



CITY OF HOUSTON - CITY COUNCIL

Meeting Date:

District C

Item Creation Date: 1/21/2021

HPW - 20UPA411 Toledo Maxroy LLC

Agenda Item#:

Background:

In 2003, the Texas Legislature authorized the creation of Municipal Setting Designations (MSD), which designate an area in which the use of contaminated groundwater is prohibited for use as potable water. The law is administered by the Texas Commission on Environmental Quality (TCEQ) and requires local City support to designate an MSD. The intent of the legislation is to encourage redevelopment of vacant or abandoned properties while protecting public health. On August 22, 2007, City Council approved an ordinance amending Chapter 47 of the Code of Ordinances by adding Article XIII relating to groundwater, which provides a process to support or not support an MSD application to the State (ordinance amended 7/14/2010).

Toledo Maxroy LLC Application: Toledo Maxroy LLC is seeking a Municipal Setting Designation (MSD) for 0.4334 acres of land located at 3004 Maxroy, Houston, TX 77008. The contamination consists of 1,2-dichloroethane and arsenic. The site was initially occupied in the 1950s and developed with warehouses in the 1960s. The buildings were occupied by a laboratory and lubricant blending operations associated with oil field work from the 1970s through the early 2000s. A licensed Professional Geologist has certified that the area of contamination has been thoroughly investigated, is fully delineated and is stable.

Toledo Maxroy LLC is seeking an MSD for this property to restrict access to groundwater to protect the public against possible exposure to the contaminants. There is a public drinking water supply system that meets state requirements that supplies or is capable of supplying drinking water to the MSD property and all properties within one-half mile of the MSD property. A public meeting was held on November 9, 2020 via Microsoft Teams, and a public hearing was held on December 1, 2020 during the Regulatory and Neighborhood Affairs Council Committee. Both meetings are necessary steps prior to City Council's consideration of support.

Recommendations: It is recommended that City Council adopt a Municipal Setting Designation (MSD) ordinance prohibiting the use of designated groundwater at the Toledo Maxroy LLC site located at 3004 Maxroy, Houston, TX 77008, and support issuance of an MSD by the Texas Commission on Environmental Quality.

DocuSigned by:

A blue ink signature of Carol Ellinger Haddock, written in a cursive style.

A93C410B72B3453...

2/12/2021

Carol Ellinger Haddock, P.E.
Director
Houston Public Works

Contact Information:

Sharon Citino Planning Director 832-395-2712

ATTACHMENTS:

Description

RCA Attachments #2019-136-TML

Type

Backup Material