

Jon Niermann, *Chairman*  
Emily Lindley, *Commissioner*  
Bobby Janecka, *Commissioner*  
Toby Baker, *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

May 7, 2021

Mr. Jason Avery  
GMY, LTD  
308 Hughes Street  
Houston, Texas 77023

Re: Municipal Setting Designation (MSD) Certificate for Spectrum Metal Recycling, 6502 Rusk Street, 308 and 320 Hughes Street, Houston, Harris County, TX; Municipal Setting Designation (MSD) No. 215R; Customer No. CN603221847; Regulated Entity No. RN110696341

Dear Mr. Avery:

The Texas Commission on Environmental Quality (TCEQ) received the above referenced Municipal Setting Designation (MSD) application on January 31, 2019 and additional information supporting this MSD application on July 17, 2019, February 5, 2020, December 8, 2020, and March 24, 2021. 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 via email at [christopher.moore@tceq.texas.gov](mailto:christopher.moore@tceq.texas.gov).

Sincerely,

A handwritten signature in blue ink, appearing to read "Chris Moore".

Christopher Moore, Project Manager  
VCP-CA Section  
Remediation Division

Enclosure: MSD Certificate No. 215R

cc: Ms. Alma Jefferson, Waste Section Manager, TCEQ Houston Region Office, R-12  
Ms. Katie Davis, P.G, Braun Intertec Corporation (via email)

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



MUNICIPAL SETTING DESIGNATION CERTIFICATE

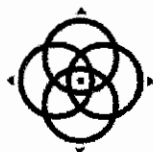
As provided for in §361.807, Subchapter W, Texas Health and Safety Code (Solid Waste Disposal Act):

I, Beth Seaton, Deputy Director, Remediation Division, TCEQ, certify the Municipal Setting Designation (MSD) for MSD No. 215R, 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 7<sup>th</sup> day of May, 2021

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



# WINDROSE

LAND SURVEYING | PLATTING

## DESCRIPTION OF 11.815 ACRES OR 514,675 SQ. FT.

A TRACT OR PARCEL CONTAINING 11.815 ACRES OR 514,675 SQUARE FEET OF LAND, SITUATED IN THE S.M. WILLIAMS SURVEY, ABSTRACT NO. 87, HARRIS COUNTY, TEXAS BEING ALL OF A CALLED 5.1631 ACRE TRACT CONVEYED TO GNR RECYCLING, L.P. IN H.C.C.F. NO. 20080565301, THE RESIDUE OF A CALLED 10.4145 ACRE TRACT CONVEYED TO GNR RECYCLING IN H.C.C.F. NO. 20080565300, ALL OF LOT 2 SUPPLY ROW CENTER (TRACT 2), ALL OF A CALLED 17' WIDE STRIP OF LAND (TRACT 3), ALL OF A CALLED 0.6774 ACRE TRACT OF LAND (TRACT 1), ALL CONVEYED TO GMY, LTD. H.C.C.F. NO. 20130381599, AS WELL AS ALL OF LOT 3 OF SUPPLY ROW CENTER, MAP OR PLAT THEREOF RECORDED IN VOL. 30, PG. 16, H.C.M.R., WITH SAID 11.815 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS WITH ALL BEARINGS BEING BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NAD 83:

BEGINNING AT AN "X" FOUND IN CONCRETE (GRID COORDINATES: X: 3138082.97, Y: 13833995.75) ON THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF HUGHES STREET (R.O.W. VARIES) MARKING THE CALLED MOST NORTHERLY CORNER OF SAID 5.1631 ACRE TRACT AND THE MOST NORTHERLY CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE SOUTH 71 DEG. 58 MIN. 30 SEC. EAST, ALONG AND WITH THE NORTHERLY LINE OF SAID 5.1631 ACRE TRACT, A DISTANCE OF 488.12 FEET TO A NORTHERLY CORNER;

THENCE SOUTH 32 DEG. 31 MIN. 30 SEC. WEST, ALONG AND WITH AN EASTERLY LINE OF SAID 5.1631 ACRE TRACT, A DISTANCE OF 21.65 FEET TO AN INTERIOR CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE SOUTH 71 DEG. 58 MIN. 30 SEC. EAST, ALONG AND WITH A NORTHERLY LINE OF SAID 5.1631 ACRE TRACT, A DISTANCE OF 65.80 FEET TO A POINT (GRID COORDINATES: X: 3138596.97, Y: 13833806.46) MARKING THE COMMON MOST EASTERLY CORNER OF SAID 5.1631 ACRE TRACT AND OF THE HEREIN DESCRIBED TRACT;

THENCE SOUTH 18 DEG. 02 MIN. 47 SEC. WEST, ALONG AND WITH CALLED NORTHWESTERLY LINE A DISTANCE OF 194.88 FEET TO A POINT (GRID COORDINATES: X: 3138533.99, Y: 13833611.59) MARKING THE NORTHWEST CORNER OF SAID TRACT ONE, AND AN INTERIOR CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, SOUTH 71 DEGREES 57 MINUTES 13 SECONDS EAST, ALONG SAID SOUTHWESTERLY R.O.W. LINE OF RUSK AVENUE, AND THE NORTH LINE OF TRACT ONE A DISTANCE OF 178.40 FEET TO A CORNER (GRID COORDINATES: X: 3138703.57, Y: 13833556.33) ON THE WEST LINE OF A TRACT OF LAND CONVEYED TO G.H. & H. R.R. CO., RECORDED IN VOL. 1580, PG. 0336, H.C.D.R., MARKING THE NORTHEASTERLY CORNER OF SAID TRACT ONE AND OF THE HEREIN DESCRIBED TRACT;

THENCE, SOUTH 18 DEGREES 02 MINUTES 47 SECONDS WEST, A DISTANCE OF 451.02 FEET TO A CORNER (GRID COORDINATES: X: 3138563.89, Y: 13833127.60) ON THE SAID WEST LINE OF VOL. 1580, PG. 0336, H.C.D.R., ON THE SAID NORTHEASTERLY R.O.W. LINE OF SUPPLY ROW, MARKING THE SOUTHEASTERLY CORNER OF SAID TRACT TWO AND OF THE HEREIN DESCRIBED TRACT;

THENCE NORTH 71 DEG. 57 MIN. 30 SEC. WEST, ALONG AND WITH SAID NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 279.23 FEET TO THE MOST NORTHERLY CORNER OF SAID SUPPLY ROW, SAME BEING THE SOUTHWEST CORNER OF SAID LOT 3, AND AN INTERIOR CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE SOUTH 17 DEG. 57 MIN. 19 SEC. WEST, ALONG AND WITH THE WESTERLY LINE OF SAID SUPPLY ROW, A DISTANCE OF 60.16 FEET TO THE MOST SOUTHERLY SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE NORTH 71 DEG. 56 MIN. 00 SEC. WEST, A DISTANCE OF 231.80 FEET TO AN ANGLE POINT;

THENCE ALONG AND WITH THE CALLED SOUTHERLY LINE OF SAID 10.4145 ACRE TRACT, THE FOLLOWING COURSES AND DISTANCES:

NORTH 72 DEG. 02 MIN. 41 SEC. WEST, A DISTANCE OF 24.55 FEET TO AN ANGLE POINT;

SOUTH 88 DEG. 56 MIN. 15 SEC. WEST, A DISTANCE OF 62.22 FEET TO AN ANGLE POINT;

NORTH 80 DEG. 10 MIN. 42 SEC. WEST, A DISTANCE OF 71.87 FEET TO AN ANGLE POINT;

NORTH 86 DEG. 58 MIN. 33 SEC. WEST, A DISTANCE OF 46.57 FEET TO AN ANGLE POINT;

NORTH 07 DEG. 30 MIN. 54 SEC. WEST, A DISTANCE OF 46.52 FEET TO AN ANGLE POINT;

NORTH 16 DEG. 53 MIN. 47 SEC. EAST, A DISTANCE OF 57.61 FEET TO AN ANGLE POINT;

NORTH 62 DEG. 30 MIN. 48 SEC. WEST, A DISTANCE OF 42.20 FEET TO AN ANGLE POINT;

THENCE NORTH 74 DEG. 47 MIN. 19 SEC. WEST, A DISTANCE OF 56.58 FEET TO A POINT (GRID COORDINATES: X: 3137778.99, Y: 13833394.69) ON THE CALLED EASTERLY LINE OF SAID HUGHES STREET, THE MOST WESTERLY CORNER OF THE HEREIN DESCRIBED TRACT;


THENCE NORTH 31 DEG. 34 MIN. 19 SEC. EAST, ALONG AND WITH SAID EASTERLY RIGHT-OF-WAY, A DISTANCE OF 211.20 FEET TO AN ANGLE POINT;

THENCE NORTH 10 DEG. 55 MIN. 19 SEC. EAST, CONTINUING ALONG SAID RIGHT-OF-WAY, A DISTANCE OF 79.82 FEET TO AN ANGLE POINT;

THENCE NORTH 10 DEG. 50 MIN. 24 SEC. EAST, CONTINUING ALONG SAID RIGHT-OF-WAY, A DISTANCE OF 97.58 FEET TO AN ANGLE POINT;

THENCE NORTH 71 DEG. 58 MIN. 30 SEC. WEST, CONTINUING ALONG SAID RIGHT-OF-WAY, A DISTANCE OF 0.33 FEET TO AN ANGLE POINT;

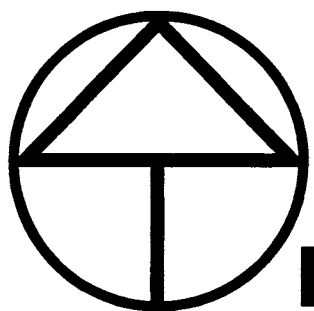
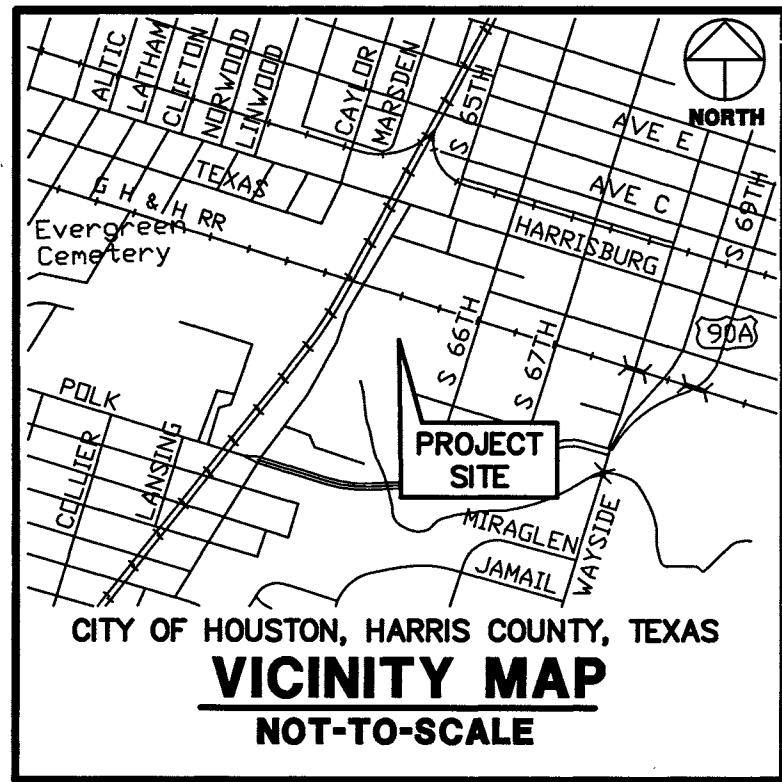
THENCE NORTH 32 DEG. 59 MIN. 27 SEC. EAST, CONTINUING ALONG SAID RIGHT-OF-WAY, A DISTANCE OF 294.41 FEET TO THE PLACE OF BEGINNING AND CONTAINING 11.815 ACRES OR 514,675 SQUARE FEET OF LAND, AS SHOWN ON THE SURVEY, JOB NO. 47136WC, FILED IN THE OFFICES OF WINDROSE LAND SERVICES, INC. THIS LEGAL DESCRIPTION IS A COMPILATION OF EXISTING DESCRIPTIONS PREPARED UNDER PROVISIONS OF 22 TAC 663.21. IT IS NOT TO BE USED TO CONVEY OR ESTABLISH INTEREST IN REAL PROPERTY EXCEPT THOSE RIGHTS IMPLIED OR ESTABLISHED BY THE CREATION OR RECONFIGURATION OF THE BOUNDARY OF THE POLITICAL SUBDIVISION FOR WHICH IT WAS PREPARED.

  
MIKE KURKOWSKI  
REGISTERED PROFESSIONAL LAND SURVEYOR  
TEXAS REGISTRATION No. 5101

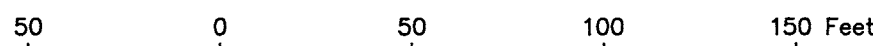


08/30/2016

DATE



GRAPHIC SCALE: 1" = 50'



LINE TABLE

| LINE | BEARING       | DISTANCE |
|------|---------------|----------|
| L1   | S 32°31'30" W | 21.65'   |
| L2   | S 71°58'30" E | 65.80'   |
| L3   | S 17°57'19" W | 60.16'   |
| L4   | N 72°02'41" W | 24.55'   |
| L5   | S 88°58'15" W | 62.22'   |
| L6   | N 80°10'42" W | 71.87'   |
| L7   | N 86°58'33" W | 46.57'   |
| L8   | N 07°30'54" W | 46.52'   |
| L9   | N 16°53'47" E | 57.61'   |
| L10  | N 62°30'48" W | 42.20'   |
| L11  | N 74°47'19" W | 56.58'   |
| L12  | N 10°55'19" E | 79.82'   |
| L13  | N 10°50'24" E | 97.58'   |
| L14  | N 71°58'30" W | 0.33'    |

CORNER  
X: 3137778.99 (GRID)  
Y: 13833394.69 (GRID)

SCHUMACHER COMPANY, INC.  
H.C.C.F. NO. 20060253684

GENERAL NOTES

- THIS IS NOT A BOUNDARY SURVEY. SURVEYOR DID NOT ABSTRACT SUBJECT PROPERTY. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE COMMITMENT AND WOULD BE SUBJECT TO ALL ENCUMBRANCES THAT A CURRENT COMMITMENT WOULD DISCLOSE.
- BEARINGS WERE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NAD 1983.
- ALL COORDINATES SHOWN HEREON ARE TEXAS SOUTH CENTRAL ZONE NO. 4204 STATE PLANE GRID COORDINATES (NAD 83), AND MAY BROUGHT TO SURFACE BY APPLYING THE FOLLOWING SCALE FACTOR 0.99977948506.
- ENVIRONMENTAL AND DRAINAGE ISSUES ARE BEYOND THE SCOPE OF THIS SURVEY.
- THE SQUARE FOOTAGE TOTALS SHOWN HEREON ARE BASED ON THE MATHEMATICAL CLOSURE OF THE COURSES AND DISTANCES REFLECTED ON THE SURVEY. IT DOES NOT INCLUDE THE TOLERANCES THAT MAY BE PRESENT DUE TO THE POSITIONAL ACCURACY OF THE BOUNDARY MONUMENTATION.

P.O.B.  
FND "X" IN CONC.  
X: 3138082.97 (GRID)  
Y: 13833995.70 (GRID)

HUGHES STREET  
(R.O.W. VARIES)

CALLED 5.1631 ACRES  
CONVEYED TO  
GMR RECYCLING, L.P.  
H.C.C.F. NO. 20080565301

S.M. WILLIAMS SURVEY, ABSTRACT NO. 87  
HARRIS COUNTY, TEXAS

11.815 ACRES  
514,675 SQ. FT.

RESIDUE OF  
CALLED 10.4145 ACRES  
CONVEYED TO  
GMR RECYCLING, L.P.  
H.C.C.F. NO. 20080565300

RESIDUE OF  
CALLED 10.4145 ACRES  
CONVEYED TO  
MAKHANIAN ENTERPRISES  
H.C.C.F. NO. F-758608

CORNER  
X: 3138533.99 (GRID)  
Y: 13833611.59 (GRID)

CALLER 0.6774 ACRES (TRACT ONE)  
CONVEYED TO  
GMY, LTD.  
H.C.C.F. NO. 20130381599  
LOT 1

SUPPLY ROW CENTER  
VOL. 30, PG. 16, H.C.M.R.

CALLER 17' WIDE STRIP  
OF LAND (TRACT THREE)  
CONVEYED TO  
GMY, LTD.  
H.C.C.F. NO. 20130381599

CALLER ALL OF LOT 2,  
SUPPLY ROW CENTER (TRACT TWO)  
CONVEYED TO  
GMY, LTD.  
H.C.C.F. NO. 20130381599

SUPPLY ROW (CALLED 60' R.O.W.)  
VOL. 30, PG. 16, H.C.M.R.

CORNER  
X: 3138563.89 (GRID)  
Y: 13833127.60 (GRID)

CALLER 0.737 ACRES  
CONVEYED TO  
HENRY H. BUCHANAN, JR.  
AND DENICE K. BUCHANAN  
H.C.C.F. NO. Y524980

CALLER 0.737 ACRES  
CONVEYED TO  
330 SOUTH 66TH ST., INC.  
H.C.C.F. NO. S776194

G.H. & H. R.R. CO.  
VOL. 1580, PG. 0336, H.C.D.R.

CORNER  
X: 3138703.57 (GRID)  
Y: 13833556.33 (GRID)

RUSK AVENUE  
(CALLED 50' WIDE R.O.W.)  
VOL. 30, PG. 16, H.C.M.R.

CALLER 38,787 SQ. FT. OF LAND  
CONVEYED TO  
SEAHORSE CORPORATION  
H.C.C.F. NO. X343591

G.H. & H. R.R. CO.  
VOL. 1580, PG. 0336, H.C.D.R.

CALLER 0.4398 ACRES (TRACT II)  
CONVEYED TO  
SEAHORSE CORPORATION  
H.C.C.F. NO. U310643

SOUTH 66TH STREET  
(CALLED 60' WIDE R.O.W.)  
VOL. 30, PG. 16, H.C.M.R.

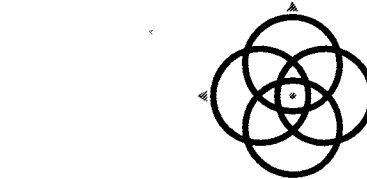


TO: W&M ENVIRONMENTAL GROUP, INC.

I DO HEREBY CERTIFY TO THE ABOVE LISTED THAT THIS EXHIBIT WAS THIS DAY MADE AND WAS PERFORMED UNDER MY SUPERVISION. THIS PLAT WAS PREPARED UNDER 22 TAC (TEXAS ADMINISTRATIVE CODE) 663.21, DOES NOT REFLECT THE RESULT OF AN ON THE GROUND SURVEY, AND IS NOT TO BE USED TO CONVEY OR ESTABLISH INTERESTS IN REAL PROPERTY EXCEPT THOSE RIGHTS AND INTERESTS IMPLIED OR ESTABLISHED BY THE CREATION OR RECONFIGURATION OF THE BOUNDARY OF THE POLITICAL SUBDIVISION FOR WHICH IT WAS PREPARED.

MIKE KURKOWSKI  
Registered Professional Land Surveyor  
Texas Registration No. 5101

08/30/2016  
DATE



3200 WILCREST, SUITE 325 | HOUSTON, TX 77042 | 713.458.2281  
FIRM REGISTRATION NO. 10108800 | WINDROSE3SERVICES.COM

EXHIBIT OF  
11.815 ACRES / 514,675 SQ. FT.  
DESIGNATED BOUNDARY FOR A MUNICIPAL SETTING  
DESIGNATION (MSD)  
SITUATED IN THE S.M. WILLIAMS SURVEY, A-87  
HARRIS COUNTY, TEXAS

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FIELD BY: JH/LH  
CHECKED BY: MK  
JOB NO. 52389  
DRAWN BY: RBA  
DATE: 08-29-16  
SHEET NO. 1 OF 1

REVISIONS

| DATE | REASON | BY |
|------|--------|----|
|      |        |    |
|      |        |    |
|      |        |    |
|      |        |    |



## Exhibit B

### Municipal Setting Designation

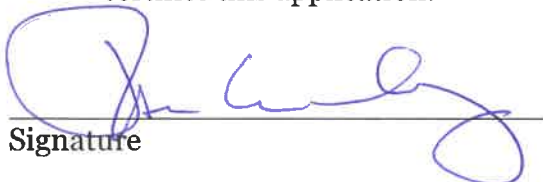
#### Affidavit of Eligibility

BEFORE ME, the undersigned authority, on this day personally appeared  
Jason Avery, as an authorized representative of  
GMV LTD, 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

Jason Avery  
Printed Name

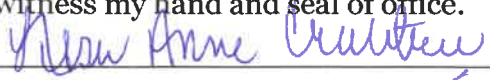
President  
Title

STATE OF Texas  
COUNTY OF Harris

Date: 12-19-18



SUBSCRIBED AND SWORN before me on this the 19th day of  
December 2018, to which witness my hand and seal of office.

  
Notary Public in and for the State of Texas