

Texas Commission on Environmental Quality
Remediation Division Correspondence Identification Form

SITE & PROGRAM AREA IDENTIFICATION

| SITE LOCATION | | REMEDIATION DIVISION PROGRAM AND FACILITY IDENTIFICATION | |
|--|-----------------------|--|--|
| Site Name: Exide Technologies J Parcel Area | | Is This Site Being Managed Under A State Lead Contract? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | |
| Address 1: Eagan Drive at 5th Street | | Program Area: VOLUNTARY CLEANUP PROGRAM | |
| Address 2: | | Mail Code: MC-214 | |
| City: Frisco | State: Texas | Is This A New Site To This Program Area? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | |
| Zip Code: 75034 | County: Collin | TCEQ Core Data Form attached to this submittal. | Needs Program Area ID Number assignment. |
| TCEQ Region: Region 4 - Dallas/Fort Worth | | –Leave This Field Empty– | –Leave This Field Empty– |

DOCUMENT(S) IDENTIFICATION

| PHASE OF REMEDIATION | DOCUMENT NAME |
|-------------------------|-----------------------------|
| 1. MISCELLANEOUS | VCP AGREEMENT |
| 2. MISCELLANEOUS | VCP APPLICATION FORM |
| 3. | |
| 4. | |
| 5. | |

CONTACT INFORMATION

RESPONSIBLE PARTY/APPLICANT/CUSTOMER

Name: **Matthew A. Love** Phone Number: **610-921-4054** Fax Number: **610-921-4062**
 Company: **Exide Technologies** City: **Reading** State: **PA** Zip Code: **19612-4294**
 Address 1: **PO Box 14294** Email Address: **matt.love@exide.com**
 Address 2:

ENVIRONMENTAL CONSULTANT/REPORT PREPARER/AGENT

Name: **Tim Nickels** Phone Number: **512-671-3434** Fax Number: **512-671-3446**
 Company: **Pastor, Behling & Wheeler, LLC** City: **Round Rock** State: **TX** Zip Code: **78664**
 Address 1: **2201 Double Creek Drive** Email Address: **tim.nickels@pbwllc.com**
 Address 2: **Suite 4004**

TCEQ INTERNAL USE ONLY

| Document No. | TCEQ Database Term | Document No. | TCEQ Database Term |
|--------------|------------------------|--------------|--------------------|
| 1. | VCP AGREEMENT | 4. | |
| 2. | VCP APPLICATION | 5. | |
| 3. | | | |



TCEQ Use Only

TCEQ Core Data Form

For detailed instructions regarding completion of this form, please read the Core Data Form Instructions or call 512-239-5175.

SECTION I: General Information

| | | | |
|--|--|---|------------------------|
| 1. Reason for Submission (If other is checked please describe in space provided) | | | |
| <input type="checkbox"/> New Permit, Registration or Authorization (Core Data Form should be submitted with the program application) | | | |
| <input type="checkbox"/> Renewal (Core Data Form should be submitted with the renewal form) | | <input checked="" type="checkbox"/> Other | VCP Application |
| 2. Attachments Describe Any Attachments: (ex. Title V Application, Waste Transporter Application, etc.) | | | |
| <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | | VCP Application | |
| 3. Customer Reference Number (if issued) | | 4. Regulated Entity Reference Number (if issued) | |
| CN 600129787 | | RN | |

SECTION II: Customer Information

| | | | |
|---|--|---|---|
| 5. Effective Date for Customer Information Updates (mm/dd/yyyy) | | 10/3/2012 | |
| 6. Customer Role (Proposed or Actual) – as it relates to the <u>Regulated Entity</u> listed on this form. Please check only <u>one</u> of the following: | | | |
| <input type="checkbox"/> Owner | <input type="checkbox"/> Operator | <input type="checkbox"/> Owner & Operator | |
| <input type="checkbox"/> Occupational Licensee | <input type="checkbox"/> Responsible Party | <input checked="" type="checkbox"/> Voluntary Cleanup Applicant | <input type="checkbox"/> Other: _____ |
| 7. General Customer Information | | | |
| <input type="checkbox"/> New Customer | | <input type="checkbox"/> Update to Customer Information | <input type="checkbox"/> Change in Regulated Entity Ownership |
| <input type="checkbox"/> Change in Legal Name (Verifiable with the Texas Secretary of State) | | <input checked="" type="checkbox"/> No Change** | |
| **If "No Change" and Section I is complete, skip to Section III – Regulated Entity Information. | | | |
| 8. Type of Customer: | | | |
| <input type="checkbox"/> Corporation | <input type="checkbox"/> Individual | <input type="checkbox"/> Sole Proprietorship- D.B.A | |
| <input type="checkbox"/> City Government | <input type="checkbox"/> County Government | <input type="checkbox"/> Federal Government | <input type="checkbox"/> State Government |
| <input type="checkbox"/> Other Government | <input type="checkbox"/> General Partnership | <input type="checkbox"/> Limited Partnership | <input type="checkbox"/> Other: _____ |
| 9. Customer Legal Name (If an individual, print last name first: ex: Doe, John) If new Customer, enter previous Customer below End Date: _____ | | | |
| | | | |
| 10. Mailing Address: | | | |
| City | State | ZIP | ZIP + 4 |
| 11. Country Mailing Information (if outside USA) | | 12. E-Mail Address (if applicable) | |
| | | | |
| 13. Telephone Number | | 14. Extension or Code | 15. Fax Number (if applicable) |
| () - | | | () - |
| 16. Federal Tax ID (9 digits) | 17. TX State Franchise Tax ID (11 digits) | 18. DUNS Number (if applicable) | 19. TX SOS Filing Number (if applicable) |
| | | | |
| 20. Number of Employees | | | 21. Independently Owned and Operated? |
| <input type="checkbox"/> 0-20 <input type="checkbox"/> 21-100 <input type="checkbox"/> 101-250 <input type="checkbox"/> 251-500 <input type="checkbox"/> 501 and higher | | | <input type="checkbox"/> Yes <input type="checkbox"/> No |

SECTION III: Regulated Entity Information

| | | | |
|---|--|---|---|
| 22. General Regulated Entity Information (If "New Regulated Entity" is selected below this form should be accompanied by a permit application) | | | |
| <input type="checkbox"/> New Regulated Entity | <input type="checkbox"/> Update to Regulated Entity Name | <input type="checkbox"/> Update to Regulated Entity Information | <input checked="" type="checkbox"/> No Change** (See below) |
| **If "NO CHANGE" is checked and Section I is complete, skip to Section IV, Preparer Information. | | | |
| 23. Regulated Entity Name (name of the site where the regulated action is taking place) | | | |
| | | | |

| | | | | | | | |
|---|-----------------------------------|--|--------------------------------|--|-----|--|---------|
| 24. Street Address of the Regulated Entity: (No P.O. Boxes) | | | | | | | |
| | City | | State | | ZIP | | ZIP + 4 |
| 25. Mailing Address: | | | | | | | |
| | City | | State | | ZIP | | ZIP + 4 |
| 26. E-Mail Address: | | | | | | | |
| 27. Telephone Number | 28. Extension or Code | | 29. Fax Number (if applicable) | | | | |
| () - | | | () - | | | | |
| 30. Primary SIC Code (4 digits) | 31. Secondary SIC Code (4 digits) | 32. Primary NAICS Code (5 or 6 digits) | | 33. Secondary NAICS Code (5 or 6 digits) | | | |
| | | | | | | | |
| 34. What is the Primary Business of this entity? (Please do not repeat the SIC or NAICS description.) | | | | | | | |
| | | | | | | | |

Questions 34 – 37 address geographic location. Please refer to the instructions for applicability.

| | | | | | |
|---------------------------------------|-------------------------------|---------|------------------|---------|---------|
| 35. Description to Physical Location: | | | | | |
| 36. Nearest City | County | State | Nearest ZIP Code | | |
| | | | | | |
| 37. Latitude (N) In Decimal: | 38. Longitude (W) In Decimal: | | | | |
| Degrees | Minutes | Seconds | Degrees | Minutes | Seconds |
| | | | | | |

39. TCEQ Programs and ID Numbers Check all Programs and write in the permits/registration numbers that will be affected by the updates submitted on this form or the updates may not be made. If your Program is not listed, check other and write it in. See the Core Data Form instructions for additional guidance.

| | | | | |
|--|--|---|---|--|
| <input type="checkbox"/> Dam Safety | <input type="checkbox"/> Districts | <input type="checkbox"/> Edwards Aquifer | <input type="checkbox"/> Industrial Hazardous Waste | <input type="checkbox"/> Municipal Solid Waste |
| <input type="checkbox"/> New Source Review – Air | <input type="checkbox"/> OSSF | <input type="checkbox"/> Petroleum Storage Tank | <input type="checkbox"/> PWS | <input type="checkbox"/> Sludge |
| <input type="checkbox"/> Stormwater | <input type="checkbox"/> Title V – Air | <input type="checkbox"/> Tires | <input type="checkbox"/> Used Oil | <input type="checkbox"/> Utilities |
| <input type="checkbox"/> Voluntary Cleanup | <input type="checkbox"/> Waste Water | <input type="checkbox"/> Wastewater Agriculture | <input type="checkbox"/> Water Rights | <input type="checkbox"/> Other: |
| | | | | |

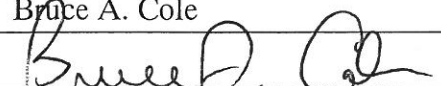
SECTION IV: Preparer Information

| | | | |
|----------------------|--|------------------|------------------------|
| 40. Name: | Pastor, Behling & Wheeler, LLC - Tim Nickels | 41. Title: | Project Scientist |
| 42. Telephone Number | 43. Ext./Code | 44. Fax Number | 45. E-Mail Address |
| (512) 671-3434 | | (512) 671-3446 | tim.nickels@pbwllc.com |

SECTION V: Authorized Signature

46. By my signature below, I certify, to the best of my knowledge, that the information provided in this form is true and complete, and that I have signature authority to submit this form on behalf of the entity specified in Section II, Field 9 and/or as required for the updates to the ID numbers identified in field 39.

(See the Core Data Form instructions for more information on who should sign this form.)

| | | | |
|------------------|---|------------|---|
| Company: | Exide Technologies | Job Title: | Executive Vice President, Strategy and Business Development |
| Name (In Print): | Bruce A. Cole | Phone: | (678) 566-9000 |
| Signature: |  | Date: | 10/12/12 |

OFFICE USE ONLY:

PCA number: _____

VCP Project number: _____

**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: J Parcel, Exide Technologies, Frisco, Texas ("J Parcel")

Site Size (acres): Approximately 170.47 acres

Regulated Entity Reference No. (if issued): RN- _____ CN- 600129787

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 : Exide Technologies | | |
| Contact Person: Matthew A. Love | Title: Director, Global Environmental Remediation | |
| Customer Reference No. (if issued): CN600129787 | | |
| Organization: Exide Technologies | Phone: (610) 921-4054 | Fax: (610) 921-4062 |
| Interest in Property: Owner's representative | | |
| Receive copies of TCEQ correspondence? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | | |

Applicant B

| | | |
|--|---------------------------------------|---------------------|
| Applicant : City of Frisco, Texas | | |
| Contact Person: Arturo Rodriguez, Jr. | Title: City of Frisco outside counsel | |
| Customer Reference No. (if issued): CN600245526 | | |
| Address: 1633 Williams Dr., Suite 200 | | |
| City, State, Zip: Georgetown, Texas 78626 | | |
| Organization: Russell & Rodriguez, LLP | Phone: (512) 930-1317 | Fax: (866) 929-1641 |
| Interest in Property: Prospective Buyer | | |
| Receive copies of TCEQ correspondence? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | | |

Applicant C

| | | |
|--|----------------------------|---------------------|
| Applicant : Frisco Economic Development Corporation (EDC) | | |
| Contact Person: Arturo Rodriguez, Jr. | Title: EDC outside counsel | |
| Customer Reference No. (if issued): | | |
| Address: 1633 Williams Dr., Suite 200 | | |
| City, State, Zip: Georgetown, Texas 78626 | | |
| Organization: Russell & Rodriguez, LLP | Phone: (512) 930-1317 | Fax: (866) 929-1641 |
| Interest in Property: Prospective Buyer | | |
| Receive copies of TCEQ correspondence? <input checked="" 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): Tim Nickels | Title: Project Scientist, Consultant for Exide | |
| Customer Reference No. (if issued): | | |
| Organization: Pastor, Behling & Wheeler, LLC | Phone: (512) 671 - 3434 | Fax: (512) 671 - 3446 |
| Address: 2201 Double Creek Dr., Suite 4004 | | |
| City: Round Rock | State: Texas | Zip Code: 78664 |

| | | |
|--|---|---------------------|
| Name(s): Christine Graessle | Title: Assistant General Counsel, Exide | |
| Customer Reference No. (if issued): | | |
| Organization: Exide Technologies | Phone: (678) 566-9177 | Fax: (678) 566-9342 |
| Address: 13000 Deerfield Parkway, Building 200 | | |
| City: Milton | State: Georgia | Zip Code: 30004 |

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) Agricultural/Undeveloped

Non-residential _____ If non-residential, **type of business** _____

Is a real estate transaction imminent for this site? Yes X No _____

If yes, what is the planned closing date? Closing to occur following issuance of VCP Certificate of Completion, estimated mid-2013

Latitude/Longitude

Latitude (degrees, min., sec. N or decimal degrees) North 33.136759°

Longitude (degrees, min., sec. W or decimal degrees) West 96.829166°

Date of collection 2010 Organization providing collection data TNRIS geo-referenced imagery,
coordinate system is NAD83 Texas State Plane, North Central Zone

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 _____

X DOQQ SW and SE quarter-quads of "Frisco" quadrant (USGS Quarter Quad Grid) _____

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

X 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 X

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

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 X

Has there been any prior contact with any state or federal environmental regulatory programs or agencies relating to environmental issues at this site? Yes X 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. As part of pre-acquisition environmental due diligence, soil sampling was performed on the Site. The results of the sampling have been provided to (or discussed with) both the United States Environmental Protection Agency (EPA) and the Texas Commission on Environmental Quality (TCEQ) in the past month and is included with this application as Attachment C.

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. NA

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: The J Parcel is adjacent to a lead-acid battery recycling/smelting operation. Historical soil sampling data for the adjacent Exide facility (generated during investigations under the purview of both the TCEQ and EPA) indicate cadmium and lead are constituents of concern (COCs) for the Site. Soil sampling data for the Site is provided as Attachment C.

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.

Soil – Critical Residential Protective Concentration Levels (PCLs) with the exception of lead. A site-specific response objective of 250 mg/kg will be used for lead in soil.

Groundwater – Not applicable, COCs exceeding the applicable groundwater PCLs have not been detected and are not expected to be present in groundwater underlying the J Parcel. In addition, the City of Frisco is establishing a Municipal Settings Designation (MSD) for the site.

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

 X Self-Implemented Cleanup to Remedy Standard A, Tier 1 X Tier 2 X 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: Bruce A. Cole
(signature)

Name: Bruce A. Cole
(print or type)

Date: 10/12/12

Title: Executive Vice President, Strategy and
Business Development

Company: Exide Technologies

Phone: (678) 566-9000

Applicant B

By: _____
(signature)

Name: George Purefoy
(print or type)

Date: _____

Title: Frisco City Manager

Company: City of Frisco, Texas

Phone: (972) 292-5105

Applicant C

By: _____
(signature)

Name: James L Gandy
(print or type)

Date: _____

Title: President

Company: Frisco Economic Development Corporation Phone: (972) 292-5102

Applicant D

By: _____
(signature)

Name: George Purefoy
(print or type)

Date: _____

Title: Frisco City Manager

Company: Frisco Community Development
Corporation

Phone: (972) 292-5105

Applicant's Signatures

Applicant A

By: _____
(signature)

Name: Bruce A. Cole
(print or type)

Date: _____

Title: Executive Vice President, Strategy and
Business Development

Company: Exide Technologies

Phone: (678) 566-9000

Applicant B

By: George Purefoy
(signature)

Name: George Purefoy
(print or type)

Date: 10/19/2012

Title: Frisco City Manager

Company: City of Frisco, Texas

Phone: (972) 292-5105

Applicant C

By: James L. Gandy
(signature)

Name: James L Gandy
(print or type)

Date: 10-19-12

Title: President

Company: Frisco Economic Development Corporation

Phone: (972) 292-5102 5160

Applicant D

By: George Purefoy
(signature)

Name: George Purefoy
(print or type)

Date: 10/19/2012

Title: Frisco City Manager

Company: Frisco Community Development
Corporation

Phone: (972) 292-5105

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

Program Application - Additional Applicants Form

Applicant D

| | | |
|--|----------------------------|---------------------|
| Applicant : Frisco Community Development Corporation (CDC) | | |
| Contact Person: Arturo Rodriguez, Jr. | Title: CDC outside counsel | |
| Customer Reference No. (if issued): | | |
| Address: 1633 Williams Dr., Suite 200 | | |
| City, State, Zip: Georgetown, Texas 78626 | | |
| Organization: Russell & Rodriguez, LLP | Phone: (512) 930-1317 | Fax: (866) 929-1641 |
| Interest in Property: Prospective Buyer | | |
| Receive copies of TCEQ correspondence? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | | |

Applicant E

By: _____
(signature)

Name: _____
(print or type)

Date: _____

Title: _____

Company: _____

Phone: (____) _____

Applicant F

By: _____
(signature)

Name: _____
(print or type)

Date: _____

Title: _____

Company: _____

Phone: (____) _____

ATTACHMENTS

- ATTACHMENT A Figure 1 Area Subject to VCP.
- ATTACHMENT B Legal descriptions/surveys of tracts comprising the site (portion subject to VCP presented in Figure 1).
- ATTACHMENT C Soil Investigation Report, J Parcel Area, Exide Technologies, Frisco, Texas, Prepared by Pastor, Behling & Wheeler, October 2012.

VCP APPLICATION

J PARCEL AREA
EXIDE TECHNOLOGIES
FRISCO, TEXAS

ATTACHMENT A

Figure 1 - Area Subject to VCP



EXPLANATION

- Exide Property Boundary
- Approximate Boundary of Area Subject to The Voluntary Cleanup Program (J Parcel)



Scale in Feet
0 250 500

Source of photo:
<http://www.tnris.state.tx.us> Frisco, aerial photograph, 2010.

EXIDE TECHNOLOGIES

J PARCEL AREA
FRISCO, TEXAS

Figure 1

AREA SUBJECT TO VCP

| | | |
|------------------|--------------|-----------|
| PROJECT: 1824 | BY: AJD | REVISIONS |
| DATE: OCT., 2012 | CHECKED: TNN | |

PASTOR, BEHLING & WHEELER, LLC
CONSULTING ENGINEERS AND SCIENTISTS

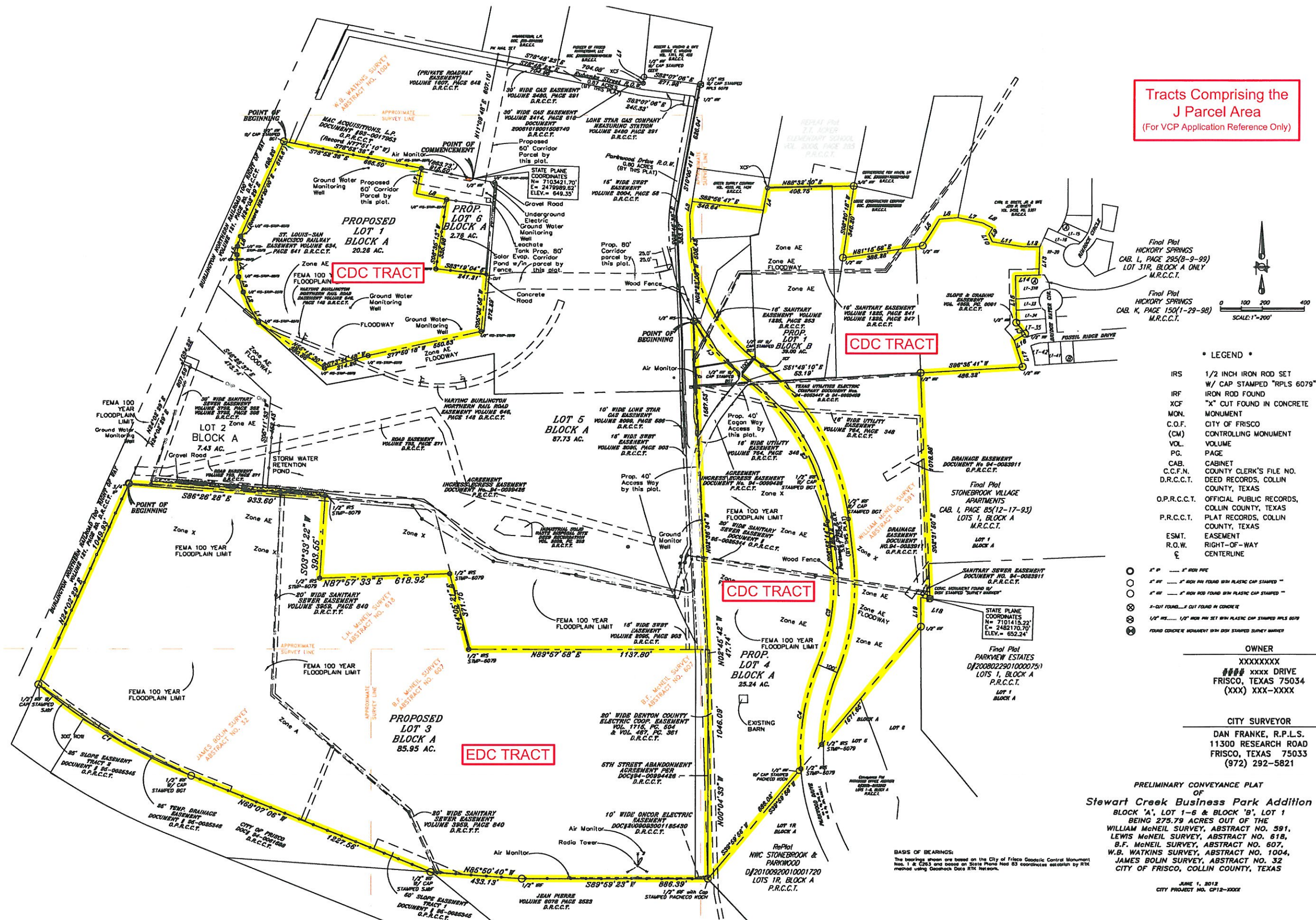
VCP APPLICATION

J PARCEL AREA
EXIDE TECHNOLOGIES
FRISCO, TEXAS

ATTACHMENT B

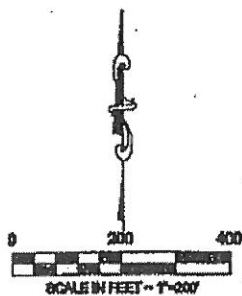
Legal descriptions/surveys of tracts comprising the Site

Tracts Comprising the J Parcel Area (For VCP Application Reference Only)



PRELIMINARY CONVEYANCE PLAT
OF
Creek Business Park Addition
BLOCK 'A', LOT 1-6 & BLOCK 'B', LOT 1
BEING 275.79 ACRES OUT OF THE
JAM McNEIL SURVEY, ABSTRACT NO. 591,
S McNEIL SURVEY, ABSTRACT NO. 618,
McNEIL SURVEY, ABSTRACT NO. 607,
WATKINS SURVEY, ABSTRACT NO. 1004,
JES BOLIN SURVEY, ABSTRACT NO. 32
OF FRISCO, COLLIN COUNTY, TEXAS

JUNE 1, 2012
CITY PROJECT NO. GP12-XXXX



POINT OF BEGINNING
1/4" AC

| CURVE TABLE | | | | |
|-------------|-----------------|--------|-----------|----------------|
| NO. | CHORD DIRECTION | CHORD | DELTA | RADIUS LENGTH |
| C1 | S40°55'38"E | 339.31 | 21°43'52" | 900.00 341.35 |
| C2 | S29°20'42"E | 784.54 | 44°58'56" | 1000.00 784.51 |
| C3 | S07°38'57"W | 501.43 | 29°02'22" | 1000.00 506.83 |
| C4 | S08°57'22"W | 502.86 | 26°25'32" | 1100.00 507.53 |

APPROXIMATE
SURVEY LINE

WILLIAM WENEL SURVEY
ABSTRACT NO. 581

PROPOSED
LOT 4
BLOCK A
25.24 AC.

BASIS OF BEARING:

Bearings are based on the City of Frisco Geodetic Control Monuments Nos. 1 & C263 and on the State Plane NAD 83 coordinates established by RTK method using Geoshack Data RTK Network.

NOTE: A METES & BOUNDS DESCRIPTION OF EVEN DATE ACCOMPANIES THIS EXHIBIT.

SHEET 1 of 2

CITY OF FRISCO
11500 RESEARCH RD. (972) 282-6521
FRISCO, TX 75039 FAX (972) 781-4000

PROPOSED LOT 4 BLOCK A
STEWART CREEK BUSINESS PARK ADDITION
P.L.H. CASE# 0912-0000104-BLOCKING

DRAWN: CAD
DATE: 06/03/12
SCALE: 1"=200'

**DESCRIPTION OF PROPOSED LOT 4 BLOCK A
STEWART CREEK BUSINESS PARK ADDITION**

STATE OF TEXAS
COUNTY OF COLLIN

BEING a tract of land situated in the L.H. McNeil Survey, Abstract No. 618, and the William McNeil Survey, Abstract No. 581, entirely in the City of Frisco, Collin County, Texas, being part of a 122.3 acre remainder tract of land according to Collin County Deed Record Document No. 92-0009197, dated 2/12/82, Collin County, Texas, and also a 5.09 acre tract of land according to Collin County Deed Record Document Volume 1599, Page 923, dated 1/21/83, Collin County, Texas, and also a 8.56 acre tract of land described as Tract No. 1 according to Collin County Deed Record Document No. 94-0040129, dated 4/28/94, Collin County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod set for corner, said corner being a non-tangential point on the west line of a 5.09 acre tract of land described in a warranty deed conveying to Gould, Inc., as described in Volume 1599, page 923, of the Deed Records of Collin County, Texas and also being the East line of Fifth Street as described in Exhibit 4-C of a Right of Way Agreement described in Document No. 94-0099426;

THENCE along a curve to the left having a radius of 900.00 feet, a central angle of 21°43'52", a tangent length of 172.75 feet, the long chord of which bears South 40°55'38" East for a distance of 339.31 feet with a radial line in of North 59°56'18" East and a radial line out of South 38°12'28" West for an arc length of 341.35 feet to a 1/2" iron rod found with a cap stamped BGT in the westerly 100 foot Right of Way of Parkwood Blvd. as described in a Right of Way Agreement described in Document No. 94-0099426;

THENCE South 51°49'10" East, along a common line with the said right of way, a distance of 53.19 feet to a point;

THENCE along a tangent curve to the right with a radius of 1000.00 feet, a tangent length of 413.69 feet, a central angle of 44°56'56", the radius of which bears South 38°10'50" West, the chord of which bears South 29°20'42" East for a distance of 784.64 feet; Thence along the arc of said curve in the said westerly Parkwood Blvd. Right of way for a distance of 784.51 feet to a point;

THENCE South 06°52'14" East, in the said westerly Right of Way a distance of 186.12 feet to a point

THENCE along a tangent curve to the right with a radius of 1000.000 feet, a tangent length of 258.99 feet, a central angle of 29°02'22", the radius of which bears South 83°07'46" West, the chord of which bears South 07°38'57" West for a distance of 501.43 feet; Thence along the arc of said curve of the said Westerly Right of Way for a distance of 506.83 feet to a point;

THENCE along a reverse curve to the left with a radius of 1100.00 feet, a tangent length of 258.26 feet, a central angle of 26°25'32", the radius of which bears South 67°49'52" East, the chord of which bears South 06°57'22" West for a distance of 502.85 feet; Thence along the arc of said curve of the said Westerly Right of Way for a distance of 507.33 feet to a point;

THENCE South 39°59'56" West along the Northern boundary of the platted property named the NWC Stonebrook and Parkwood Replat, recorded in Document No. 2010820010001720 of the plat records of Collin County, Texas, a distance of 686.02 feet to a point;

THENCE North 00°04'33" West, a distance of 1046.09 feet to a point;

THENCE North 02°45'42" West, a distance of 47.74 feet to a point;

THENCE North 02°36'34" West, a distance of 1567.53 feet to the PLACE OF BEGINNING and containing 25.24 acres of land, more or less.

BASIS OF BEARINGS:

Bearings are based on the City of Frisco Geodetic Control Monuments Nos. 1 & C263 and on the State Plane Nad 83 coordinates established by RTK method using Geoshack Data RTK Network.

NOTE: A GRAPHICAL DEPICTION OF EVEN
DATE ACCOMPANIES THIS DESCRIPTION.

SHEET 2 of 2

CITY OF FRISCO
11300 RESEARCH RD. (972) 292-5821
FRISCO, TX. 75033 FX. (972) 731-4960

PATH: C:\JOBS\CP12-XXXX\LOT4-BLOCKA.DWG

DRAWN: CAD

DATE: 6/3/12