

Bryan W. Shaw, Ph.D., P.E., *Chairman*
Toby Baker, *Commissioner*
Zak Covar, *Commissioner*
Richard A. Hyde, P.E., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

October 31, 2014

Mr. Rim A. Hindieh
Dallas Investment Corp
c/o Rolaco Services, Inc.
P.O. Box 7
Roslyn Heights, NY 11577-0007

Re: Certificate of Completion (COC) for 5015 Spectrum Drive, Addison, Dallas County, Texas; Voluntary Cleanup Program (VCP) No. 2660; Customer No. 604551630; Regulated Entity No. RN 107205627

Dear Mr. Hindieh:

The Texas Commission on Environmental Quality (TCEQ) has reviewed the September 10, 2014 report entitled *Affected Property Assessment Report*, as well as other requested information. Based on this review, the TCEQ has determined that the site has attained Texas Risk Reduction Program Remedy Standard A residential land use standards for all evaluated exposure pathways in accordance with 30 Texas Administrative Code §350.32. Therefore, the TCEQ issues the enclosed final COC. The TCEQ records for this site will be maintained at the Central Records office of the TCEQ in Austin, Texas.

Please be aware that there may be outstanding charges reflecting TCEQ oversight activities that may still be forthcoming. You may contact Mr. Pete Silkworth of my staff with any questions or comments you have at (512) 239-0053.

Sincerely,

A handwritten signature in black ink, appearing to read "Maria Lebron".

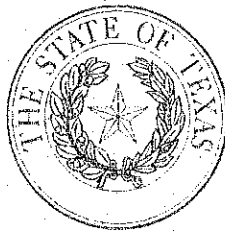
Maria Lebron, Assistant Director
Remediation Division

ML/PS/ del

cc: Mr. Patrick Johnson, W&M Environmental Group, Inc., pjohnson@wh-m.com
Mr. Sam Barrett, Waste Section Manager, TCEQ Region 4 Office, Fort Worth/Dallas

Enclosure: COC

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**VOLUNTARY CLEANUP PROGRAM
FINAL CERTIFICATE OF COMPLETION**

This Final Certificate of Completion (Certificate) supersedes the Certificate issued on November 19, 2001 and applies to the tract of land described in Exhibit "A", attached hereto and incorporated herein by reference. This Certificate and the related protection described herein apply solely to releases at the tract of land described in Exhibit "A" prior to the execution date of this Certificate. This Certificate shall be a covenant that runs with the land.

As provided in Section 361.609 of the Texas Health and Safety Code:

I, Maria Lebron, Assistant Director, Remediation Division, TCEQ, certify as follows:

Response actions have been completed for VCP No. 2660 as of October 24, 2014, for the tract of land described in Exhibit "A" so that the tract is acceptable for residential land use.

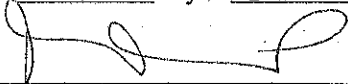
This certification is based on the Affidavit of Completion of Response Actions (Exhibit "B"), attached hereto and incorporated herein by reference, and on additional site information in TCEQ files.

The following persons are qualified to obtain the protection from liability described in Section 361.610 of the Texas Health and Safety Code :

- 1) An applicant who on the date of submittal of an application to the Voluntary Cleanup Program was not a responsible party under Sections 361.271 or 361.275(g) of the Texas Health and Safety Code; and
- 2) All persons (e.g., future owners, future lessees, future operators and lenders) who on the date of issuance of this Certificate were not responsible parties under Sections 361.271 or 361.275(g) of the Texas Health and Safety Code.

Further information concerning this matter may be found at the TCEQ Central File Room in Building E, Room 103, 12100 Park 35 Circle, Austin, Texas 78753 under Voluntary Cleanup Program No. 2660.

EXECUTED this the 31 day of October, 2014

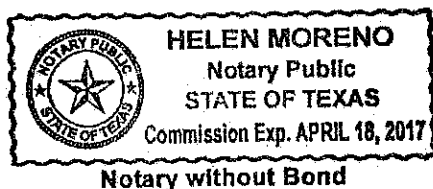


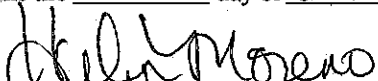
Maria Lebron, Assistant Director
Remediation Division

STATE OF TEXAS
TRAVIS COUNTY

BEFORE ME, on this the 31st day of October, 2014, personally appeared, Maria Lebron, Assistant Director, Remediation Division, of the Texas Commission on Environmental Quality, known to me to be a representative of said commission whose name is subscribed to the foregoing instrument and she acknowledged to me that she executed the same for the purposes and in the capacity therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 31st day of October, 2014





Notary Public in and for the State of Texas

ZONING INFORMATION
NOTE: ZONING INFORMATION SHOWN

Slide Building setback: 0 feet (interior)
25 feet (corner lot)
Maximum Building Height: 6 stories (misses
additional set-back distance provided)

[Illegible handwritten notes]

(PDR 2009)

L₂ = 206.56°
 L₁ = 14.98° E
 C₁ = 206.49°

031
RIM
DONG FIVE
K 100
041, PAGE 20,
D.O.E.)

42

1

QUADRON QUARTER-EAST NO. 1 ADJUTANT
(FOURTH 96100, PAGE 2000, DUBOIS)

PROJECT INFORMATION **TOWN OF ADDISON, DALLAS COUNTY**

PROJECT INFORMATION
Date of Survey: 01/20/2014
Job Number: 1417706
Drawn By: S.W.C./M.J.L.
C.D. - Civil Engineering

ENDING COUNTRY - TOWN - DATE

.....

lineup, along the west line of said 4.8348 acre tract and the east right-of-way line of Quorum Drive, North 00 degrees 17 minutes 57 seconds West, a distance 535.63 feet to an "X" in concrete set for the southwest end of a right-of-way corner call;

STUCK IN A SPINNING WHEEL, RIGHT-WAY OF ROAD, ON THE SUNDAY MORNING OF THE UPRIGHT DRIVE AND MILLIKEN SECOND'S EAST, A DISTANCE OF 14.10 FEET TO AN "X" IN CONCRETE SET IN THE SOUTH SIDE OF THE ROAD. THE FLIGHT-OR-WAY LINE OF EDWIN LEWIS DRIVE (SO 7000 WIDE 8.0 W.) AND IN THE NORTH SIDE OF THE ROAD 4.07348 MILE TRAFFIC.

4.87348 acre tract, South 89 degrees 58 minutes 03 seconds East, a distance 360.20 feet to an 5/8" iron rod set for the northeast corner of said 4.87348 acre tract and in the west right-of-way line of Spectrum Drive (80 foot wide R.O.W.).

Spectra as follows:
South 00 degrees 17 minutes 45 seconds East, a distance of 335.72 feet to S/S. Iron rod set with red plastic cap & camped "N.F.L.G. 5180", the beginning of non-tangent curve to the left.

Along said curve to the left through a central angle of 28 degrees minutes 50 seconds, a radius of 413.18 feet, an arc length of 208.68 feet, chord bearing of South 14 degrees 38 minutes 06 seconds East and a chord distance of 208.48 feet to a 1/2" iron rod found for the southeast corner of said 4.875' x 10.00' lot.

THENCE, along the south line of said 4.87348 acre tract and the north line said 20 1/2 acre Addition as follows:
South 60 degrees 50 minutes 28 seconds West, a distance of 81.49 feet to

South 59 degrees 56 minutes 00 seconds West, a distance of 348.93 feet to the POINT OF BEGINNING and containing 210,810 square feet of 4.8796 acres of 1836-37.

To: AMI Residential Partners, LLC, Dallas Investment Corp., a Delaware corporation and Chicago Title Insurance Company.

with those in accordance with the 2011 Minnesota Standard Detail Requirements for ALTA/ACSM Land Title Surveys, jointly established and adopted by ALTA and ACSM and includes Items 1, 2, 3, 4, 5(b), 7(a), 8, 9 and 11(c) of Table A thereof.

DOUGLAS S. LORNTZ



NOTES CORRESPONDING TO SCHEDULE B ITEMS

Property subject to restrictive covenants are recorded in Volume 60005, Page 3073
Volume 8613, Page 7857, Deed Records, Dallas County, Texas and as County Clerk
File No. 200600462590, Deed Records, Dallas County, Texas.

Deed Records, Dallas County, Texas affect the subject property and are shown hereon:
15' drainage & utility easement.

15. Texas Power & Light Company easement recorded in Volume 28120, Page 176 Deed Records, Dallas County, Texas does affect the subject property, and is shown herein.

(c) Property subject to taxation(s) of said covenants, conditions and restrictions.

Property subject to assessments, changes and liens as set forth in document recorded in Volume 8095, Page 3073, Deed Records, Dallas County, Texas.

RECORDED AS COUNTY CLERK'S FILE NO. 200800465250, Deed Records, Dallas County, TEXAS.

determined to be outside the 0.2% annual chance flood plain, as indicated on documents issued by the Federal Emergency Management Agency, entitled "Flood Insurance Rate Map, for Dallas County, Texas and Incorporated Areas, Community Panel Number 4813C0180U, Map Revised Date, August 23, 2001." This flood

tree from flooding or flood damage. On rare occasions, greater floods can occur and flood heights may be increased by man-made or natural causes. This flood statement shall not create liability on the part of the surveyor.

UTILITY STATEMENT

The underground utilities shown have been located from field survey information and existing drawings. The surveyor makes no guarantee that the underground

abandoned. The surveyor further does not warrant that the underground utilities shown are in the exact location indicated although he does certify that they are located as accurately as possible from information available. The surveyor has not physically located the underground utilities.

ALTA/ACSM

4.9796 ACRES
PART OF BLOCK 3, QUORUM NORTH ADDITION

out of
C.W. FISHER SURVEY, ABSTRACT No. 482

PROJECT INFORMATION
Date of Survey: 01/29/2014
Job Number: 1447706

451

900 N. Bowser Road
Suite 200
Richardson, Texas 75081

March 3, 1960

EXHIBIT "B"
Affidavit of Completion of Response Actions
VCP No. 2660

BEFORE ME, the undersigned authority, on this day personally appeared Rim Antoine Hindieh, as an authorized representative of Dallas Investment Corporation, 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.

Dallas Investment Corporation (Applicant) has completed response actions pursuant to Chapter 361, Subchapter S, Texas Health and Safety Code, at the tract of land described in Exhibit "A" to this certificate that pertains to 5015 Spectrum Drive (Site), VCP No. 2660 located at 5015 Spectrum Dr., Addison, Dallas County, Texas. The Site was owned by Dallas Investment Corporation at the time the application to participate in the Voluntary Cleanup Program was filed. The Applicant has submitted and received approval from the Texas Commission on Environmental Quality (TCEQ) Remediation Division on all plans and reports required by the Voluntary Cleanup Agreement. The plans and reports were prepared using a prudent degree of inquiry of the Site consistent with accepted industry standards to identify all hazardous substances, waste and contaminated media of regulatory concern. The response actions for the Site have achieved standards acceptable for residential land use as determined by the TCEQ.

The response actions substantially eliminated present or future risk to public health and safety and to the environment from releases and threatened releases of hazardous substances and/or contaminants at or from the Site. The Applicant has not acquired this certificate of completion by fraud, misrepresentation or knowing failure to disclose material information. Further information concerning the response action at this Site may be found in the final report at the central office of the TCEQ under VCP No. 2660.

The preceding is true and correct to the best of my knowledge and belief.

Applicant

(Signature)

RIM ANTOINE HINDIEH

(Printed Name)

PRESIDENT

(Title)

STATE OF NY
COUNTY OF NASSAU

SUBSCRIBED AND SWORN before me on this the 24 day of October, 2014,
to which witness my hand and seal of office.

GEORGE M RUSSO
Notary Public - State of New York
NO. 01RU6280413
Qualified in Nassau County
My Commission Expires Apr 30, 2016

Notary Public in and for the State of NY

VCP CFM Site Information

VCP Number: 2660
Name: 5015 SPECTRUM DRIVE
RN Number: RN107205627
Physical Address: 5015 SPECTRUM DR, ADDISON, TX, 75001-4618
Project Manager: PSILKWOR

Cleanup Rules

Program Rules	Tier	Standard	Land Use
TRRP	1	A	RESIDENTIAL

Site Operational History

Site Size (acres): 5
Current Facility Type: VACANT PROPERTY
Former Facility Type: PROPERTY COMMERCIAL
 VACANT PROPERTY

Operational History Notes

The Site is a 5 acre vacant property historically used for agriculture. However, a concrete batch plant was given a permit by the City of Addison in 1981. The batch plant was located in the southwest corner of the property and historical information suggests that the batch plant was only present on the site for 2 to 3 years. A VCP certificate of completion specifying commercial/industrial land use was issued to the site under VCP No. 206 on November 19, 2001. The current VCP applicant is seeking residential closure.

Source of Release**Source of Release**

CONCRETE BATCH PLANT LOCATED ON SW CORNER OF SITE
 OFFSITE FORMER ASHLAND CHEMICAL COMPANY IMMEDIATELY TO THE WEST

Potential/Known Source Areas Note

The only potential source located on the property is a former concrete batch plant that operated for 2 to 3 years. An offsite facility, former Ashland Chemical Company, was located adjacent to the west and operated as a chemical products tank farm from 1960 to about 1981. Based on the Ashland environmental reports, the facility stored petroleum and chlorinated solvents. A release of products to soil and groundwater were detected at the Ashland facility in 1997. Groundwater gradient maps and topographic gradient indicated groundwater contaminants migrated from the adjacent former Ashland to the northeast, toward the VCP site. Therefore, the northwestern portion of the site possessed the potential for a contaminant impact based upon the location of the former Ashland Chemical company and the groundwater flow direction.

The site has a history of agricultural use, but the concentrations of chemicals in soil are not indicative of arsenic-based pesticide, herbicide or defoliant use. Concentrations of arsenic are only slightly elevated above Texas-specific median background concentrations. As arsenic is not associated with the concrete batch plant operations, it was removed from chemical of concern consideration based upon the observed concentrations. It does not appear that any other of the RCRA 8 metals are chemicals of concern for the site, based upon past use.

Proximity and Type of Wells Present

Distance from Site	Domestic	Public Supply	Industrial	Irrigation	Unknown Use
0-500 FT	NOT PRESENT	NOT PRESENT	NOT PRESENT	NOT PRESENT	NOT PRESENT
500 FT - .25 MI	NOT PRESENT	NOT PRESENT	NOT PRESENT	NOT PRESENT	NOT PRESENT

.25 - .5 MI

NOT PRESENT

NOT PRESENT

NOT PRESENT

NOT PRESENT

NOT THREATENED

Water Wells Note

Only one water well is located within 0.5 miles of the property boundary. It is listed as 1,800 feet away and is reportedly not used and of unknown use classification. The well is drilled to a depth of 2,778 feet bgs and screened from 2,615 to 2,768 feet bgs.

Surface Water Body

Name of Nearest Surface Water WHITE ROCK CREEK
Body:
Distance to Nearest Surface Water 2000
Body:
Units: FEET
Direction to Nearest Surface Water NORTH
Body:

Unique or Sensitive Site Issues

There are no sensitive political or public issues for the site and there are no sensitive receptors identified within 1/2 mile of the site.

The site is currently zoned for commercial/industrial land use with the city and the VCP applicant is seeking a residential land use certificate that they plan to use to help get the site re-zoned for residential use; however, this determination by the city is independent of the TCEQ and our evaluation considers only whether the cleanup standards of the proposed future land use in the VCP application (residential) has been obtained.

Soil COC

Target COC Class	Above Res Critical PCL	Above CI Critical PCL	Delineation Complete	Above Res Critical PCL Off-Site	Response Action Required	Total Soil Combined	Complete Exposure Pathways Requiring Response Action		
							Soil to GW	Soil to Air	Ecological
METALS	NO	NO	YES	NO	NO	NO	NO	NO	N/A - TIER 1 PASSED
TPH	NO	NO	YES	NO	NO	NO	NO	NO	N/A - TIER 1 PASSED
VOCS	NO	NO	YES	NO	NO	NO	NO	NO	N/A - TIER 1 PASSED

Soil Assessment Note

Based upon the operational history and chemical of concern analyses, seventeen shallow soil borings were drilled from 4 to 11.5 feet and samples were collected across the property in a grid. Ten of the soil samples were collected on January 2014 by W&M Environmental Group, Inc. Seven of the soil samples were collected by Trinity Engineering Testing Corporation in 1994. All on site soil samples were analyzed for RCRA eight metals, total petroleum hydrocarbons, and volatile organic compounds. None of soil samples contained contaminant concentrations above residential critical protective concentration levels (PCLs) for a Class 3 groundwater resource. Earlier samples were composites across select areas of the site.

Soil Response Action**Soil Remediation Note**

Soil Remediation does not appear necessary since all soil contaminant concentrations for RCRA eight metals, total petroleum hydrocarbons, and volatile organic compounds are below residential critical PCLs.

Soil Institutional/Engineering Control

Soil Individual COC Requiring Remedy**Soil Closure**

Closure: SOIL
 O & M Physical NO
 Inspection Required:
 Frequency of Inspection: NA
 Frequency of Reporting: NA
 Technical NO
 Impracticability:
 Using PST Closure NO
 Assumptions:

Groundwater Bearing Units

GW Bearing Unit	Aquifer	GW Class	Depth to GW (ft)	Gradient
GW BEARING UNIT 1		3	12.2	NORTHEAST

Groundwater COC

GW Bearing Unit	Target COC Class	Above Res Critical PCL	Above CI Critical PCL	Delineation Complete	Above Res Critical PCL Off-site	Response Action Required	Complete Exposure Pathways Requiring Response Action			
							GW Ingestion	GW to Air	GW to Sediment	GW to Surface Water
GW BEARING UNIT 1	METALS	NO	NO	YES	NO	NO	NO	NO	NO	NO
GW BEARING UNIT 1	TPH	NO	NO	YES	NO	NO	NO	NO	NO	NO
GW BEARING UNIT 1	VOCS	NO	NO	YES	NO	NO	NO	NO	NO	NO

Groundwater Assessment Note

In 1998, three monitoring wells MW-37, MW-38, and MW-39 were drilled and located onsite as part of the groundwater investigation down gradient of the former Ashland facility. All groundwater concentrations of VOCs, TPH, and RCRA eight metals were at or below residential critical PCLs. In 2014, three monitoring wells were drilled at the property. Only monitoring well MW-1 had enough groundwater to sample. Groundwater gradient based on past off-site investigation was to the northeast, and based on yield tests from monitoring well MW-1 and hydrogeological information from adjacent properties, the onsite groundwater is demonstrated to be Class 3. A groundwater sample from monitoring well MW-1 was analyzed for VOCs, TPH, and RCRA eight metals. All groundwater concentrations were at or below PCLs.

Groundwater Response Actions

GW Bearing Unit	Remediation Method	Status
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Groundwater Remediation Note

Groundwater remediation does not appear necessary since all groundwater analyses from monitoring wells MW-1, MW-37, MW-38, and MW-39 indicated groundwater concentrations at or below residential critical PCLs.

Groundwater Institutional/Engineering Control

GW Bearing Unit

Institutional/Engineering Control

Status

Groundwater Individual COC Requiring Remedy**Groundwater Closure**

Closure: GROUNDWATER

O & M GW Monitoring NO

Required:

Frequency of Reporting: NA

Frequency of Monitoring:

Using PST Closure NO

Assumption:

Technical NO

Impracticability:

Justification for Closure Request or Other Division Level Signoff

The approved APAR has provided evidence that the appropriate COCs have been investigated and concentrations of the COCs in soil and groundwater samples are all below residential critical PCLs. Therefore, the site is submitted to Division Management for consideration of VCP certificate issuance.