



## CITY OF HOUSTON - CITY COUNCIL

Meeting Date:

District K

Item Creation Date: 1/21/2021

HPW - 20UPA413 The University of Texas System

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).

**The University of Texas System Application:** The University of Texas System is seeking a Municipal Setting Designation (MSD) for 4.244 acres of land located at 701 Holmes Road, Houston, TX 77054. The contamination consists of arsenic. The site was first developed as a fiberglass panel facility in the 1950s and operated until the 1980s. The site also occupied various commercial and industrial facilities from the 1990s to 2016. A licensed Professional Geologist has certified that the area of contamination has been thoroughly investigated, is fully delineated and is stable.

The University of Texas System 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 18, 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 The University of Texas System site located at 701 Holmes Road, Houston, TX 77054, and support issuance of an MSD by the Texas Commission on Environmental Quality.

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A blue ink signature of Carol Ellinger Haddock.

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2/15/2021

Carol Ellinger Haddock, P.E.  
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### **Contact Information:**

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### **ATTACHMENTS:**

#### **Description**

RCA Attachments #2019-138-BPT

#### **Type**

Backup Material