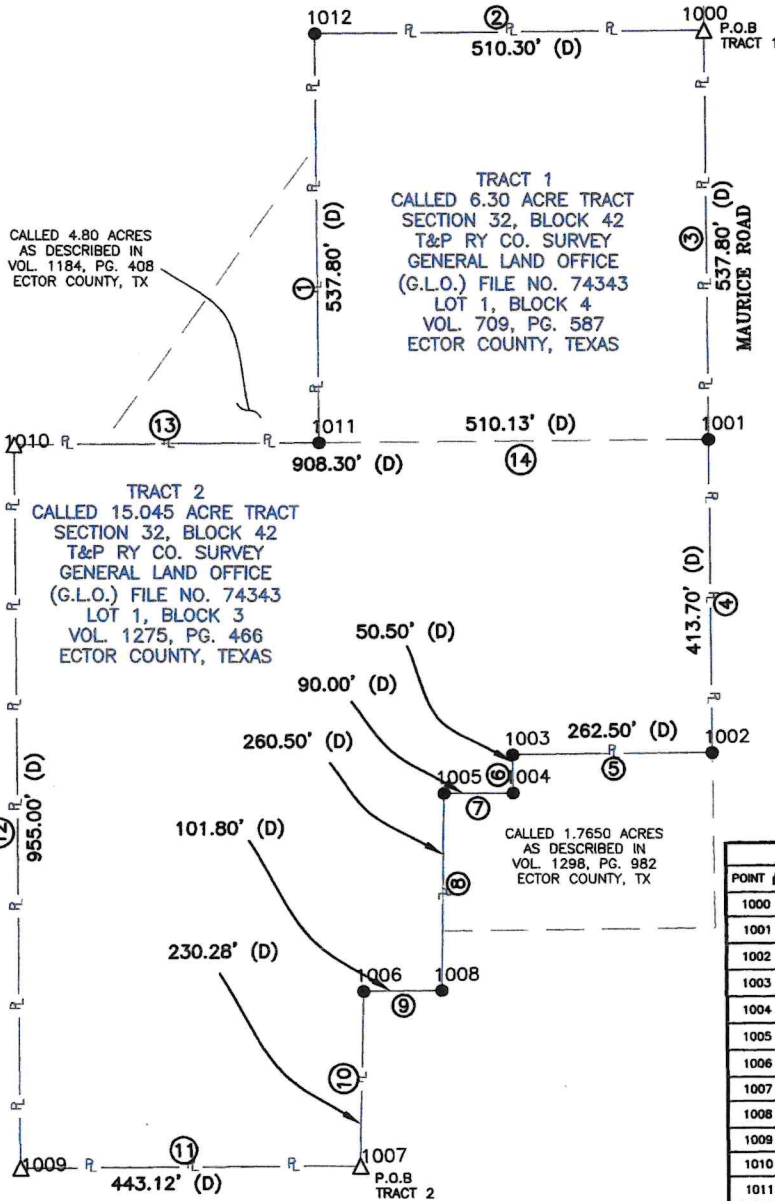
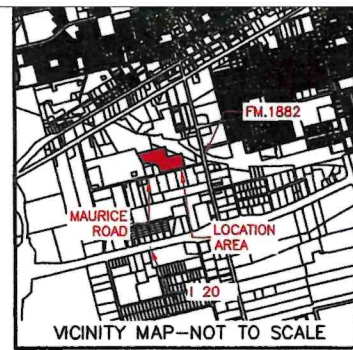


Surveying And Mapping, LLC
4801 Southwest Parkway
Building Two, Suite 100
Austin, Texas 78735
Tx. Firm Reg. No. 10064300

Lindy F. Glenn 12/13/2018
Lindy F. Glenn Date
Registered Professional Land Surveyor
No. 5214 – State of Texas



PLAT OF AREA
EXHIBIT "B"
SECTION 32, BLOCK 42
ECTOR COUNTY, TEXAS



LINE TABLE (M)		
LINE	DIRECTION	LENGTH
1	N75°54'17"E	537.92'
2	S14°08'43"E	510.30'
3	S75°55'17"W	538.17'
4	S75°53'13"W	413.52'
5	N14°12'47"W	262.22'
6	S75°51'02"W	50.24'
7	N14°13'41"W	89.95'
8	S76°59'15"W	260.30'
9	N14°19'17"W	101.74'
10	S77°29'22"W	229.97'
11	N14°08'43"W	443.14'
12	N75°54'17"E	955.00'
13	S14°07'43"E	398.00'
14	N14°06'59"W	510.15'

POINT TABLE			
POINT #	LATITUDE	LONGITUDE	DESCRIPTION
1000	N031° 49' 29.46"	W102° 23' 12.48"	NOT FOUND
1001	N031° 49' 27.89"	W102° 23' 18.46"	3/4" IR FOUND
1002	N031° 49' 26.82"	W102° 23' 23.09"	1/2" IR FOUND
1003	N031° 49' 29.32"	W102° 23' 23.89"	1/2" IR FOUND
1004	N031° 49' 29.19"	W102° 23' 24.45"	1/2" IR FOUND
1005	N031° 49' 30.05"	W102° 23' 24.72"	1/2" IR FOUND
1006	N031° 49' 30.40"	W102° 23' 27.96"	1/2" IR FOUND
1007	N031° 49' 29.74"	W102° 23' 30.61"	NOT FOUND
1008	N031° 49' 29.43"	W102° 23' 27.65"	1/2" IR FOUND
1009	N031° 49' 33.95"	W102° 23' 32.06"	NOT FOUND
1010	N031° 49' 36.55"	W102° 23' 21.41"	NOT FOUND
1011	N031° 49' 32.76"	W102° 23' 20.01"	1/2" IR FOUND
1012	N031° 49' 34.16"	W102° 23' 13.99"	1/2" IR FOUND

NOTES:

- ALL BEARINGS ARE GRID BEARINGS AND ARE BASED ON TEXAS COORDINATE SYSTEM, CENTRAL ZONE (4203), NAD83. ALL DISTANCES ARE REPRESENTED IN GRID VALUES, MEASURED IN U.S. SURVEY FEET, AND ARE BASED ON SAID HORIZONTAL DATUM.
- RECORD INFORMATION SHOWN HEREON IS BASED UPON A PUBLIC RECORDS SEARCH PERFORMED BY SAM, LLC.
- FOR ADDITIONAL INFORMATION, SEE ATTACHED LEGAL DESCRIPTION MADE IN CONJUNCTION WITH AND CONSIDERED AN INTEGRAL PART OF THIS PLAT.
- THIS PLAT AND THE ATTACHED DESCRIPTION WERE PREPARED FOR THE PURPOSES OF CREATING A MUNICIPAL SETTINGS APPLICATION IN ACCORDANCE WITH A CATEGORY 10, CLASS A, TEXAS SOCIETY OF PROFESSIONAL SURVEYORS AND ARE NOT INTENDED FOR USE AS A PROPERTY BOUNDARY SURVEY.



LEGEND	
— R —	PARCEL LIMITS
— — —	ADJOINER PROPERTY
.....	FLYLINE
●	IRON ROD FOUND (AS NOTED)
△	CALCULATED POINT
P.O.B.	POINT OF BEGINNING
P.O.T.	POINT OF TERMINATION
P.O.R.	POINT OF REFERENCE
D	DEED
M	MEASURED

Lindy F. Glenn 12/21/2018
LINDY F. GLENN
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NUMBER 5214

PROJECT: ODESSA MUNICIPAL DESCRIPTIONS
JOB NUMBER: 1018047101
SURVEY DATE: 12/13/2018
SURVEYOR: L.F. GLENN
TECHNICIAN: E. GONZALES
DRAWING: ODESSA DESCRIPTIONS
TRACT ID: LOT 1

GOLDER RESOURCES
2201 DOUBLE CREEK DR.
SUITE 4004
ROUND ROCK, TX. 78664



1019 Central Parkway
North Sulphur 104
San Antonio Texas, 78232 email: info@sam.biz
Texas Firm Registration No. 10184300

MUNICIPAL SETTINGS APPLICATION
SECTION 32, BLOCK 42
ECTOR COUNTY, TEXAS

Exhibit B
Municipal Setting Designation
Affidavit of Eligibility

BEFORE ME, the undersigned authority, on this day personally appeared
SHANNON S. WALKER, as an authorized representative of
NL INDUSTRIES, 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.

Shannon S. Walker
Signature

Date: 15 FEBRUARY 2023

SHANNON S. WALKER
Printed Name

ENVIRONMENTAL MANAGER
Title

STATE OF Texas
COUNTY OF Dallas

SUBSCRIBED AND SWORN before me on this the 15th day of
February 2023, to which witness my hand and seal of office.

Amanda Beer
Notary Public in and for the State of Texas

