



RAILROAD COMMISSION OF TEXAS OIL AND GAS DIVISION

17 October 2018

Mr. Geoffrey Reader
Union Pacific Railroad Company
24125 Aldine Westfield Road
Spring, TX 77375

RE: Certificate of Completion
San Antonio Intermodal Transit Yard, Approximately 0.10 Acres (Site)
Von Ormy, Bexar County, Texas
Voluntary Cleanup Program (VCP) No. 01-17004

Dear Mr. Reader:

Staff of the Railroad Commission of Texas (RRC) Voluntary Cleanup Program (VCP) is pleased to provide the enclosed Certificate of Completion for the San Antonio Intermodal Transit Yard (Site) in Von Ormy, Bexar County, Texas. The Site is approximately 0.10 acres out of a larger 342.37-acre tract of land. The following reports prepared by Pastor, Behling, and Wheeler, LLC (PBW) on behalf of Union Pacific Railroad (UPRR) were reviewed:

Summary of Soil and Groundwater Investigation Results; Union Pacific Railroad San Antonio Intermodal Transit Yard - Former Oil Well Sump, Van Ormy, Texas, dated 30 January 2017; and,

Response Action Completion Report; Union Pacific Railroad San Antonio Intermodal Transit Yard – Approximately 0.10 Acres, Van Ormy, Bexar County, Texas, dated 18 December 2017.

History

The Site consists of a fenced off former oil well sump with a bermed tar pit measuring 30 ft. by 30 ft. with over half of the tar pit covered by vegetation. The former oil well sump was used for historical oil and gas production activities. The fenced off area is approximately 0.10 acres out of a larger 342.37-acre tract of land. The Site is located within the Somerset field, and is bounded to the west and south by agricultural land and to the east and north by the UPRR Intermodal Transit Yard commercial development.

Site Investigation

On 21 September 2016, PBW advanced four soil borings along the edge of the tar pit and four soil borings 10 to 15 ft. from the previous four soil borings away from the pit. The soil samples were analyzed for benzene, toluene, ethylbenzene, and xylenes (BTEX), total petroleum hydrocarbon (TPH) Method TX1005, TPH Method TX1006 and polycyclic aromatic hydrocarbons (PAH) from the sample with the highest TPH concentration, and chlorides. The TPH concentration from the sample taken from 0 to 2.5 ft. below ground surface (bgs) from the soil boring at the southwest corner of the pit (SB-04) returned analytical results of 3,740 mg/kg TPH. This sample concentration exceeded the Tier 1 Protective Concentration Level (PCL) of 3,340 mg/kg. Waste characterization samples were also collected from the material in the tar pit and one composite sample was collected from surrounding soils. The waste characterization samples were analyzed for Resource Conservation and Recovery Act (RCRA) metals, Toxicity Criteria Leaching Procedure (TCLP) metals, BTEX, and TPH. The TPH concentration of the tar pit waste characterization sample was detected at 339,000 mg/kg. All other COCs were below critical PCLs. Groundwater was not encountered at the Site.

Soil Remediation

A Tier 1 PCL for total TPH of 3,340 mg/kg was established using the TCEQ Tier 1 TPH PCL Calculator based on a 0.5-acre source area. The soil boring SB-04 (0-2.5) exceeded the calculated PCL with a TPH concentration of 3,740 mg/kg. The tar pit and impacted soil were laterally delineated using data from soil borings SB-02, SB-03, SB-05, and SB-08 at an approximate depth of 3 ft.bgs. On 25 August 2017, RRC staff approved the proposed response action for soil remediation through the removal of the tar pit material and surrounding TPH-impacted soil. In October 2017, United Professional Services (United) conducted the soil remediation response actions, which included the excavation and disposal of approximately 250 cubic yards of petroleum hydrocarbon material and impacted soil. The response action area measured 40 feet by 40 feet by 10 feet bgs. Upon completion, confirmation samples were collected from the four walls and the floor of the excavation pit. The soil was analyzed for total TPH using Method TX1005. None of the confirmation samples exceeded the calculated Tier 1 PCL of 3,340 mg/kg. Although the confirmation samples were below the regulatory limits for TPH, visual observations revealed that the sidewalls of the excavation pit still contained some hardened pieces of tar material and staining. For aesthetic purposes, the excavation boundaries were extended laterally, beyond the confirmation sample locations, to remove the remaining material. The waste materials were disposed of at the Republic Tesson Road Landfill in San Antonio, Texas. The excavation was filled with clean backfill which was brought to the Site.

On behalf of the Railroad Commission of Texas, I would like to thank you for your participation in the Voluntary Cleanup Program. Should you have questions regarding this letter, you may contact me at 512-463-6755 or jessica.cofrancesco@rrc.texas.gov.

Sincerely,



Jessica Cofrancesco
VCP Technical Coordinator
Site Remediation Section

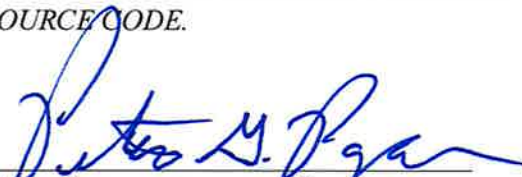
cc: VCP Reading File
Mr. Travis Baer, RRC District 1 Office, San Antonio, (via email)
Mr. Neil Rosales, DOCC, RRC District 1 Office, San Antonio, (via email)
Mr. Kevin Peterburs, UPRR (via email)
Mr. Patrick Marty, PBW Engineering & Environmental Consultants Services (via email)

**VOLUNTARY CLEANUP PROGRAM
FINAL CERTIFICATE OF COMPLETION**

As provided for Chapter 91, Subchapter 0, Texas Natural Resource Code.

I, PETER G. POPE, ASSISTANT DIRECTOR OF THE SITE REMEDIATION SECTION, OIL AND GAS DIVISION, RAILROAD COMMISSION OF TEXAS, CERTIFY UNDER CHAPTER 91, SUBCHAPTER 0, TEXAS NATURAL RESOURCE CODE, THAT NECESSARY RESPONSE ACTIONS HAVE BEEN COMPLETED FOR VOLUNTARY CLEANUP PROGRAM SITE VCP NO.01-17004 FOR THE TRACT OF LAND DESCRIBED IN EXHIBIT "A", BASED ON THE AFFIDAVIT OF COMPLETION OF RESPONSE ACTION, EXHIBIT "B" AND WHICH ARE FURTHER DESCRIBED IN THE APPROVED FINAL REPORT FOR THE SITE. THE APPLICANT WAS NOT A RESPONSIBLE PARTY UNDER SECTION 91.113. ON THE DATE OF ISSUANCE OF THIS CERTIFICATE THE APPLICANT IS QUALIFIED TO OBTAIN THE PROTECTION FROM LIABILITY PROVIDED BY CHAPTER 91, SUBCHAPTER 0, TEXAS NATURAL RESOURCE CODE.

EXECUTED on 18 October 2018

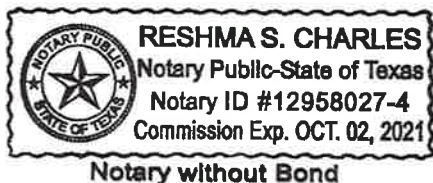

Peter G. Pope, Assistant Director
Site Remediation Section

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 *18th Day of October 2018*.




Notary Public in and for the State of Texas

EXHIBIT "A"
RAILROAD COMMISSION OF TEXAS
VOLUNTARY CLEANUP PROGRAM
METES AND BOUNDS 30 ft. by 30 ft. TRACT

VCP No. 01-17004

EXHIBIT "A"
METES AND BOUNDS DESCRIPTION FOR A
0.02 ACRE FORMER OIL WELL SUMP AREA
UNION PACIFIC RAILROAD

BEING A METES AND BOUNDS DESCRIPTION FOR A PROPOSED 0.02 ACRE AREA, LOCATED IN A 2.00 ACRE TRACT TO UNION PACIFIC RAILROAD COMPANY, RECORDED IN VOLUME 16097, PAGE 347 OF THE PROPERTY RECORDS OF BEXAR COUNTY, ALSO BEING IN A 588.78 ACRE TRACT IN SURVEY NUMBER 59, J.S. SIMPSON SURVEY, ABSTRACT NO. 673, DESCRIBED IN BOOK 12196, PAGE 1256, BEXAR COUNTY, TEXAS; SAID AREA BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

FORMER OIL WELL SUMP AREA

BEGINNING at a calculated point within said 2.00 acre tract, for the **POINT OF BEGINNING** of the 0.02 acre site described herein, from which a 1/2-inch iron rod found on the most southerly corner of said 2.00 acre tract, same being within said 588.78 acre tract, bears South 14°55'48" East, a distance of 216.22 feet;

THENCE, over and across said 2.00 acre tract, the following four (4) courses and distances:

- 1) North 90°00'00" West, a distance of 30.00 feet to a calculated point, and being the southwest corner of said site,
- 2) North 00°00'00" East, a distance of 30.00 feet to a calculated point, and being the northwest corner of said site,
- 3) North 90°00'00" East, a distance of 30.00 feet to a calculated point, and being the northeast corner of said site, from which 1/2" iron rod found on the most northerly corner of said 2.00 acre tract bears North 39°14'15" East, and a distance of 186.02 feet,
- 4) South 00°00'00" East, a distance of 30.00 feet to a calculated point, and the **POINT OF BEGINNING** of the area described herein, containing 0.02 acre (900 SQ. FT.) more or less.

Notes:

- 1) For additional information, see attached area plat (Exhibit "B") made in conjunction with and considered an integral part of the above described area.
- 2) Bearings shown hereon are grid bearings of the Texas State Plane Coordinate System, South Central Zone (4204), NAD83, US Survey Feet. Distances shown hereon are grid.
- 3) This description and the attached area plat (Exhibit "B") were prepared for the purposes of describing a site and are not intended for use as a property boundary survey.
- 4) Record information shown hereon is based upon a public records search performed by Surveying and Mapping, LLC. Owner name shown as provided. Record volume and page noted per vesting document provided.
- 5) Date of Survey: 12/04/2018

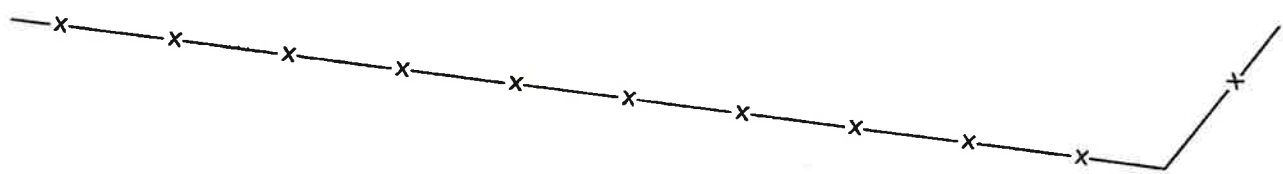
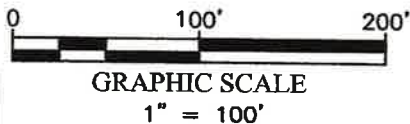
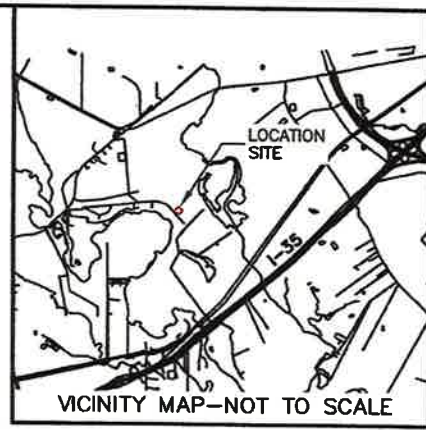


Surveying And Mapping, LLC
4801 Southwest Parkway
Building Two, Suite 100
Austin, Texas 78735
Tx. Firm Reg. No. 10064300

Lindy F. Glenn 12/7/2018
Lindy F. Glenn Date
Registered Professional Land Surveyor
No. 5214 – State of Texas

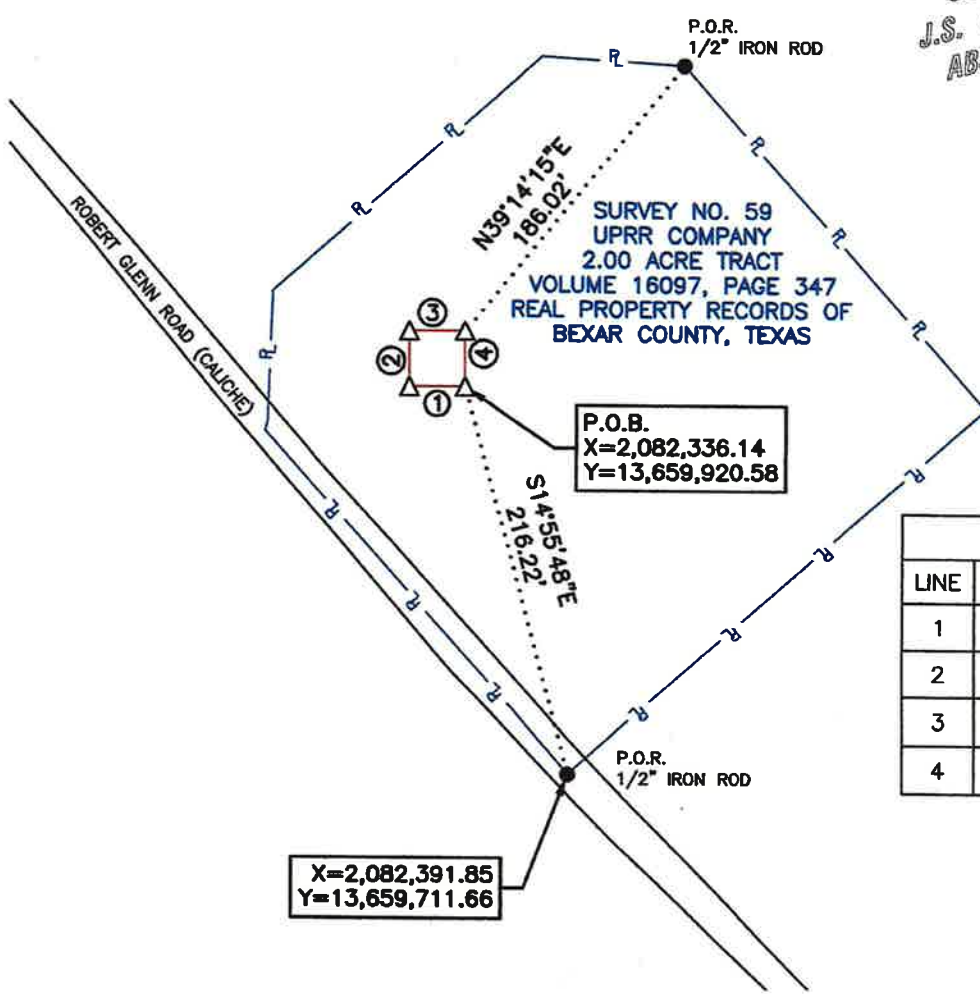
**PLAT OF FORMER OIL
WELL SUMP AREA
SURVEY NO. 59
EXHIBIT "B"
BEXAR COUNTY, TEXAS**

FORMER OIL WELL SUMP AREA
0.02 ACRE



**SURVEY NO. 59
J.S. SIMPSON SURVEY,
ABSTRACT NO. 673**

SURVEY NO. 59
MCR/UP EAT, LLC
588.78 ACRE TRACT
BOOK 12196, PAGE 1256
REAL PROPERTY RECORDS OF
BEXAR COUNTY
BEXAR COUNTY, TEXAS



LINE TABLE		
LINE	DIRECTION	LENGTH
1	N90°00'00"W	30.00'
2	N00°00'00"E	30.00'
3	N90°00'00"E	30.00'
4	S00°00'00"E	30.00'

- NOTES:**
1. ALL BEARINGS ARE GRID BEARINGS AND ARE BASED ON TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE (4204), NAD83. ALL DISTANCES ARE REPRESENTED IN GRID VALUES, MEASURED IN U.S. SURVEY FEET, AND ARE BASED ON SAID HORIZONTAL DATUM.
 2. FOR ADDITIONAL INFORMATION, SEE ATTACHED DESCRIPTION MADE IN CONJUNCTION WITH AND CONSIDERED AN INTEGRAL PART OF THIS PLAT.
 3. THIS PLAT AND THE ATTACHED DESCRIPTION WERE PREPARED FOR THE PURPOSES OF DESCRIBING A FORMER OIL WELL SUMP AREA AND ARE NOT INTENDED FOR USE AS A PROPERTY BOUNDARY SURVEY.



LEGEND

— R —	PARCEL LIMITS
.....	FLYTIE
— X —	FENCE
△	CALCULATED POINT
●	IRON ROD FOUND
●	(AS NOTED)
●	POINT OF BEGINNING
●	POINT OF REFERENCE
□	FORMER OIL WELL SUMP AREA

Lindy F. Glenn 12/7/2018
LINDY F. GLENN
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NUMBER 5214

PROJECT: UPRR SA TX SALT YARD TAR PIT
JOB NUMBER: 1018046746
SURVEY DATE: 12/04/2018
SURVEYOR: L. GLENN
TECHNICIAN: E. GONZALES
DRAWING: UPRR SA TX SALT Yard
TRACT ID:



SAM
SURVEYING-AERIAL MAPPING-ENGINEERING

1019 Central Parkway
North Suite 104 Texas
San Antonio, TX 78252
Texas Firm Registration No. 10184500

Ofc: 512.447.0575
Fax: 512.326.3029
email: info@sam.biz

FORMER OIL WELL SUMP AREA
0.02 ACRE TRACT
BEXAR COUNTY, TEXAS

EXHIBIT "B"
RAILROAD COMMISSION OF TEXAS
VOLUNTARY CLEANUP PROGRAM
AFFIDAVIT OF COMPLETION

VCP No. 01-17004

EXHIBIT "B"
RAILROAD COMMISSION OF TEXAS
VOLUNTARY CLEANUP PROGRAM
AFFIDAVIT OF COMPLETION OF RESPONSE ACTION
AND INSTITUTIONAL CONTROLS

I, Kevin J. Peterburs, representing Union Pacific Railroad Company, a Delaware Corporation, have completed the necessary response actions, pursuant to Chapter 91, Subchapter O, Texas Natural Resource Code, at the approximately 30 ft. by 30 ft. tar pit described in Exhibit "A" (Site) of this certificate pertaining to Voluntary Cleanup Program (VCP) No. 01-17004 located in Von Ormy, Bexar County, Texas. The applicant has submitted and received approval from the Railroad Commission of Texas (RRC) on all plans and reports required by the Voluntary Cleanup Agreement. The plans and reports were prepared using a prudent degree of inquiry of the Site consistent with accepted industry standards to identify all contaminants, waste and contaminated media of regulatory concern. The response actions for the Site have achieved response action levels as determined by the standards of the RRC and remain protective. The response actions eliminate substantial present or future risk to public health and safety and to the environment from releases and threatened releases of contaminants at or from the Site. The Applicant has not acquired this certificate of completion by fraud, misrepresentation, or knowing failure to disclose material information. Further information concerning the response actions at this Site may be found in the final report at the central office of the RRC filed under VCP No. 01-17004.

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

Applicant

By: Kevin Peterburs

Print Name: Mr. Kevin J. Peterburs, P.E.
Title: Manager, Environmental Site Remediation
Union Pacific Railroad Company, a Delaware Corporation

STATE OF WISCONSIN
COUNTY OF MILWAUKEE

BEFORE ME, personally appeared Kevin J Peterburs, 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 22 day of August* 2018.

Notary Public in and for the State of WI

Tyler James Wruck
exp 08/17/2020

TYLER JAMES WRUCK
NOTARY PUBLIC
STATE OF WISCONSIN