

Bryan W. Shaw, Ph.D., *Chairman*
Carlos Rubinstein, *Commissioner*
Toby Baker, *Commissioner*
Zak Covar, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

July 17, 2013

Mr. Mack Borchardt, Special Assistant to City Manager
City of Frisco
6101 Frisco Square Boulevard
Frisco, TX 75034

Re: Acceptance letter for Grand Park Property located at 7275 Dallas Parkway, Frisco, Collin County, Texas; Voluntary Cleanup Program (VCP) No. 2592; Regulated Entity No. RN106847114; Customer No. CN600245526

Dear Mr. Borchardt:

The Texas Commission on Environmental Quality (TCEQ) has received your application submitted pursuant to §361.604 of the Texas Solid Waste Disposal Act (SWDA) for assistance and review of site investigation and cleanup activities for the above-referenced site. After careful review, the application is determined to be administratively complete, and the site is eligible for the VCP. Ms. Joanna Manning has been assigned as the project manager for this site.

As specified by the Texas Voluntary Cleanup Statute, the applicant must enter into a voluntary cleanup agreement that sets forth the terms and conditions of the evaluation of the reports and the implementation of work plans prior to any assistance and review by the TCEQ. Please complete the enclosed VCP agreement and forward it to me. Prior to your submittal of the agreement, please contact me if you have any questions concerning the "applicable rules and regulations" and the "submittals and schedules" sections of the agreement.

Please note that §361.606(d) of the SWDA states that if an agreement is not reached between a person desiring to participate in the VCP and the Executive Director 30 days after good faith negotiations have begun (i.e., the date of this letter), either party may withdraw from the negotiations and TCEQ will retain the person's application fee.

Applicants initiating a voluntary cleanup under the Texas Risk Reduction Program (TRRP) should first conduct an affected property assessment pursuant to 30 Texas Administrative Code (TAC) §§350.51-350.55, Subchapter C. Reporting requirements under TRRP may be found in 30 TAC §§350.91-350.96, Subchapter E. Please review the TRRP requirements for the Affected Property Assessment Report (APAR) pursuant to 30 TAC §350.91. The TCEQ's report form for the APAR may be downloaded from the internet at <http://www.tceq.texas.gov/remediation/trrp/guidance.html> (TRRP-12) or

Mr. Mack Borchardt
Page 2
July 17, 2013
VCP No. 2592

may be obtained from us by mail at your request. All information required to complete the APAR should be submitted, including a half-mile water well search and 500 foot field survey to locate potential receptors. Completion of the Exclusion Criteria Checklist or addressing ecological risk through Tier 2 or 3 is also required by TRRP. Please refer to 30 TAC §350.77 for the Tier 1 Exclusion Criteria.

Please reference VCP No. 2592 on the front of any future letters or reports. Future submittals should be mailed to Ms. Joanna Manning at the TCEQ, VCP-CA Section, mail code MC-221, at the letterhead address. You may contact Ms. Manning to discuss the terms of the agreement at (512) 239-3737.

Sincerely,



Anna Rodriguez Brulloths, Section Manager
VCP-CA Section
Remediation Division
Texas Commission on Environmental Quality

DC:AB/

Enclosure: VCP Agreement

cc: Mr. Sam Barrett, Waste Section Manager, TCEQ Fort Worth/Dallas Regional Office, R-4
Mr. James L. Gandy, Frisco Economic Development Corporation, 6801 Gaylord Parkway, Suite 400, Frisco, TX 75034
Mr. Mack Borchardt, Frisco Community Development Corporation, 6101 Frisco Square Boulevard, Frisco, TX 75034
Mr. Kerry Russell, Russell & Rodriguez, LLP, 1633 Williams Drive, Building 2, Suite 200, Georgetown, TX 78628
Mr. Wade Wheatley, Cook-Joyce, Inc., 812 West 11th Street, Austin, TX 78701