



## CITY OF HOUSTON - CITY COUNCIL

Meeting Date:

ETJ

Item Creation Date: 8/19/2021

HPW - 20UPA428 MOGAS Industries, Inc.

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).

**MOGAS Industries, Inc. Application:** MOGAS Industries, Inc. is seeking a Municipal Setting Designation (MSD) for 1.14 acres of land located at 14330 East Hardy, Houston, TX 77039. MOGAS was founded in 1973 and the facility has operated at this location for almost 50 years. The contamination consists of 1,1-DCE. A licensed Professional Geologist has certified that the area of contamination has been thoroughly investigated, is fully delineated and is stable.

MOGAS Industries, Inc. 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 August 5, 2021 via Microsoft Teams and a public hearing was held on August 10, 2021 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 MOGAS Industries, Inc. site located at 14330 East Hardy, Houston, TX 77039, and support issuance of an MSD by the Texas Commission on Environmental Quality.

DocuSigned by:

 9/17/2021

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Carol Ellinger Haddock, P.E.

Director

Houston Public Works

### **Contact Information:**

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### **ATTACHMENTS:**

#### **Description**

RCA Attachments #2020-150-MOG

#### **Type**

Signed Cover sheet