

DANNY SORRELLS
DIRECTOR, OIL AND GAS DIVISION
CLAY WOODUL
ASSISTANT DIRECTOR, FIELD OPERATIONS

## RAILROAD COMMISSION OF TEXAS

#### OIL AND GAS DIVISION

March 30, 2021

Ms. Cozetta LaMore Choices Inter-Linking, Inc. 226 County Road 168 Kilgore, TX 75562

RE: *Certificate of Completion* 

10.039 Acre, 3.494 Acre, and 0.723 Acre Tract of Land

Choices Inter-Linking, Inc. Site Kilgore, Rusk County, Texas

Targeted Brownfields Assessment (TBA) No. 06-1802

Dear Ms. LaMore:

Staff of the Railroad Commission of Texas (RRC) Brownfields Response Program (BRP) is pleased to provide you with the enclosed Brownfields Certificate of completion for the approximately 16.536-acres of land located along County Road 168 and Highway 259 in Kilgore, Rusk County, Texas. The Site is more specifically located at latitude 32.3388, longitude -94.87066 (WGS 84/NAD 83). This letter only applies to historical oil and gas exploration and production activities on the property that are subject to the RRC's jurisdiction.

A Phase I Environmental Site Assessment (ESA) was completed at the Site in July 2019 and identified several recognized environmental conditions (RECs), which included a plugged oil/gas well and abandoned equipment associated with the well. Based on the findings of the Phase I ESA, a Phase II ESA was performed in August 2019 to evaluate the presence of impacts from the identified RECs. A total of five soil borings and three hand augers were installed across the Site to assess soils conditions. Soil samples were analyzed for total petroleum hydrocarbons (TPH), benzene, xylenes, ethylbenzene, xylenes (BTEX), polyaromatic hydrocarbons (PAHs), and chloride. Results of the soil analysis indicated that all constituents, with the exception of TPH, were either non-detect or below the Tier 1 soil-to-groundwater protective concentration levels (PCLs). TPH was detected above the Tier 1 residential direct contact PCLs in two soil samples (HA-1 at 12,400 mg/kg and SB-1 at 7,590 mg/kg). Based on these findings, the sample with the highest TPH concentration was analyzed via Texas Method TX1006 and a site-specific mixture PCL of 65,000 mg/kg was calculated. All detected concentrations of TPH at the site are well below the site-specific mixture PCL and it was determined that the soil to groundwater leaching pathway is incomplete due to the low solubility of the TPH mixture present at the site. Two groundwater samples were also collected during installation of soil borings (SB-3 and SB-4) to ensure that there has been on leaching of constituents to groundwater. Results of the sampling event showed that Ms. Cozetta LaMore 3/30/2021 Page 2

BTEX and TPH were non-detect in both SB-3-GW and SB-4-GW, as well as duplicates of these samples. Chloride was detected in both samples, but at a concentration below the Texas Secondary Drinking Water Standard of 300 mg/L.

An Additional Phase II ESA was performed at the site in March 2020 to delineate the extent of TPH in soils around HA-1 and SB-1. During this additional ESA, nine soil borings were installed, and soil samples were analyzed for TPH, BTEX, metals, and chloride. Results of the sampling indicated that two soil borings had detectable TPH concentrations (SB-6 4-5 feet at 717 mg/kg and SB-6 5-6 feet at 567 mg/kg), both of which are below the site-specific mixture PCL of 65,000 mg/kg. Arsenic was detected in five soil samples above the Texas-Specific Soil Background Concentration, but below the Tier 1 residential direct contact PCL. A permanent monitor well, MW-1, was installed in the same location of SB-6 to ensure that there has been on leaching of constituents to groundwater. One groundwater sample and a duplicate were collected from MW-1 and analyzed for TPH, BTEX, metals, and chloride. Results of the sampling event indicated that BTEX and metals, with the exception of barium, were non-detect. Barium was detected, but at a concentration below the Tier 1 residential groundwater ingestion PCL. Chloride was detected, but at concentrations below the Texas Secondary Drinking Water Standard. TPH was non-detect in sample MW-1 but was elevated in the duplicate. However, the analytical results from the duplicate sample are not thought to be reliable due to high turbidity in the sample. To confirm that TPH was not elevated in groundwater from MW-1, the monitor well was resampled in April 2020. Results of the sampling event indicated, in both the sample and duplicate, that TPH was non-detect in groundwater.

Based on the information provided, the Site appears to be protective of unrestricted use. On behalf of the RRC, staff of the Site Remediation Section thank you for your participation in the BRP. I can be reached at 512-463-3384 or leslie.bruce@rrc.texas.gov.

Sincerely,

Leslie (Bruce) Etzel
Technical Coordinator
Site Remediation Section

lesto B. Etel

Site Remediation Section

CC: Mr. Peter Pope, Manager, Site Remediation (via email)

#### BROWNFIELDS RESPONSE PROGRAM FINAL CERTIFICATE OF COMPLETION WITHOUT RESTRICTIONS

As provided for Chapter 91, Texas Natural Resource Code.

I, PETER G. POPE, ASSISTANT DIRECTOR OF THE SITE REMEDIATION SECTION, OIL AND GAS DIVISION, RAILROAD COMMISSION OF TEXAS, CERTIFY THAT NECESSARY RESPONSE ACTIONS UNDER CHAPTER 91 OF THE TEXAS NATURAL RESOURCE CODE HAVE BEEN COMPLETED FOR BROWNFIELDS RESPONSE PROGRAM TARGETED BROWNFIELDS ASSESSMENT (TBA) NO. 06-1802 FOR THE TRACT OF LAND DESCRIBED IN EXHIBIT "A" AND WHICH ARE FURTHER DESCRIBED IN THE APPROVED FINAL REPORT FOR THE SITE. THE APPLICANT WAS NOT A RESPONSIBLE PARTY UNDER SECTION 91.113.

EXECUTED on 30 March 2021

Peter G. Pope, Assistant Director

Site Remediation Section

STATE OF Texas

COUNTY OF Travis

BEFORE ME, personally appeared Peter G. Pope, Assistant Director, Site Remediation Section, of the Railroad Commission of Texas, known to me to be the person and agent of said commission 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 30th Day of March 2021.

RESHMA S. CHARLES
Notary Public-State of Texas
Notary ID #12958027-4
Commission Exp. OCT. 02, 2021

Notary without Bond

Notary Public in and for the State of Texas

# EXHIBIT "A" RAILROAD COMMISSION OF TEXAS BROWNFIELDS RESPONSE PROGRAM LEGAL DESCRIPTION 10.039-ACRE TRACT, 3.494-ACRE TRACT, and 0.723-ACRE TRACT

TBA No. 06-1802

## BRITTAIN & CRAWFORD, LLC

LAND SURVEYING & TOPOGRAPHIC MAPPING

Celebrating 45 years of providing quality professional land surveys

#### LEGAL DESCRIPTION

BEING 10.039 acres of land located in the DARLING WASHINGTON SURVEY, Abstract No. 834, Rusk County, Texas, and being the remaining portion of the original 14.3 acre tract of land conveyed to Thomas Butts, by the deed recorded in Volume 903, Page 51, of the Deed Records of Rusk County, Texas, and a portion of the 12.3 acre tract of land conveyed to Cozetta Butts Lamore, in the partition deed recorded in Volume 1803, Page 766, of the Deed Records of Rusk County, Texas, and also being a portion of the tract of land called 11.48 acres in the deed to Choices Inter-Linking, Inc., by the deed recorded in Volume 2395, Page 483, of the Deed Records of Rusk County, Texas. Said 10.039 acres of land being more particularly described by metes and bounds as follows:

BEGINNING at a ½" iron rod found in the centerline of Major Kennedy Road, lying at the original Northwest corner of the aforesaid 14.3 acre Tract, being the same original Northwest corner of aforesaid 12.3 acre Tract and 11.48 acre Tract. Said POINT OF BEGINNING also having Texas State Grid Coordinates N: 6,825,656.88 and E: 3,089,170.49

- THENCE N 85° 38' 56" E 320.99 feet, along the most Northerly North boundary line of said 14.3 acre Tract and the centerline of said Major Kennedy Road, to a ½" iron rod marked "Brittain & Crawford" set at the most Northerly Northeast corner of said Choice Inter-Linking, Inc. Tract and the Northwest corner of the 2.0 acre Tract designated as Tract 1, in the deed to Lincoln L. Butts, recorded in Volume 1803, Page 766, of the Deed Records of Rusk County, Texas;
- THENCE S 00° 00' 25" E running along the most Westerly East boundary line of said 11.48 acre Choices Inter-Linking, Inc. Tract and the West boundary line of said Lincoln L. Butts 2.0 acre Tract, at 25.00 feet passing a ½" iron rod marked "Brittain & Crawford" set, and in all 441.70 feet, to a ½" iron rod marked "Brittain & Crawford" set at the Southwest corner of said 2.0 acre Lincoln L. Butts Tract;
- THENCE N 85° 25' 43" E 197.52 feet, along the South boundary line of said 2.0 acre Lincoln L. Butts Tract, to a Texas Department of Transportation right-of-way Monument found at the Southeast corner of said 2.0 acre Tract, being the Southwest corner of the tract of land conveyed to the State of Texas, designated as Parcel 83, in the deed recorded in Volume 2098, Page 819, of the Deed Records of Rusk County, Texas;
- THENCE N 85° 47' 00" E 82.63 feet, along the South boundary line of said State of Texas Tract, to a ½" iron rod marked "Brittain & Crawford" set at the Northwest corner of the tract of land conveyed to the State of Texas, for right-of-way expansion of U.S. Highway No. 259, by the deed recorded in Volume 2093, Page 24, of the Deed Records of Rusk County, Texas;
- THENCE along the West boundary line of said State of Texas Tract and the West right-of-way line of said U.S. Highway No. 259, as follows:
  - 1. S 15° 05' 08" E 68.44 feet, to a magnetic nail with shiner set;

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2. S 00° 19' 00" W 400.00 feet, to a ½" iron rod marked "Brittain & Crawford" set at the North corner of the 0.118 acre tract of land conveyed to the State of Texas for right-of-way expansion of aforesaid U.S. Highway No. 259, by the deed recorded in Volume 2466, Page 223, of the Deed Records of Rusk County, Texas;

THENCE S 02° 58' 42" W 215.32 feet, along the West boundary line of said 0.118 acre State of Texas Tract, to a Texas Department of Transportation right-of-way Monument found at the Southwest corner of said 0.118 acre tract, lying in the original Southwest boundary line of the aforesaid 12.3 acre Cozetta Butts Lamore Tract, lying in the North boundary line of the tract of land conveyed to the State of Texas for right-of-way expansion of said U.S. Highway No. 259, by the deed recorded in Volume 2659, Page 759, of the Deed Records of Rusk County, Texas;

THENCE S 87° 13' 36" W 415.72 feet, running along the South boundary line of said 12.3 acre Cozetta Butts Lamore Tract, the North boundary line of said State of Texas Tract and the North boundary line of the 125.49 acre tract of land conveyed to Thomas J. Konczak, by the deed recorded in Volume 1385, Page 764, of the Deed Records of Rusk County, Texas, to a 2" diameter iron pipe found at the original Southwest corner of said 12.3 Cozetta Butts Lamore Tract, being the Southwest corner of aforesaid Choices Inter-Linking, Inc. Tract, said pipe also lying at the Southeast corner of the 8.959 acre tract of land conveyed to Rodolfo Martinez, by the deed recorded in Volume 3483, page 728, of the Deed Records of Rusk County, Texas;

THENCE along the common boundary line between said Cozetta Butts Lamore Tract and Rodolfo Martinez Tracts, as follows:

- 1. N 05° 54' 18" W 332.86 feet, to a "T" metal fence post found inside of a 2" PVC pipe sticking vertically 4 feet above the ground;
- 2. N 11° 23' 53" W 781.06 feet, to the POINT OF BEGINNING containing 10.039 acres (437,304 square feet) of land.

SURVEYED ON THE GROUND

MARCH 9, 2021

JAMES L. BRITTAIN

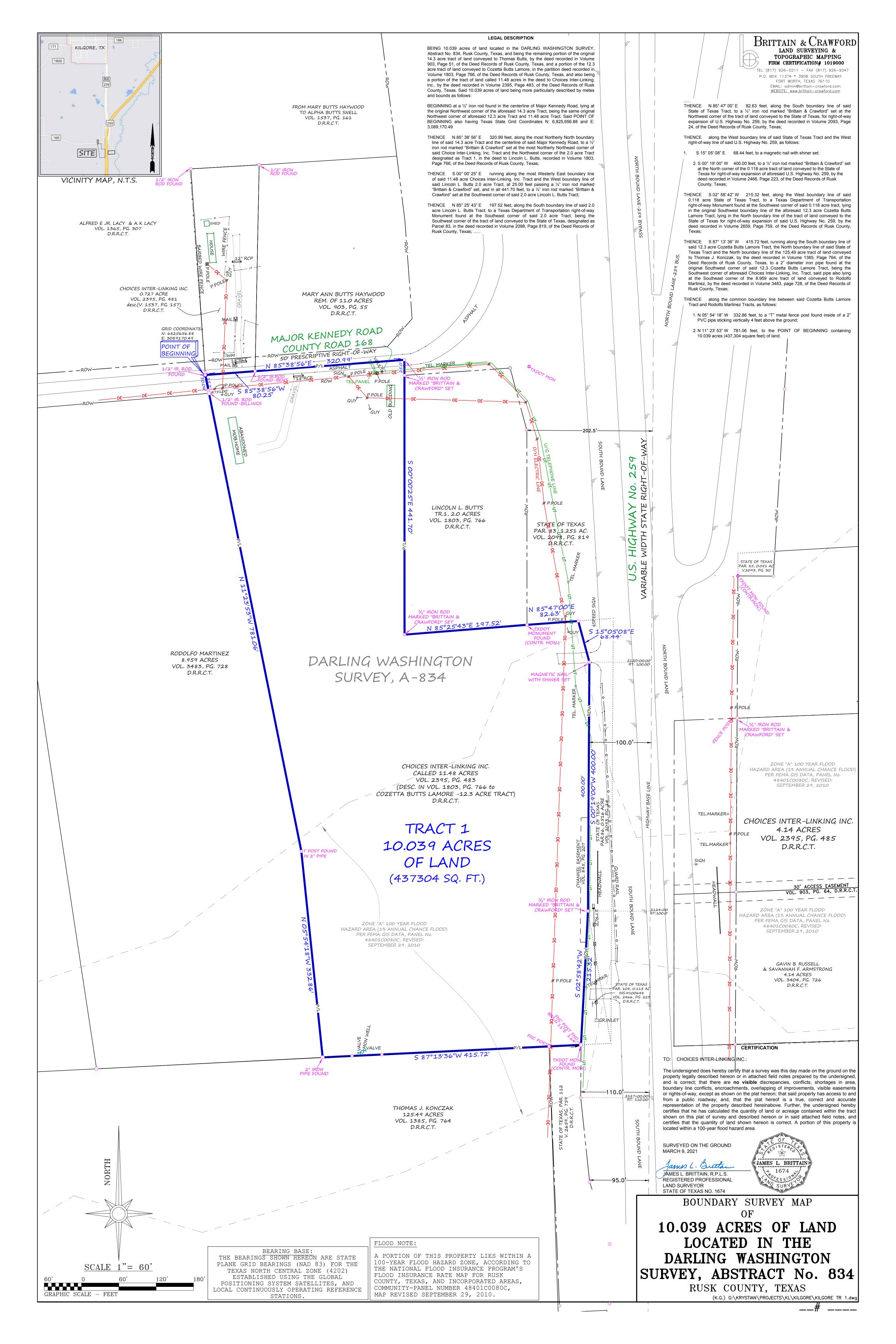
REGISTERED PROFESSIONAL

LAND SURVEYOR

STATE OF TEXAS NO. 1674

Firm Certification #10019000

Complaints or Questions should be addressed to the Texas Board of Professional Land Surveying: 12100 Park 35 Circle, Building A, Suite 156, MC-230 Austin, Texas 78753, (512) 239-5267, Natalic.Jackson@txls.texas.gov



## BRITTAIN & CRAWFORD, LLC

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#### LEGAL DESCRIPTION

BEING 3.494 acres of land located in the DARLING WASHINGTON SURVEY, Abstract No. 834, Rusk County, Texas, and being a portion of the 4.14 acre tract of land conveyed to Choices Inter-Linking Inc., by the deed recorded in Volume 2395, Page 485, of the Deed Records of Rusk County, Texas. Said 3.494 acres of land being more particularly described by metes and bounds as follows:

BEGINNING at a ½" iron rod marked "Brittain & Crawford" set in the North boundary line of said 4.14 acre Tract at the intersection of the East right-of-way line of U.S. Highway No. 259. Said POINT OF BEGINNING also having Texas State Grid Coordinates N: 6,825,105.25 and E: 3,090,025.23;

THENCE N 87° 45' 12" E 538.99 feet, along the North boundary line of said 4.14 acre Tract, to a ½" iron rod marked "Brittain & Crawford" set at the Northeast corner of said 4.14 acre Tract, from which a 2" iron pipe found marking the Northeast corner of the original 23.8 acre Tract lies N 87° 45' 12" E 1294.05 feet;

THENCE S 02° 14' 48" E 279.15 feet, along the East boundary line of said 4.14 acre Tract, to a ½" iron rod marked "Brittain & Crawford" set at the Southeast corner of said 4.14 acre Tract;

THENCE S 87° 45′ 10″ W 551.49 feet, along the South boundary line of said 4.14 acre Choice Inter-Linking Inc. Tract and the North boundary line of the 4.14 acre Tract of land conveyed to Gavin B. Russell & Savannah F. Armstrong, by the deed recorded in Volume 3404, Page 726, of the Deed Records of Rusk County, Texas, to a point in the centerline of a creek lying in the East right-of-way line of aforesaid U.S. Highway No. 259, from which a Southwest corner of said Russell & Armstrong Tract bears S 00° 19′ 00″ W 244.77 feet;

THENCE N 00° 19' 00" E 279.44 feet, along the East right-of-way line of said U.S. Highway No. 259, to the POINT OF BEGINNING containing 3.494 acres (152,219 square feet) of land.

SURVEYED ON THE GROUND

MARCH 9, 2021

JAMES L. BRITTAIN

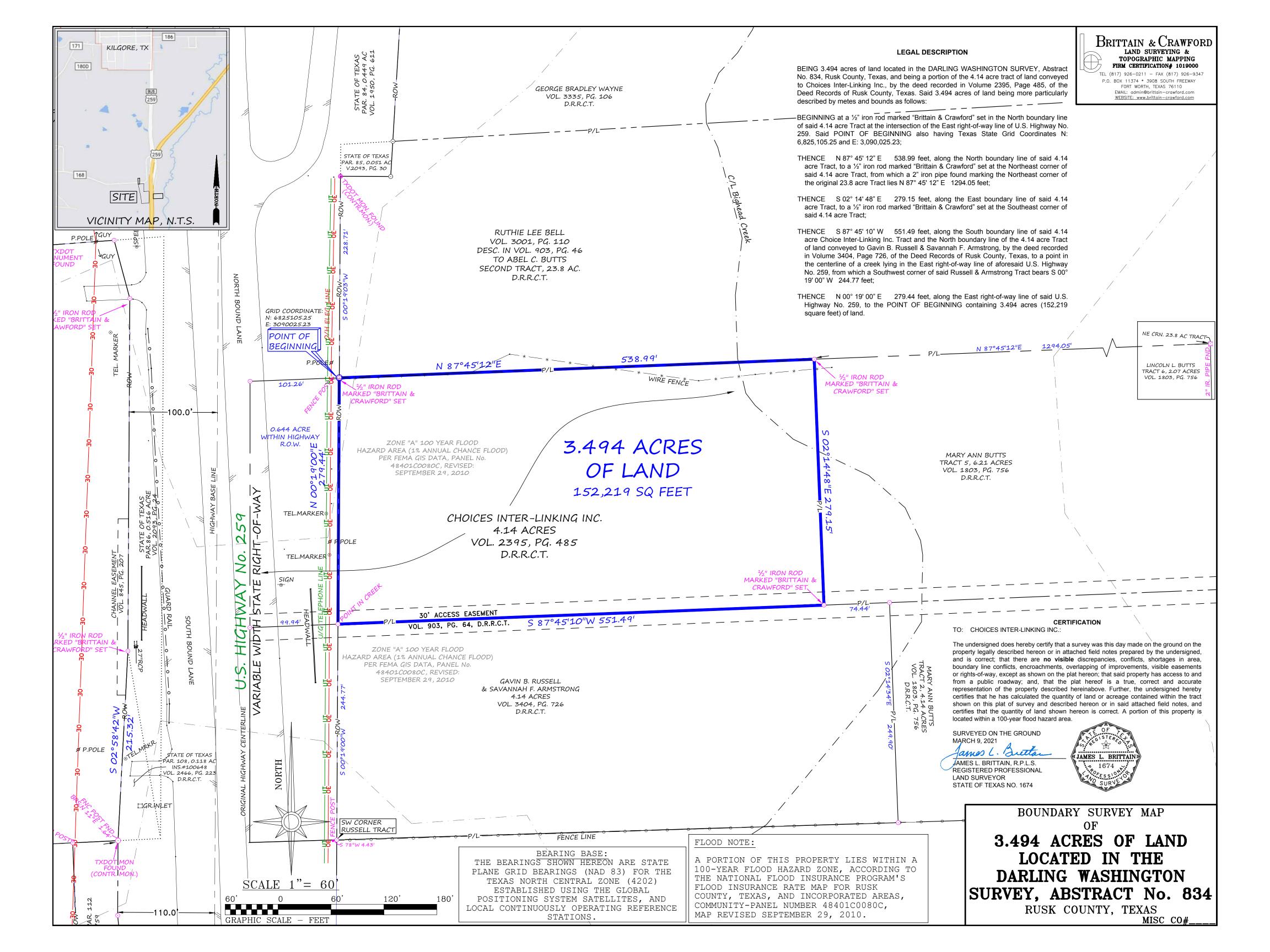
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## BRITTAIN & CRAWFORD, LLC

LAND SURVEYING & TOPOGRAPHIC MAPPING

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#### LEGAL DESCRIPTION

BEING 0.723 acre of land located in the DARLING WASHINGTON SURVEY, Abstract No. 834, Rusk County, Texas, and being the same tract of land conveyed to Choices Inter-Linking Inc., by the deed recorded in Volume 2395, Page 481, of the Deed Records of Rusk County, Texas, and said tract of land being more particularly described in the deed to Cozetta Butts-Lamore, recorded in Volume 1537, Page 157, of the Deed Records of Rusk County, Texas. Said 0.723 acre of land being more particularly described by metes and bounds as follows:

BEGINNING at a ½" iron rod found at the Southwest corner of said Choice Inter-Linking Inc. Tract, and said POINT OF BEGINNING also lying in the centerline of Major Kennedy Road (County Road No. 168, an asphalt paved road). Said POINT OF BEGINNING also having Texas State Grid Coordinates N: 6,825,656.88 and E: 3,089,170.49;

THENCE N 04° 01' 07" W 332.01 feet, along the West boundary line of said Choice Inter-Linking Inc. Tract, to a ½" iron rod found at the Northwest corner of said Choice Inter-Linking Inc. Tract;

THENCE N 86° 37' 23" E 110.00 feet, along the North boundary line of said Choice Inter-Linking Inc. Tract, to a ½" iron rod found at the Northeast corner of said Choice Inter-Linking Inc. Tract;

THENCE S 01° 07' 37" W 331.65 feet, along the East boundary line of said Choice Inter-Linking Inc. Tract, to a ½" iron rod found at the Southeast corner of said Choice Inter-Linking Inc. Tract, lying in the centerline of aforesaid Major Kennedy Road;

THENCE S 85° 38' 56" W 80.25 feet, along the South boundary line of said Choice Inter-Linking Inc. Tract and the centerline of said Major Kennedy Road, to the POINT OF BEGINNING containing 0.723 acre (31,508 square feet) of land.

SURVEYED ON THE GROUND MARCH 9. 2021

James L Br

JAMES L. BRITTAIN

REGISTERED PROFESSIONAL

LAND SURVEYOR

STATE OF TEXAS NO. 1674

Firm Certification #10019000

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