

Exhibit "E"
Parcel 7
Notice of Use
Restrictions

Recorders Memorandum-At the time of recordation this instrument was found to be inadequate for the best reproduction, because of illegibility, carbon or photocopy, discolored paper, etc. All blockouts, additions and changes were present at the time the instrument was filed and recorded.

ATTACHMENT 5

RISK BASED CLOSURE DEED RECORDATION DOCUMENTS

ATTACHMENT 5-1

POL AREA-IRP SITES SS-8 AND SS-10
(includes multiple USTs, ASTs, and POLs)

STATE OF TEXAS
TRAVIS COUNTY

FILM CODE

00005689614

350
0/12

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.

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:

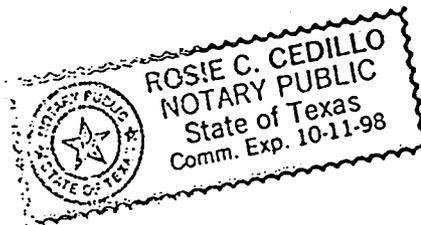
10-11-98

Rosie C. Cedillo
Typed or Printed Name of Notary

RE: AFBCA/DC Bergstrom

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 an 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;

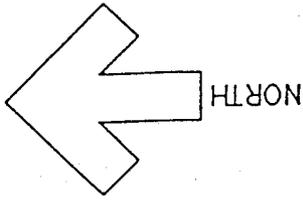
THENCE, S44°30'34"W, 107.05 feet to a ½ inch iron rod set at a reentrant corner of this parcel;

REAL PROPERTY RECD
TRAVIS COUNTY, TEX

13126

02
027

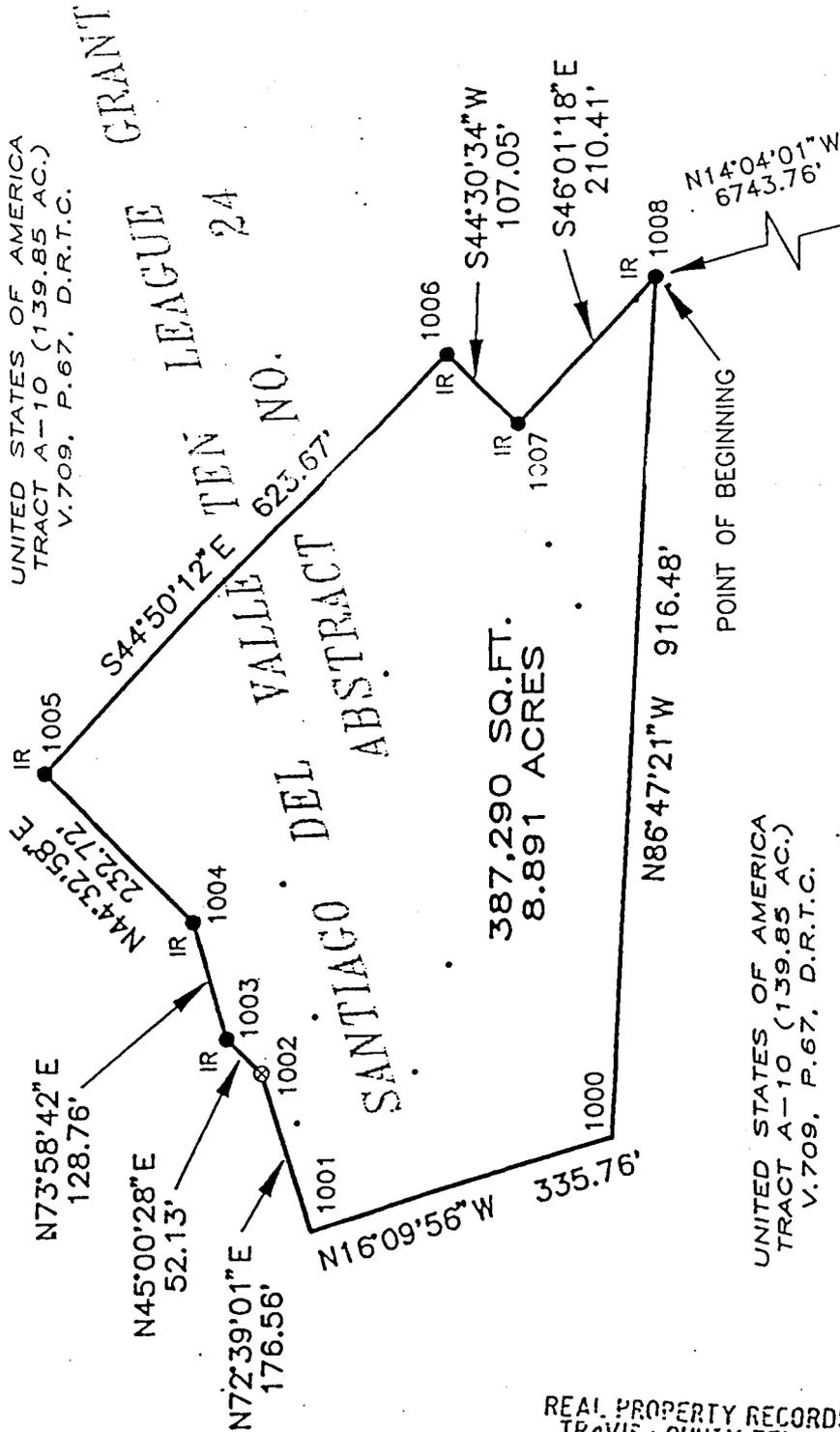
SKETCH TO ACCOMPANY FIELD NOTES



SCALE: 1" = 200'

LEGEND

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



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



Henry A. Dufeu 26Nov97
Date: _____
Henry A. Dufeu
Registered Professional
Land Surveyor No. 1707

MACIAS & ASSOCIATES, INC.
LAND SURVEYORS

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

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

12126 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/sgf

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

Recorders Memorandum-At the time of recordation this instrument was found to be inadequate for the best reproduction, because of illegibility, carbon or photocopy, discolored paper, etc. All blockouts, additions and changes were present at the time the instrument was filed and recorded.

ATTACHMENT 5-2

IRP SITES LF-1 AND LF-2

STATE OF TEXAS
TRAVIS COUNTY

INDUSTRIAL SOLID WASTE
CERTIFICATION OF REMEDIATION

KNOW ALL MEN BY THESE PRESENTS THAT:

Pursuant to the Rules of the Texas Natural Resource Conservation Commission (TNRCC) pertaining to Industrial Solid Waste Management, this document is hereby filed in the Deed Records of Travis County, Texas in compliance with the recordation requirements of said rules:

I

The Department of the Air Force has performed a remediation of the land described herein. A copy of the Notice of Registration (No. 66002), including a description of the facility, is attached hereto and is made part of this filing. Further information concerning this matter may be found by an examination of company records or in the Notice of Registration (No. 66002) files, which are available for inspection upon request at the central office of the TNRCC in Austin, Texas.

The TNRCC derives its authority to review the remediation of this tract of land from the Texas Solid Waste Disposal Act, §361.002, Texas Health and Safety Code, Chapter 361, which enables the TNRCC to promulgate closure and remediation standards to safeguard the health, welfare and physical property of the people of the State and to protect the environment by controlling the management of solid waste. In addition, pursuant to the Texas Water Code, §5.012 and §5.013, Texas Water Code, Annotated, Chapter 5, the TNRCC is given primary responsibility for implementing the laws of the State of Texas relating to water and shall adopt any rules necessary to carry out its powers and duties under the Texas Water Code.. In accordance with this authority, the TNRCC requires certain persons to provide certification and/or recordation in the real property records to notify the public of the conditions of the land and/or the occurrence of remediation. This deed certification is not a representation or warranty by the TNRCC of the suitability of this land for any purpose, nor does it constitute any guarantee by the TNRCC that the remediation standards specified in this certification have been met by the Department of the Air Force.

Ret:

A FBCA/BC

ATTN: Dick Pantz

3711 Fighter Dr., Suite 200

Austin, TX 78719-2557

Landfill 1

BEING A 0.559 ACRE (24,638 SQUARE FOOT) TRACT OF LAND OUT OF THE SANTIAGO DEL VALLE TEN LEAGUE GRANT, ABSTRACT NO. 24, TRAVIS COUNTY, TEXAS, ALSO BEING OUT OF A 134 ACRE TRACT KNOWN AS "TRACT A-20", DESCRIBED IN A DEED TO THE UNITED STATES OF AMERICA, RECORDED IN VOLUME 706, PAGE 118, DEED RECORDS OF TRAVIS COUNTY, TEXAS, AND ALSO BEING OUT OF AUSTIN-BERGSTROM INTERNATIONAL AIRPORT (FORMERLY KNOWN AS BERGSTROM AIR FORCE BASE); SAID 0.559 ACRE TRACT OF LAND AS SHOWN ON THE ACCOMPANYING SKETCH IS MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS SHOWN ON EXHIBIT A.

Landfill 2

SANTIAGO DEL VALLE TEN LEAGUE GRANT, ABSTRACT NO. 24, TRAVIS COUNTY, TEXAS, ALSO BEING OUT OF THREE TRACTS CONVEYED TO THE UNITED STATES OF AMERICA, 1.) A 134 ACRE TRACT KNOWN AS "TRACT A-20", RECORDED IN VOLUME 706, PAGE 118, 2.) A 45.98 ACRE TRACT KNOWN AS "TRACT A-21", RECORDED IN VOLUME 707, PAGE 533, AND 3.) A 1.38 ACRE TRACT KNOWN AS "TRACT A-32", RECORDED IN VOLUME 709, PAGE 124, ALL IN THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, AND ALSO BEING OUT OF AUSTIN-BERGSTROM INTERNATIONAL AIRPORT (FORMERLY KNOWN AS BERGSTROM AIR FORCE BASE); SAID 5.687 ACRE TRACT OF LAND AS SHOWN ON THE ACCOMPANYING SKETCH IS MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS SHOWN ON EXHIBIT A.

Landfill 2A

BEING A 0.579 ACRE (25,225 SQUARE FOOT) TRACT OF LAND OUT OF THE SANTIAGO DEL VALLE TEN LEAGUE GRANT, ABSTRACT NO. 24, TRAVIS COUNTY, TEXAS, ALSO BEING OUT OF THREE TRACTS CONVEYED TO THE UNITED STATES OF AMERICA, 1.) A 134 ACRE TRACT KNOWN AS "TRACT A-20", RECORDED IN VOLUME 706, PAGE 118, 2.) A 45.98 ACRE TRACT KNOWN AS "TRACT A-21", RECORDED IN VOLUME 707, PAGE 533, AND 3.) A 1.38 ACRE TRACT KNOWN AS "TRACT A-32", RECORDED IN VOLUME 709, PAGE 124, ALL IN THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, AND ALSO BEING OUT OF AUSTIN-BERGSTROM INTERNATIONAL AIRPORT (FORMERLY KNOWN AS BERGSTROM AIR FORCE BASE); SAID 0.579 ACRE TRACT OF LAND AS SHOWN ON THE ACCOMPANYING SKETCH IS MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS SHOWN ON EXHIBIT A.

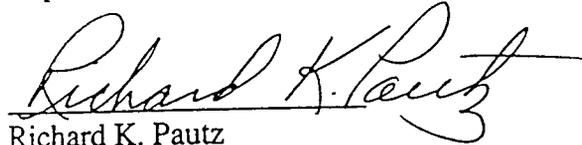
Landfill waste consisting of domestic waste, empty pesticide containers, paint cans, incidental quantities of waste paints, thinners, paint strippers, oil and solvents from industrial shops hereon has been remediated to meet non-residential (i.e., industrial/ commercial soil and ground water criteria), in accordance with a plan designed to meet the TNRCC's requirements in 31 Texas Administrative Code. The remedy does not require continued post-closure care. Future land use is considered suitable for nonresidential (i.e., industrial/commercial) purposes in accordance with risk reduction standards applicable at the time of this filing. Institutional or legal controls placed on the property to ensure appropriate future use include restricted use of soil within the boundaries of the property. Future land use is intended to be non-residential. In accordance with the requirements where the remedy is based upon non-residential criteria, the current owner has undertaken actions necessary to protect human health and environment in accordance with the rules of the TNRCC.

III

The owner of the site is Department of the Air Force, and its address is Air Force Base Conversion Agency (AFBCA), 3711 Fighter Drive, Suite 200, Austin, Texas 78719-2557, where more specific information may be obtained from the Installation Management Officer.

EXECUTED this the 13th day of February, 2004

Department of the Air Force

A handwritten signature in cursive script that reads "Richard K. Pautz". The signature is written in black ink and is positioned above the printed name and title.

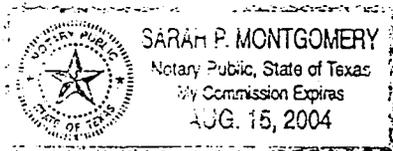
Richard K. Pautz
Regional Site Manager

STATE OF TEXAS
TRAVIS COUNTY

BEFORE ME, on this the 13th day of February, personally appeared Richard K. Pautz, Regional Site Manager of the Air Force Base Conversion Agency, Department of the Air Force, Bergstrom Air Force Base, known to me to be the person and agent of said government agency whose name is subscribed to the foregoing instrument, and he acknowledged to me that he executed the same for the purposes and in the capacity therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 13th of February, 2001.

Sarah P. Montgomery
Notary Public in and for the State of Texas, of TRAVIS County



My Commission Expires



MACIAS & ASSOCIATES, Inc.
LAND SURVEYORS

EXHIBIT "A"
Project No. 12001-9-5724
Phase 7000, Task 400

United States of America
(Landfill 1)

LEGAL DESCRIPTION

BEING A 0.559 ACRE (24,638 SQUARE FOOT) TRACT OF LAND OUT OF THE SANTIAGO DEL VALLE TEN LEAGUE GRANT, ABSTRACT NO. 24, TRAVIS COUNTY, TEXAS, ALSO BEING OUT OF A 134 ACRE TRACT KNOWN AS "TRACT A-20", DESCRIBED IN A DEED TO THE UNITED STATES OF AMERICA, RECORDED IN VOLUME 706, PAGE 118, DEED RECORDS OF TRAVIS COUNTY, TEXAS, AND ALSO BEING OUT OF AUSTIN-BERGSTROM INTERNATIONAL AIRPORT (FORMERLY KNOWN AS BERGSTROM AIR FORCE BASE); SAID 0.559 ACRE TRACT OF LAND AS SHOWN ON THE ACCOMPANYING SKETCH IS MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a ½" iron rod with plastic cap set for the most southerly corner of this tract, from said point, a bronze disc monument found having Bergstrom Airport Coordinate System (BACS) coordinates of N. 112,248.713; E. 10,000.000 bears, S50° 57' 17"W, 1966.10 feet;

THENCE, N11° 48' 17"W, a distance of 182.95 feet to an aluminum disc with punch hole found for a corner of this tract;

THENCE, N51° 19' 51"E, a distance of 99.83 feet to an aluminum disc with punch hole found for the most northerly corner of this tract;

THENCE, S76° 52' 44"E, a distance of 58.99 feet to an aluminum disc with punch hole found for a corner of this tract;

THENCE, S05° 08' 47"E, a distance of 116.85 feet to an aluminum disc with punch hole found for an angle point;

USA-0.559 Acre

Page 2 of 2
0.559 Acre Tract
United States of America

THENCE, S05° 49' 51"W, a distance of 32.28 feet to a ½" iron rod with plastic cap set for an angle point;

THENCE, S33° 36' 28"E, a distance of 8.50 feet to a ½" iron rod with plastic cap set for a corner of this tract;

THENCE, S56° 35' 04"W, a distance of 131.64 feet to the POINT OF BEGINNING, containing 0.559 acre (24,368 square feet) of land.

BEARING BASIS NOTE

The bearings described herein are based on the BACS Coordinate System.



MACIAS & ASSOCIATES, INC.
5410 South 1st Street
Austin, Texas 78745

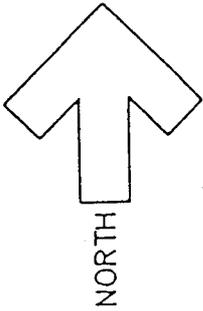
Gregorio Lopez, Jr. 8-13-99
Gregorio Lopez, Jr.
Registered Professional Land Surveyor
No. 5272- State of Texas

REFERENCE

City of Austin Grid: MM-18

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

PROJECT NO. 12001-9-5724
PHASE 7000, TASK 400



SCALE: 1" = 50'

SANTIAGO DEL VALLE TEN LEAGUE GRANT
ABSTRACT NO. 24

LANDFILL 1
24,368 S.F.
0.559 AC.

AUSTIN BERGSTROM INTERNATIONAL AIRPORT
(FORMER BERGSTROM AIR FORCE BASE)

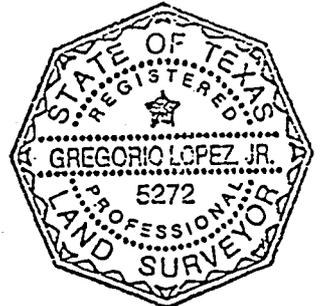
LEGEND

- ◻ ALUMINUM DISC WITH PUNCH HOLE FOUND
- ⊗ BRONZE DISC MONUMENT FOUND
- 1/2" IRON ROD WITH PLASTIC CAP SET
- () RECORD INFORMATION

LINE TABLE

No.	Bearing	Distance
L1	S76°52'44"E	58.99'
L2	S05°49'51"W	32.28'
L3	S33°36'28"E	8.50'

UNITED STATES OF AMERICA
TRACT A-20
(134 AC.)
V.706, P.118, D.R.T.C.



POINT OF BEGINNING

Gregorio Lopez, Jr. 8-13-99
Gregorio Lopez, Jr. Date:
Registered Professional
Land Surveyor No. 5272

⊗ N. 112248.713
E. 10000.000
BRONZE DISC FOUND
N. END RUNWAY

WEST RUNWAY 17L-35R

NOTE:

BEARINGS ARE BASED ON THE
BACS COORDINATE SYSTEM.

DRAWING: LF-1.DWG SCALE: 1" = 50' DATE: 8-10-99
JOB # 139-05-99 DRAWN BY: G. LOPEZ REFERENCE: FB. 238, PG. 40

MACIAS & ASSOCIATES, INC.
LAND SURVEYORS

★ ★ ★ ★ ★

5410 SOUTH 1ST STREET
AUSTIN, TEXAS 78745 PH. (512)442-7875



MACIAS & ASSOCIATES, Inc.
LAND SURVEYORS

EXHIBIT "A"
Project No. 12001-9-5724
Phase 7000, Task 400

United States of America
(Landfill 2)

LEGAL DESCRIPTION

BEING A 5.687 ACRE (247,705 SQUARE FOOT) TRACT OF LAND OUT OF THE SANTIAGO DEL VALLE TEN LEAGUE GRANT, ABSTRACT NO. 24, TRAVIS COUNTY, TEXAS, ALSO BEING OUT OF THREE TRACTS CONVEYED TO THE UNITED STATES OF AMERICA, 1.) A 134 ACRE TRACT KNOWN AS "TRACT A-20", RECORDED IN VOLUME 706, PAGE 118, 2.) A 45.98 ACRE TRACT KNOWN AS "TRACT A-21", RECORDED IN VOLUME 707, PAGE 533, AND 3.) A 1.38 ACRE TRACT KNOWN AS "TRACT A-32", RECORDED IN VOLUME 709, PAGE 124, ALL IN THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, AND ALSO BEING OUT OF AUSTIN-BERGSTROM INTERNATIONAL AIRPORT (FORMERLY KNOWN AS BERGSTROM AIR FORCE BASE); SAID 5.687 ACRE TRACT OF LAND AS SHOWN ON THE ACCOMPANYING SKETCH IS MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS;

BEGINNING at an aluminum disc with punch hole found for the southwest corner of this tract, from said point, a bronze disc monument found having Bergstrom Airport Coordinate System (BACS) coordinates of N. 112,248.713, E. 10,000.000 bears, S14° 45' 13"W, 835.14 feet;

THENCE, N01° 16' 25"E, a distance of 91.07 feet to an aluminum disc with punch hole found for the northwest corner of this tract;

THENCE, N85° 15' 15"E, a distance of 111.91 feet to an aluminum disc with punch hole found for an angle point;

THENCE, N30° 26' 41"E, a distance of 122.10 feet to an aluminum disc with punch hole found for an angle point;

USA-5.687 Acre

Page 2 of 2
5.687 Acre Tract
United States of America

THENCE, N82° 06' 01"E, a distance of 118.37 feet to an aluminum disc with punch hole found for an angle point;

THENCE, N59° 46' 29"E, a distance of 39.56 feet to an aluminum disc with punch hole found for an angle point;

THENCE, S82° 11' 11"E, a distance of 362.11 feet to an aluminum disc with punch hole found for an angle point;

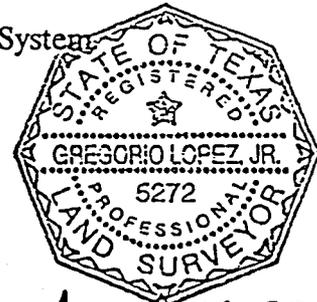
THENCE, S53° 08' 40"E, a distance of 163.06 feet to an aluminum disc with punch hole found for the most easterly corner of this tract;

THENCE, S43° 03' 09"W, a distance of 513.52 feet to an aluminum disc with punch hole found for the most southerly corner of this tract;

THENCE, N58° 55' 35"W, a distance of 543.50 feet to the **POINT OF BEGINNING**, containing 5.687 acres (247,705 square feet) of land.

BEARING BASIS NOTE

The bearings described herein are based on the BACS Coordinate System.



Gregorio Lopez, Jr. 8-13-99

MACIAS & ASSOCIATES, INC.
5410 South 1st Street
Austin, Texas 78745

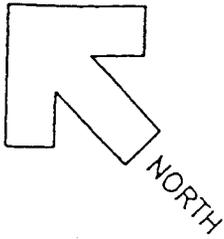
Gregorio Lopez, Jr.
Registered Professional Land Surveyor
No. 5272- State of Texas

REFERENCE

City of Austin Grid: MM-18

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

PROJECT NO. 12001-9-5724
PHASE 7000, TASK 400



SCALE: 1" = 100'

LEGEND

- ALUMINUM DISC WITH PUNCH HOLE FOUND
- BRONZE DISC MONUMENT FOUND
- () RECORD INFORMATION

SANTIAGO DEL VALLE TEN LEAGUE GRANT
ABSTRACT NO. 24

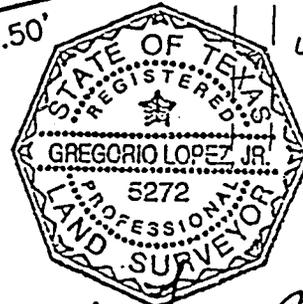
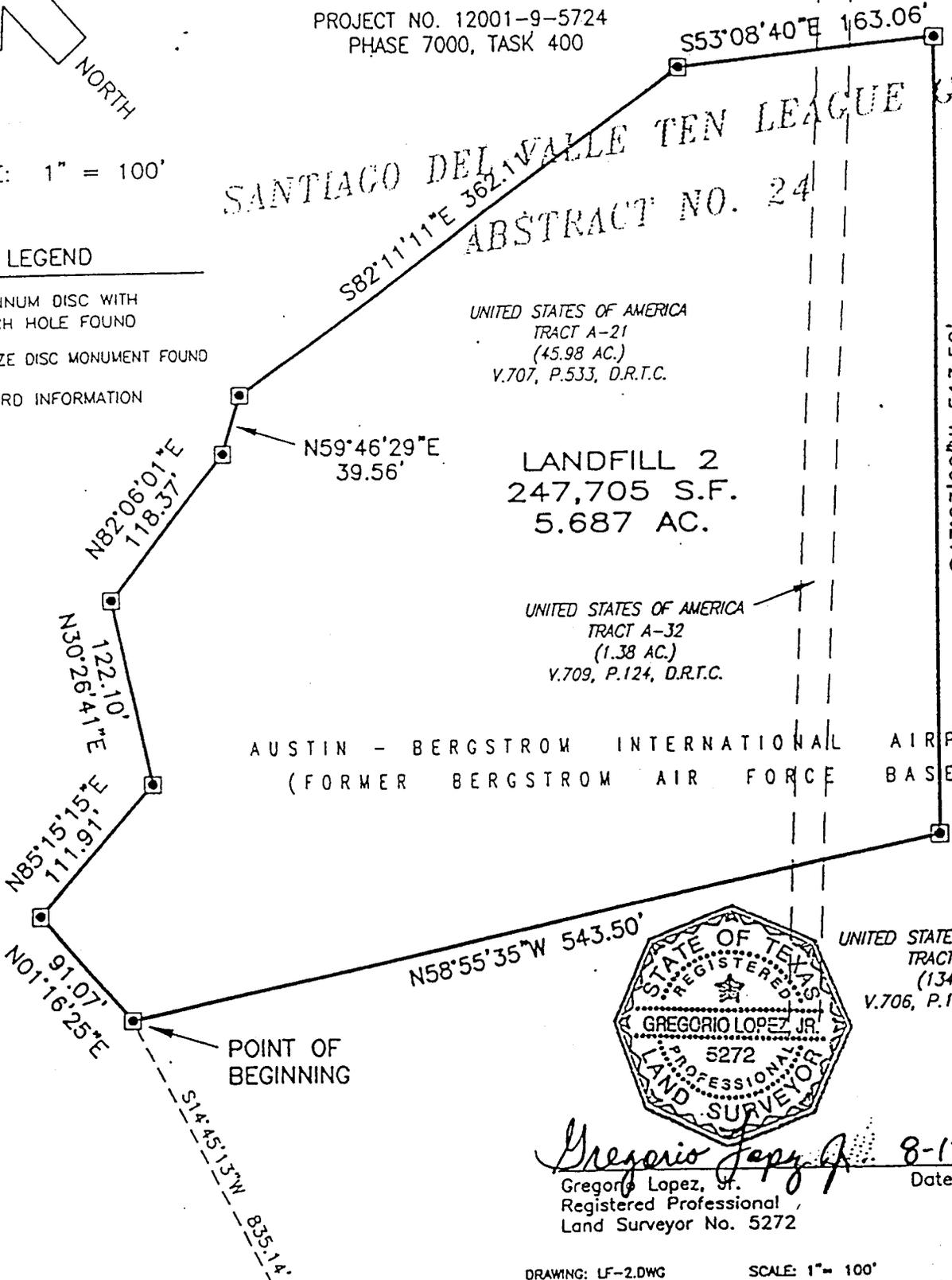
UNITED STATES OF AMERICA
TRACT A-21
(45.98 AC.)
V.707, P.533, D.R.T.C.

LANDFILL 2
247,705 S.F.
5.687 AC.

UNITED STATES OF AMERICA
TRACT A-32
(1.38 AC.)
V.709, P.124, D.R.T.C.

AUSTIN - BERGSTROM INTERNATIONAL AIRPORT
(FORMER BERGSTROM AIR FORCE BASE)

UNITED STATES OF AMERICA
TRACT A-20
(134 AC.)
V.706, P.118, D.R.T.C.



Gregorio Lopez Jr. 8-13-99
Date: _____
Gregorio Lopez, Jr.
Registered Professional
Land Surveyor No. 5272

NOTE:

BEARINGS ARE BASED ON THE
BACS COORDINATE SYSTEM.

N. 112248.713
E. 10000.000
BRONZE DISC FOUND
N. END RUNWAY

C/L WEST RUNWAY
17L-35R

DRAWING: LF-2.DWG SCALE: 1" = 100' DATE: 8-10-99
JOB # 139-05-99 DRAWN BY: G. LOPEZ REFERENCE: FB. 238, PG. 40

MACIAS & ASSOCIATES, INC.
LAND SURVEYORS

★ ★ ★ ★ ★

5410 SOUTH 1ST STREET
AUSTIN, TEXAS 78745 PH. (512)442-7875
FAX (512)442-7876 EMAIL: MACIASURVEY@EARTHUNK.NET



MACIAS & ASSOCIATES, Inc.
LAND SURVEYORS

EXHIBIT "A"
Project No. 12001-9-5724
Phase 7000, Task 400

United States of America
(Landfill 2)

LEGAL DESCRIPTION

BEING A 0.579 ACRE (25,225 SQUARE FOOT) TRACT OF LAND OUT OF THE SANTIAGO DEL VALLE TEN LEAGUE GRANT, ABSTRACT NO. 24, TRAVIS COUNTY, TEXAS, ALSO BEING OUT OF A 134 ACRE TRACT KNOWN AS "TRACT A-20", DESCRIBED IN A DEED TO THE UNITED STATES OF AMERICA, RECORDED IN VOLUME 706, PAGE 118, DEED RECORDS OF TRAVIS COUNTY, TEXAS, AND ALSO BEING OUT OF AUSTIN-BERGSTROM INTERNATIONAL AIRPORT (FORMERLY KNOWN AS BERGSTROM AIR FORCE BASE); SAID 0.579 ACRE TRACT OF LAND AS SHOWN ON THE ACCOMPANYING SKETCH IS MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at an aluminum disc with punch hole found for the most westerly corner of this tract, from said point, a bronze disc monument found having Bergstrom Airport Coordinate System (BACS) coordinates of N. 112,248.713, E. 10,000.000 bears, S59° 01' 33"W, 1124.02 feet;

THENCE, N42° 53' 13"E, a distance of 244.58 feet to an aluminum disc with punch hole found for the most northerly corner of this tract;

THENCE, along a curve to the right having a radius of 95.08 feet, a central angle of 40° 48' 49", a chord which bears, S23° 10' 49"E, 66.30 feet, an arc distance of 67.73 feet to a ½" iron rod with plastic cap set at the point of tangency;

THENCE, S03° 54' 14"W, a distance of 59.85 feet to a ½" iron rod with plastic cap set at the point of a curvature of a curve to the right;

USA-0.579 Acre

Page 2 of 2
0.579 Acre Tract
United States of America

THENCE, along said curve to the right having a radius of 145.35 feet, a central angle of $41^{\circ} 41' 13''$, a chord which bears, $S23^{\circ} 36' 43''W$, 103.43 feet, an arc distance of 105.75 feet to a $\frac{1}{2}$ " iron rod with plastic cap set at the point of compound curvature;

THENCE, along said curve to the right having a radius of 99.22 feet, a central angle of $55^{\circ} 31' 06''$, a chord which bears, $S78^{\circ} 55' 06''W$, 92.43 feet, an arc distance of 96.14 feet to an aluminum disc with punch hole found at the point of tangency;

THENCE, $N46^{\circ} 12' 42''W$, a distance of 78.04 feet to the POINT OF BEGINNING, containing 0.579 acre (25,225 square feet) of land.

BEARING BASIS NOTE

The bearings described herein are based on the BACS Coordinate System.



MACIAS & ASSOCIATES, INC.
5410 South Ist Street
Austin, Texas 78745

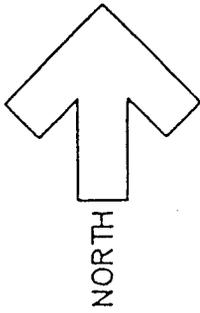
Gregorio Lopez, Jr. 8-13-99
Gregorio Lopez, Jr.
Registered Professional Land Surveyor
No. 5272- State of Texas

REFERENCE

City of Austin Grid: MM-18

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

PROJECT NO. 12001-9-5724
PHASE 7000, TASK 400



SCALE: 1" = 50'

SANTIAGO DEL VALLE TEN LEAGUE GRANT
ABSTRACT NO. 24

LEGEND

- ◻ ALUMINUM DISC WITH PUNCH HOLE FOUND
- ⊠ BRONZE DISC MONUMENT FOUND
- 1/2" IRON ROD WITH PLASTIC CAP SET
- () RECORD INFORMATION

LANDFILL 2
25,225 S.F.
0.579 AC.

AUSTIN - BERGSTROM INTERNATIONAL AIRPORT
(FORMER BERGSTROM AIR FORCE BASE)

POINT OF BEGINNING

559°01'33"W 1124.02'

UNITED STATES OF AMERICA
TRACT A-20
(134 AC.)
V.706, P.118, D.R.T.C.

N. 112248.713
E. 10000.000
BRONZE DISC FOUND
N. END RUNWAY

C/L WEST RUNWAY 17L-35R

78.04'
N46°12'42"W

N42°53'13"E 244.58'

59.85'
S03°54'14"W

CURVE TABLE

No.	Delta	Radius	Arc Length	Chord Length	Chord Bearing
C1	40°48'49"	95.08	67.73	66.30	S23°10'49"E
C2	41°41'13"	145.35	105.75	103.43	S23°36'43"W
C3	55°31'06"	99.22	96.14	92.43	S78°55'06"W

NOTE:

BEARINGS ARE BASED ON THE
BACS COORDINATE SYSTEM.



DRAWING: LF-2A.DWG
JOB # 139-05-99

SCALE: 1" = 50'

DATE: 8-10-99

DRAWN BY: G. LOPEZ REFERENCE: FB. 238, PG. 40

Gregorio Lopez, Jr. 8-13-99
Date:

Gregorio Lopez, Jr.
Registered Professional
Land Surveyor No. 5272

MACIAS & ASSOCIATES, INC.
LAND SURVEYORS

★ ★ ★ ★ ★ ★

5410 SOUTH 1ST STREET
AUSTIN, TEXAS 78745 PH. (512)442-7875

GM

Robert J. Huston, *Chairman*
R. B. "Ralph" Marquez, *Commissioner*
John M. Baker, *Commissioner*
Jeffrey A. Saitas, *Executive Director*



SEP 23 REC'D

Kandy

TEXAS NATURAL RESOURCE CONSERVATION COMMISSION

Protecting Texas by Reducing and Preventing Pollution

September 21, 1999

Mr. Rafael E. Vazquez
Regional BRAC Environmental Coordinator
AFBCA/ROL Bergstrom AFB
3711 Fighter Drive
Austin, TX. 78719-2557

RE: Bergstrom Air Force Base
TNRCC Solid Waste Registration No. 66002
EPA ID. No. TX0572124188
**Review of Technical Report Final Closure of North Landfill Area
and Closure Documentation Summary Landfills 1 and 2**

Dear Mr. Vazquez

The Texas Natural Resource Conservation Commission (TNRCC) has completed our review of the documents titled *Technical Report Final Closure of North Landfills Area* dated August 1999 and *Closure Documentation Summary Landfills 1 and 2 (Solid Waste Management Units 1 and 2)* dated August 27, 1999. Both of these documents were received by the TNRCC on September 7, 1999.

The TNRCC has previously reviewed the Draft RCRA Facility Assessment Report for Landfills 1 and 2 and concurred by letter dated September 13, 1996 that a release of hazardous waste or hazardous constituents did not appear to have occurred at Landfills 1 and 2. Our letter, however, recommended that the following actions be taken:

- Additional cover material (clay-rich soil) should be applied to Landfills 1 and 2 to prevent precipitation from ponding in "trough-like" features apparently associated with the subsidence of old landfill trenches;
- Continue sampling the existing monitoring wells on a quarterly basis for a period of two (2) years; and
- Provide a metes and bounds description recorded in the county real property records to notify the public of the existence of Landfills 1 and 2.

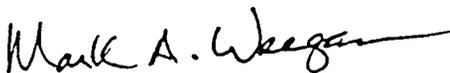
Mr. Rafel E. Vazquez
Page 2
September 21, 1999

Based upon our review of the Technical Report Final Closure of North Landfills Area and Closure Documentation Summary Landfills 1 and 2 (Solid Waste Management Units 1 and 2) the TNRCC concurs that AFBCA has completed the activities requested in our September 13, 1996 letter. No further action appears warranted. Please note, however, that the deed recordation contained in Attachment B of the Closure Documentation Summary Landfills 1 and 2 (Solid Waste Management Units 1 and 2) is unsigned. Please submit proof of deed certification to the TNRCC within ninety (90) days from the date of this letter.

Please be aware that it is the continuing obligation of persons associated with a site to assure that municipal hazardous waste and industrial solid waste are managed in a manner which does not cause the discharge or imminent threat of discharge of waste into or adjacent to waters in the state, a nuisance, or the endangerment of the public health and welfare as required by 30 TAC §335.4. If the actual closure fails to comply with these requirements, the burden remains upon AFBCA to take any necessary and authorized action to correct such conditions.

Questions concerning this letter should be directed to me at (512) 239-2360. When responding by mail, please submit an original and one copy of all correspondence and reports to the Corrective Action Section at Mail Code MC-127 with an additional copy submitted to the TNRCC Region 11 Office in Austin. The TNRCC Solid Waste Registration Number and Unit Name should be referenced in all submittals.

Sincerely,



Mark A. Weegar, Project Manager
Team II, Corrective Action Section
Remediation Division
Texas Natural Resource Conservation Commission

MW/mw

cc: Ms. Laura Stankosky, U.S. EPA Region VI, Dallas, TX.(6PD-NB)
Mr. Holland Young, City of Austin
Waste Program Manager, TNRCC Region 11 - Austin (MC-R11)

Robert J. Huston, *Chairman*
R. B. "Ralph" Marquez, *Commissioner*
John M. Baker, *Commissioner*
Jeffrey A. Saitas, *Executive Director*



TEXAS NATURAL RESOURCE CONSERVATION COMMISSION

Protecting Texas by Reducing and Preventing Pollution

June 13, 2001

Mr. Charles Pringle
Team Chief/BEC
HQ-AFCEE/ERB
3207 North Road, B-532
Brooks AFB, TX 78235-5363

Re: Acceptance of Deed Certification
Bergstrom Air Force Base
TNRCC Solid Waste Registration No. 66002
North Landfills Area - Landfills No. 1 and No. 2

Dear Mr. Pringle:

The Texas Natural Resource Conservation Commission (TNRCC) received a letter dated March 23, 2001 submitted by the Air Force Base Conversion Agency (AFBCA) containing proof of deed certification for the North Landfills Area - Landfills No. 1 and No. 2. The certification states that contaminants remaining at the site have been remediated to meet non-residential (i.e. industrial/commercial) soil criteria pursuant to Title 30 Texas Administrative Code (TAC) Chapter 335 Subchapters A and S.

Contaminants allowed to remain in place in media of concern (i.e., soil, ground water, surface water and air) must not exceed the health based clean up levels as specified in 30 TAC §335.556. A Final Report, documenting that a release of hazardous waste or hazardous constituents had not occurred was previously accepted by the TNRCC in our letter dated September 21, 1999.

The proof of deed certification submitted by AFBCA for the North Landfills Area - Landfills No. 1 and No. 2 was submitted as a voluntarily notification to the public and to document the location of the landfills. No further action is required.

Please be aware that it is the continuing obligation of persons associated with a site to assure that municipal hazardous waste and industrial solid waste are managed in a manner which does not cause the discharge or imminent threat of discharge of waste into or adjacent to waters in the state, a nuisance, or the endangerment of the public health and welfare as required by 30 TAC §335.4. If the actual remediation fails to comply with these requirements, the burden remains upon (AFBCA) to take any necessary and authorized action to correct such conditions. A TNRCC field inspector may review your Final Report and conduct a closure inspection of the site.

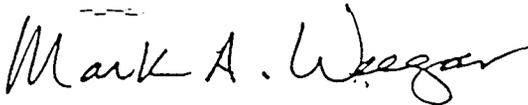
Mr. Charles Pringle

Page 2

June 13, 2001

Questions concerning this letter should be directed to me at (512) 239-2360. When responding by mail, please submit an original and one copy of all correspondence and reports to the Corrective Action Section at Mail Code MC-127 with an additional copy submitted to the TNRCC Region 11 Office in Austin. The TNRCC Solid Waste Registration Number and Unit Name should be referenced in all submittals.

Sincerely,



Mark A. Weegar, Project Manager
Team II, Corrective Action Section
Remediation Division
Texas Natural Resource Conservation Commission

MW/mw

cc: Mr. Randy Beyer, AFBCA/ROL, Austin, TX
Ms. Laura Stankosky, U.S. EPA Region VI, Dallas, TX.(6PD-NB)
Ms. Tamara Moore, City of Austin, TX
Waste Program Manager, TNRCC Region 11 - Austin, TX (MC-R11)

Recorders Memorandum-At the time of recording this instrument was found to be inadequate for the best reproduction, because of illegibility, carbon or photocopy, discolored paper, etc. All blockouts, additions and changes were present at the time the instrument was filed and recorded.

ATTACHMENT 5-3

IRP SITE FT-23 (SWMU 9)

Robert J. Huston, *Chairman*
R. B. "Ralph" Marquez, *Commissioner*
John M. Baker, *Commissioner*
Jeffrey A. Saitas, *Executive Director*

TEXAS NATURAL RESOURCE CONSERVATION COMMISSION

Protecting Texas by Reducing and Preventing Pollution

June 8, 2001

Mr. Charles Pringle
Team Chief/BEC
HQ-AFCEE/ERB
3207 North Road, B-532
Brooks AFB, TX 78235-5363

Re: Closure/Remediation - Risk Reduction Standard No. 2
Acceptance of Deed Certification and Release From Post-closure Care Responsibilities
Bergstrom Air Force Base
TNRCC Solid Waste Registration No. 66002
Fire Department Training Area - SWMU 9

Dear Mr. Pringle:

The Texas Natural Resource Conservation Commission (TNRCC) received a letter dated March 23, 2001 submitted by the Air Force Base Conversion Agency (AFBCA) containing proof of deed certification for the Fire Department Training Area - SWMU 9. The certification states that contaminants remaining at the site have been remediated to meet non-residential (i.e. industrial/commercial) soil and groundwater criteria under Risk Reduction Standard (RRS) No. 2 pursuant to Title 30 Texas Administrative Code (TAC) Chapter 335 Subchapters A and S.

In order to attain RRS No. 2, all industrial solid waste and municipal hazardous waste and waste residues must be removed or decontaminated to health based standards and criteria. Contaminants allowed to remain in place in media of concern (i.e., soil, ground water, surface water and air) must not exceed the health based clean up levels as specified in 30 TAC §335.556. A Final Report, documenting that remediation at the facility has attained RRS No. 2 such that no post-closure care or engineering control measures are required, was previously accepted by the TNRCC in our letter dated August 17, 1999.

After review of the proof of deed certification, it appears that the deed certification requirements of 30 TAC §335.560(b) and (c) have been completed. The TNRCC hereby releases AFBCA from post-closure care responsibilities associated with contamination for the Fire Department Training Area - SWMU 9.

If applicable, please submit a request in writing, to update your Notice of Registration (NOR) to the TNRCC Registration and Reporting Section at Mail Code MC-129 with a copy of this letter as an

Mr. Charles Pringle
Page 2
June 8, 2001

attachment.

Please be aware that it is the continuing obligation of persons associated with a site to assure that municipal hazardous waste and industrial solid waste are managed in a manner which does not cause the discharge or imminent threat of discharge of waste into or adjacent to waters in the state, a nuisance, or the endangerment of the public health and welfare as required by 30 TAC §335.4. If the actual remediation fails to comply with these requirements, the burden remains upon (AFBCA) to take any necessary and authorized action to correct such conditions. A TNRCC field inspector may review your Final Report and conduct a closure inspection of the site.

Questions concerning this letter should be directed to me at (512) 239-2360. When responding by mail, please submit an original and one copy of all correspondence and reports to the Corrective Action Section at Mail Code MC-127 with an additional copy submitted to the TNRCC Region 11 Office in Austin. The TNRCC Solid Waste Registration Number and Unit Name should be referenced in all submittals.

Sincerely,



Mark A. Weegar, Project Manager
Team II, Corrective Action Section
Remediation Division
Texas Natural Resource Conservation Commission

MW/mw

cc: Mr. Randy Beyer, AFBCA/ROL, Austin, TX
Ms. Laura Stankosky, U.S. EPA Region VI, Dallas, TX.(6PD-NB)
Ms. Tamara Moore, City of Austin, TX
Waste Program Manager, TNRCC Region 11 - Austin, TX (MC-R11)



Beig

STATE OF TEXAS
TRAVIS COUNTY

NOV 17 REC'D

INDUSTRIAL SOLID WASTE
CERTIFICATION OF REMEDIATION

KNOW ALL MEN BY THESE PRESENTS THAT:

Pursuant to the Rules of the Texas Natural Resource Conservation Commission (TNRCC) pertaining to Industrial Solid Waste Management, this document is hereby filed in the Deed Records of Travis County, Texas in compliance with the recordation requirements of said rules:

36
C

I

Department of the Air Force has performed a remediation of the land described herein. A copy of the Notice of Registration No. 66002, including a description of the facility, is attached hereto and is made part of this filing. A list of the known waste constituents, including known concentrations in soil and ground water, which have been left in place is attached hereto and is made part of this filing. Further information concerning this matter may be found by an examination of company records or in the Notice of Registration No. 66002 files, which are available for inspection upon request at the central office of the TNRCC in Austin, Texas.

The TNRCC derives its authority to review the remediation of this tract of land from the Texas Solid Waste Disposal Act, §361.002, Texas Health and Safety Code, Chapter 361, which enables the TNRCC to promulgate closure and remediation standards to safeguard the health, welfare and physical property of the people of the State and to protect the environment by controlling the management of solid waste. In addition, pursuant to the Texas Water Code, §5.012 and §5.013, Texas Water Code, Annotated, Chapter 5, the TNRCC is given primary responsibility for implementing the laws of the State of Texas relating to water and shall adopt any rules necessary to carry out its powers and duties under the Texas Water Code. In accordance with this authority, the TNRCC requires certain persons to provide certification and/or recordation in the real property records to notify the public of the conditions of the land and/or the occurrence of remediation. This deed certification is not a representation or warranty by the TNRCC of the suitability of this land for any purpose, nor does it constitute any guarantee by the TNRCC that the remediation standards specified in this certification have been met by Department of the Air Force.

II

Being a 10.331 acre (450,023 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 199.93 acre parcel known as Tract No. A-9 described in a deed to the United States of America recorded in Volume 706, page 525, Deed Records of Travis County, Texas; said 10.331 acre parcel being more particularly described by metes and bounds as follows:

Beginning at a point known as Sample Location No. 00904, for the easternmost corner of this parcel, said point bears, S41°03'08"W, 734.60 feet from a bronze disc found "Berg 1961" (N.103,510.9026, E.14,387,0569); thence, S36°11'31"W, a distance of 299.51 feet to an angle point (00905); thence, S36°49'44"E, a distance of 299.46 feet to a point (00906), for the southernmost corner of this parcel; thence, N48°51'22"W, a distance of 372.22 feet to an angle point (00907); thence, N37°12'03"W, a distance of 464.78 feet to a point (FT23MW15), for the westernmost corner of this parcel; thence, N45°48'50"E, a distance of 235.48 feet to an angle (00901); thence, N45°32'00" a distance of 290.24 feet to a point (00902), for the northernmost corner of this parcel; thence, S44°36'34"E, a distance of 369.62 feet to an angle point (00903); thence, S49°50'51"E, a distance of 369.10 feet to the point of beginning, containing 10.331 acres (450,023 square feet) of land.

Solvent/jet fuel-contaminated soil and groundwater has been remediated to meet non-residential (i.e., industrial/ commercial soil criteria), in accordance with a plan designed to meet the TNRCC's requirements in 31 Texas Administrative Code §335.555), which mandates that the remedy be designed to eliminate substantial present and future risk such that no post-closure care or engineering or institutional control measures are required to protect human health and the environment. Future land use is considered suitable for non-residential (i.e., industrial/commercial) purposes in accordance with risk reduction standards applicable at the time of this filing. Future land use is intended to be non-residential.

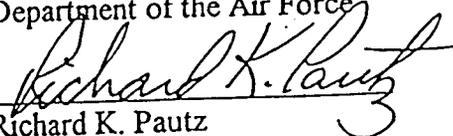
In accordance with the requirements for Standard 2 cleanups where the remedy is based upon non-residential soil criteria, the current owner has undertaken actions as necessary to protect human health or the environment in accordance with the rules of the TNRCC.

III

The owner of the site is Department of the Air Force, and its address is Air Force Base Conversion Agency (AFBCA), 3711 Fighter Drive, Suite 200, Bergstrom Air Force Base, Austin, Texas 78719-2557, where more specific information may be obtained from the Regional Site Manager.

EXECUTED this the 1st day of Nov, 1999.

Department of the Air Force



Richard K. Pautz

Regional Site Manager

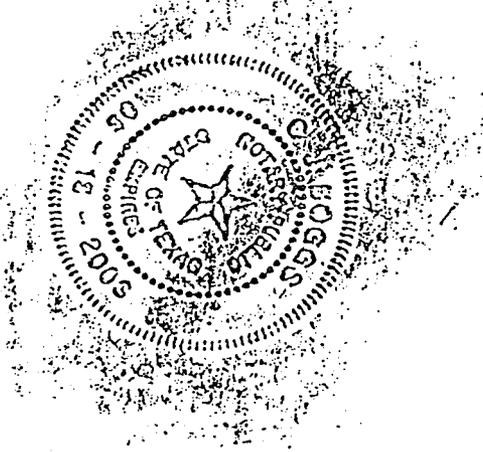
STATE OF TEXAS
TRAVIS COUNTY

BEFORE ME, on this the 1st day of November, personally appeared Richard K. Pautz, Regional Site Manager, Air Force Base Conversion Agency, United States Air Force, known to me to be the person and agent of said government agency whose name is subscribed to the foregoing instrument, and he acknowledged to me that he executed the same for the purposes and in the capacity therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 1st of November, 1999.

CJ Roggen
Notary Public in and for the State of Texas, of Travis County

CJ Roggen
My Commission Expires
6.19.2003





MACIAS & ASSOCIATES, Inc.
LAND SURVEYORS

Exhibit "A"
RRS2 Boundary
SWMU-9

FIELD NOTES

FIELD NOTE DESCRIPTION FOR A 10.331 ACRE (450,023 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 199.93 ACRE PARCEL OF LAND KNOWN AS TRACT NO. A-9 DESCRIBED IN A DEED TO THE UNITED STATES OF AMERICA RECORDED IN VOLUME 706, PAGE 525, DEED RECORDS OF SAID TRAVIS COUNTY. SAID 10.331 ACRE PARCEL BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a point known as Sample Location No. 00904, for the easternmost corner of this parcel, said point bears $S41^{\circ} 03' 08''W$, 734.60 feet from a bronze disc found, "Bergs 1961" (N. 103,510.9026, E. 14,387.0569);

THENCE, $S36^{\circ}11'31''W$, a distance of 299.51 feet to an angle point (00905);

THENCE, $S36^{\circ}49'44''W$, a distance of 299.46 feet to a point (00906), for the southernmost corner of this parcel;

THENCE, $N48^{\circ}51'22''W$, a distance of 372.22 feet to an angle point (00907);

THENCE, $N37^{\circ}12'03''W$, a distance of 464.78 feet to a point (FT23MW15), for the westernmost corner of this parcel;

THENCE, $N45^{\circ}48'50''E$, a distance of 235.48 feet to an angle point (00901);

THENCE, $N45^{\circ}32'00''E$, a distance of 290.24 feet to a point (00902), for the northernmost corner of this parcel;

THENCE, $S44^{\circ}36'34''E$, a distance of 369.62 feet to an angle point (00903);

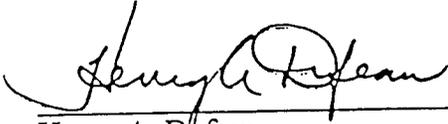
THENCE, $S49^{\circ}50'51''E$, a distance of 369.10 feet to the POINT OF BEGINNING, containing 10.331 acres (450,023 square feet) of land.

STATE OF TEXAS §

COUNTY OF TRAVIS §

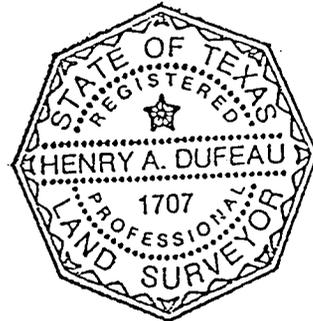
I hereby certify that this field note description was prepared from the results of an actual survey made on the ground under my supervision and that it is true and correct to the best of my knowledge.

MACIAS & ASSOCIATES, INC.:



10 SEP 98

Henry A. Dufeu DATE
Registered Professional Land Surveyor No. 1707



Revised: 10Sept98

REFERENCES

Bearing Basis: BACS Coordinate System

Client: LAW Environmental, Inc.
Job No.: 139-01-95
File: SWMU-9.dwg

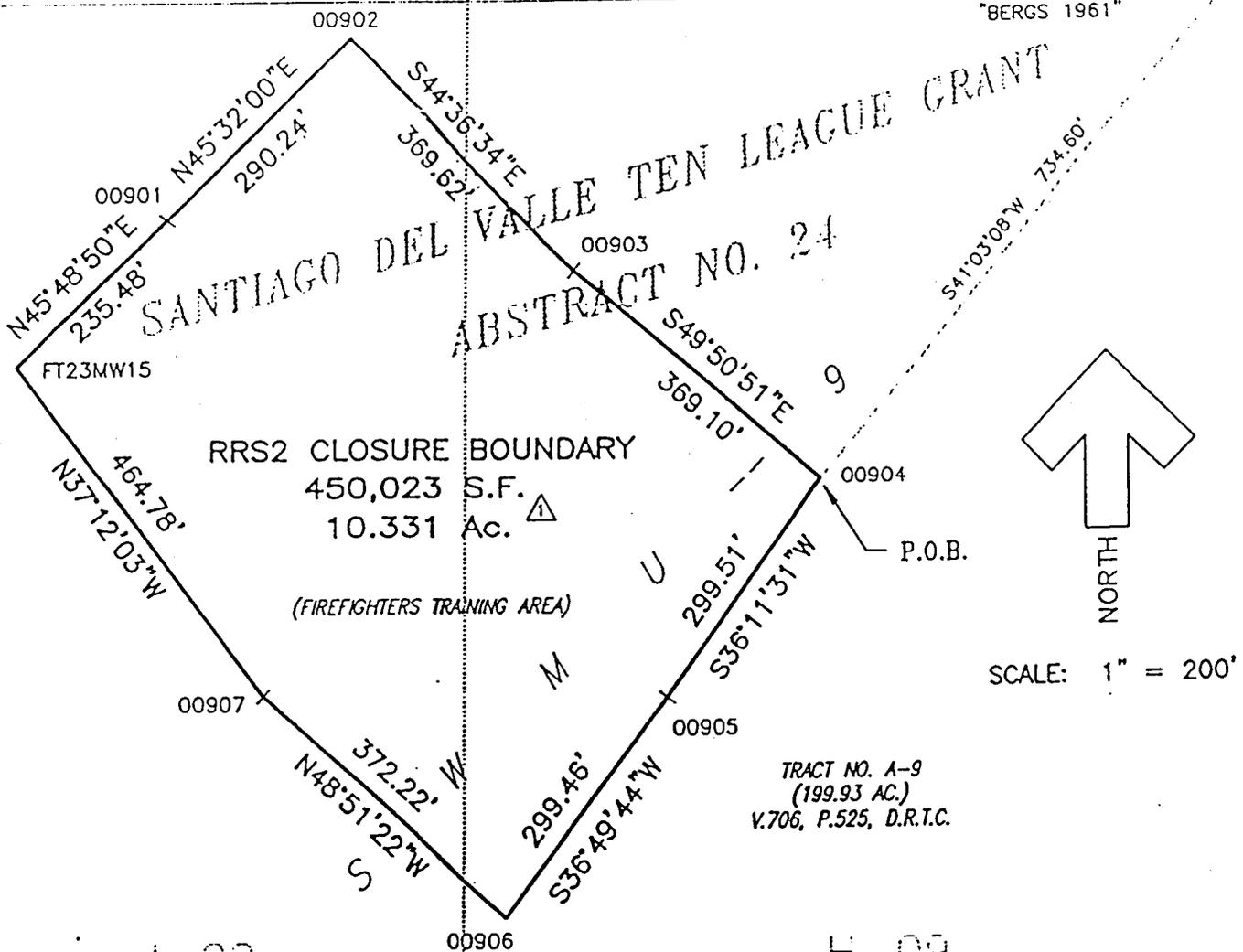
SKETCH TO ACCOMPANY FIELD NOTE DESCRIPTION

J 08

H 08

AUSTIN - BERGSTROM INTERNATIONAL AIRPORT
(FORMER BERGSTROM AIR FORCE BASE)

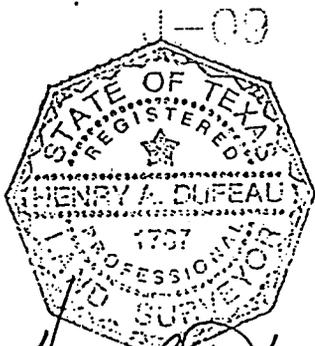
N.103510.9026
E.14387.0569
BRONZE DISC FOUND.
"BERGS 1961"



RRS2 CLOSURE BOUNDARY
450,023 S.F.
10.331 Ac. \triangle
(FIREFIGHTERS TRAINING AREA)

SCALE: 1" = 200'

TRACT NO. A-9
(199.93 AC.)
V.706, P.525, D.R.T.C.



Henry A. Dufeu
Henry A. Dufeu
Registered Professional
Land Surveyor No. 1707
Date: 10SEP98

DRAWING: SYMU-9.DWG
JOB # 139-01-95

SCALE: 1"=200' DATE: 7-2-98
DRAWN BY: G. LOPEZ

\triangle REVISED: 9-10-98

MACIAS & ASSOCIATES, INC.
LAND SURVEYORS

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

Robert J. Huston, *Chairman*
R. B. "Ralph" Marquez, *Commissioner*
John M. Baker, *Commissioner*
Jeffrey A. Saitas, *Executive Director*



AUG 20 REC'D

TEXAS NATURAL RESOURCE CONSERVATION COMMISSION

Protecting Texas by Reducing and Preventing Pollution

August 17, 1999

Mr. Rafael E. Vazquez
Regional BRAC Environmental Coordinator
AFBCA/ROL Bergstrom AFB
3711 Fighter Drive
Austin, TX. 78719-2557

RE: Bergstrom Air Force Base
TNRCC Solid Waste Registration No. 66002
EPA ID. No. TX0572124188
Review of Site Closure Report for SWMU No. 9 Fire Department Training Area
Approval - Risk Reduction Standard No. 2

Dear Mr. Vazquez

The Texas Natural Resource Conservation Commission (TNRCC) has completed our review of the *Site Closure Report for Solid Waste Management [SWMU] Unit 9 Fire Department Training Area* dated December 1998 and received by the TNRCC on January 11, 1999. In addition, the TNRCC also reviewed comments received from EPA Region 6 dated July 1, 1999. According to the referenced report, closure activities have been completed in accordance with the TNRCC Risk Reduction Standard (RRS) No. 2, pursuant to Title 30 Texas Administrative Code (TAC) Chapter 335 Subchapters A and S:

The Site Closure Report for SWMU No. 9 Fire Department Training Area (Site Closure Report) contains documentation indicating that the closure activities associated with SWMU No. 9 has attained RRS No. 2 such that no post-closure care or engineering or institutional control measures are required. Based upon the information contained in the Site Closure Report and other information available to staff, it appears that the closure/remediation of the SWMU No. 9 has achieved RRS No. 2.

As specified in §335.560, the Air Force Base Conversion Agency (AFBCA) must submit proof of deed certification to the TNRCC within ninety (90) days from the date of this letter. Upon acceptance of the proof of deed certification, the TNRCC will transmit a final letter releasing AFBCA from post-closure care responsibilities for the SWMU No. 9.

Please be aware that it is the continuing obligation of persons associated with a site to assure that municipal hazardous waste and industrial solid waste are managed in a manner which does not cause the discharge or imminent threat of discharge of waste into or adjacent to waters in the state, a

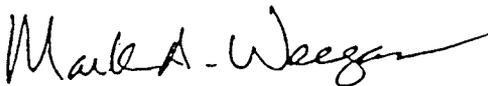
Mr. Rafael E. Vazquez
Page 2
August 17, 1999

12/1: AFBCA/DC
ATTN: Richard Pantz
3711 Fighter Dr, Suite 200
Austin, TX 78719-2557

nuisance, or the endangerment of the public health and welfare as required by 30 TAC §335.4. If the actual closure fails to comply with these requirements, the burden remains upon AFBCA to take any necessary and authorized action to correct such conditions. A TNRCC field inspector may review your Site Closure Report and conduct a closure inspection of the site.

Questions concerning this letter should be directed to me at (512) 239-2360. When responding by mail, please submit an original and one copy of all correspondence and reports to the Corrective Action Section at Mail Code MC-127 with an additional copy submitted to the TNRCC Region 11 Office in Austin. The TNRCC Solid Waste Registration Number and Unit Name should be referenced in all submittals.

Sincerely,



Mark A. Weegar, Project Manager
Team II, Corrective Action Section
Remediation Division
Texas Natural Resource Conservation Commission

MW/mw

cc: Ms. Laura Stankosky, U.S. EPA Region VI, Dallas, TX.(6PD-NB)
Mr. Holland Young, City of Austin
Mr. Chris Smith, TNRCC Region 11 - Austin (MC-R11)

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS



11-05-1999 11:28 AM 1999135228
BAZANJ \$85.00
DANA DEBEAUVOIR, COUNTY CLERK
TRAVIS COUNTY, TEXAS

RECORDERS MEMORANDUM-At the time of recordation this instrument was found to be inadequate for the best photographic reproduction, because of illegibility, carbon or photocopy, discolored paper, etc. All blockouts, additions and changes were present at the time the instrument was filed and recorded.

Recorders Memorandum-At the time of recordation this instrument was found to be inadequate for the best reproduction, because of illegibility, carbon or photocopy, discolored paper, etc. All blockouts, additions and changes were present at the time the instrument was filed and recorded.

ATTACHMENT 5-4

UST 1610-2 (SWMU 125)

STATE OF TEXAS
TRAVIS COUNTY

INDUSTRIAL SOLID WASTE
CERTIFICATION OF REMEDIATION

KNOW ALL MEN BY THESE PRESENTS THAT:

Pursuant to the Rules of the Texas Natural Resource Conservation Commission (TNRCC) pertaining to Industrial Solid Waste Management, this document is hereby filed in the Deed Records of Travis County, Texas in compliance with the recordation requirements of said rules:

I

The Department of the Air Force has performed a remediation of the land described herein. A copy of the Notice of Registration (No.), including a description of the facility, is attached hereto and is made part of this filing. A list of the known waste constituents, including known concentrations (i.e., soil and groundwater, if applicable), which have been left in place is attached hereto and is made part of this filing. Further information concerning this matter may be found by an examination of company records or in the Notice of Registration (No.) files, which are available for inspection upon request at the central office of the TNRCC in Austin, Texas.

The TNRCC derives its authority to review the remediation of this tract of land from the Texas Solid Waste Disposal Act, 361.002, Texas Health and Safety Code, Chapter 361, which enables the TNRCC to promulgate closure and remediation standards to safeguard the health, welfare and physical property of the people of the State and to protect the environment by controlling the management of solid waste. In addition, pursuant to the Texas Water Code, 5.012 and 5.013, Texas Water Code, Annotated, Chapter 5, the TNRCC is given primary responsibility for implementing the laws of the State of Texas relating to water and shall adopt any rules necessary to carry out its powers and duties under the Texas Water Code. In accordance with this authority, the TNRCC requires certain persons to provide certification and/or recordation in the real property records to notify the public of the conditions of the land and/or the occurrence of remediation. This deed certification is not a representation or warranty by the TNRCC of the suitability of this land for any purpose, nor does it constitute any guarantee by the TNRCC of the remediation standards specified in this certification have been met by the Department of the Air Force.

II

Being a parcel of land containing 218 square feet (0.005 acres) of land out of the Santiago Del Valle Ten League Survey, Abstract 24, Travis County, Texas; also being out of a 130.93 acre parcel conveyed from Mrs. A.L. Sanders to the United States of America, also out of the former Bergstrom Air Force Base and now the Austin-Bergstrom International Airport; said 218 square foot parcel being more particularly described by metes and bounds as follows:

Beginning at a point in concrete inside a building known as Building 1610, said point being N 09 degrees 42 minutes 56 seconds E 3943.79 feet from a bronze disk found in concrete known as "BERGS.1961" and whose coordinates are N 10,042,906.55 feet and E 3,139,598.96 feet, Texas State Plane Coordinate System, Central Zone, North American Datum of 1983; thence, N 50 degrees 31 minutes 43 seconds W 17.65 feet to a point; thence N 44 degrees 43 minutes 07 seconds E 13.18 feet to a point; thence, S 47 degrees 11 minutes 30 seconds E 16.89 feet to a point inside said building; thence, S 41 degrees 25 minutes 09 seconds W 12.15 feet to the POINT OF BEGINNING containing 218 square feet (0.005 acre) of land.

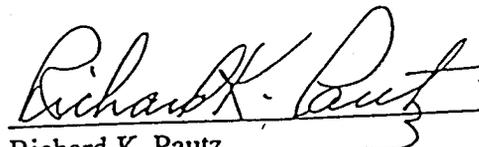
In accordance with the requirements for Standard 2 cleanups where the remedy is based upon non-residential soil criteria, the current owner has undertaken actions as necessary to protect human health or the environment in accordance with the rules of the TNRCC.

III

The owner of the site is the Department of the Air Force, and its address is AFBCA/DC Bergstrom, 3711 Outlaw Country Drive, Austin, Texas 78719-2557, where more specific information may be obtained from the Installation Management Officer.

EXECUTED this the 6th day of Jan., 1998.

Department of the Air Force


Richard K. Pautz
Installation Management Officer

STATE OF TEXAS
TRAVIS COUNTY

BEFORE ME, on this the 6th day of January, personally appeared Richard K. Pautz, Installation Management Officer of the Department of the Air Force, Air Force Base Conversion Agency, Division C, Bergstrom Air Force Base, known to me to be the person and agent of said government agency whose name is subscribed to the foregoing instrument, and he acknowledged to me that he executed the same for the purposes and in the capacity therein expressed.

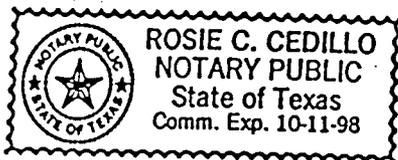
GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 6th of Jan., 1998.

Rosie C. Cedillo

Notary Public in and for the State of Texas, of Travis County.

10-11-98

My Commission Expires



Rosie C. Cedillo



MACIAS & ASSOCIATES, Inc.
LAND SURVEYORS

Exhibit "A"
SWMU - 125

FIELD NOTES

FIELD NOTES FOR A PARCEL OF LAND CONTAINING 218 SQUARE FEET (0.005 ACRES) OF LAND OUT OF THE SANTIAGO DEL VALLE TEN LEAGUE SURVEY, ABSTRACT 24, TRAVIS COUNTY, TEXAS; ALSO BEING OUT OF A 130.93 ACRE PARCEL CONVEYED FROM MRS. A.L. SANDERS TO THE UNITED STATES OF AMERICA, ALSO OUT OF THE FORMER BERGSTROM AIR FORCE BASE AND NOW THE AUSTIN-BERGSTROM INTERNATIONAL AIRPORT; SAID 218 SQUARE FOOT PARCEL BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a point in concrete inside a building known as Building 1610, said point being $N09^{\circ}42'56''E$ 3943.79 feet from a bronze disk found in concrete known as "BERGS 1961" and whose coordinates are N 10,042,906.55 feet and E 3,139,598.96, Texas State Plane Coordinate System, Central Zone, North American Datum of 1983;

THENCE, $N50^{\circ}31'43''W$ 17.65 feet to a point;

THENCE, $N44^{\circ}43'07''E$ 13.18 feet to point;

THENCE, $S47^{\circ}11'30''E$ 16.89 feet to a point inside said building

THENCE, $S41^{\circ}25'09''W$ 12.15 feet to the POINT OF BEGINNING containing 218 square feet (0.005 acre) 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

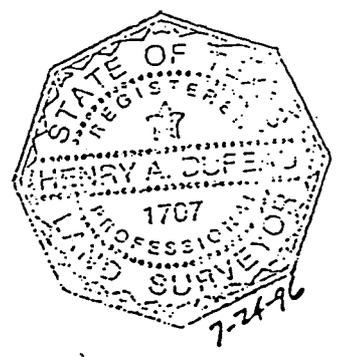
7-24-96

Henry A. Dufeu
Registered Professional Land Surveyor No.1707

DATE

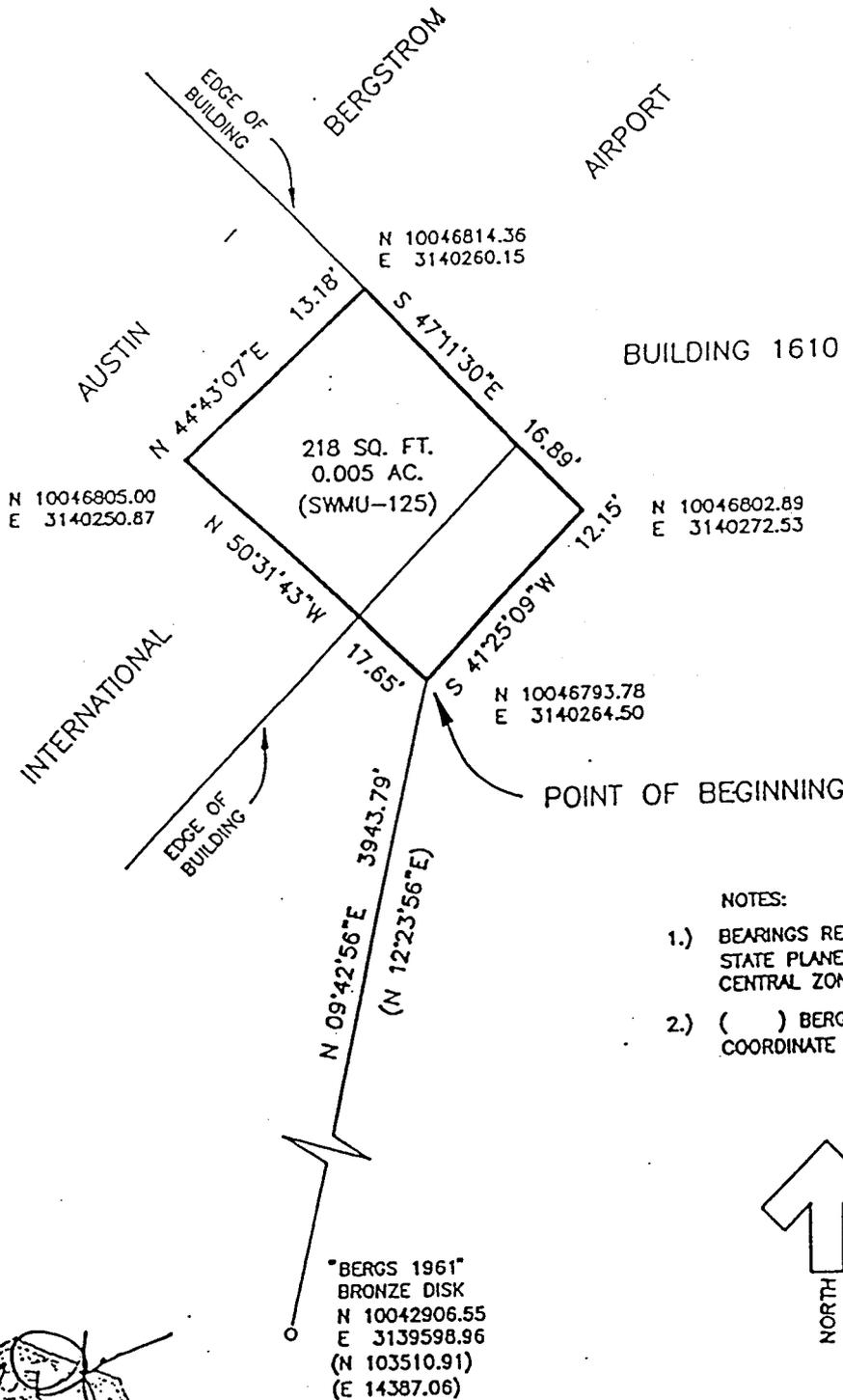
REFERENCES

Bearing Basis: Texas State Plane Coordinate System
Central Zone, NAD 83
NAPT MAP GRID G-06



Client: Brown & Root, Inc.
Job No. : 166-01-96
FB 170 p.31

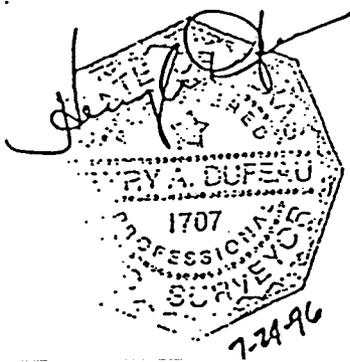
SKETCH TO ACCOMPANY
DESCRIPTION



NOTES:

- 1.) BEARINGS REFER TO TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NAD83
- 2.) () BERGSTROM-AUSTIN COORDINATE SYSTEM (BACS)

"BERGS 1961"
BRONZE DISK
N 10042906.55
E 3139598.96
(N 103510.91)
(E 14387.06)



PROJECT 166-01-96
DRAWING: 125-1.DWG

REFERENCE: FB.170, P.31
SCALE: 1"=10' DATE: 7-18-96

MACIAS & ASSOCIATES, INC.
LAND SURVEYORS

★ ★ ★ ★ ★

SOUTH CONGRESS BUSINESS PARK
111 RAMBLE LANE SUITE 116A

Robert J. Huston, *Chairman*
R. B. "Ralph" Marquez, *Commissioner*
John M. Baker, *Commissioner*
Jeffrey A. Saitas, *Executive Director*



JAN 26 RECD

TEXAS NATURAL RESOURCE CONSERVATION COMMISSION

Protecting Texas by Reducing and Preventing Pollution

January 24, 2001

Mr. Charles Pringle
Team Chief/BEC
HQ-AFCEE/ERB
3207 North Road, B-532
Brooks AFB, TX 78235-5363

RE: Bergstrom Air Force Base
TNRCC Solid Waste Registration No. 66002
EPA ID. No. TX0572124188
Closure/Remediation - Risk Reduction Standard No. 2
Acceptance of Deed Certification and Release From Post-closure Care Responsibilities

Dear Mr. Pringle:

The Texas Natural Resource Conservation Commission (TNRCC) received a letter dated January 20, 1998 submitted by the Air Force Base Conversion Agency (AFBCA) containing proof of deed certification for Facility 1610 Waste Solvent Tank (SWMU No. 125). The certifications state that contaminants remaining at the site have been remediated to meet non-residential (i.e. industrial/commercial) soil criteria under Risk Reduction Standard (RRS) No. 2 pursuant to Title 30 Texas Administrative Code (TAC) Chapter 335 Subchapters A and S.

In order to attain RRS No. 2, all industrial solid waste and municipal hazardous waste and waste residues must be removed or decontaminated to health based standards and criteria. Contaminants allowed to remain in place in media of concern (i.e., soil, ground water, surface water and air) must not exceed the health based clean up levels as specified in 30 TAC §335.556. A Final Report, documenting that remediation at the facility has attained RRS No. 2 such that no post-closure care or engineering control measures are required, was previously accepted by the TNRCC by letter dated October 13, 1997.

After review of the proof of deed certification, it appears that the deed certification requirements of 30 TAC §335.560(b) and (c) have been completed. The TNRCC hereby releases the AFBCA from post-closure care responsibilities for the Facility 1610 Waste Solvent Tank.

If applicable, please submit a request in writing, to update your Notice of Registration (NOR) to the TNRCC Registration and Reporting Section at Mail Code MC-129 with a copy of this letter as an attachment.

Mr. Charles Pringle

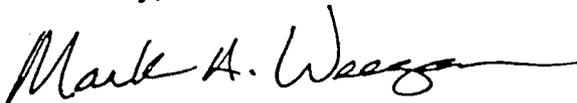
Page 2

January 24, 2001

Please be aware that it is the continuing obligation of persons associated with a site to assure that municipal hazardous waste and industrial solid waste are managed in a manner which does not cause the discharge or imminent threat of discharge of waste into or adjacent to waters in the state, a nuisance, or the endangerment of the public health and welfare as required by 30 TAC §335.4. If the actual remediation fails to comply with these requirements, the burden remains upon (AFBCA) to take any necessary and authorized action to correct such conditions.

Questions concerning this letter should be directed to me at (512) 239-2360. When responding by mail, please submit an original and one copy of all correspondence and reports to the Corrective Action Section at Mail Code MC-127 with an additional copy submitted to the TNRCC Region 11 Office in Austin. The TNRCC Solid Waste Registration Number should be referenced in all submittals.

Sincerely,



Mark A. Weegar, Project Manager
Team II, Corrective Action Section
Remediation Division
Texas Natural Resource Conservation Commission

MW:mw

cc: Mr. Randy Beyer, AFBCA/ROL, Austin, TX
Ms. Laura Stankosky, U.S. EPA Region VI, Dallas, TX.(6PD-NB)
Ms. Tamara Moore, City of Austin, TX
Mr. Barry Kalda, TNRCC Region 11 - Austin, TX (MC-R11)

ATTACHMENT 5-5

OWSEP 4910 (SWMU 136)

Recorders Memorandum-At the time of recordation this instrument was found to be inadequate for the best reproduction, because of illegibility, carbon or photocopy, discolored paper, etc. All blockouts, additions and changes were present at the time the instrument was filed and recorded.

STATE OF TEXAS
TRAVIS COUNTY

INDUSTRIAL SOLID WASTE
CERTIFICATION OF REMEDIATION

KNOW ALL MEN BY THESE PRESENTS THAT:

Pursuant to the Rules of the Texas Natural Resource Conservation Commission (TNRCC) pertaining to Industrial Solid Waste Management, this document is hereby filed in the Deed Records of Travis County, Texas in compliance with the recordation requirements of said rules:

23

I

The Department of the Air Force has performed a remediation of the land herein. A copy of the Notice of Registration (No. 66002), including a description of the facility, is attached hereto and is made part of this filing. A list of the known waste constituents, including known concentrations (i.e., soil and ground water, if applicable), which have been left in place is attached hereto and is made part of this filing. Further information concerning this matter may be found by an examination of company records or in the Notice of Registration (No. 66002) files, which are available for inspection upon request at the central office of the TNRCC in Austin, Texas.

The TNRCC derives its authority to review the remediation of this tract of land from the Texas Solid Waste Disposal Act, §361.002, Texas Health and Safety Code, Chapter 361, which enables the TNRCC to promulgate closure and remediation standards to safeguard the health, welfare and physical property of the people of the State and to protect the environment by controlling the management of solid waste. In addition, pursuant to the Texas Water Code, §5.012 and §5.013, Texas Water Code, Annotated, Chapter 5, the TNRCC is given primary responsibility for implementing the laws of the State of Texas relating to water and shall adopt any rules necessary to carry out its powers and duties under the Texas Water Code.. In accordance with this authority, the TNRCC requires certain persons to provide certification and/or recordation in the real property records to notify the public of the conditions of the land and/or the occurrence of remediation. This deed certification is not a representation or warranty by the TNRCC of the suitability of this land for any purpose, nor does it constitute any guarantee by the TNRCC that the remediation standards specified in this certification have been met by the Department of the Air Force.

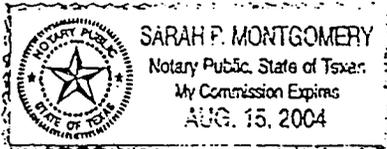
Att: AK BCAA/BC
ATTN: Dick Pentz
3711 Fighter Dr. J Shite 200
Austin TX 78718 719-2557

STATE OF TEXAS
TRAVIS COUNTY

BEFORE ME, on this the 13th day of February, personally appeared Richard K. Pautz, Regional Site Manager of the Air Force Base Conversion Agency, Department of the Air Force, Bergstrom Air Force Base, known to me to be the person and agent of said government agency whose name is subscribed to the foregoing instrument, and he acknowledged to me that he executed the same for the purposes and in the capacity therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 13th of February, 2001.

Sarah P. Montgomery
Notary Public in and for the State of Texas, of TRAVIS County



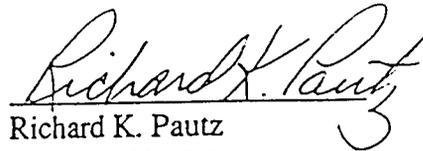
My Commission Expires

III

The owner of the site is Department of the Air Force, and its address is Air Force Base Conversion Agency (AFBCA), 3711 Fighter Drive, Suite 200, Austin, Texas 78719-2557, where more specific information may be obtained from the Installation Management Officer.

EXECUTED this the 13th day of February, 2001

Department of the Air Force


Richard K. Pautz
Regional Site Manager

II

Being a parcel of land containing 422 square feet (0.010 acres) of land out of the Santiago Del Valle Ten League Survey, Abstract 24, Travis County, Texas; also being out of a 130.93 acre parcel conveyed from Mrs. A. L. Sanders to the United States of America, also out of the former Bergstrom Air Force Base and now the Austin-Bergstrom International Airport; said 422 square foot parcel being more particularly by metes and bounds as follows:

Beginning at a point known as sample location number S136-3, for the southernmost corner of this parcel, said point being N 04 degrees 23 minutes 27 seconds E 2033.07 feet from a bronze disk found in concrete known as "BERGS 1961" and whose coordinates are N 103,510.9026 feet and E 14,387.0569 feet, Texas State Plane Coordinate System, Central Zone, North America Datum of 1983; thence, N 44 degrees 55 minutes 52 seconds W 26.49 feet to point S 136-2 passing point S 136CNWWD1A-E at 11.71 feet; thence, N 45 degrees 04 minutes 08 seconds E 15.91 feet to point S136-1 passing point S136CNNWD1A-E at 8.05 feet; thence, S 44 degrees 55 minutes 52 seconds E 26.49 feet to point S136-4 passing point S136MW at 11.23 feet; thence, S 45 degrees 04 minutes 08 seconds W 15.91 feet to the PO-T OF BEGINNING passing point S136CNSW at 6.68 feet, containing 422 square feet (0.010 acre) of land.

In accordance with the requirements for Standard 2 cleanups where the remedy is based upon nonresidential soil criteria, the current owner has undertaken actions as necessary to protect human health or the environment in accordance with the rules of the TNRCC.



MACIAS & ASSOCIATES, Inc.
LAND SURVEYORS

EXHIBIT "A"

RRS2 Closure
Boundary
SWMU 136

FIELD NOTES

FIELD NOTE DESCRIPTION FOR A 0.010 ACRE (422 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 130.93 ACRE PARCEL OF LAND KNOWN AS TRACT NO. A-10 DESCRIBED IN A DEED TO THE UNITED STATES OF AMERICA RECORDED IN VOLUME 281, PAGE 70 DEED RECORDS OF TRAVIS COUNTY, TEXAS, SAID 0.010 ACRE PARCEL BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING, at a point known as Sample Location No. S136-3, for the southernmost corner of this parcel, said point bears $N04^{\circ}23'27''E$, 2033.07 feet from a bronze disk known as Bergs 1961 (N. 103510.9026, E. 14387.0569);

THENCE, $N44^{\circ}55'52''W$ passing point S136CNWWD1A-E at 11.71 feet, a total distance of 26.49 feet to point S136-2;

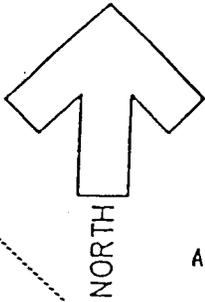
THENCE, $N45^{\circ}04'08''E$ passing point S136CNNWD1A-E at 8.05 feet, a total distance of 15.91 feet to point S136-1;

THENCE, $S44^{\circ}55'52''E$ passing point S136MW at 11.23 feet, a total distance of 26.49 feet to point S136-4;

THENCE, $S45^{\circ}04'08''W$ passing point S136CNSW at 6.68 feet, a total distance of 15.91 feet to the POINT OF BEGINNING, containing 0.010 acres (422 square feet) of land.

SKETCH TO ACCOMPANY FIELD NOTES

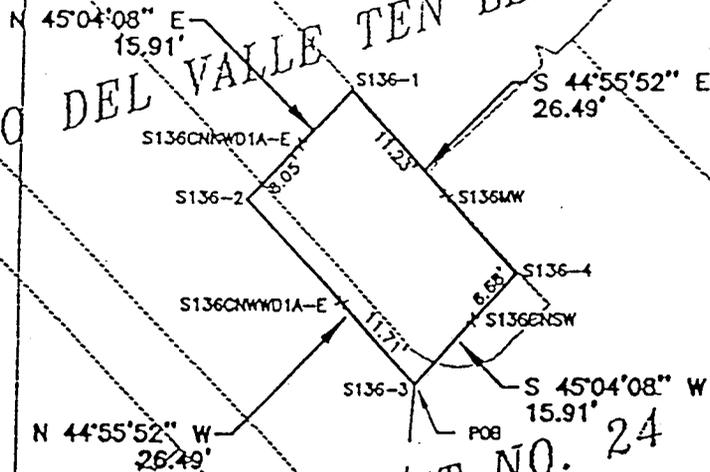
LAGUNA PROJECT F41624-94-D-8064/0001



SCALE: 1" = 20'

AUSTIN - BERGSTROM INTERNATIONAL AIRPORT
(FORMER BERGSTROM AIR FORCE BASE)

SANTIAGO DEL VALLE TEN LEAGUE GRANT



ABSTRACT NO. 24

RRS2 CLOSURE BOUNDARY
422 SQ FT
0.010 ACRES

TRACT NO. A-10
(130.93 AC.)
V281, P.70, T.C.D.R.

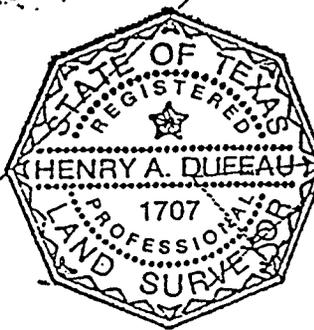
N. 103510.9026
E. 14387.0569
BRONZE DISC FOUND
BERGS 1961

NOTE:

BEARINGS ARE BASED ON THE
BACS COORDINATE SYSTEM.

DRAWING: SWMU-136.DWG
JOB # 192-01-98

SCALE: 1"=20' DATE: 01-19-98
DRAWN BY: B. SHCMTOT



Henry A. Dufeu

28 JAN 98

Henry A. Dufeu
Registered Professional
Land Surveyor No. 1707

Date:



MACIAS & ASSOCIATES, INC.
LAND SURVEYORS



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

Robert J. Huston, *Chairman*
R. B. "Ralph" Marquez, *Commissioner*
John M. Baker, *Commissioner*
Jeffrey A. Saitas, *Executive Director*



Alvin
MAR 29 REC'D

TEXAS NATURAL RESOURCE CONSERVATION COMMISSION

Protecting Texas by Reducing and Preventing Pollution

March 28, 2000

Mr. Rafael E. Vazquez
Regional BRAC Environmental Coordinator
AFBCA/ROL Bergstrom AFB
3711 Fighter Drive
Austin, TX. 78719-2557

RE: Bergstrom Air Force Base
TNRCC Solid Waste Registration No. 66002
EPA ID. No. TX0572124188
Review of Closure Report for Facility 4910 Oil/Water Separator - SWMU 136
Approval - Risk Reduction Standard No. 2

Dear Mr. Vazquez

The Texas Natural Resource Conservation Commission (TNRCC) has completed our review of the *Closure Report for Facility 4910 Oil/Water Separator - SWMU 136* (Closure Report) dated February 1998 and received by the TNRCC on February 23, 1998. In addition, the TNRCC also reviewed comments received from EPA Region 6 dated March 26, 1998. According to the closure report, closure activities have been completed in accordance with the TNRCC Risk Reduction Standard (RRS) No. 2, pursuant to Title 30 Texas Administrative Code (TAC) Chapter 335 Subchapters A and S.

SWMU 136 is identified in the Closure Report as a 1,200 gallon below-grade, closed-top oil/water separator located at the Building 4910 Jet Engine Test Cell (Hush House). The Closure Report for SWMU 136 contains documentation indicating that the closure activities have attained RRS No. 2 such that no post-closure care or engineering or institutional control measures are required. Based upon the information contained in the Closure Report and other information available to staff, it appears that the closure/remediation of SWMU 136 has attained RRS No. 2.

As specified in §335.560, the Air Force Base Conversion Agency (AFBCA) must submit proof of deed certification to the TNRCC within ninety (90) days from the date of this letter for SWMU 136. Upon acceptance of the proof of deed certification, the TNRCC will transmit a final letter releasing AFBCA from post-closure care responsibilities associated with SWMU 136.

Please be aware that it is the continuing obligation of persons associated with a site to assure that municipal hazardous waste and industrial solid waste are managed in a manner which does not cause

Mr. Rafael E. Vazquez
Page 2
March 28, 2000

the discharge or imminent threat of discharge of waste into or adjacent to waters in the state, a nuisance, or the endangerment of the public health and welfare as required by 30 TAC §335.4. If the actual closure fails to comply with these requirements, the burden remains upon AFBCA to take any necessary and authorized action to correct such conditions. A TNRCC field inspector may review your Closure Report and conduct a closure inspection of the site.

Questions concerning this letter should be directed to me at (512) 239-2360. When responding by mail, please submit an original and one copy of all correspondence and reports to the Corrective Action Section at Mail Code MC-127 with an additional copy submitted to the TNRCC Region 11 Office in Austin. The TNRCC Solid Waste Registration Number and Unit Name should be referenced in all submittals.

Sincerely,



Mark A. Weegar, Project Manager
Team II, Corrective Action Section
Remediation Division
Texas Natural Resource Conservation Commission

MW/mw

cc: Ms. Laura Stankosky, U.S. EPA Region VI, Dallas, TX.(6PD-NB)
Ms. Tamara Moore, City of Austin
Mr. Barry Kalda, TNRCC Region 11 - Austin (MC-R11)

Robert J. Huston, *Chairman*
R. B. "Ralph" Marquez, *Commissioner*
John M. Baker, *Commissioner*
Jeffrey A. Saitas, *Executive Director*

TEXAS NATURAL RESOURCE CONSERVATION COMMISSION

Protecting Texas by Reducing and Preventing Pollution

June 5, 2001

Mr. Charles Pringle
Team Chief/BEC
HQ-AFCEE/ERB
3207 North Road, B-532
Brooks AFB, TX 78235-5363

Re: Closure/Remediation - Risk Reduction Standard No. 2
Acceptance of Deed Certification and Release From Post-closure Care Responsibilities
Bergstrom Air Force Base
TNRCC Solid Waste Registration No. 66002
Facility 4910 Oil/Water Separator - SWMU 136

Dear Mr. Pringle:

The Texas Natural Resource Conservation Commission (TNRCC) received a letter dated March 23, 2001 submitted by the Air Force Base Conversion Agency (AFBCA) containing proof of deed certification for the Facility 4910 Oil/Water Separator - SWMU 136. The certification states that contaminants remaining at the site have been remediated to meet non-residential (i.e. industrial/commercial) soil criteria under Risk Reduction Standard (RRS) No. 2 pursuant to Title 30 Texas Administrative Code (TAC) Chapter 335 Subchapters A and S.

In order to attain RRS No. 2, all industrial solid waste and municipal hazardous waste and waste residues must be removed or decontaminated to health based standards and criteria. Contaminants allowed to remain in place in media of concern (i.e., soil, ground water, surface water and air) must not exceed the health based clean up levels as specified in 30 TAC §335.556. A Final Report, documenting that remediation at the facility has attained RRS No. 2 such that no post-closure care or engineering control measures are required, was previously accepted by the TNRCC in our letter dated March 28, 2000.

After review of the proof of deed certification, it appears that the deed certification requirements of 30 TAC §335.560(b) and (c) have been completed. The TNRCC hereby releases AFBCA from post-closure care responsibilities associated with contamination for the Facility 4910 Oil/Water Separator - SWMU 136.

If applicable, please submit a request in writing, to update your Notice of Registration (NOR) to the TNRCC Registration and Reporting Section at Mail Code MC-129 with a copy of this letter as an attachment.

Mr. Charles Pringle

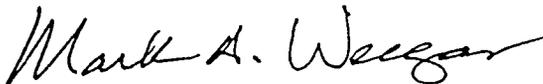
Page 2

June 5, 2001

Please be aware that it is the continuing obligation of persons associated with a site to assure that municipal hazardous waste and industrial solid waste are managed in a manner which does not cause the discharge or imminent threat of discharge of waste into or adjacent to waters in the state, a nuisance, or the endangerment of the public health and welfare as required by 30 TAC §335.4. If the actual remediation fails to comply with these requirements, the burden remains upon (AFBCA) to take any necessary and authorized action to correct such conditions. A TNRCC field inspector may review your Final Report and conduct a closure inspection of the site.

Questions concerning this letter should be directed to me at (512) 239-2360. When responding by mail, please submit an original and one copy of all correspondence and reports to the Corrective Action Section at Mail Code MC-127 with an additional copy submitted to the TNRCC Region 11 Office in Austin. The TNRCC Solid Waste Registration Number and Unit Name should be referenced in all submittals.

Sincerely,



Mark A. Weegar, Project Manager
Team II, Corrective Action Section
Remediation Division
Texas Natural Resource Conservation Commission

MW/mw

cc: Mr. Randy Beyer, AFBCA/ROL, Austin, TX
Ms. Laura Stankosky, U.S. EPA Region VI, Dallas, TX.(6PD-NB)
Ms. Tamara Moore, City of Austin, TX
Waste Program Manager, TNRCC Region 11 - Austin, TX (MC-R11)

Robert J. Huston, *Chairman*
R. B. "Ralph" Marquez, *Commissioner*
John M. Baker, *Commissioner*
Jeffrey A. Saitas, *Executive Director*

TEXAS NATURAL RESOURCE CONSERVATION COMMISSION

Protecting Texas by Reducing and Preventing Pollution

June 5, 2001

Mr. Charles Pringle
Team Chief/BEC
HQ-AFCEE/ERB
3207 North Road, B-532
Brooks AFB, TX 78235-5363

Re: Closure/Remediation - Risk Reduction Standard No. 2
Acceptance of Deed Certification and Release From Post-closure Care Responsibilities
Bergstrom Air Force Base
TNRCC Solid Waste Registration No. 66002
Facility 4910 Oil/Water Separator - SWMU 136

Dear Mr. Pringle:

The Texas Natural Resource Conservation Commission (TNRCC) received a letter dated March 23, 2001 submitted by the Air Force Base Conversion Agency (AFBCA) containing proof of deed certification for the Facility 4910 Oil/Water Separator - SWMU 136. The certification states that contaminants remaining at the site have been remediated to meet non-residential (i.e. industrial/commercial) soil criteria under Risk Reduction Standard (RRS) No. 2 pursuant to Title 30 Texas Administrative Code (TAC) Chapter 335 Subchapters A and S.

In order to attain RRS No. 2, all industrial solid waste and municipal hazardous waste and waste residues must be removed or decontaminated to health based standards and criteria. Contaminants allowed to remain in place in media of concern (i.e., soil, ground water, surface water and air) must not exceed the health based clean up levels as specified in 30 TAC §335.556. A Final Report, documenting that remediation at the facility has attained RRS No. 2 such that no post-closure care or engineering control measures are required, was previously accepted by the TNRCC in our letter dated March 28, 2000.

After review of the proof of deed certification, it appears that the deed certification requirements of 30 TAC §335.560(b) and (c) have been completed. The TNRCC hereby releases AFBCA from post-closure care responsibilities associated with contamination for the Facility 4910 Oil/Water Separator - SWMU 136.

If applicable, please submit a request in writing, to update your Notice of Registration (NOR) to the TNRCC Registration and Reporting Section at Mail Code MC-129 with a copy of this letter as an attachment.

Mr. Charles Pringle

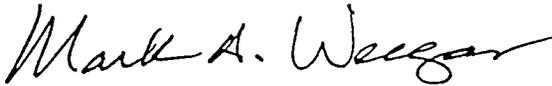
Page 2

June 5, 2001

Please be aware that it is the continuing obligation of persons associated with a site to assure that municipal hazardous waste and industrial solid waste are managed in a manner which does not cause the discharge or imminent threat of discharge of waste into or adjacent to waters in the state, a nuisance, or the endangerment of the public health and welfare as required by 30 TAC §335.4. If the actual remediation fails to comply with these requirements, the burden remains upon (AFBCA) to take any necessary and authorized action to correct such conditions. A TNRCC field inspector may review your Final Report and conduct a closure inspection of the site.

Questions concerning this letter should be directed to me at (512) 239-2360. When responding by mail, please submit an original and one copy of all correspondence and reports to the Corrective Action Section at Mail Code MC-127 with an additional copy submitted to the TNRCC Region 11 Office in Austin. The TNRCC Solid Waste Registration Number and Unit Name should be referenced in all submittals.

Sincerely,



Mark A. Weegar, Project Manager
Team II, Corrective Action Section
Remediation Division
Texas Natural Resource Conservation Commission

MW/mw

cc: Mr. Randy Beyer, AFBCA/ROL, Austin, TX
Ms. Laura Stankosky, U.S. EPA Region VI, Dallas, TX.(6PD-NB)
Ms. Tamara Moore, City of Austin, TX
Waste Program Manager, TNRCC Region 11 - Austin, TX (MC-R11)

Recorders Memorandum-At the time of recordation this instrument was found to be inadequate for the best reproduction, because of illegibility, carbon or photocopy, discolored paper, etc. All blockouts, additions and changes were present at the time the instrument was filed and recorded.

ATTACHMENT 5-6

OWSEP 4911 (SWMU 137)

STATE OF TEXAS
TRAVIS COUNTY

INDUSTRIAL SOLID WASTE
CERTIFICATION OF REMEDIATION

KNOW ALL MEN BY THESE PRESENTS THAT:

Pursuant to the Rules of the Texas Natural Resource Conservation Commission (TNRCC) pertaining to Industrial Solid Waste Management, this document is hereby filed in the Deed Records of Travis County, Texas in compliance with the recordation requirements of said rules:

I

The Department of the Air Force has performed a remediation of the land herein. A copy of the Notice of Registration (No. 66002), including a description of the facility, is attached hereto and is made part of this filing. A list of the known waste constituents, including known concentrations (i.e., soil and ground water, if applicable), which have been left in place is attached hereto and is made part of this filing. Further information concerning this matter may be found by an examination of company records or in the Notice of Registration (No. 66002) files, which are available for inspection upon request at the central office of the TNRCC in Austin, Texas.

The TNRCC derives its authority to review the remediation of this tract of land from the Texas Solid Waste Disposal Act, §361.002, Texas Health and Safety Code, Chapter 361, which enables the TNRCC to promulgate closure and remediation standards to safeguard the health, welfare and physical property of the people of the State and to protect the environment by controlling the management of solid waste. In addition, pursuant to the Texas Water Code, §5.012 and §5.013, Texas Water Code, Annotated, Chapter 5, the TNRCC is given primary responsibility for implementing the laws of the State of Texas relating to water and shall adopt any rules necessary to carry out its powers and duties under the Texas Water Code.. In accordance with this authority, the TNRCC requires certain persons to provide certification and/or recordation in the real property records to notify the public of the conditions of the land and/or the occurrence of remediation. This deed certification is not a representation or warranty by the TNRCC of the suitability of this land for any purpose, nor does it constitute any guarantee by the TNRCC that the remediation standards specified in this certification have been met by the Department of the Air Force.

Ret: AFBCA/DC
ATTN: Dick Partz
JTI Fisher Proj Suite 200
Austin, TX 78719-2557

26

II

Being a parcel of land containing 399 square feet (0.009 acres) of land out of the Santiago Del Valle Ten League Survey, Abstract 24, Travis County, Texas, also being out of a 130.93 acre parcel conveyed from Mrs. A. L. Sanders to the United States of America, also out of the former Bergstrom Air Force Base and now the Austin-Bergstrom International Airport, said 399 square foot parcel being more particularly by metes and bounds as follows:

Beginning at a point known as sample location number S 137-3, for the southernmost corner of this parcel, said point being N 01 degrees 00 minutes 45 seconds E 1898.86 feet from a bronze disk found in concrete known as "BERGS 1961" and whose coordinates are N 103,510.9026 feet and E 14,387.0569 feet, Texas State Plane Coordinate System, Central Zone, North America Datum of 1983; thence, N 45 degrees 09 minutes 47 seconds W 21.69 feet to point S137-2 passing point S137CNWWD1 at 10.29 feet; thence, N 44 degrees 50 minutes 13 seconds E 18.42 feet to point S137-1 passing point S137CNNWD1 at 9.75 feet; thence, S 45 degrees 09 minutes 47 seconds E 21.69 feet to point S137-4 passing point S 137CNEW at 11.57 feet; thence, S 44 degrees 50 minutes 13 seconds W 18.42 feet to the POINT OF BEGINNING passing point S137CNSW at 8.78 feet, containing 399 square feet (0.009 acre) of land.

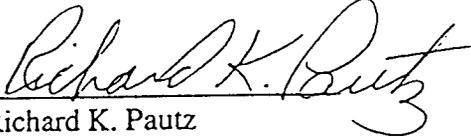
In accordance with the requirements for Standard 2 cleanups where the remedy is based upon nonresidential soil criteria, the current owner has undertaken actions as necessary to protect human health or the environment in accordance with the rules of the TNRCC.

III

The owner of the site is Department of the Air Force, and its address is Air Force Base Conversion Agency (AFBCA), 3711 Fighter Drive, Suite 200, Austin, Texas 78719-2557, where more specific information may be obtained from the Installation Management Officer.

EXECUTED this the 13th day of February, 2001

Department of the Air Force

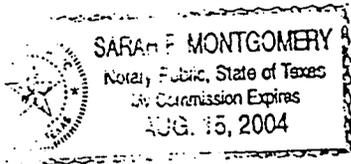

Richard K. Pautz
Regional Site Manager

STATE OF TEXAS
TRAVIS COUNTY

BEFORE ME, on this the 13th day of February, personally appeared Richard K. Pautz, Regional Site Manager of the Air Force Base Conversion Agency, Department of the Air Force, Bergstrom Air Force Base, known to me to be the person and agent of said government agency whose name is subscribed to the foregoing instrument, and he acknowledged to me that he executed the same for the purposes and in the capacity therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 13th of February, 2001.

Sarah P. Montgomery
Notary Public in and for the State of Texas, of Travis County



My Commission Expires



MACIAS & ASSOCIATES, Inc.
LAND SURVEYORS

EXHIBIT "A"

RRS2 Closure
Boundary
SWMU 137

FIELD NOTES

FIELD NOTE DESCRIPTION FOR A 0.009 ACRE (399 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 130.93 ACRE PARCEL OF LAND KNOWN AS TRACT NO. A-10 DESCRIBED IN A DEED TO THE UNITED STATES OF AMERICA RECORDED IN VOLUME 281, PAGE 70 DEED RECORDS OF TRAVIS COUNTY, TEXAS, SAID 0.009 ACRE PARCEL BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING, at a point known as Sample Location No. S137-3, for the southernmost corner of this parcel, said point bears $N01^{\circ}00'45''E$, 1898.86 feet from a bronze disk known as Bergs 1961 (N. 103510.9026. E. 14387.0569);

THENCE, $N45^{\circ}09'47''W$ passing point S137CNWWD1 at 10.29 feet, a total distance of 21.69 feet to point S137-2;

THENCE, $N44^{\circ}50'13''E$ passing point S137CNNWD1 at 9.75 feet, a total distance of 18.42 feet to point S137-1;

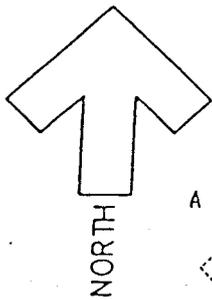
THENCE, $S45^{\circ}09'47''E$ passing point S137CNEW at 11.57 feet, a total distance of 21.69 feet to point S137-4;

THENCE, $S44^{\circ}50'13''W$ passing point S137CNSW at 8.78 feet, a total distance of 18.42 feet to the POINT OF BEGINNING, containing 0.009 acres (399 square feet) of land.

SKETCH TO ACCOMPANY FIELD NOTES

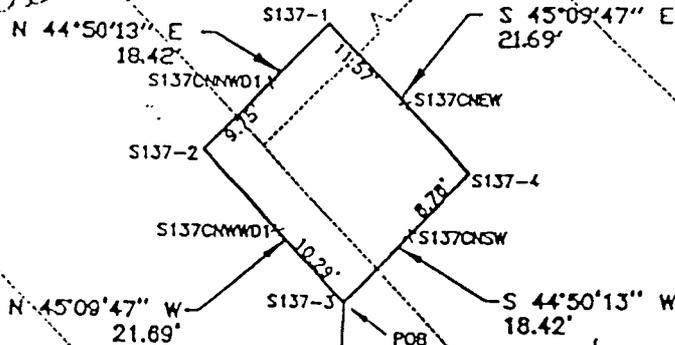
LAGUNA PROJECT F41624-94-D-8064/0001

AUSTIN - BERGSTROM INTERNATIONAL AIRPORT
(FORMER BERGSTROM AIR FORCE BASE)



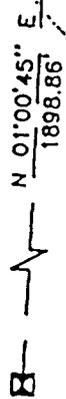
SCALE: 1" = 20'

SANTIAGO DEL VALLE TEN LEAGUE GRANT



ABSTRACT NO. 24

TRACT NO. A-10
(130.93 AC.)
V.281, P.70, T.C.D.R.



N. 103510.9026
E. 14387.0569
BRONZE DISC FOUND
BERGS 1961

NOTE:

BEARINGS ARE BASED ON THE
BACS COORDINATE SYSTEM.

DRAWING: SWMU-137.DWG
JOB # 192-01-98

SCALE: 1"=20' DATE: 01-19-98
DRAWN BY: B. SHCMIDT



Henry A. Dureau 28Jan98
Henry A. Dureau
Registered Professional
Land Surveyor No. 1707
Date:

MACIAS & ASSOCIATES, INC
LAND SURVEYORS

★ ★ ★ ★ ★ ★

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

Robert J. Huston, *Chairman*
R. B. "Ralph" Marquez, *Commissioner*
John M. Baker, *Commissioner*
Jeffrey A. Saitas, *Executive Director*



MAR 29 REC'D

TEXAS NATURAL RESOURCE CONSERVATION COMMISSION

Protecting Texas by Reducing and Preventing Pollution

March 28, 2000

Mr. Rafael E. Vazquez
Regional BRAC Environmental Coordinator
AFBCA/ROL Bergstrom AFB
3711 Fighter Drive
Austin, TX. 78719-2557

RE: Bergstrom Air Force Base
TNRCC Solid Waste Registration No. 66002
EPA ID. No. TX0572124188
Review of Closure Report for Facility 4911 Oil/Water Separator - SWMU 137
Approval - Risk Reduction Standard No. 2

Dear Mr. Vazquez

The Texas Natural Resource Conservation Commission (TNRCC) has completed our review of the *Closure Report for Facility 4911 Oil/Water Separator - SWMU 137* (Closure Report) dated February 1998 and received by the TNRCC on February 23, 1998. In addition, the TNRCC also reviewed comments received from EPA Region 6 dated March 27, 1998. According to the closure report, closure activities have been completed in accordance with the TNRCC Risk Reduction Standard (RRS) No. 2, pursuant to Title 30 Texas Administrative Code (TAC) Chapter 335 Subchapters A and S.

SWMU 137 is identified in the Closure Report as a 1,200 gallon below-grade, closed-top oil/water separator located at the Building 4911 Jet Engine Test Cell (Hush House). The Closure Report for SWMU 137 contains documentation indicating that the closure activities have attained RRS No. 2 such that no post-closure care or engineering or institutional control measures are required. Based upon the information contained in the Closure Report and other information available to staff, it appears that the closure/remediation of SWMU 137 has attained RRS No. 2.

As specified in §335.560, the Air Force Base Conversion Agency (AFBCA) must submit proof of deed certification to the TNRCC within ninety (90) days from the date of this letter for SWMU 137. Upon acceptance of the proof of deed certification, the TNRCC will transmit a final letter releasing AFBCA from post-closure care responsibilities associated with SWMU 137.

Please be aware that it is the continuing obligation of persons associated with a site to assure that municipal hazardous waste and industrial solid waste are managed in a manner which does not cause

Mr. Rafael E. Vazquez
Page 2
March 28, 2000

the discharge or imminent threat of discharge of waste into or adjacent to waters in the state, a nuisance, or the endangerment of the public health and welfare as required by 30 TAC §335.4. If the actual closure fails to comply with these requirements, the burden remains upon AFBCA to take any necessary and authorized action to correct such conditions. A TNRCC field inspector may review your Closure Report and conduct a closure inspection of the site.

Questions concerning this letter should be directed to me at (512) 239-2360. When responding by mail, please submit an original and one copy of all correspondence and reports to the Corrective Action Section at Mail Code MC-127 with an additional copy submitted to the TNRCC Region 11 Office in Austin. The TNRCC Solid Waste Registration Number and Unit Name should be referenced in all submittals.

Sincerely,



Mark A. Weegar, Project Manager
Team II, Corrective Action Section
Remediation Division
Texas Natural Resource Conservation Commission

MW/mw

cc: Ms. Laura Stankosky, U.S. EPA Region VI, Dallas, TX.(6PD-NB)
Ms. Tamara Moore, City of Austin
Mr. Barry Kalda, TNRCC Region 11 - Austin (MC-R11)

Robert J. Huston, *Chairman*
R. B. "Ralph" Marquez, *Commissioner*
John M. Baker, *Commissioner*
Jeffrey A. Saitas, *Executive Director*

TEXAS NATURAL RESOURCE CONSERVATION COMMISSION

Protecting Texas by Reducing and Preventing Pollution

June 5, 2001

Mr. Charles Pringle
Team Chief/BEC
HQ-AFCEE/ERB
3207 North Road, B-532
Brooks AFB, TX 78235-5363

Re: Closure/Remediation - Risk Reduction Standard No. 2
Acceptance of Deed Certification and Release From Post-closure Care Responsibilities
Bergstrom Air Force Base
TNRCC Solid Waste Registration No. 66002
Facility 4911 Oil/Water Separator - SWMU 137

Dear Mr. Pringle:

The Texas Natural Resource Conservation Commission (TNRCC) received a letter dated March 23, 2001 submitted by the Air Force Base Conversion Agency (AFBCA) containing proof of deed certification for the Facility 4911 Oil/Water Separator - SWMU 137. The certification states that contaminants remaining at the site have been remediated to meet non-residential (i.e. industrial/commercial) soil criteria under Risk Reduction Standard (RRS) No. 2 pursuant to Title 30 Texas Administrative Code (TAC) Chapter 335 Subchapters A and S.

In order to attain RRS No. 2, all industrial solid waste and municipal hazardous waste and waste residues must be removed or decontaminated to health based standards and criteria. Contaminants allowed to remain in place in media of concern (i.e., soil, ground water, surface water and air) must not exceed the health based clean up levels as specified in 30 TAC §335.556. A Final Report, documenting that remediation at the facility has attained RRS No. 2 such that no post-closure care or engineering control measures are required, was previously accepted by the TNRCC in our letter dated March 28, 2000.

After review of the proof of deed certification, it appears that the deed certification requirements of 30 TAC §335.560(b) and (c) have been completed. The TNRCC hereby releases AFBCA from post-closure care responsibilities associated with contamination for the Facility 4911 Oil/Water Separator - SWMU 137.

If applicable, please submit a request in writing, to update your Notice of Registration (NOR) to the TNRCC Registration and Reporting Section at Mail Code MC-129 with a copy of this letter as an attachment.

Mr. Charles Pringle

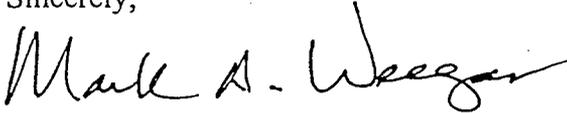
Page 2

June 5, 2001

Please be aware that it is the continuing obligation of persons associated with a site to assure that municipal hazardous waste and industrial solid waste are managed in a manner which does not cause the discharge or imminent threat of discharge of waste into or adjacent to waters in the state, a nuisance, or the endangerment of the public health and welfare as required by 30 TAC §335.4. If the actual remediation fails to comply with these requirements, the burden remains upon (AFBCA) to take any necessary and authorized action to correct such conditions. A TNRCC field inspector may review your Final Report and conduct a closure inspection of the site.

Questions concerning this letter should be directed to me at (512) 239-2360. When responding by mail, please submit an original and one copy of all correspondence and reports to the Corrective Action Section at Mail Code MC-127 with an additional copy submitted to the TNRCC Region 11 Office in Austin. The TNRCC Solid Waste Registration Number and Unit Name should be referenced in all submittals.

Sincerely,



Mark A. Weegar, Project Manager
Team II, Corrective Action Section
Remediation Division
Texas Natural Resource Conservation Commission

MW/mw

cc: Mr. Randy Beyer, AFBCA/ROL, Austin, TX
Ms. Laura Stankosky, U.S. EPA Region VI, Dallas, TX.(6PD-NB)
- Ms. Tamara Moore, City of Austin, TX
Waste Program Manager, TNRCC Region 11 - Austin, TX (MC-R11)

Recorders Memorandum-At the time of recordation this instrument was found to be inadequate for the best reproduction, because of illegibility, carbon or photocopy, discolored paper, etc. All blockouts, additions and changes were present at the time the instrument was filed and recorded.

ATTACHMENT 5-7

OTH 712 (SWMU 211)

STATE OF TEXAS
TRAVIS COUNTY

INDUSTRIAL SOLID WASTE
CERTIFICATION OF REMEDIATION

KNOW ALL MEN BY THESE PRESENTS THAT:

Pursuant to the Rules of the Texas Natural Resource Conservation Commission (TNRCC) pertaining to Industrial Solid Waste Management, this document is hereby filed in the Deed Records of Travis County, Texas in compliance with the recordation requirements of said rules:

ALH

I

The Department of the Air Force has performed a remediation of the land herein. A copy of the Notice of Registration (No. 66002), including a description of the facility, is attached hereto and is made part of this filing. A list of the known waste constituents, including known concentrations (i.e., soil and ground water, if applicable), which have been left in place is attached hereto and is made part of this filing. Further information concerning this matter may be found by an examination of company records or in the Notice of Registration (No. 66002) files, which are available for inspection upon request at the central office of the TNRCC in Austin, Texas.

The TNRCC derives its authority to review the remediation of this tract of land from the Texas Solid Waste Disposal Act, §361.002, Texas Health and Safety Code, Chapter 361, which enables the TNRCC to promulgate closure and remediation standards to safeguard the health, welfare and physical property of the people of the State and to protect the environment by controlling the management of solid waste. In addition, pursuant to the Texas Water Code, §5.012 and §5.013, Texas Water Code, Annotated, Chapter 5, the TNRCC is given primary responsibility for implementing the laws of the State of Texas relating to water and shall adopt any rules necessary to carry out its powers and duties under the Texas Water Code.. In accordance with this authority, the TNRCC requires certain persons to provide certification and/or recordation in the real property records to notify the public of the conditions of the land and/or the occurrence of remediation. This deed certification is not a representation or warranty by the TNRCC of the suitability of this land for any purpose, nor does it constitute any guarantee by the TNRCC that the remediation standards specified in this certification have been met by the Department of the Air Force.

Ret:
AFBCA/PC
ATTN: Bill Parfz
3711 Fwy Inter Dr, Suite 200
Austin, TX 78719-2557

II

Being a parcel of land containing 5067 square feet (0.116 acres) of land out of the Santiago Del Valle Ten League Survey, Abstract 24, Travis County, Texas; also being out of a 130.85 acre parcel of land known as tract No. A-19 described in a deed to the United States of America recorded in volume 709, page 67 Deed Records of Travis County, Texas; said 5067 square foot parcel being more particularly by metes and bounds as follows:

Beginning at a point known as sample location number DPT 211-1, for the northwest corner of this parcel, said point being N 62 degrees 34 minutes 42 seconds E 2033.07 feet from a bronze disk found at the centerline of West Runway in the concrete known as "17L-35R" and whose coordinates are N 112,248.713 feet and E 10,000.000 feet, Texas State Plane Coordinate System, Central Zone, North America Datum of 1983; thence, S 84 degrees 56 minutes 11 seconds E 71.38 feet to point DPT 211-2; thence, S 11 degrees 19 minutes 32 seconds E 72.31 feet to point DPT 211-3; thence, N 81 degrees 30 minutes 40 seconds W 81.29 feet to point DPT 211-4; thence, N 04 degrees 17 minutes 52 seconds W 65.38 feet to the POINT OF BEGINNING, containing 5067 square feet (0.116 acre) of land.

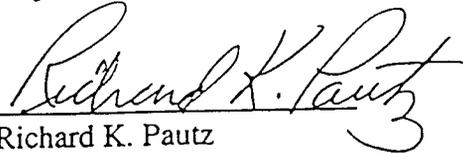
In accordance with the requirements for Standard 2 cleanups where the remedy is based upon nonresidential soil criteria, the current owner has undertaken actions as necessary to protect human health or the environment in accordance with the rules of the TNRCC.

III

The owner of the site is Department of the Air Force, and its address is Air Force Base Conversion Agency (AFBCA), 3711 Fighter Drive, Suite 200, Austin, Texas 78719-2557, where more specific information may be obtained from the Installation Management Officer.

EXECUTED this the 13th day of February, 2001

Department of the Air Force



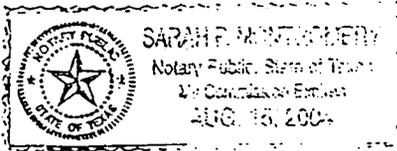
Richard K. Pautz
Regional Site Manager

STATE OF TEXAS
TRAVIS COUNTY

BEFORE ME, on this the 5th day of February, personally appeared Richard K. Pautz, Regional Site Manager of the Air Force Base Conversion Agency, Department of the Air Force, Bergstrom Air Force Base, known to me to be the person and agent of said government agency whose name is subscribed to the foregoing instrument, and he acknowledged to me that he executed the same for the purposes and in the capacity therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 5th of February, 2001.

Sarah P. Montgomery
Notary Public in and for the State of Texas, of TRAVIS County



My Commission Expires



MACIAS & ASSOCIATES, Inc.
LAND SURVEYORS

EXHIBIT "A"

RRS2 Closure
Boundary
SWMU 211

FIELD NOTES

FIELD NOTE DESCRIPTION FOR A 0.116 ACRE (5,067 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 139.85 ACRE PARCEL OF LAND KNOWN AS TRACT NO. A-19 DESCRIBED IN A DEED TO THE UNITED STATES OF AMERICA RECORDED IN VOLUME 709, PAGE 67 DEED RECORDS OF TRAVIS COUNTY, TEXAS, SAID 0.116 ACRE PARCEL BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING, at a point known as Sample Location No. DPT 211-1, for the northwest corner of this parcel, said point bears $S62^{\circ}34'42''E$, 2943.98 feet from a bronze disk found at the centerline of West Runway 17L-35R (N. 112248.713, E. 10000.000);

THENCE, $S84^{\circ}56'11''E$, a distance of 71.38 feet to point DPT 211-2;

THENCE, $S11^{\circ}19'32''E$, a distance of 72.31 feet to point DPT 211-3;

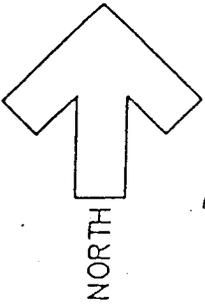
THENCE, $N81^{\circ}30'40''W$, a distance of 81.29 feet to point DPT 211-4;

THENCE, $N04^{\circ}17'52''W$ a distance of 65.38 feet to the POINT OF BEGINNING, containing 0.116 acres (5067 square feet) of land.

SKETCH TO ACCOMPANY FIELD NOTES

LAGUNA PROJECT F41624-94-D-8064/0001

AUSTIN - BERGSTROM INTERNATIONAL AIRPORT
(FORMER BERGSTROM AIR FORCE BASE)

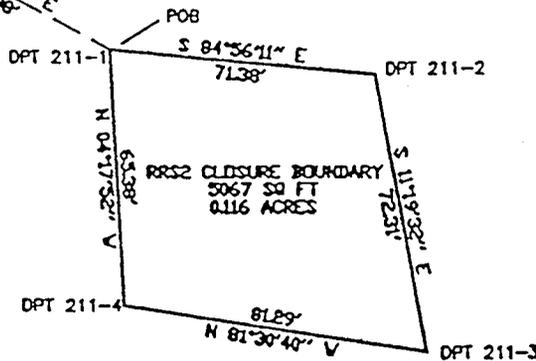


SCALE: 1" = 50'

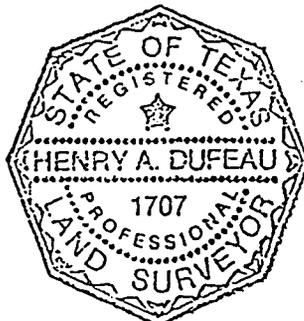
N. 112248.713
E. 10000.000
BRONZE DISC FOUND
N. END RUNWAY

SANTIAGO DEL VALLE TEN LEAGUE GRANT
ABSTRACT NO. 24

CL WEST RUNWAY 17L-35R



TRACT NO. A-19
(139.85 AC.)
V.709, P.67, T.C.D.R.



NOTE:

BEARINGS ARE BASED ON THE
BACS COORDINATE SYSTEM.

DRAWING: SWMU-211.DWG
JOB # 192-01-98

SCALE: 1"=50'
DRAWN BY: B. SHCMOT

DATE: 01-19-98

Henry A. Dufeu

28 JAN 98

Henry A. Dufeu
Registered Professional
Land Surveyor No. 1707

Date:

MACIAS & ASSOCIATES, INC
LAND SURVEYORS

★ ★ ★ ★ ★ ★

SOUTH CONGRESS BUSINESS PARK
111 RAMBLE LAKE SUITE 116A
AUSTIN, TEXAS 78745 512-442-7873

Robert J. Huston, *Chairman*
R. B. "Ralph" Marquez, *Commissioner*
John M. Baker, *Commissioner*
Jeffrey A. Saitas, *Executive Director*

TEXAS NATURAL RESOURCE CONSERVATION COMMISSION

Protecting Texas by Reducing and Preventing Pollution

June 8, 2001

Mr. Charles Pringle
Team Chief/BEC
HQ-AFCEE/ERB
3207 North Road, B-532
Brooks AFB, TX 78235-5363

Re: Closure/Remediation - Risk Reduction Standard No. 2
Acceptance of Deed Certification and Release From Post-closure Care Responsibilities
Bergstrom Air Force Base
TNRCC Solid Waste Registration No. 66002
Facility 712 Auto Service Rack - SWMU 211

Dear Mr. Pringle:

The Texas Natural Resource Conservation Commission (TNRCC) received a letter dated March 23, 2001 submitted by the Air Force Base Conversion Agency (AFBCA) containing proof of deed certification for the Facility 712 Auto Service Rack - SWMU 211. The certification states that contaminants remaining at the site have been remediated to meet non-residential (i.e. industrial/commercial) soil criteria under Risk Reduction Standard (RRS) No. 2 pursuant to Title 30 Texas Administrative Code (TAC) Chapter 335 Subchapters A and S.

In order to attain RRS No. 2, all industrial solid waste and municipal hazardous waste and waste residues must be removed or decontaminated to health based standards and criteria. Contaminants allowed to remain in place in media of concern (i.e., soil, ground water, surface water and air) must not exceed the health based clean up levels as specified in 30 TAC §335.556. A Final Report, documenting that remediation at the facility has attained RRS No. 2 such that no post-closure care or engineering control measures are required, was previously accepted by the TNRCC in our letter dated April 4, 2000.

After review of the proof of deed certification, it appears that the deed certification requirements of 30 TAC §335.560(b) and (c) have been completed. The TNRCC hereby releases AFBCA from post-closure care responsibilities associated with contamination for the Facility 712 Auto Service Rack - SWMU 211.

If applicable, please submit a request in writing, to update your Notice of Registration (NOR) to the TNRCC Registration and Reporting Section at Mail Code MC-129 with a copy of this letter as an

Mr. Charles Pringle

Page 2

June 8, 2001

attachment.

Please be aware that it is the continuing obligation of persons associated with a site to assure that municipal hazardous waste and industrial solid waste are managed in a manner which does not cause the discharge or imminent threat of discharge of waste into or adjacent to waters in the state, a nuisance, or the endangerment of the public health and welfare as required by 30 TAC §335.4. If the actual remediation fails to comply with these requirements, the burden remains upon (AFBCA) to take any necessary and authorized action to correct such conditions. A TNRCC field inspector may review your Final Report and conduct a closure inspection of the site.

Questions concerning this letter should be directed to me at (512) 239-2360. When responding by mail, please submit an original and one copy of all correspondence and reports to the Corrective Action Section at Mail Code MC-127 with an additional copy submitted to the TNRCC Region 11 Office in Austin. The TNRCC Solid Waste Registration Number and Unit Name should be referenced in all submittals.

Sincerely,



Mark A. Weegar, Project Manager
Team II, Corrective Action Section
Remediation Division
Texas Natural Resource Conservation Commission

MW/mw

cc: Mr. Randy Beyer, AFBCA/ROL, Austin, TX
Ms. Laura Stankosky, U.S. EPA Region VI, Dallas, TX.(6PD-NB)
Ms. Tamara Moore, City of Austin, TX
Waste Program Manager, TNRCC Region 11 - Austin, TX (MC-R11)

Robert J. Huston, *Chairman*
R. B. "Ralph" Marquez, *Commissioner*
John M. Baker, *Commissioner*
Jeffrey A. Saitas, *Executive Director*



TEXAS NATURAL RESOURCE CONSERVATION COMMISSION

Protecting Texas by Reducing and Preventing Pollution

April 4, 2000

Mr. Rafael E. Vazquez
Regional BRAC Environmental Coordinator
AFBCA/ROL Bergstrom AFB
3711 Fighter Drive
Austin, TX. 78719-2557

RE: Bergstrom Air Force Base
TNRCC Solid Waste Registration No. 66002
EPA ID. No. TX0572124188
Review of Closure Report for Facility 712 Auto Service Rack SWMU 211
Approval - Risk Reduction Standard No. 2

Dear Mr. Vazquez

The Texas Natural Resource Conservation Commission (TNRCC) has completed our review of the *Closure Report for Facility 712 - SWMU 211* (Closure Report) dated April 1998 and received by the TNRCC on April 27, 1998. In addition, the TNRCC also reviewed comments received from EPA Region 6 dated July 21, 1998. According to the closure report, closure activities have been completed in accordance with the TNRCC Risk Reduction Standard (RRS) No. 2, pursuant to Title 30 Texas Administrative Code (TAC) Chapter 335 Subchapters A and S.

SWMU 211 is identified in the Closure Report as the former Facility 712 Auto Service Rack consisting of a 1,400-square foot concrete washrack/greaserack. The Closure Report for SWMU 211 contains documentation indicating that the closure activities have attained RRS No. 2 such that no post-closure care or engineering or institutional control measures are required. Based upon the information contained in the Closure Report and other information available to staff, it appears that the closure/remediation of SWMU 211 has attained RRS No. 2.

As specified in §335.560, the Air Force Base Conversion Agency (AFBCA) must submit proof of deed certification to the TNRCC within ninety (90) days from the date of this letter for SWMU 211. Upon acceptance of the proof of deed certification, the TNRCC will transmit a final letter releasing AFBCA from post-closure care responsibilities associated with SWMU 211.

Please be aware that it is the continuing obligation of persons associated with a site to assure that municipal hazardous waste and industrial solid waste are managed in a manner which does not cause the discharge or imminent threat of discharge of waste into or adjacent to waters in the state, a

Mr. Rafael E. Vazquez

Page 2

April 4, 2000

nuisance, or the endangerment of the public health and welfare as required by 30 TAC §335.4. If the actual closure fails to comply with these requirements, the burden remains upon AFBCA to take any necessary and authorized action to correct such conditions. A TNRCC field inspector may review your Closure Report and conduct a closure inspection of the site.

Questions concerning this letter should be directed to me at (512) 239-2360. When responding by mail, please submit an original and one copy of all correspondence and reports to the Corrective Action Section at Mail Code MC-127 with an additional copy submitted to the TNRCC Region 11 Office in Austin. The TNRCC Solid Waste Registration Number and Unit Name should be referenced in all submittals.

Sincerely,



Mark A. Weegar, Project Manager
Team II, Corrective Action Section
Remediation Division
Texas Natural Resource Conservation Commission

MW/mw

cc: Ms. Laura Stankosky, U.S. EPA Region VI, Dallas, TX.(6PD-NB)
Ms. Tamara Moore, City of Austin
Mr. Barry Kalda, TNRCC Region 11 - Austin (MC-R11)

Recorders Memorandum-At the time of recordation this instrument was found to be inadequate for the best reproduction, because of illegibility, carbon or photocopy, discolored paper, etc. All blockouts, additions and changes were present at the time the instrument was filed and recorded.

ATTACHMENT 5-8

OTH 7000 (SWMU 76-32, RCCF)

Robert J. Huston, *Chairman*
R. B. "Ralph" Marquez, *Commissioner*
John M. Baker, *Commissioner*
Jeffrey A. Saitas, *Executive Director*



TEXAS NATURAL RESOURCE CONSERVATION COMMISSION

Protecting Texas by Reducing and Preventing Pollution

June 8, 2001

Mr. Charles Pringle
Team Chief/BEC
HQ-AFCEE/ERB
3207 North Road, B-532
Brooks AFB, TX 78235-5363

Re: Closure/Remediation - Risk Reduction Standard No. 2
Acceptance of Deed Certification and Release From Post-closure Care Responsibilities
Bergstrom Air Force Base
TNRCC Solid Waste Registration No. 66002
Regional Corrosion Control Facility

Dear Mr. Pringle:

The Texas Natural Resource Conservation Commission (TNRCC) received a letter dated March 23, 2001 submitted by the Air Force Base Conversion Agency (AFBCA) containing proof of deed certification for the Regional Corrosion Control Facility. The certification states that contaminants remaining at the site have been remediated to meet non-residential (i.e. industrial/commercial) soil criteria under Risk Reduction Standard (RRS) No. 2 pursuant to Title 30 Texas Administrative Code (TAC) Chapter 335 Subchapters A and S.

In order to attain RRS No. 2, all industrial solid waste and municipal hazardous waste and waste residues must be removed or decontaminated to health based standards and criteria. Contaminants allowed to remain in place in media of concern (i.e., soil, ground water, surface water and air) must not exceed the health based clean up levels as specified in 30 TAC §335.556. A Final Report, documenting that remediation at the facility has attained RRS No. 2 such that no post-closure care or engineering control measures are required, was previously accepted by the TNRCC in our letter dated December 10, 1997.

After review of the proof of deed certification, it appears that the deed certification requirements of 30 TAC §335.560(b) and (c) have been completed. The TNRCC hereby releases AFBCA from post-closure care responsibilities associated with contamination for the Regional Corrosion Control Facility.

If applicable, please submit a request in writing, to update your Notice of Registration (NOR) to the TNRCC Registration and Reporting Section at Mail Code MC-129 with a copy of this letter as an attachment.

Mr. Charles Pringle

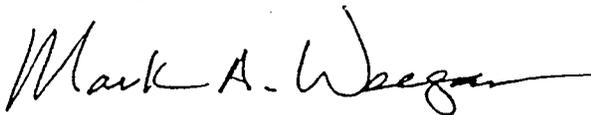
Page 2

June 8, 2001

Please be aware that it is the continuing obligation of persons associated with a site to assure that municipal hazardous waste and industrial solid waste are managed in a manner which does not cause the discharge or imminent threat of discharge of waste into or adjacent to waters in the state, a nuisance, or the endangerment of the public health and welfare as required by 30 TAC §335.4. If the actual remediation fails to comply with these requirements, the burden remains upon (AFBCA) to take any necessary and authorized action to correct such conditions. A TNRCC field inspector may review your Final Report and conduct a closure inspection of the site.

Questions concerning this letter should be directed to me at (512) 239-2360. When responding by mail, please submit an original and one copy of all correspondence and reports to the Corrective Action Section at Mail Code MC-127 with an additional copy submitted to the TNRCC Region 11 Office in Austin. The TNRCC Solid Waste Registration Number and Unit Name should be referenced in all submittals.

Sincerely,



Mark A. Weegar, Project Manager
Team II, Corrective Action Section
Remediation Division
Texas Natural Resource Conservation Commission

MW/mw

cc: Mr. Randy Beyer, AFBCA/ROL, Austin, TX
Ms. Laura Stankosky, U.S. EPA Region VI, Dallas, TX.(6PD-NB)
Ms. Tamara Moore, City of Austin, TX
Waste Program Manager, TNRCC Region 11 - Austin, TX (MC-R11)

FILM CODE

00005689615

STATE OF TEXAS
TRAVIS COUNTY

INDUSTRIAL SOLID WASTE
CERTIFICATION OF REMEDIATION

KNOW ALL MEN BY THESE PRESENTS THAT:

Pursuant to the Rules of the Texas Natural Resource Conservation Commission (TNRCC) pertaining to Industrial Solid Waste Management, this document is hereby filed in the Deed Records of Travis County, Texas in compliance with the recordation requirements of said rules:

I

Department of the Air Force has performed a remediation of the land described herein. A copy of the Notice of Registration (No.), including a description of the facility, is attached hereto and is made part of this filing. A list of the known waste constituents, including known concentrations (i.e., soil and ground water, if applicable), which have been left in place is attached hereto and is made part of this filing. Further information concerning this matter may be found by an examination of company records or in the Notice of Registration (No.) files, which are available for inspection upon request at the central office of the TNRCC in Austin, Texas.

The TNRCC derives its authority to review the remediation of this tract of land from the Texas Solid Waste Disposal Act, §361.002, Texas Health and Safety Code, Chapter 361, which enables the TNRCC to promulgate closure and remediation standards to safeguard the health, welfare and physical property of the people of the State and to protect the environment by controlling the management of solid waste. In addition, pursuant to the Texas Water Code, §5.012 and §5.013, Texas Water Code, Annotated, Chapter 5, the TNRCC is given primary responsibility for implementing the laws of the State of Texas relating to water and shall adopt any rules necessary to carry out its powers and duties under the Texas Water Code. In accordance with this authority, the TNRCC requires certain persons to provide certification and/or recordation in the real property records to notify the public of the conditions of the land and/or the occurrence of remediation. This deed certification is not a representation or warranty by the TNRCC of the suitability of this land for any purpose, nor does it constitute any guarantee by the TNRCC that the remediation standards specified in this certification have been met by Department of the Air Force.

REAL PROPERTY RECORDS
TRAVIS COUNTY, TEXAS

10126 0285

II

Being a 0.018 acre (776 square feet) parcel of land out of 130.93 acre parcel conveyed to the United States of America by a Declaration of Taking recorded in Volume 706, Page 118 of the Deed Records of Travis County, Texas; said 0.018 acre parcel being more particularly described as follows:

Beginning at point SL160805, said point being S85°42'36"W, 3090.08 feet from a concrete monument found at a reentrant corner of the former Bergstrom Air Force Base; said monument also being the westernmost corner of a 129.356 acre parcel recorded in Volume 5314, Page 1084 of the Deed Records of said Travis County; thence, S24°01'31"W, 24.89 feet to point SL160804; thence, S48°28'04"W, 27.32 feet to point SL160818; thence, N14°44'26"W, 19.79 feet to point SL160817; thence, N04°47'01"E, 26.06 feet to point RCCSB47; thence, S35°40'50"E, 16.16 feet to point SL160803; thence, N69°44'36"E, 25.60 feet to the point of beginning, containing 0.018 acre (776 square feet) and a total boundary length of 139.82 feet.

Chromium deposited hereon has been remediated to meet non-residential (i.e., industrial/commercial soil criteria), in accordance with a plan designed to meet the TNRCC's requirements in 31 Texas Administrative Code §335.555), which mandates that the remedy be designed to eliminate substantial present and future risk such that no post-closure care or engineering or institutional control measures are required to protect human health and the environment. Future land use is considered suitable for non-residential (i.e., industrial/commercial) purposes in accordance with risk reduction standards applicable at the time of this filing. Future land use is intended to be non-residential.

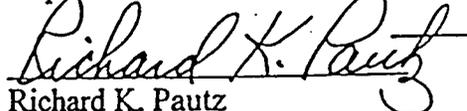
In accordance with the requirements for Standard 2 cleanups where the remedy is based upon non-residential soil criteria, the current owner has undertaken actions as necessary to protect human health or the environment in accordance with the rules of the TNRCC.

III

The owner of the site is Department of the Air Force, and its address is Air Force Base Conversion Agency, Division C Bergstrom, 3711 Outlaw Country Drive, Bergstrom Air Force Base, Austin, Texas 78719-2557, where more specific information may be obtained from the Installation Management Officer.

EXECUTED this the 9th day of Feb, 1998.

Department of the Air Force



Richard K. Pautz

Installation Management Officer

STATE OF TEXAS
TRAVIS COUNTY

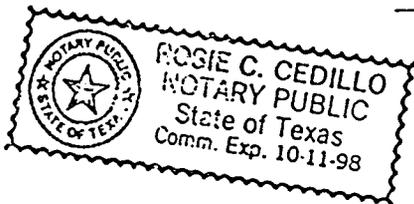
BEFORE ME, on this the 9th day of Feb., personally appeared Richard K. Pautz, Installation Management Officer of the Department of the Air Force, Air Force Base Conversion Agency, Division C Bergstrom, known to me to be the person and agent of said government agency whose name is subscribed to the foregoing instrument, and he acknowledged to me that he executed the same for the purposes and in the capacity therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 9th of Feb., 1998.

Rosie C. Cedillo

Notary Public in and for the State of Texas, of TRAVIS County

10/11/98 My Commission Expires



Rosie C. Cedillo

REUR:

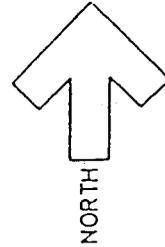
AFBCA/BC Bergstrom

ATTN: RICHARD PAUTZ
3711 Outlook Country Dr.

Austin, TX 78719-2557

BERGSTROM

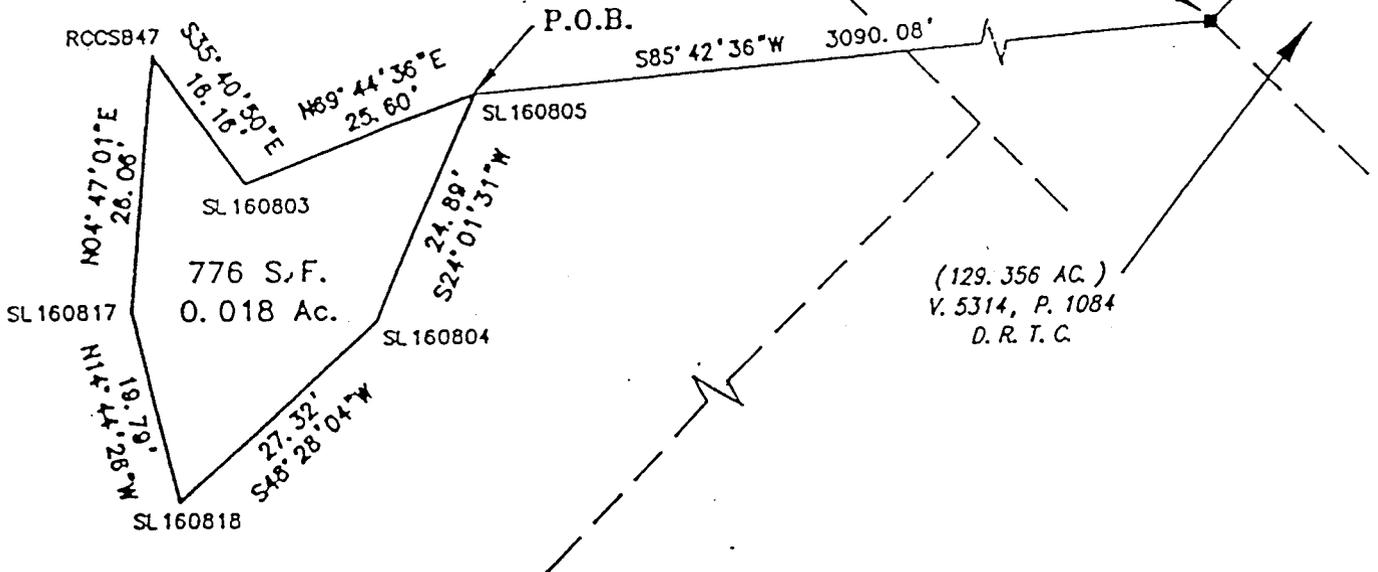
A. F. B.



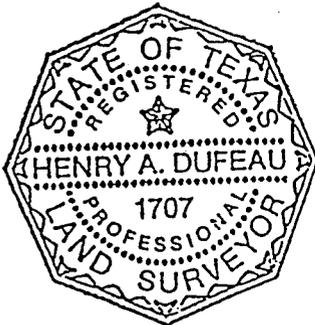
SCALE: 1" = 20'

TRACT A-10
(130.93 AC.)
V. 706, P. 118
D. R. T. C.

CONC. MON'T.
FOUND



SURVEY PLAT of a 0.018 acre (776 sq. ft.) parcel of land out of a 130.93 acre parcel (Volume 706, Page 118, Deed Records of Travis County, Texas) Bergstrom Air Force Base, Travis County, Texas.
Regional Corrosion Control Facility (RCCF)
Law Project No.: 11-2581-0139 Phase 5810 Task 04



Henry A. Dufeu 3-31-97
Date: _____
Henry A. Dufeu
Registered Professional
Land Surveyor No. 1707

MACIAS & ASSOCIATES, INC.
LAND SURVEYORS
★ ★ ★ ★ ★ ★
SOUTH CONGRESS BUSINESS PARK
111 RAMBLE LANE SUITE 116A
AUSTIN, TEXAS 78745 (512)442-7875

DRAWING: 139D1801.DWG SCALE: 1/4" = 20' DATE: 3/27/97
JOB # 139-01-95 G. LOPEZ TRAVIS COUNTY, TEXAS

13126 0289

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



DEC 11 1997

TEXAS NATURAL RESOURCE CONSERVATION COMMISSION

Protecting Texas by Reducing and Preventing Pollution

December 10 1997

Mr. Richard K. Pautz
Installation Management Officer
Air Force Base Conversion Agency
AFBCA/OL-G
3711 Outlaw Country Drive
Austin, TX. 78719-2557

RE: Bergstrom Air Force Base (BAFB)
Texas Natural Resource Conservation Commission (TNRCC)
Solid Waste Registration No. 66002
EPA ID. No. TX0572124188
Review of Closure Report for Regional Corrosion Control Facility
Industrial Waste Water Lines

Dear Mr. Pautz:

The Texas Natural Resource Conservation Commission (TNRCC) has completed our review of the document *Closure Report for Regional Corrosion Control Facility Industrial Waste Water Lines* dated June 1997 and received by the TNRCC on June 4, 1997. The referenced report summarizes the investigation and removal activities conducted in order to remediate contaminated soil associated with releases from two industrial waste water lines located at the Regional Corrosion Control Facility (RCCF). The closure report was submitted in order to demonstrate that closure has been completed in accordance with 30 TAC §335.555 Risk Reduction Standard (RRS) No. 2 Closure/Remediation to Health-Based Standards and Criteria. This document does not address the closure of solid waste management units (SWMUs) No. 78, 79, 80, 81 and 82 which are also located at the RCCF. It is the TNRCC's understanding that the closure of these SWMUs will be addressed via a separate closure report.

The attainment of RRS No. 2 requires that the responsible person demonstrate that all industrial solid waste and waste residues have been removed or decontaminated to health-based standards and criteria such that no post-closure care or engineering or institutional control measures are required. Contaminants allowed to remain in place in the media of concern (i.e., soil, ground water, surface water, air) must not exceed the health-based cleanup levels specified in 30 TAC §335.556. Based upon our review of the referenced closure report, the TNRCC concurs that the closure/remediation of contaminated soil associated with releases from the industrial waste water lines at the RCCF has achieved RRS No. 2.

As required by 30 TAC §335.560(b), related to deed certification, within 90 days of the date of this letter, AFBCA must submit proof of deed certification. The proof of deed certification should be a copy of the actual signed document submitted into the county deed records and must satisfy the criteria listed

13126 029C
REAL PROPERTY RECORDS
TRAVIS COUNTY, TEXAS

Mr. Pautz
Page 2

in 30 TAC §335.560(b)(1 - 4). The document contained in *Appendix E Post-Closure Care and Deed Certification* does not satisfy this requirement. Upon acceptance of the deed certification, AFBCA will be released from post-closure care responsibilities related to the remediation of contaminated soil association with releases from the industrial waste water lines at the RCCF.

Please be aware that it is the continuing obligation of a person associated with a site to assure that municipal hazardous waste and industrial solid waste are managed in a manner which does not cause the discharge or imminent threat of discharge of waste into or adjacent to waters in the state, a nuisance, or the endangerment of the public health and welfare as required by 30 TAC §335.4 General Prohibitions. If the actual remediation fails to comply with these requirements, the burden remains upon AFBCA to take any necessary and authorized action to correct such conditions. A TNRCC field inspector may review your Final Report and may conduct a closure inspection of the site.

If you have any questions regarding this matter, please contact Mark Weegar of the Federal Facilities Team at (512) 239-2360, Mail Code MC 127, e-mail mweegar@tnrcc.state.tx.us..

Sincerely,

Allen Pautz for
Paul S. Lewis, Manager
Corrective Action Section
Pollution Cleanup Division

PSL:ap:mw

cc: Ms. Laura Stankosky, EPA Region 6, Dallas (6PD-NB)
Mr. Thomas Edwards, Texas Attorney General's Office
Mr. Holland Young, City of Austin
Mr. Chris Smith, TNRCC Region 11 Office, Austin
Ms. Tennie Larson, TNRCC Corrective Action Section

Recorders Memorandum-At the time of recordation this instrument was found to be inadequate for the best reproduction, because of illegibility, carbon or photocopy, discolored paper, etc. All blockouts, additions and changes were present at the time the instrument was filed and recorded.

After Recording Return To:

Pat Rehmert
Assistant City Administrator
City of Austin Law Dept.
P.O. Box 1546
Austin, TX 78767-1546

REAL PROPERTY RECORDS
TRAVIS COUNTY, TEXAS

13126 0291

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS

Dana Debeauvoir

01-03-2002 04:05 PM 2002002218
BAZANJ \$361.00
DANA DEBEAUVOIR, COUNTY CLERK
TRAVIS COUNTY, TEXAS

POC Facility Reference Parcel 6, VOL PG 13126-0272 → 0284
Ref. tables 3-2 $\frac{1}{2}$ 3-3