

DEED WITHOUT WARRANTY
FORMER BERGSTROM AIR FORCE BASE
TRAVIS COUNTY, TEXAS

This Deed made this 12th day of APRIL, 1999, by and between the United States of America, acting by and through the Secretary of the Air Force whose address is Washington, D.C., under and pursuant to the Federal Property and Administrative Services Act of 1949, approved June 30, 1949, (63 Stat. 377), 40 U.S.C. § 471, et seq., as amended, and regulations and orders promulgated thereunder; the Defense Base Closure and Realignment Act of 1990, Pub. L. No. 101-510, and regulations and orders promulgated thereunder; and a delegation from the Administrator of General Services to the Secretary of Defense, and a subsequent delegation from the Secretary of Defense to the Secretary of the Air Force, party of the first part, as Grantor, and the City of Austin, Texas, a body politic created, operating, and existing under and by virtue of the laws of the State of Texas, party of the second part, as Grantee.

WITNESSETH THAT:

WHEREAS, the Grantor is the owner of the hereindescribed real property located within the former Bergstrom Air Force Base, situated in Travis County, Texas; and

WHEREAS, the Grantee provided to the United States the money to purchase the hereindescribed real property under the condition that the United States retain title until such property was abandoned as a permanent Air Base, at which time the Grantee could elect to require the Grantor to convey such land and the improvements thereon to the Grantee; and

WHEREAS, the hereindescribed real property was duly declared surplus and available for disposal pursuant to the powers and authority contained in the provisions of the Defense Base Closure and Realignment Act of 1990, Pub. L. No. 101-510, and orders and regulations promulgated thereunder; and

WHEREAS, pursuant to the resolution passed by the City Council of the Grantee dated February 27, 1947, the Grantee requests full legal title to such real property be conveyed to the Grantee.

NOW, THEREFORE, in consideration of the sum of ONE DOLLAR (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, the Grantor does hereby REMISE, RELEASE and FOREVER QUITCLAIM, without warranty or representation, express or implied, unto the Grantee, its successors and assigns forever, all such right and title as the Grantor has or ought to have, in and to the

PARCEL 6
Transfer from Former AFB

real property described in Exhibit "A" of this Deed Without Warranty and situated in Travis County, Texas.

PROVIDED, HOWEVER, this Deed Without Warranty is expressly made subject to the following restrictions, covenants, and agreements of the parties affecting the aforescribed Property, which shall run with the land.

a. Grantor covenants and agrees as follows:

(1) Pursuant to Section 120(h)(3) of the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended (42 U.S.C. § 9620(h)(3)), the following is notice of hazardous substances on the Property and the description of remedial action taken concerning the Property:

(a) The Grantor has made a complete search of its files and records. Exhibit "B" contains a table with the name of hazardous substances stored for one year or more, or known to have been released or disposed of, on the Property; the quantity in kilograms and pounds of the hazardous substance stored for one year or more, or known to have been released, or disposed of, on the Property; and the date(s) that such storage, release, or disposal took place.

(b) A description of the remedial actions taken on the Property regarding hazardous substances is contained in Exhibit "C."

(2) The United States covenants and warrants that all remedial action necessary to protect human health and the environment with respect to hazardous substances remaining on the Property has been taken before the date of this Deed, and any additional remedial action found to be necessary after the date of this Deed for contamination on the Property existing prior to the date of this Deed shall be conducted by the United States. The foregoing covenant shall not apply in any case in which the grantee of the Property, or any part thereof, is a potentially responsible party with respect to the Property before the date on which any grantee acquired an interest in the Property, or is a potentially responsible party as a result of an act or omission affecting the Property. For the purposes of this covenant, necessary remedial action shall not include clean up required as a result of any changes in the Grantee's use of the Property hereby conveyed.

b. The Grantee is hereby provided notice that a portion of the Property hereby conveyed is subject to a use restriction regarding its current and future use pursuant to 30 TAC Section 334.206. A copy of the said use restriction which specifies the affected area is attached hereto as Exhibit "D." The Grantee covenants on behalf of itself, and its successors and assigns, that it shall comply with the terms of such use restriction, as long as it remains in effect. Upon the conveyance of all or any portion of the Property which is affected by this use restriction, the Grantee and its successors and assigns shall provide this notice of such use restriction in the conveyance instrument to their transferees.

c. The Grantee covenants on behalf of itself and its successors and assigns that it shall be responsible for complying with the requirements of the Texas Administrative Code pertaining to the characterization and disposition of excavated soils, as applicable, with respect to the reuse of the Property. The Grantor assumes no liability for such compliance.

d. The Grantee covenants and agrees, on behalf of itself, its successors and assigns, that in their use and occupancy of the Property they will comply with all Federal, State, and local laws pertaining to activities within floodplains with respect to the property herein described in Attachment "E" attached hereto.

TO HAVE AND TO HOLD the same, together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest or claim whatsoever of the Grantor, either in law or in equity subject to the reservations, restrictions and conditions set forth in this instrument.

RESERVING unto the Grantor a right of access to any and all portions of the herein described land for purposes of environmental investigation, remediation or other corrective action. This reservation includes the right of access to and use of, to the extent permitted by law, available utilities at reasonable cost to the Grantor. These rights shall be exercisable in any case in which a remedial action, response action or corrective action is found to be necessary after the date of conveyance of the herein described land, or such access is necessary to carry out a remedial action, response action or corrective action on adjoining property. Pursuant to this reservation, the United States, (including but not limited to, Region 6, United States Environmental Protection Agency (EPA)), and the State of Texas, and their respective officers, agents, employees, contractors and subcontractors shall have the right (upon reasonable notice to Grantee or the then owner and any authorized occupant of the aforescribed Property, except in the event of imminent and substantial endangerment to human health or the environment) to enter upon the herein described land and conduct investigations and surveys, to include without limitation, drillings, testpitting, borings, data and/or record compilation and other activities related to environmental investigation, and to carry out remedial or removal actions as required or necessary under applicable authorities, including but not limited to monitoring wells, pumping wells, and treatment facilities. This reservation shall run with the land and shall be binding on the Grantee, its successors, and assigns.

THE FOLLOWING EXHIBITS are attached to and made a part of this document:

- | | |
|-----------|---|
| Exhibit A | Legal Description of Property Conveyed |
| Exhibit B | Hazardous Substances Stored or Released on Property |
| Exhibit C | Remedial Actions Taken on Property |
| Exhibit D | Notice of Use Restriction |

ACCEPTANCE

The City of Austin does hereby accept this Deed Without Warranty and by such acceptance agrees to all the conditions thereof.

Executed this 20th day of April, 1999.

(OFFICIAL SEAL)

By: Jesus Garza
Name: JESUS GARZA
Title: CITY MANAGER

Attest: Betty G. Brown
By: BETTY G. BROWN
DEPUTY CITY CLERK

Certificate of Grantee's Attorney

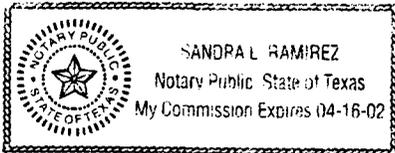
I, Patrick G. Rehmet, acting as Attorney for the City of Austin, herein referred to as the "Grantee" do hereby certify: That I have examined the foregoing Deed Without Warranty and the proceedings taken by the Grantee relating thereto, and find that the acceptance thereof by the Grantee has been duly authorized and that the execution thereof is in all respects due and proper and in accordance with the laws of the State of Texas, and further that, in my opinion, the Deed Without Warranty constitutes a legal and binding compliance obligation of the Grantee in accordance with the terms thereof.

Dated at Austin, Texas, this 20th day of
April, 1999.

By: Patrick G. Rehmet
Title: Assistant City Attorney

STATE OF TEXAS)
) SS.:
COUNTY OF TRAVIS)

On the 20th day of April, 19 99, before me, Sandra Ramirez
the undersigned Notary Public, personally appeared, Jesus Garza,
and known to me to be the person whose name is subscribed to the foregoing Deed
Without Warranty, and personally known to me to be the
City Manager of the City of Austin, and acknowledged that the same was
the act and deed of the City of Austin and that he executed the same for the purposes and
considerations therein expressed and in the capacity stated therein.



Sandra L Ramirez
Notary Public, State of Texas
My commission expires: 04-16-02, 1999

EXHIBIT A
LEGAL DESCRIPTION OF PROPERTY

FIELD NOTES

FIELD NOTE DESCRIPTION FOR A 1033.081 ACRE (45,001,009 SQUARE FOOT) TRACT OF LAND OUT OF THE SANTIAGO DEL VALLE TEN LEAGUE GRANT, ABSTRACT NO. 24, TRAVIS COUNTY, TEXAS AND BEING OUT OF SIXTEEN (16) TRACTS CONVEYED TO THE UNITED STATES OF AMERICA BY INSTRUMENTS RECORDED IN THE FOLLOWING VOLUMES AND PAGES: 706/118, 706/448, 706/455, 706/582, 706/608, 707/375, 707/377, 707/533, 708/115, 709/67, 709/124, 709/182, 709/390, 712/173 AND 713/304, ALL IN THE DEED RECORDS OF TRAVIS COUNTY, TEXAS. SAID 1033.081 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a concrete monument found at a point 50.00 feet left of and at right angles to Engineer's Centerline Station (E.C.S.) 49+99.36 of State Highway No. 29 (now US Hwy. 183), on the existing east right-of-way line of US Hwy. 183 and the west boundary of a 45.98 acre tract known as Tract A-21 recorded in Volume 707, Page 533, Deed Records of Travis County, Texas, for the northwest corner of this tract;

THENCE, across Austin-Bergstrom International Airport, the following three (3) courses:

- 1.) EAST, at 1077.90 feet, pass 817.12 feet south of and at right angles to a bronze disc found at the north end of West Runway 17R-35L, continuing a total distance of 3025.90 feet to a ½" iron rod set for the northeast corner of this tract;
- 2.) SOUTH, 1948.00 feet east of and parallel to the centerline extension of West Runway 17R-35L, a distance of 11345.74 feet to a ½" iron rod set on the southeast boundary of a 179.92 acre tract known as Tract A-13 recorded in Volume 706, Page 582 and the northwest boundary of a 3.35 acre tract known as Tract 62 recorded in Volume 1317, Page 76, both in the Deed Records of Travis County, Texas, for a corner of this tract;
- 3.) S46° 04' 36"W, with the common boundary between said Tract A-13 and Tract 62, a distance of 2259.65 feet to a ½" iron rod set on the curving northeast right-of-way line of Burleson Road, a varying width right-of-way, at the southernmost corner of a 33.58 acre tract known as Tract A-14 recorded in Volume 713, Page 304, and the westernmost corner of a 9.86 acre tract known as Tract 63, described in Civil Action Suit No. 655 recorded in Volume 1294, Page 108, both in the Deed Records of Travis County, Texas, for the southernmost corner of this tract;

THENCE, with the curving northeast right-of-way line of said Burleson Road, along a curve to the left having a radius of 1740.00 feet, a central angle of $01^{\circ} 55' 13''$, a chord which bears, $N69^{\circ} 13' 13''W$, 58.31 feet, an arc distance of 58.32 feet to a $\frac{1}{2}$ " iron rod found at a point 60.00 feet left of and at right angles to Engineer's Centerline Station (E.C.S.) 42+00.00 of Burleson Road, on the southwest boundary of said Tract A-14 and the northeast boundary of a 3.72 acre tract known as Tract 60, described in Civil Action Suit No. 1066;

THENCE, $N58^{\circ} 37' 39''W$, with the common boundary between said Tract A-14 and Tract 60, at 311.46 feet, pass 1298.83 feet south of a bronze disc found at the south end of West Runway 17R-35L, continuing a total distance of 1439.81 feet to a $\frac{1}{2}$ " iron rod set on the curving northeast right-of-way line of Burleson Road;

THENCE, Northwesterly, with the northeast right-of-way line of Burleson Road, the following six (6) courses:

- 1.) Along a curve to the left having a radius of 880.00 feet, a central angle of $05^{\circ} 46' 02''$, a chord which bears, $N46^{\circ} 37' 01''W$, 88.54 feet, an arc distance of 88.58 feet to $\frac{1}{2}$ " iron rod found;
- 2.) $N40^{\circ} 32' 27''E$, a distance of 4.99 feet to a $\frac{1}{2}$ " iron rod found;
- 3.) $N49^{\circ} 30' 28''W$, a distance of 417.23 feet to a $\frac{1}{2}$ " iron rod set;
- 4.) $S40^{\circ} 29' 32''W$, a distance of 12.88 feet to a concrete monument found;
- 5.) $N45^{\circ} 25' 47''W$, a distance of 732.07 feet to a $\frac{3}{4}$ " iron rod found;
- 6.) $N41^{\circ} 15' 07''W$, a distance of 381.58 feet to a $\frac{1}{2}$ " iron rod set at the intersection of the northeast right-of-way line of Burleson Road with the southeast right-of-way line of Del Valle-Creedmoor Road, a sixty (60) foot right-of-way;

THENCE, with the curving southeast right-of-way line of Del Valle-Creedmoor Road, along a curve to the right having a radius of 79.93 feet, a central angle of $61^{\circ} 49' 45''$, a chord which bears, $N15^{\circ} 48' 33''E$, 82.12 feet, an arc distance of 86.25 feet to a $\frac{1}{2}$ " iron rod set at the point of tangency;

THENCE, $N46^{\circ} 37' 35''E$, continuing with the southeast right-of-way line of Del Valle-Creedmoor Road, a distance of 637.84 feet to a $\frac{1}{2}$ " iron rod set for a reentrant corner of this tract;

THENCE, $N43^{\circ} 35' 26''W$, a distance of 238.32 feet to a $\frac{1}{2}$ " iron rod set at the north corner of a 1 acre tract described in a Warranty Deed to Johny M. Maynard, recorded in Volume 12650, Page 961, Real Property Records of Travis County, Texas, for a reentrant corner of this tract;

THENCE, S46° 37' 26"W, with the northwest boundary of said 1 acre tract, a distance of 208.33 feet to a ½" iron rod set at the west corner of said 1 acre tract, for a reentrant corner of this tract;

THENCE, S43° 35' 29"E, with the southwest boundary of said 1 acre tract, a distance of 178.33 feet to a ½" iron rod set on the northwest right-of-way line of Del Valle-Creedmoor Road, for a corner of this tract;

THENCE, S46° 37' 34"W, with the northwest right-of-way line of Del Valle-Creedmoor Road, a distance of 451.25 feet to a ½" iron rod set at the point of curvature of a curve to the right;

THENCE, continuing with the northwest right-of-way line of Del Valle-Creedmoor Road, along said curve to the right having a radius of 64.01 feet, a central angle of 43° 19' 18", a chord which bears, S68° 14' 59"W, 47.25 feet, an arc distance of 48.40 feet to a ½" iron rod set at the intersection of the northwest right-of-way line of Del Valle-Creedmoor Road with the northeast right-of-way line of Burleson Road;

THENCE, Northwesterly, with the northeast right-of-way line of Burleson Road, the following four (4) courses:

- 1.) Along a curve to the right having a radius of 1150.00 feet, a central angle of 04° 58' 12", a chord which bears, N 37° 57' 29"W, 99.72 feet, an arc distance of 99.75 feet to a ½" iron rod found at the point of tangency;
- 2.) N35° 34' 26"W, a distance of 438.23 feet to a ½" iron rod found at the point of curvature of a curve to the left;
- 3.) Along said curve to the left having a radius of 625.00 feet, a central angle of 23° 28' 47", a chord which bears, N47° 22' 55"W, 254.34 feet, an arc distance of 256.12 feet to a ¾" iron rod found at the point of reverse curvature;
- 4.) Along said curve to the right having a radius of 172.50 feet, a central angle of 18° 50' 41", a chord which bears, N49° 36' 20"W, 56.48 feet, an arc distance of 56.74 feet to a ½" iron rod set at the intersection of the northeast right-of-way line of Burleson Road with the east right-of-way line of U.S. Highway No. 183, a varying width right-of-way, for the southwest corner of this tract, said point being 150.00 feet left of and at right angles to Engineer's Station 157+35.99 of U.S. Highway No.183;

THENCE, Northerly, with the east right-of-way line of U.S. Highway No. 183, the following eleven (11) courses:

- 1.) N15° 04' 51"E, a distance of 1736.53 feet to a concrete monument found;
- 2.) N15° 07' 09"E, a distance of 1330.86 feet to a ½" iron rod set;

- 3.) N09° 08' 42"E, a distance of 957.92 feet to a ½" iron rod set at the point of curvature of a curve to the left;
- 4.) Along said curve to the left having a radius of 5779.65 feet, a central angle of 09° 27' 12", a chord which bears, N10° 24' 12"E, 952.50 feet, an arc distance of 953.58 feet to a ½" iron rod set at the point of tangency;
- 5.) N05° 40' 42"E, a distance of 345.96 feet to a ½" iron rod set;
- 6.) N09° 08' 42"E, a distance of 1655.59 feet to a concrete monument found;
- 7.) N05° 39' 50"E, a distance of 1172.98 feet to a ½" iron rod set at the point of curvature of a curve to the left;
- 8.) Along said curve to the left having a radius of 5879.58 feet, a central angle of 04° 49' 17", a chord which bears, N03° 15' 51"E, 494.61 feet, an arc distance of 494.76 feet to a concrete monument found at the point of tangency;
- 9.) N00° 50' 50"E, a distance of 936.17 feet to a ½" iron rod set;
- 10.) N05° 41' 50"E, a distance of 598.10 feet to a ½" iron rod set at the point of curvature of a curve to the right;
- 11.) Along said curve to the right having a radius of 5679.65 feet, a central angle of 02° 43' 10", a chord which bears, N06° 59' 39"E, 269.54 feet, an arc distance of 269.57 feet to the **POINT OF BEGINNING**, containing 1033.081 acres (45,001,009 square feet) of land. **SAVE AND EXCEPT**, Parcels A, B, C & D as shown on the attached map for a **NET ACREAGE** of 942.078 acres of land.

**Exception Parcel A
RRS2 Closure
Boundary (SWMU 122)**

FIELD NOTES

FIELD NOTE DESCRIPTION FOR A 23.498 ACRE (1,023,564 SQUARE FOOT) PARCEL OF LAND OUT OF THE SANTIAGO DEL VALLE TEN LEAGUE GRANT, ABSTRACT NO. 24, TRAVIS COUNTY, TEXAS, AND ALSO BEING OUT OF A 340.26 ACRE PARCEL OF LAND KNOWN AS SECOND TRACT OUT OF TRACT NO. A-3 DESCRIBED IN A DEED TO THE UNITED STATES OF AMERICA RECORDED IN VOLUME 709, PAGE 390, DEED RECORDS OF SAID TRAVIS COUNTY. SAID 23.498 ACRE PARCEL BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a point known as Sample Location No. 122142, for a corner of this parcel, said point bears N43°21'37"W, 2253.55 feet from a bronze disc found at the south end of West Runway 17R-35L in the center line (N. 100,000.0000, E. 10,000.0000);

THENCE, S40°30'51"W, a distance of 508.16 feet to a point (122141), for the southernmost corner of this parcel;

THENCE, N68°42'29"W, a distance of 684.63 feet to a point (122140), for the westernmost corner of this parcel;

THENCE, N11°41'47"E, a distance of 333.34 feet to an angle point (122139);

THENCE, N17°39'08"E, a distance of 339.31 feet to an angle point (122138);

THENCE, N19°54'46"E, a distance of 174.10 feet to an angle point (122129);

THENCE, N51°05'39"E, a distance of 314.58 feet to an angle point (122145);

THENCE, N76°29'13"E, a distance of 282.37 feet to a point (122144), for the northernmost corner of this parcel;

THENCE, S60°09'07"E, a distance of 439.89 feet to a point (122143), for easternmost corner of this parcel;

THENCE, S04°38'41"W, a distance of 447.41 feet to an angle point (122058);

THENCE, S24°43'59"W, a distance of 302.11 feet to the POINT OF BEGINNING, containing 23.498 acres (1,023,564 square feet) of land.

**Exception Parcel B
RRS2 Closure
Boundary (SWMU 216)**

FIELD NOTES

FIELD NOTE DESCRIPTION FOR A 2.220 ACRE (96,691 SQUARE FOOT) PARCEL OF LAND OUT OF THE SANTIAGO DEL VALLE TEN LEAGUE GRANT, ABSTRACT NO. 24, TRAVIS COUNTY, TEXAS, AND BEING OUT OF A 340.26 ACRE PARCEL OF LAND KNOWN AS SECOND TRACT OUT OF TRACT NO. A-3 DESCRIBED IN A DEED TO THE UNITED STATES OF AMERICA RECORDED IN VOLUME 709, PAGE 390, DEED RECORDS OF TRAVIS COUNTY, TEXAS, SAID 2.220 ACRE PARCEL BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a point known as Sample Location No. 216TP17C, for the southeast corner of this parcel, said point bears, N16°53'34"W, 2163.53 feet from a bronze disc found at the south end of West Runway 17R-35L in the center line (N.100,000.0000.E. 10,000.0000);

THENCE, S80° 50'52"W, a distance of 359.43 feet to point 216TP24;

THENCE, N73°09'10"W, a distance of 121.88 feet to point 216TP30;

THENCE, N21°36'42"E, a distance of 161.44 feet to point 216TP18;

THENCE, N45° 17'41"E, a distance of 149.15 feet to point 216TP07;

THENCE, N63°47'27"E, a distance of 121.81 feet to point 216TP08;

THENCE, S30°22'45"E, a distance of 99.21 feet to point 216TP12;

THENCE, S48°44'49"E, a distance of 153.01 feet to point 216TP13A;

THENCE, S17°25'41"E, a distance of 105.33 feet to the POINT OF BEGINNING, containing 2.220 acre (96,691 square feet) of land.

Exception Parcel C
RRS2 Closure Boundary
(SWMU 121)

FIELD NOTES

FIELD NOTE DESCRIPTION FOR A 8.961 ACRE (390,361 SQUARE FOOT) PARCEL OF LAND OUT OF THE SANTIAGO DEL VALLE TEN LEAGUE GRANT, ABSTRACT NO. 24, TRAVIS COUNTY, TEXAS, AND ALSO BEING OUT OF AN 82.35 ACRE PARCEL KNOWN AS THE FIRST TRACT OF TRACT A-15 CONVEYED TO THE UNITED STATES OF AMERICA BY J.W. KAMP BY DEED RECORDED IN VOLUME 706, PAGE 608, DEED RECORDS OF TRAVIS COUNTY, TEXAS; SAID 8.961 ACRE PARCEL BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a point known as sample location SWMURR21, for the southeasterly corner of this parcel, said point being N88°14'15"W 1289.74 feet from a bronze disk found at the centerline of the main west runway at the Austin-Bergstrom International Airport;

THENCE, N69°44'47"W, 380.70 feet to sample point 121MW05 (a monitor well) found at an angle point;

THENCE, N33°30'16"W, 207.72 feet to sample point 12144 found at an angle point;

THENCE, N22°42'54"W, 214.97 feet to sample point 12143 found at an angle point;
THENCE, N44°49'57"E, 199.81 feet to sample point 12142 found at an angle point;
THENCE, N42°51'19"E, 192.69 feet to sample point 12141 found at an angle point;
THENCE, N30°38'02"E, 210.02 feet to sample point 12140 found at an angle point;
THENCE, N83°51'41"E, 207.45 feet to sample point 12139 found at the northernmost corner of this parcel;
THENCE, S04°57'29"E, 100.43 feet to sample point 12138SS found at an angle point;
THENCE, S49°48'57"W, 7.16 feet to sample point 121GR90 found at an angle point;
THENCE, S01°20'26"E, 80.19 feet to sample point 121GR85 found at an angle point;
THENCE, S00°04'13"E, 54.53 feet to sample point 121GR8001 found at an angle point;
THENCE, S00°30'00"E, 72.60 feet to sample point 121GR7401 found at an angle point;
THENCE, S00°53'44"W, 73.77 feet to sample point 121GR67 found at an angle point;
THENCE, S02°13'41"E, 72.55 feet to sample point 121GR59 found at an angle point;
THENCE, S17°08'50"E, 44.71 feet to sample point 121GR5104 found at an angle point;
THENCE, S00°31'58"E, 49.36 feet to sample point 121GR5103 found at an angle point;
THENCE, S06°09'32"W, 187.38 feet to sample point 12146 found at an angle point;
THENCE, S07°04'59"W, 254.46 feet to the POINT OF BEGINNING, containing 8.961 acres (390,361 square feet) of land.

Exception Parcel D
RRS2 Closure
Boundary (SWMU 93)

FIELD NOTES

FIELD NOTE DESCRIPTION FOR A 56.324 ACRE (2,453,455 SQUARE FOOT) PARCEL OF LAND OUT OF THE SANTIAGO DEL VALLE TEN LEAGUE GRANT, ABSTRACT NO. 24, TRAVIS COUNTY, TEXAS, AND BEING OUT OF A 295.59 ACRE TRACT KNOWN AS "SECOND TRACT" OUT OF TRACT A-2, DESCRIBED IN A DEED TO THE UNITED STATES OF

AMERICA RECORDED IN VOLUME 708, PAGE 115, DEED RECORDS OF TRAVIS COUNTY, TEXAS, ALSO BEING OUT OF A 340.26 ACRE TRACT KNOWN AS "SECOND TRACT" OUT OF TRACT A-3, DESCRIBED IN A DEED TO THE UNITED STATES OF AMERICA RECORDED IN VOLUME 709, PAGE 390, DEED RECORDS OF TRAVIS COUNTY, TEXAS. SAID 56.324 ACRE PARCEL BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a point at the northeast corner of this parcel, said point being N08° 50' 41"W, 4175.24 feet from a bronze disc found at the south end of West Runway 17R-35L in the centerline (N.100,000.0000 E.10,000.0000);

THENCE, S16°36'10"W, a distance of 1956.61 feet to an angle point;

THENCE, S33°03'33"W, a distance of 402.95 feet to a point (122058), for the southernmost corner of this parcel;

THENCE, N04°38'41"E, a distance of 447.41 feet to an angle point (122143);

THENCE, N60°09'07"W, a distance of 439.89 feet to an angle point (122144);

THENCE, S76°29'13"W, a distance of 282.37 feet to an angle point (122145);

THENCE, S51°05'39"W, a distance of 314.58 feet to an angle point (122129);

THENCE, N74°55'10"W, a distance of 143.77 feet to a point on the east right-of-way line of U.S. Highway No. 183, for the southwest corner of this parcel;

THENCE, Northerly, with the east right-of-way line of U.S. Highway No. 183, the following three (3) courses:

- 1.) N15°04'51"E, a distance of 490.92 feet to a concrete monument found for an angle point;
- 2.) N15°07'09"E, a distance of 1330.86 feet to a ½" iron rod set for an angle point;
- 3.) N09°08'42"E, a distance of 391.48 feet to a point for the northwest corner of this parcel;

THENCE, S73°23'50"E, a distance of 1299.45 feet to the **POINT OF BEGINNING**, containing 56.324 acres (2,453,455 square feet) of land.

EXHIBIT B
NOTICE OF HAZARDOUS SUBSTANCES RELEASE

Notice is hereby provided that the information set out below from the Basewide EBS and its Supplement provide notice of hazardous substances that have known to have been released on the Runway Parcel, Bergstrom Air Force Base, and the dates the release took place. The information contained in this notice is required under the authority of regulations promulgated under section 120(h) of the Comprehensive Environmental Response, Liability, and Compensation Act (CERCLA or "Superfund") 42 U.S.C. section 9620(h).

POL Facility

Substance	Regulatory Synonym(s)	CAS Registry Number	Quantity kg/pounds	Date	Hazardous Waste ID Number (if applicable)	Response	Remarks
JP-4	Fuel, aviation, turbine engine	50815-00-4	Unknown	Unkn own		Yes	See Final Closure Plan for POL Facility, July 1996

EXHIBIT C
Remedial Actions Taken on Property

1. Installation Restoration Program (IRP) Sites

IRP Site No.	Study Area	Site Description/Location	Status/Comments
IRP - SS-8	10	JP-4 spill from overtopped tank at Facility 513 (AGST-513) in POL Area.	A portion of this site is within the property to be transferred. This site was remediated along with a group of other sites located in the POL Area to TNRCC PST Plan B closure standards in July 1997. Regulatory concurrence for closure of the site was received in September 1997.
IRP - SS-10	10	JP-4 spill from faulty valve at facility 590 in POL Area.	This site was remediated along with a group of other sites located in the POL Area to TNRCC PST Plan B closure standards in July 1997. Regulatory concurrence for closure of the site was received in September 1997.
IRP - SS-19	2 4	JP-4 Spill from C-130 aircraft tank on Taxiway 8 near Apron D.	Regulatory concurrence that no remedial action was required at this site was received from the Texas Water Commission in November 1992.
IRP - SS-20	2 4	Former Emergency fuel tank jettison area on west side of Runway 17R/35L.	Regulatory concurrence that no remedial action was required at this site was received from the Texas Water Commission in November 1992.
IRP - RW-24	3	Low-level radioactive waste disposal site (Facility 4563).	Low-level radioactive waste was removed and disposed in August 1994. Regulatory concurrence for clean closure of the site was received from the TNRCC in December 1994.

2. Pipelines and other Petroleum, Oils and Lubricants (POL) facilities

Site No.	Study Area	Site Description/Location	Status/Comments
POL - 500	10 11	Former Aqua fueling system along southwest edge of Apron A.	Subsurface investigation of the pipelines was completed and majority of the pipelines were grouted and closed in place. Some of the pipelines were removed and disposed. Results of the investigation and remediation are included in a report dated March 1995. Regulatory concurrence that no further action was required at this site was received from the TNRCC in July 1996.
POL - 510	10 11	Abandoned Panero fueling system (former Facility 510) along southwest edge of Apron A.	Subsurface investigation of the pipelines was completed and majority of the pipelines were grouted and closed in place. Some of the pipelines were removed and disposed.

			Results of the investigation and remediation are included in a report dated March 1995. Regulatory concurrence that no further action was required at this site was received from the TNRCC in July 1996.
POL - 590	10	Liquid fuel pump station (Facility 590) in POL Area. UST - 590-1 to 590-12 and IRP-SS -10 are associated with POL-590.	This site was remediated along with a group of other sites located in the POL Area to TNRCC PST Plan B closure standards in July 1997. Regulatory concurrence for closure of the site was received in September 1997.
POL - 592-1	2 10	Liquid fuel pipeline from Facility 6005 to POL Area. A portion of this system crosses Study Areas 2 and 10.	Subsurface investigation of the pipelines was completed and majority of the pipelines were grouted and closed in place. Some of the pipelines were removed and disposed. Results of the investigation and remediation are included in a report dated March 1995. Regulatory concurrence that no further action was required at this site was received from the TNRCC in July 1996.
POL - 592-2	2 10	Liquid fuel pipeline from POL Area to low point drain near Facility 4537. A portion of this system crosses Study Areas 2 and 10.	Subsurface investigation of the pipelines was completed and majority of the pipelines were grouted and closed in place. Some of the pipelines were removed and disposed. Results of the investigation and remediation are included in a report dated March 1995. Regulatory concurrence that no further action was required at this site was received from the TNRCC in July 1996.

3. Underground Storage Tank (UST) Sites

Site No.	Study Area	Site Description/Location	Status/Comments
UST - 511	10	500-gallon underground diesel storage tank in POL Area south of Building 590.	Tank was removed in October 1992. No sampling was conducted because tank was under investigation as part of IRP site SS-8. This site was remediated along with a group of other sites located in the POL Area to TNRCC PST Plan B closure standards in July 1997. Regulatory concurrence for closure of the site was received in September 1997.
UST - 590-1 UST - 590-2 UST - 590-3 UST - 590-4 UST - 590-5 UST - 590-6 UST - 590-7 UST - 590-8	10	12-25,000-gallon underground storage tanks at Facility 590 in POL Area.	Tanks 590-1,2,3,4,6,8,10,11, and 12 were remediated along with a group of other sites located in the POL Area to TNRCC PST Plan B closure standards in July 1997. Regulatory concurrence for closure of the site was received in September 1997. Tanks 590-5 (SWMU 23) and 590-9 (SWMU 25) were remediated in February

UST - 590-9 UST - 590-10 UST - 590-11 UST - 590-12			1995 and received regulatory concurrence of the closure in February 1996. Tank 590-7 (SWMU 24) was remediated in November 1996 and received regulatory concurrence of the closure in February 1996.
UST - 4514	4	275-gallon underground diesel storage tank adjacent to south side of Building 4514.	Tank was removed in June 1993 and replaced by 75-gallon aboveground storage tank. Regulatory concurrence for clean closure of the tank was received in from the TNRCC in October 1993.
UST - 4517	4	285-gallon underground diesel storage tank adjacent to south side of Building 4517.	Tank was removed in July 1992 and contaminated soil was over-excavated. Regulatory concurrence for clean closure of the tank was received from the Texas Water Commission in September 1992.
UST - 4551	2	575-gallon underground diesel storage tank on east side of building 4551.	Tank was removed in March 1992 and replaced by AGST-4551 and contaminated soil was over-excavated. Regulatory concurrence for clean closure of the tank was received in April 1992.
UST - 4552	2	475-gallon underground diesel storage tank adjacent to west side of Building 4552.	Tank was removed in May 1993. Regulatory concurrence for clean closure of the tank was received from the Texas Water Commission in July 1993.
UST - 4564	2	300-gallon underground diesel storage tank adjacent to west side of Building 4564.	Tank was removed in May 1993 and replaced by a 75-gallon aboveground storage tank. Regulatory concurrence for clean closure of the tank was received from the Texas Water Commission in August 1993.
UST - 4574	2	250-gallon underground diesel storage tank north of Facility 4574.	Tank was removed in November 1992. Regulatory concurrence for clean closure of the tank was received from the Texas Water Commission in December 1992.
UST - 4575	4	250-gallon underground diesel storage tank south of former Facility 4575.	Tank was removed in October 1992. Regulatory concurrence for clean closure of the tank was received in December 1992.

4. Aboveground Storage Tank (AGST) Sites

Site No.	Study Area	Site Description/Location	Status/Comments
AGST - 515	10	546,000-gallon aboveground storage tank in POL Area.	Tank was removed from service in 1995. This site was remediated along with a group of other sites located in the POL Area to TNRCC PST Plan B closure standards in July 1997. Regulatory concurrence for closure of the site was received in September 1997.
AGST - 590	10	550-gallon aboveground diesel storage tank northwest of Facility 590 in POL Area.	Un-regulated tank was removed from service. No investigation required.

AGST - 4514	4	75-gallon aboveground diesel storage tank next to Facility 4514.	Un-regulated tank was removed from service when facility was demolished. No investigation required.
AGST - 4551	2	575-gallon aboveground diesel storage tank east of Facility 4551.	Un-regulated tank was removed from service. No investigation required.
AGST - 4564	2	75-gallon aboveground diesel storage tank next to Facility 4564.	Un-regulated tank was removed from service when facility was demolished. No investigation required.

5. Oil/Water Separator (OWSEP) Sites

Site No.	Study Area	Site Description/Location	Status/Comments
OWSEP - 590	10	348 gallon oil/water separator north of Facility 590 in POL Area.	The oil/water separator was remediated in July 1996. Regulatory concurrence for closure of the site was received in March 1997.

EXHIBIT D

NOTICE OF USE RESTRICTION

The applicable notice of use restriction follows.

PST CERTIFICATION OF REMEDIATION

STATE OF TEXAS
TRAVIS COUNTY

FILM CODE

00005689614

354
OK

KNOW ALL MEN BY THESE PRESENTS THAT:

Pursuant to the rules and/or requirements of the Texas Natural Resource Conservation Commission ("TNRCC"), this document is hereby filed in the Deed Records of Travis County, Texas in compliance with the said requirements of the TNRCC:

I

This notice pertains to the tract of land (hereinafter, the "Property") described within Exhibit "A" attached hereto and incorporated herein as if set forth at length. The Property is located adjacent to Apron A and Avenue F at Bergstrom Air Force Base, Travis County, Texas. The tract of land was formerly a storage tank system that leaked and released petroleum-based substances into the soils and ground water. A metes and bounds description of the parcel is presented in Exhibit "A" (attached).

Residual subsurface contamination remains at the Property. Notwithstanding such residual contamination, the TNRCC has determined that no additional remediation of the Property is required as of the date of this filing, subject to the provisions of Paragraph II below regarding the use of the Property.

II

Cleanup levels established for the Property were based on current and future use of the site for commercial/industrial purposes. Without limitation of any other permissible uses, the use of the Property is suitable for commercial/industrial purposes. The corrective action plan does require continued engineering control measures and legal control. Use of ground water within the boundaries of the remediated area of the former POL Facility and the land within 3,000 feet downgradient (i.e., southeast) of the POL Facility is restricted to allow for dilution and attenuation of petroleum-related contaminants. Engineering design features to prevent the accumulation of potentially harmful levels of vapors from soils into buildings must be incorporated into the design and construction of any building within the remediated area which is outlined on Exhibit A. Notwithstanding the foregoing, the current or future owner shall notify the TNRCC in writing at least 120 days prior to changes in site use or site condition which violate the terms of this notice.

The corrective action plan developed for this site reduces site risks to meet protection requirements for the site conditions at the time of this filing. However, persons who will be conducting subsurface construction activities such as, but not in way of limitation, the excavation of soils, installation or repair of subsurface utilities, installation of foundation piers, groundwater extraction, or other such activity may encounter the soils, soil vapors, or groundwater which have been affected by the release. The owner of the Property at the time of any future subsurface construction activities must comply with all environmental, worker protection and other laws, rules and regulations then applicable to the Property. The owner of the Property must maintain a health and safety plan that addresses potential releases of volatile chemicals from the affected soil and ground water that persons may encounter during subsurface intrusions when conducting the aforementioned activities.

REAL PROPERTY RECORDS
TRAVIS COUNTY, TEXAS

13126 0272

STATE OF TEXAS
TRAVIS COUNTY

III

The current owner of the Property and/or any facility thereon is the Department of the Air Force, whose address is Air Force Base Conversion Agency, 3711 Outlaw Country Drive, Bergstrom Air Force Base, Austin, Texas 78719-2557 where more specific information may be obtained from the agents or assigns thereof.

IV

This deed notice is not a representation or warranty by the TNRCC as to the suitability of the Property described within Exhibit A for any particular use or purpose, nor does it constitute any guarantee by the TNRCC that additional remediation will not be required in the future. For additional information on the site, contact TNRCC Central Records, Austin, Texas and reference Leaking Petroleum Storage Tank (LPST) ID No. 096506, Facility ID No. 0011062.

EXECUTED this the 9th day of Feb, 1998

Department of the Air Force

By: Richard K. Pautz
Richard K. Pautz, GM-13, DAFC
Installation Management Officer

STATE OF Texas
COUNTY OF Travis

This instrument was acknowledged before me on 2/9, 1998 by (Owner) US, Air Force (Bergstrom AFB)
RICHARD K. PAUTZ

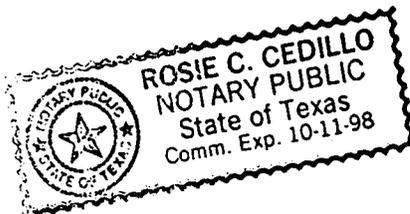
Rosie C. Cedillo
Notary Public in and for the State of
(State)

My Commission Expires:

10-11-98

Return:

Rosie C. Cedillo AFB/CALDC Bergstrom
Typed or Printed Name of Notary ATTN: RICHARD PAUTZ
3711 Outlaw Country Dr.
Austin, TX 78719-2557



REAL PROPERTY RECORDS
TRAVIS COUNTY, TEXAS

13126 0273

EXHIBIT A
METES AND BOUNDS DESCRIPTION
AND
PLAT MAP

REAL PROPERTY RECORDS
TRAVIS COUNTY, TEXAS

13126 0274



EXHIBIT "A"
(POL Facility
Final Closure)

FIELD NOTES

FIELD NOTES FOR A PARCEL OF LAND CONTAINING (387,290 SQUARE FEET) 8.891 ACRES OUT OF THE SANTIAGO DEL VALLE TEN LEAGUE GRANT, ABSTRACT NO. 24, TRAVIS COUNTY, TEXAS, ALSO BEING OUT OF A 139.85 ACRE PARCEL KNOWN AS "TRACT A-10", DESCRIBED IN A DEED FROM CHARLES BERKMAN TO THE UNITED STATES OF AMERICA RECORDED IN VOLUME 709, PAGE 67, TRAVIS COUNTY DEED RECORDS, SAID 8.891 ACRE PARCEL BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING, at a ½ inch iron rod (BACS Coordinates N110052.44 E 12747.95) set at the easternmost corner of this parcel, said rod being N14°04'01"W 6743.76 feet from a bronze disk known as "Bergs 1961";

THENCE, N86°47'21"W, 916.48 feet to a point at the southwest corner of this parcel;

THENCE, N16°09'56"W, 335.76 feet to a point at the westernmost corner of this parcel;

THENCE, N72°39'01"E, 176.56 feet to an "x" in concrete set at an angle point;

THENCE, N45°00'28"E, 52.13 feet to a ½ inch iron rod set at an angle point;

THENCE, N73°58'42"E, 128.76 feet to a ½ inch iron rod set at and angle point;

THENCE, N44°32'58"E, 232.72 feet to a ½ inch iron rod set at the northernmost corner of this parcel;

THENCE, S44°50'12"E, 623.67 feet to a ½ inch iron rod set at a corner of this parcel;

THENCE, S44°30'34"W, 107.05 feet to a ½ inch iron rod set at a reentrant corner of this parcel;

REAL PROPERTY RE
TRAVIS COUNTY, TEXAS

13126 02
02

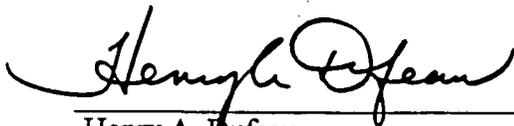
THENCE, S46°01'18"E, 210.41 feet to the POINT OF BEGINNING, containing 387,290 square feet or 8.891 acres of land.

STATE OF TEXAS §

COUNTY OF TRAVIS §

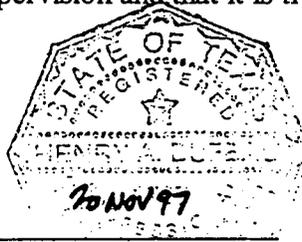
I hereby certify that this field note description was prepared from the results of an actual survey made on the ground under my supervision and that it is true and correct to the best of my knowledge.

MACIAS & ASSOCIATES, INC.



Henry A. Dufeu

Registered Professional Land Surveyor No.1707



DATE

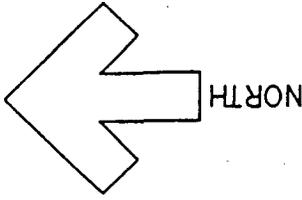
REFERENCES

Bearing Basis: Texas State Plane Coordinate System

City of Austin Grid: M-17

Client: LAW Engineering
Job No.: 136-01-96
Date: November 20, 1997
References: AIABAS2.DWG

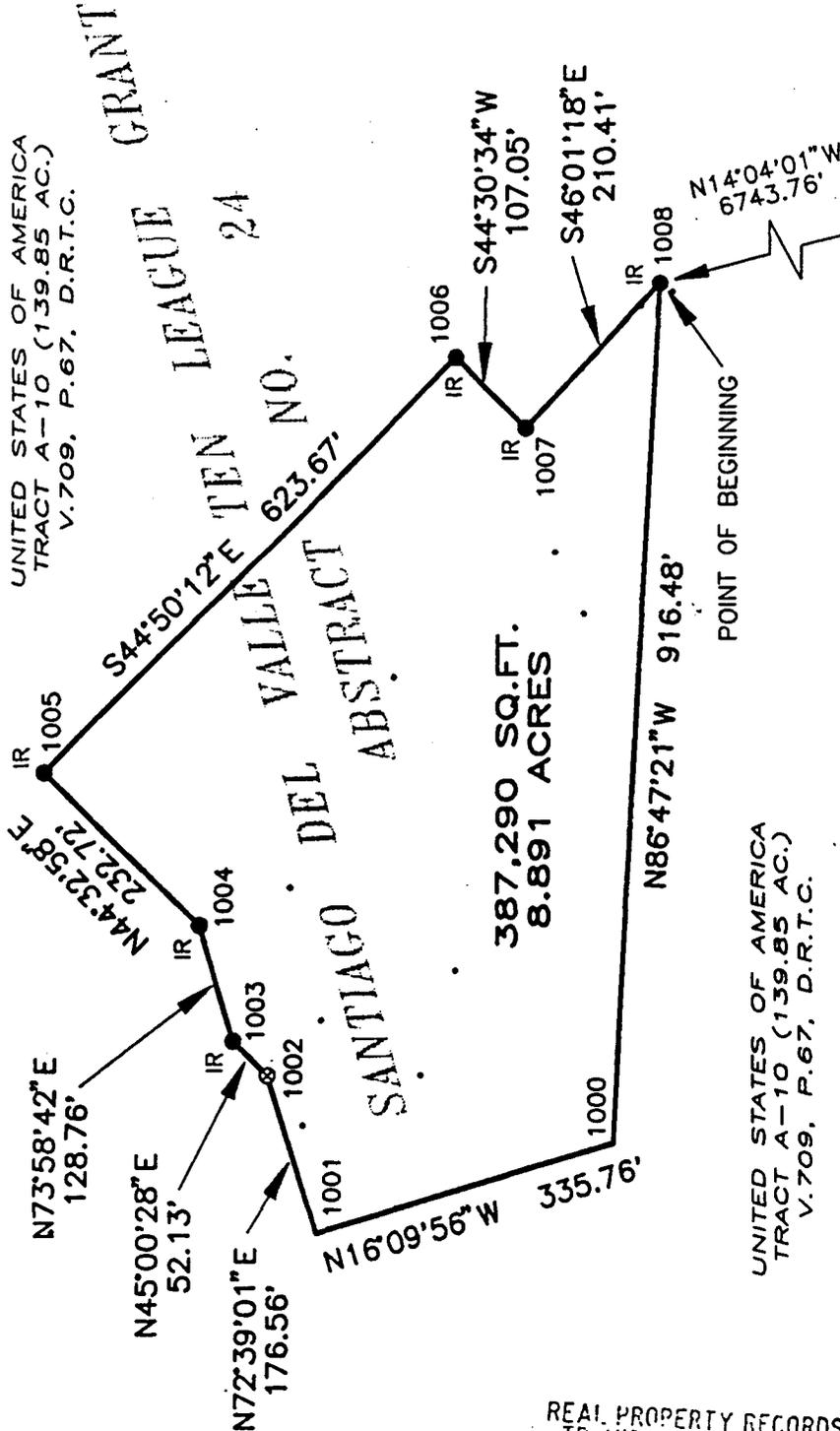
SKETCH TO ACCOMPANY FIELD NOTES



SCALE: 1" = 200'

LEGEND

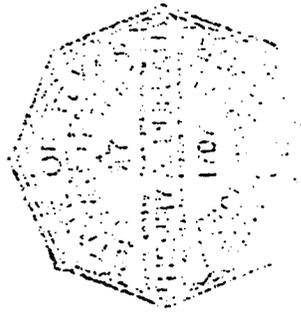
- IR 1/2" IRON ROD SET
- ⊗ "X" IN CONCRETE SET



DRAWING: AUBAS3.DWG SCALE: 1"=200' DATE: 11-26-97
JOB # 139-01-95 DRAWN BY: G. LOPEZ

MACIAS & ASSOCIATES, INC.
LAND SURVEYORS

SOUTH CONGRESS BUSINESS PARK
111 RAMBLE LANE SUITE 116A
AUSTIN, TEXAS 78745 (512)442-7875



Henry A. Difeau 2/26/1997 Date: _____
Henry A. Difeau
Registered Professional
Land Surveyor No. 1707

REAL PROPERTY RECORDS
TRAVIS COUNTY TEXAS

13126 0277

Barry R. McBee, *Chairman*
R. B. "Ralph" Marquez, *Commissioner*
John M. Baker, *Commissioner*
Dan Pearson, *Executive Director*



TEXAS NATURAL RESOURCE CONSERVATION COMMISSION

Protecting Texas by Reducing and Preventing Pollution

September 3, 1997

Mr. Frank G. Grey, Jr., P.E.
BRAC Environmental Coordinator
Air Force Base Conversion Agency/OL-G
3711 Outlaw Country Drive
Austin, Texas 78719-2557

Re: Leaking Product Storage Tank (LPST) Case Closure of Subsurface Release of Hydrocarbons at the Petroleum Oil and Lubricants (POL) Facility, former Bergstrom Air Force Base, Austin, (Travis County), Texas
(LPST ID No. 096506 - Facility ID No. 0011062 - Priority 4.1)

Dear Mr. Grey:

This letter confirms the completion of corrective action requirements for the release incident at the above-referenced facility. Although contaminant concentrations in soil and groundwater are above Plan A Category II Target Screening levels, the following criteria were used as justification for site closure:

- The contaminant plume appears to be confined on-site, and is generally stable or decreasing in contaminant concentration.
- The shallow groundwater does not appear to have a local beneficial use. No water wells screened within the impacted interval were identified within one-half mile of the site. The offsite groundwater ingestion pathway is considered closed based on the modeling results supplied by the Responsible Party. Domestic water for this area is supplied by the City of Austin.
- Although maximum soil and groundwater concentrations exceed Plan A default target levels, the concentrations are below health-based target levels and below construction worker exposure default target levels. Risk evaluation indicates dermal exposure is not a concern at the site.
- The site is currently under construction for future use as a parking lot and Ground Service Maintenance Facility at the Austin-Bergstrom International Airport. Plans indicate that impervious cover will be maintained over the hydrocarbon impacted area.

Note that several of the contaminant sources identified within the POL area are not technically regulated by the Petroleum Storage Tank PST Division. However, by agreement between the Industrial and Hazardous Waste and the Petroleum Storage Tank Divisions of the TNRCC, several Solid Waste Management Units (SWMUs) and Installation Restoration Program (IRPs) were included as part of the Petroleum Storage Tank Program. This agreement, summarized in a

REAL PROPERTY RECORDS
TRAVIS COUNTY, TEXAS

Mr. Frank G. Grey, Jr., P.E.
Page 2

March 15, 1994 letter from the TNRCC to the Air Force Base Conversion Agency, allowed remediation of the POL area pursuant to the requirements of the TNRCC Petroleum Storage Tank Division. As such, the issues concerning regulatory jurisdiction raised in the August 22, 1997 letter from this Office to the Air Force Base Conversion Agency have been adequately addressed.

Based upon the submitted information and with the provision that the documentation provided to this agency was accurate and representative of site conditions, we accept your conclusion and recommendation that the site has met the closure requirements. No further corrective action will be necessary. Closure status shall remain in effect provided the conditions stated in the agreed upon institutional control are met as set forth in 30 TAC 334.206(c). Should site conditions change, then the owner of the property shall take action as required pursuant to 30 TAC 334.206 (b) and (c).

Please be aware that case closure is based on identified exposure pathways and that remaining contaminant levels and potential exposure pathways should be evaluated when conducting any future soil excavation or construction activities at this site. Please ensure that any wastes generated from these activities are handled in compliance with all applicable regulations.

For any subsequent release from an underground or aboveground storage tank at this site, the deductible will be increased in accordance with Section 26.3512 of the Texas Water Code. Please note that financial assurance must be maintained for all operational storage tanks at this site. Please be advised that all monitor wells which are not now in use and/or will not be used in the next 180 days must be properly plugged and abandoned pursuant to Chapter 32.017 of the Texas Water Code and in accordance with Title 30, Texas Administrative Code (TAC), Section 338.48-338.50. Plugging and abandonment reports (Form No. WWD-009) are required to be submitted to the Water Well Drillers Program of the Texas Natural Resource Conservation Commission (TNRCC) within thirty (30) days of plugging completion. If you have any questions regarding the future use of an existing monitor well, please contact the TNRCC Water Well Drillers Unit of the Occupational Certification Section of the Environmental Training Division at 512/239-0530.

If there is to be any monitor well plugging or other necessary site restoration activities to complete site closure, complete a *Final Site Closure Report* and submit the report to both the local TNRCC Regional Field Office and to the Central Office in Austin to document actual site closure. For sites which are eligible for reimbursement through the Petroleum Storage Tank Remediation Fund, written preapproval should be obtained prior to initiation of site closure activities. Reimbursement claims for activities that are not preapproved will not be paid until all claims for preapproved work are processed and paid.

Please note that the *Final Site Closure Report*, if necessary, will be the last submittal associated with this case. This letter signifies the completion of corrective action associated with the release.

REAL PROPERTY RECORDS
TRAVIS COUNTY, TEXAS

13126 0279

Mr. Frank G. Grey, Jr., P.E.
Page 3

No subsequent TNRCC correspondence will be issued in response to the *Final Site Closure Report*.

All correspondence must include the LPST ID Number and must be submitted to both the local TNRCC Regional Field Office and to the Central Office in Austin. Should you have any questions, please contact Mr. Richard Scharlach of my staff at 512/239-2200. Please reference the LPST ID Number when making inquiries. Your cooperation in this matter has been appreciated.

Sincerely,


Barbara Roeling
Team Leader, Team II
Responsible Party Remediation Section
Petroleum Storage Tank Division

BOR/RAS/sgr
096506.fnn

cc: Chris Smith, TNRCC Region 11 Field Office, 512/339-2929
(1921 Cedar Bend, Austin, Texas 78758)
Laura Stankowsky, Project Coordinator - Base Closure Team
(EPA Region 6, 1445 Ross Avenue, Suite 1200, Dallas, Texas 75202)
Mark Weegar, TNRCC Federal Facilities Corrective Action Team

REAL PROPERTY RECORDS
TRAVIS COUNTY, TEXAS

13126 0280

17 NOV 1995

RECEIVED

IHW020

Page: 1
Date: 11/06/95

*** TEXAS NATURAL RESOURCE CONSERVATION COMMISSION ***
Notice of Registration
Industrial and Hazardous Waste

This registration does not constitute authorization of any waste management activities or facilities listed below. The registration reflects hazardous and/or industrial waste generation and management activities for which the registrant has provided notification. Requirements for solid waste management are provided by Texas Administrative Code section 335 of the rules of the Texas Natural Resource Conservation Commission (TNRCC). Changes or additions to waste management methods referred to in this notice require written notification to the TNRCC.

Solid Waste Registration Number: 66002 EPA Id: TX0572124188

The Solid Waste Registration Number provides access to computerized and filed information pertaining to your operation. Please refer to that number in any correspondence.

Company Name: BERGSTROM AFB /AFBCA/OL-G
Site Name: BERGSTROM AFB/AFBCA/OL-G
Site Location: STATE HWY 71 AUSTIN, TX 78743
Contact: Watlay, Stephen

Region: 11 Travis Initial Registration Date: 01/24/1983
County: 227 Last Amendment Date: 06/12/1995
Title: Last Date NOR Computer update: 11/01/1995
Phone: 512-369-4740

Mailing Address: 3015 Ragsdale Road
Austin, TX 78719-2559

Site Street Address: STATE HWY 71
AUSTIN, TX 78743

Registration Status: Active HW Permit #:
Registration Type: Generator Transporter
Generator Type: Industrial

Hazardous Waste Generation Status: Large Quantity Generator

Primary SIC Code: 00
Handler Status:

Operator Information
Name:
Address:

Owner Information
Name:
Address:

As of 06/12/1995 - the next unassigned sequence number for WASTES is 0002 and the next unassigned sequence number for UNITS is 015.

Section 335, Chapter 31 of the Texas Administrative Code specifies the notification, record keeping, manifesting and reporting requirements for hazardous and industrial solid wastes.

13126 0281
REAL PROPERTY RECORDS
TRAVIS COUNTY, TEXAS

TABLE 3-2

SELECTION OF CHEMICALS OF CONCERN DETECTED IN SURFACE AND SUBSURFACE SOILS
0 to 24 FEET BGS - CONSTRUCTION WORKER
Petroleum, Oil and Lubricants Area
Bergstrom Air Force Base - Austin, Texas

PARAMETER	FREQUENCY OF DETECTION (a)	RANGE OF REPORTED VALUES	MAXIMUM BACKGROUND CONCENTRATION (b)		PLAN A CHEMICAL-SPECIFIC TARGET SOIL CONCENTRATIONS (c)		PLAN A LEACHABILITY CRITERIA (d)	COPC SELECTION CRITERIA
			Unit 1 Soils	Unit 2 Soils	Carcinogenic	Noncarcinogenic		
MEALS, mg/kg:								
Antimony	2/21	2.1 - 3.4	35.0	47.3	--	820	(f)	
• Arsenic	24/24	1.5 - 10.5	6.95	7.0	4	610		h
Barium	3/3	120 - 140	146	56.8	--	140,000	(f)	
Beryllium	9/21	0.76 - 0.98	1.11	0.65	1.3	--		
• Cadmium	3/24	2.3 - 2.7	1.52	1.36	66,000	1,000		ij
• Chromium	24/24	10 - 33.7	21.3	17.2	9,900	10,000	(g)	k
• Copper	15/21	3.3 - 72.9	20.0	14.4	--	82,000		
Lead	10/24	4.4 - 34	18.4	8.91	--	--		
Mercury	8/24	0.015 - 0.1	0.18	0.165	--	610	(f)	
Nickel	21/21	10.8 - 33.4	21.4	17.7	500,000	41,000		48
Zinc	21/21	23.6 - 35.2	41.8	29.1	--	610,000		680
SEMI-VOLATILES, mg/kg:								
Acetophenone	2/13	2.57 JH - 3.5	--	--	--	120,000		32
Anthracene	2/13	0.5 - 0.54 JH	--	--	--	610,000		1.6
• Benzo(a)anthracene	9/13	0.012 - 2.40	--	--	7.8	--		0.96
• Benzo(b)pyrene	7/13	0.027 - 1.81	--	--	0.78	--		0.24
• Benzo(k)fluoranthene	7/13	0.014 - 1.72 JH	--	--	7.8	--		2.9
• Benzo(g,h,i)perylene	4/13	0.07 JH - 7.94	--	--	--	--		--
• Benzo(k)fluoranthene	7/13	0.014 - 3.5	--	--	7.8	--		7.0
Chrysene	2/13	0.116 JH - 3.1 JH	--	--	780	--		94
• Dibenzo(a,h)anthracene	5/13	0.047 JH - 5.87	--	--	0.78	--		0.91
Fluoranthene	7/13	0.186 JH - 3.62	--	--	--	82,000		5.1
Fluorene	1/13	BDL - 0.18 JH	--	--	--	82,000		42
Indeno(1,2,3-cd)pyrene	2/13	1.09 - 3.40 JH	--	--	--	--		--
• Naphthalene	6/13	0.002 - 12.39 JH	--	--	7.8	--		8.1
• Phenanthrene	4/13	0.338 JH - 1.28 JH	--	--	--	82,000		6.3
Pyrene	6/13	0.283 JH - 3.91 J	--	--	--	--		31

REAL PROPERTY RECORDS
TRAVIS COUNTY, TEXAS

13126 0282

TABLE 3-2

SELECTION OF CHEMICALS OF CONCERN DETECTED IN SURFACE AND SUBSURFACE SOILS
0 to 24 FEET BGS - CONSTRUCTION WORKER
Petroleum, Oil and Lubricants Area
Bergstrom Air Force Base - Austin, Texas

PARAMETER	FREQUENCY OF DETECTION (a)	RANGE OF REPORTED VAJ USES	MAXIMUM BACKGROUND CONCENTRATION (b)		PLAN A CHEMICAL-SPECIFIC TARGET SOIL CONCENTRATIONS (g)		PLAN A LEACHABILITY CRITERIA (d)	COPC SELECTION CRITERIA
			Unit 1 Soils	Unit 2 Soils	Carcinogenic	Non-carcinogenic		
VOLATILES, mg/kg:								
• Benzene	2/13	0.73 JH - 1.03	-	-	14	190	0.003	-
• Bromomethane	1/13	BDL - 0.116 JH	-	-	-	73	0.01	-
• n-Butylbenzene	4/13	0.003 - 10.36 JH	-	-	-	-	-	-
• sec-Butylbenzene	1/13	0.0006 - 6.5 JH	-	-	-	20,000	0.71	-
• tert-Butylbenzene	7/13	0.002 - 1.91 JH	-	-	-	20,000	0.71	-
Chloroform	1/13	BDL - 0.021 JH	-	-	5	20,000	0.04	-
• Chloromethane	1/13	BDL - 0.116 JH	-	-	12	-	0.01	-
• 1,1-Dichloroethene	1/13	BDL - 0.21 JH	-	-	1	18,000	0.002	-
• Ethylbenzene	6/13	0.0004 - 6.8 JH	-	-	-	44,000	3.3	-
Isopropylbenzene (cumene)	9/13	0.0003 - 7.06 JH	-	-	-	1,900	8.7	-
• p-Isopropyltoluene	7/13	0.0003 - 1.98 JH	-	-	-	-	-	-
• Methylene chloride	1/13	BDL - 0.47 JH	-	-	140	51,000	0.02	-
• n-Propylbenzene	7/13	BDL - 0.17 JH	-	-	-	-	-	-
Styrene	1/13	BDL - 0.021 JH	-	-	-	160,000	13	-
• 1,2,4-Trimethylbenzene	7/13	0.0005 - 22.05 JH	-	-	-	100,000	14	-
1,3,5-Trimethylbenzene	6/13	0.0004 - 1.88 J	-	-	-	100,000	6.2	-
m,p-Xylenes	5/13	0.0014 - 11	-	-	-	4,100,000	70	-
o-Xylenes	2/13	0.116 JH - 0.84	-	-	-	4,100,000	66	-
OTHER, mg/kg:								
• Petroleum Hydrocarbons (e)	15/21	49.6 - 392	-	-	-	-	-	-

Box indicates maximum contaminant level exceeded the appropriate background or risk-based concentration
• Indicates compound selected as a constituent of potential concern (COPC).

- (a) Number of samples in which chemical was positively detected/ the number of samples available (0 to 25 feet bgs only)
- (b) Unit 1 and Unit 2 Background Metals Concentrations for Bergstrom AFB
- (c) Chemical-specific target soil concentrations for construction worker for m Table 1-3 of Final Closure Plan (LAW, 1996a, b)
- (d) Plan A, Category ground-water protective soil concentrations for the saturated zone (Law, 1996b)
- (e) Total Recoverable Petroleum Hydrocarbons obtained by 418.1 methodology
- (f) Industrial Risk-Based Concentrations obtained from USEPA Region III Risk-Based Concentration Table, Second Quarter, 1996, April 19, 1996
- (g) Criteria for hexavalent chromium. Data did not differentiate between chromium III and VI.
- (h) Selected as a COPC under Plan B because maximum detected concentration exceeded the Plan A Category II target soil concentration
- (i) Selected as a COPC because concentration exceeded background and leaching criteria.
- (j) Selected because detection limit exceeded the background and leaching criteria
- (k) Selected as a COPC because concentration exceeded chromium VI leaching criteria. Data did not differentiate between chromium III and VI.
- (l) Selected as a COPC because no information was available for this chemical

BDL - Below Detection Limit
J - Estimated value
JH - Estimated value, possibly biased high

PREPARED/DATE: SRT 2/23/97
CHECKED/DATE: LMS 2/26/97

REAL PROPERTY RECORDS
TRAVIS COUNTY, TEXAS

13126 0283

TABLE 3-3

SELECTION OF CHEMICALS OF CONCERN DETECTED IN GROUND WATER MONITORING EVENT 7 PLUS TOTAL METALS DATA COLLECTED IN 1991 AND 1992

CONSTRUCTION WORKER

Petroleum, Oil and Lubricants Area
Bergstrom Air Force Base - Austin, Texas

PARAMETER	FREQUENCY OF DETECTION (a)	RANGE OF REPORTED VALUES	BACKGROUND CONCENTRATION (b)	PLAN A CATEGORY II CHEMICAL-SPECIFIC GROUND-WATER ACTION LEVELS (c)		MAXIMUM CONTAMINANT LEVEL (d)
				Carcinogenic	Noncarcinogenic	
METALS, mg/L:						
Arsenic	5/5	0.017 - 0.076	0.005	0.05 (e)	0.05 (e)	0.05
Chromium	2/5	0.033 - 0.12	0.02	-	0.18	0.1
Manganese	2/2	1.6 - 2.0	0.01	-	0.84	-
Mercury	4/5	0.0002 - 0.0028	0.0002	-	0.011	0.002
Nickel	2/5	0.036 - 0.18	0.04	-	0.73	0.1
Zinc	5/5	0.024 - 0.18	0.02	-	11	-
SEMI-VOLATILES, mg/L:						
Acenaphthene	1/13	BDL - 0.008	-	-	2.2	-
Fluoranthene	2/13	0.0014 - 0.0028	-	-	1.5	-
Fluorene	3/13	0.0014 - 0.0024	-	-	1.5	-
Naphthalene	10/26	0.004 - 0.17	-	-	1.5	-
Phenanthrene	1/13	BDL - 0.0064	-	-	-	-
Pyrene	2/13	0.001 - 0.0015	-	-	1.1	-
VOLATILES, mg/L:						
Benzene	3/13	0.0004 JH - 0.0031	-	0.029	0.011	0.005
n-Butylbenzene	4/13	0.0004 JH - 0.044	-	-	-	-
sec-Butylbenzene	7/13	0.0015 - 0.058	-	-	0.36	-
tert-Butylbenzene	8/13	0.0007 - 0.013	-	-	0.36	-
Chlorobenzene	3/13	0.0003 - 0.012	-	-	0.73	-
Ethylbenzene	2/13	0.0002 - 0.0017	-	-	3.7	0.7
Isopropylbenzene (cumene)	6/13	0.00026 JH - 0.23	-	-	1.5	-
p-Isopropyltoluene	1/13	BDL - 0.0002 JH	-	-	-	-
n-Propylbenzene	6/13	0.001 JH - 0.215	-	-	-	-
1,2,4-Trimethylbenzene	1/13	BDL - 0.001	-	-	1.8	-
1,3,5-Trimethylbenzene	1/13	BDL - 0.0003	-	-	1.8	-
m,p-Xylenes	2/13	0.0006 - 0.0018	-	-	73	10

All chemicals detected in ground water were selected as constituents of potential concern (COPCs).

(a) Number of samples in which chemical was positively detected/ the number of samples available

(b) Negotiated background concentrations for metals (unfiltered samples)

(c) Plan A, Category II chemical-specific target ground-water concentrations for construction worker from Table 1-1 of Final Closure Plan (LAW, 1996a,b)

(d) Drinking Water and Health Advisories (USEPA, 1996a)

(e) The MCL for arsenic is higher than the risk-based action levels and will be used as the action level.

BD - Below Detection Limit

JH - Estimated value, possibly biased high

PREPARED/DATE: SRI 6/19/92
CHECKED/DATE: DAO 6/23/92
REVISED/DATE: SRI 7/3/92
CHECKED/DATE: LMS 7/29/92

REAL PROPERTY RECORDS
TRAVIS COUNTY, TEXAS

13126 0284

After Recording Return To:

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Assistant City Attorney
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