

**EXHIBIT "F"**

VCP2592

Customer Hand Delivered  
 Received and Original  
 Forward to Dept.  
 JUL - 8 2013  
 TCEQ/Revenue Section  
 17310422  
 Program Area

OFFICE USE ONLY:  
 PCA number: \_\_\_\_\_  
 VCP Project number: 34785

**TEXAS COMMISSION ON ENVIRONMENTAL QUALITY  
 VOLUNTARY CLEANUP PROGRAM**

**Program Application**

Please complete this form, a Texas Commission on Environmental Quality (TCEQ) Form 10400 and an agreement form to request assistance and review from TCEQ staff in the Voluntary Cleanup Program (VCP) pursuant to §361.604 of the Texas Solid Waste Disposal Act. You may download this document, TCEQ Form 10400 and any other VCP documents via the Internet at <http://www.tceq.state.tx.us/remediation/vcp/vcp.html>

Complete all applicable sections. The TCEQ may reject incomplete or inaccurate applications as per §361.605 of the VCP statute. To accurately complete this form, please refer to the VCP Application Instructions or call the TCEQ's Voluntary Cleanup Section at (512) 239-5891 with any questions concerning the completion of this form.

**General Site Information**

Site Name: Grand Park  
 Site Size (acres): Approximately 340 Acres  
 Regulated Entity Reference No. (if issued): CN-600245526

**IMPORTANT - Please attach a completed CORE Data Form TCEQ-10400 for Applicant A Only**

**Applicant(s)**

**Applicant A** (The person or entity seeking review and approval of a plan or report and/or issuance of a VCP Certificate of Completion by the TCEQ. Applicant A is responsible for payment of TCEQ costs of review and oversight unless indicated otherwise on page 2 of this form).

|  |   |                            |
|--|---|----------------------------|
| Applicant : <u>City of Frisco, Texas</u>   |   |                            |
| Contact Person: <u>Mack Borchardt</u>  | Title: <u>Special Assistant to City Manager</u> |                            |
| Customer Reference No. (if issued): <u>CN 600245526</u>  |   |                            |
| Organization: <u>City of Frisco, Texas</u>   | Phone: <u>(972)-292-5000</u>                    | Fax: <u>(972)-292-5122</u> |
| Interest in Property: <u>Property Owner</u>  |   |                            |
| Receive copies of TCEQ correspondence? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |   |                            |

**RECEIVED**  
 JUL 10 2013  
 VCP-CA Section

**RECEIVED**  
 JUL 08 2013  
 TCEQ Remediation Division

**HAND DELIVERED**

STATE OF TEXAS  
 CITY OF FRISCO  
 JUL 16 2013  
 RECEIVED  
 TCEQ/REVENUE SECTION  
 TCEQ COMMISSION ON ENVIRONMENTAL QUALITY

**Applicant B**

|  |                       |                     |
|--|-----------------------|---------------------|
| Applicant : Frisco Economic Development Corporation (EDC)  |                       |                     |
| Contact Person: James L. Gandy   | Title: President      |                     |
| Customer Reference No. (if issued): CN   |                       |                     |
| Address: 6801 Gaylord Parkway, Suite 400   |                       |                     |
| City, State, Zip: Frisco, Texas 75034  |                       |                     |
| Organization: EDC  | Phone: (972)-292-5150 | Fax: (972)-292-5166 |
| Interest in Property: Prospective Buyer  |                       |                     |
| Receive copies of TCEQ correspondence? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |                       |                     |

**Applicant C**

|   |  |                     |
|---|--|---------------------|
| Applicant : Frisco Community Development Corporation (CDC)                                      |  |                     |
| Contact Person: Mack Borchardt  | Title: Special Assistant to City Manager |                     |
| Customer Reference No. (if issued): CN  |  |                     |
| Address: 6101 Frisco Square Boulevard   |  |                     |
| City, State, Zip: Frisco, Texas 75034   |  |                     |
| Organization: CDC   | Phone: (972)-292-5000                    | Fax: (972)-292-5122 |
| Interest in Property: Prospective Buyer   |  |                     |
| Receive copies of TCEQ correspondence? <input type="checkbox"/> Yes <input type="checkbox"/> No |  |                     |

If there are more than three applicants, list others under "Additional Applicants" on page 8 of this form.

**Current Site Owner (if different from an applicant)**

|  |            |          |
|--|------------|----------|
| Owner(s) :                             |            |          |
| Contact Person:                        | Title:     |          |
| Customer Reference No. (if issued): CN |            |          |
| Organization:                          | Phone: ( ) | Fax: ( ) |
| City                                   | State      | Zip      |

**Other Contacts (Consultant/Attorney)**

|   |              |   |                     |
|---|--------------|---|---------------------|
| Name(s): Mr. Kerry Russell                          |              | Title: Outside Counsel for City of Frisco |                     |
| Customer Reference No. (if issued): CN              |              |   |                     |
| Organization: Russell & Rodriguez LLP               |              | Phone: (512) 930-1317                     | Fax: (866) 292-1641 |
| Address: 1633 Williams Drive, Building 2, Suite 200 |              |   |                     |
| City: Georgetown                                    | State: Texas | Zip Code: 78628                           |                     |

|  |              |                       |             |
|--|--------------|-----------------------|-------------|
| Name(s): Wade Wheatley                 |              | Title: Vice President |             |
| Customer Reference No. (if issued): CN |              |                       |             |
| Organization: Cook-Joyce, Inc.         |              | Phone: (512) 474-9097 | Fax: (None) |
| Address: 812 West 11th Street          |              |                       |             |
| City: Austin                           | State: Texas | Zip Code: 78701       |             |

**Billing Information**

If billing should be directed to a person other than Applicant A, please enter the required information below and include their signature consenting to the obligation for payment of TCEQ oversight costs.

|  |        |            |          |
|--|--------|------------|----------|
| Name(s):                               |        | Title:     |          |
| Customer Reference No. (if issued): CN |        |            |          |
| Organization:                          |        | Phone: ( ) | Fax: ( ) |
| Address:                               |        |            |          |
| City:                                  | State: | Zip Code:  |          |
| Signature of Consent:                  |        |            | Date:    |

**Current Property Use** (Use percentage if site is divided into different use categories.)

Residential \_\_\_\_\_ Other (e.g., agricultural, recreational) Vacant Land \_\_\_\_\_  
 Non-residential \_\_\_\_\_ If non-residential, type of business \_\_\_\_\_

Is a real estate transaction imminent for this site? Yes \_\_\_ No X  
 If yes, what is the planned closing date? \_\_\_\_\_

**Latitude/Longitude**

Latitude (degrees, min., sec. N or decimal degrees) 33.137487 Degrees North

Longitude (degrees, min., sec. W or decimal degrees) 96.843697 Degrees West

Date of collection 6/25/2013 Organization providing collection data Google Earth

Check the method used to determine latitude and longitude:

GPS - Real Time Differentially Corrected \_\_\_\_\_

GPS - Post Processed Differentially Corrected \_\_\_\_\_

Map Interpolation - Manual \_\_\_\_\_

Map Interpolation - Digital Obtained from Google Earth.

DOQQ \_\_\_\_\_

If using GPS, please state professional unit brand name, model number and accuracy tolerances.

If using Map Interpolation, please state which USGS quad map was used for interpolation.

If using DOQQ Interpolation, please state which DOQQ was used for interpolation.

Does the latitude and longitude listed above refer to the

Center of the property?

Main entrance to the property?

Other, please describe \_\_\_\_\_

**VCP Eligibility and Involvement with Other Regulatory Programs**

Is the site subject to a TCEQ permit or administrative order? Yes \_\_\_\_\_ No

Have response actions been initiated at the site on or after April 19, 1996 that were not covered by a VCP agreement? Yes \_\_\_\_\_ No

Note: Response actions initiated by the VCP applicant on or after April 19, 1996, that were not covered by a VCP agreement may cause the applicant to become ineligible for the VCP.

Has a state or federal Notice of Violation or any other notice of enforcement action been issued relating to contamination at the site? Yes \_\_\_\_\_ No

Has there been any prior contact with any state or federal environmental regulatory programs or agencies relating to environmental issues at this site? Yes \_\_\_\_\_ No

If yes, please describe all prior contact with any state or federal environmental regulatory programs or agencies which relate to each of these questions. Attach additional sheets as necessary. \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Is a request for reimbursement pre-approval currently under review by the Petroleum Storage Tank (PST) Program? Yes \_\_\_ No X

If yes, then please describe the site's status in the PST Program: \_\_\_\_\_

Please provide any and all state and federal identification numbers related to the property in question, including any solid waste registration, leaking petroleum storage tank, CERCLIS, RCRIS, UIC, etc. registration numbers which have been assigned. \_\_\_\_\_

**Contaminated Media and Contaminants Present**

Have contaminants been detected in on-site media? Yes X No \_\_\_\_\_

Please check the chemicals of concern within each contaminant category and the media which have been affected:

| Contaminant Category  | Soil | Groundwater | Surface Water | Sediment |
|-----------------------|------|-------------|---------------|----------|
| *VOCs                 |      |             |               |          |
| *SVOCs                |      |             |               |          |
| *Heavy Metals         |      |             |               | X        |
| *Chlorinated Solvents |      |             |               |          |
| Pesticides            |      |             |               |          |
| TPH                   |      |             |               |          |
| PCBs                  |      |             |               |          |
| Other _____           |      |             |               |          |

\*Please describe: Lead originating from the nearby Exlde facility has impacted Stewart Creek, which crosses the subject property. Lead may have also affected surface soil through airborne deposition.

**Applicant's Intended Response Action Objectives (Cleanup Levels)**

\_\_\_ Not known at this time. Applicant wishes to receive guidance from the VCP prior to the signing of a VCP agreement.

**Texas Risk Reduction Program Rules (30 TAC Chapter 350) - Check Appropriate Standard and Tier Level:**

\_\_\_ Self-Implemented Cleanup to Remedy Standard A, Tier 1  Tier 2  Tier 3   
X Non Self-Implemented Cleanup to Remedy Standard A, Tier 1  Tier 2  Tier 3

\_\_\_\_\_ Cleanup to Remedy Standard B, Tier 1  Tier 2  Tier 3

**PST Rules (30 TAC Chapter 334) - Check Appropriate Standard:**

- \_\_\_\_\_ Cleanup to generic risk-based levels (following PST Plan A requirements).
- \_\_\_\_\_ Cleanup to site specific risk-based levels not relying on engineering or institutional controls (following PST Plan B requirements).
- \_\_\_\_\_ Cleanup to site specific risk-based levels which rely on engineering or institutional controls (following PST Plan B requirements).
- \_\_\_\_\_ Other (explain) \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

**Federal Brownfields Tax Deduction**

Are you requesting TCEQ certification that the site is eligible for a federal tax deduction under the Taxpayer Relief Act of 1997 (HR 2014)? Yes \_\_\_\_\_ No X

If yes, please submit a Brownfields Tax Deduction Pre-Certification Form. This form may be downloaded from <http://www.tceq.state.tx.us/assets/public/remediation/vcp/taxform>

**State Property Tax Abatements for Brownfields**

Are you interested in signing an agreement with the local taxing authority to receive a property tax abatement after issuance of the VCP Certificate of Completion, as allowed under Section 312.211 of the Texas Tax Code? Yes \_\_\_\_\_ No X

If yes, please read the application instructions for more information about this tax abatement.

**Environmental Assessment**

An environmental assessment that includes the following information must be attached to this application:

1. a legal description of the site, including a site map drawn to scale;
2. the physical characteristics of the site;
3. the operational history of the site, to the extent the history is known by the applicant;
4. information that the applicant is aware of concerning the nature and extent of any contamination and/or release at the site and in areas contiguous to the site; and
5. relevant information the applicant is aware of concerning the potential for human and environmental exposure to contamination at or emanating from the site.

**Intent to Participate**

The undersigned requests oversight by the TCEQ of investigation and cleanup activities of possible contamination at the property described above and intends to negotiate in good faith, a written agreement

with the TCEQ to provide technical and regulatory oversight. This Intent to Participate does not constitute such an agreement and neither TCEQ nor the undersigned will be bound to proceed with VCP oversight unless such an agreement is executed. Applicants should be aware that in order for the TCEQ to issue a VCP Certificate of Completion for an entire site, the applicant must provide adequate information to document that the entire site meets the applicable standards. As an alternative, the applicant may pursue a VCP Certificate of Completion for only a portion of the site, as a partial response action area. The agreement will describe the project activities of each party and will require Applicant A (unless indicated otherwise on page 2 of this form) to reimburse the TCEQ for all of its oversight costs. By completing and signing this Intent to Participate and that excepting areal limitations with partial response actions, all environmental media which exceed the critical Protective Concentration Levels shall be addressed through appropriate response actions. The undersigned affirms the applicant's financial capability to perform the voluntary cleanup. The Executive Director may also request additional information to support this affirmation.

With this Intent to Participate, the undersigned does not admit or assume liability for investigation or cleanup of the site. In addition, the undersigned may terminate the Intent to Participate at any time. If the TCEQ rejects the application, it will notify the applicant and explain the reasons for rejection and will refund half of the application deposit, unless the applicant indicates a desire to resubmit a corrected application. An applicant can resubmit an application once without submitting an additional application fee, if the applicant resubmits within 45 days after the rejection notice date.

#### **Deposit of Oversight Costs**

The applicant must submit with this application, a deposit in the amount of one thousand dollars (\$1,000), and made payable to the Texas Commission on Environmental Quality. Deposits may be made in the form of company or personal checks. If a deposit check is returned due to insufficient funds, the application will be considered incomplete and will be rejected. Cash deposits will not be accepted.

**Please execute this Intent to Participate in the space below and return it and all associated documents (e.g., environmental assessment reports) to:**

**Attention: Cashier  
Texas Commission on Environmental Quality  
MC- 214  
P.O. Box 13088  
Austin, Texas 78711-3088**

**For overnight or express mail please use the following street address:**

**Attention: Cashier  
Texas Commission on Environmental Quality  
MC-214  
12100 Park 35 Circle  
Austin, Texas 78753**

**\*\*\*\*\*Please do not send the application and associated documents directly to the VCP. This will only result in a delay in processing your application.\*\*\*\*\***

If you have any questions on how to fill out this form or about the VCP, please contact us at 512/239-5894.

Individuals are entitled to request and review their personal information that the agency gathers on its forms. They may also have any errors in their information corrected. To review such information, contact the TCEQ at 512-239-3282.

**Correctness of Information**

The undersigned affirm that the information contained in this application is true and accurate to the best of their knowledge.

**Applicant's Signatures**

Applicant A  
By: George A. Purefoy  
(signature)

Name: George A. Purefoy  
(print or type)

Date: 7-3-13

Title: City Manager, City of Frisco

Company: City of Frisco

Phone: (972) 292-5000

Applicant B  
By: James L. Gandy  
(signature)

Name: James L. Gandy  
(print or type)

Date: 7-3-13

Title: President, EDC

Company: Frisco EDC

Phone: (972) 292-5150

Applicant C  
By: George A. Purefoy  
(signature)

Name: George A. Purefoy  
(print or type)

Date: 7-3-13

Title: City Manager, City of Frisco

Company: Frisco GDC

Phone: (972) 292-5000

Applicant D  
By: \_\_\_\_\_  
(signature)

Name: \_\_\_\_\_  
(print or type)

Date: \_\_\_\_\_

Title: \_\_\_\_\_

Company: \_\_\_\_\_

Phone: ( ) \_\_\_\_\_