



0000-0000-0041-9672

Document Control Sheet

Sheet Title:	IOP - GH
Box ID:	12350
Control Sheet ID:	0000-0000-0041-9672
Record Series Name:	WST / Innocent Owner / Operator Program
Record Series:	IOP
Primary ID:	1146
Secondary ID:	
Doc Type:	Documents Outgoing
Security:	Public
Date:	1/6/2020 12:00AM
Title:	Application Acceptance
Tertiary ID	

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



IOP: 1146  
OUT DATE: 1/6/20  
DOC.NAME: APPLICATION  
ACCEPTANCE  
PROJ. MGR: R WINSOR

## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

January 6, 2020

RECEIVED

JAN 16 2020

TCEQ  
CENTRAL FILE ROOM

Mr. Christian Vega  
VegaFam Group, LLC  
721 N Great Southwest Pkwy  
Arlington, Texas 76011

Re: Innocent Owner/Operator Program (IOP) Notice of Complete Application for VegaFam Group Property Site, located at 701 N Great Southwest Pkwy, Arlington, Tarrant County, TX; IOP No. 1146; Customer No. CN605729870; Regulated Entity No. RN110909967

Dear Mr. Vega:

The Texas Commission on Environmental Quality (TCEQ) has reviewed the IOP application submitted pursuant to §361.753(c) of the Texas Solid Waste Disposal Act and has determined that the application is complete. The TCEQ will begin reviewing the *Phase I Environmental Site Assessment, Indoor Air Quality Report, Limited Subsurface Investigation* and the *Site Investigation Report* (SIR) submitted with the application and will forward any comments concerning the review to your attention.

Pursuant to 30 Texas Administrative Code §333.36, the applicant is required to provide notice of the application by certified mail, return receipt requested, to property owners adjacent to the site. An example of a notification letter that contains the required information for adjacent property owner notification is enclosed. The applicant should provide the TCEQ with a copy of each delivered notification letter and a copy of each of the signed certified mail receipts upon their return to the applicant.

Please note, to be eligible for an IOP Certificate, in accordance with RG-382, an applicant must be a current *owner* or *operator* of the subject site. Therefore, Applicant C is ineligible and will not be listed if an IOP Certificate is issued.

I look forward to working with you on this site. Please reference IOP No. 1146 on the front of any future letters or reports. Future submittals should be mailed to my attention at the TCEQ, mail code MC-221, at the letterhead address. Please provide one paper copy and one electronic copy (on USB or disc) of all submittals. Note that the electronic and hard copies should be identical, complete copies. A Correspondence ID Form (TCEQ Form 20428) must accompany each document submitted to the Remediation Division, and should be affixed to the front of your submittal. The Correspondence ID

Mr. Christian Vega

Page 2

January 6, 2020

IOP No. 1146

Form helps ensure that your documents are identified correctly and are routed to the applicable program for a timely response. You may contact me with any questions at (512) 239-0843.

Sincerely,

A handwritten signature in cursive script, appearing to read "Ruth Winsor for".

Ruth Winsor, Project Manager

VCP-CA Section

Remediation Division

Texas Commission on Environmental Quality

RW/jdm

cc: Mr. James Lynch, City Logistics 721 Lenders, LLC, 3131 Turtle Creek Blvd., Suite 910, Dallas, TX 75219

Mr. Michael Teeling, Cambridge Services Group, Inc. P.O. Box 831901,  
Richardson, TX, 75083

Ms. Erin Gorman, Waste Section Manager, TCEQ Region 4 Office, Dallas/Fort Worth

Enclosure: Example adjacent property owner notification letter

Example Innocent Owner/Operator Adjacent Property Notification Letter

[Date]

**CERTIFIED MAIL  
RETURN RECEIPT REQUESTED**

[Adjacent Property Owner Name]  
[Adjacent Property Owner Mailing Address]  
[City, State Zip]

Re: Notification of Application to TCEQ Innocent Owner/Operator Program (IOP) for property located at [Site Address], [City, TX, County Zip], IOP No. [IOP No.]

Dear Mr./Ms. [Adjacent Property Owner Last Name]:

This letter was prepared to inform you that an IOP application has been submitted to the Texas Commission on Environmental Quality (TCEQ) by [IOP Applicant], the [current/prospective] owner/operator of [Name of IOP Site], the IOP site, located at [IOP Site Address], which is adjacent to your property located at [Adjacent Property Address]. The application was submitted in response to the discovery of [type of contamination] in [media type] on [Name of IOP Site]'s property, which the owners/operators contend has migrated to their property solely from an off-site source.

Additionally, [Include name(s) of all other IOP Applicant(s), including prospective owners/operators] is/are included in the IOP application and is/are listed as [interest in the property].

The law creating the IOP became effective September 1, 1997 and was drafted to provide immunity from liability under the Texas Water Code and Health and Safety Code for owners/operators of property that has been contaminated solely by an off-site source. The law also provides for issuance of a certificate confirming the person is an innocent owner/operator and thereby not liable for the contamination if the person makes an adequate demonstration to the TCEQ that the contamination has migrated from an off-site source and that activities on the property did not contribute to the contamination. The [current/prospective] owner/operator of [Name of IOP Site] has submitted an application and site investigation report for TCEQ review requesting an evaluation of information they believe will support their status as an innocent [owner and/or operator]. All IOP application information is public record. Please visit the Records Management website of the TCEQ for more information on viewing records: <https://www.tceq.texas.gov/agency/data>.

**You are not required to respond to this letter;** however, if you have any information about [IOP Applicant] or the use of the property that may affect the TCEQ's evaluation of contamination on [Name of IOP Site]'s property or have any questions regarding this notice, please contact the TCEQ Project Manager, [Project Manager], at [telephone number with area code] with questions concerning this notice. Any such information must be provided within 14 days of receipt of this letter and may be sent to the above TCEQ Project Manager by regular mail to the TCEQ, MC 221, P.O. Box 13087, Austin, Texas 78711-3087 or by express mail at 12100 Park 35 Circle, Building D, Austin, Texas 78753. Please reference IOP No. [IOP No.] in any correspondence or when contacting TCEQ. Should you have any questions for [IOP Applicant], please contact [Contact Person for IOP Applicant] at [phone number with area code].

Sincerely,

[IOP Applicant or Applicant's Consultant]

Title

cc: [IOP Project Manager Name], TCEQ, IOP Project Manager, Remediation Division, MC-221