



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 10/19/2021

District D

Item Creation Date: 8/13/2021

HPW - 20UPA427 BAP 2800 LLC and Grassy Knoll LLC

Agenda Item#: 16.

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).

BAP 2800 LLC and Grassy Knoll LLC Application: BAP 2800 LLC and Grassy Knoll LLC is seeking a Municipal Setting Designation (MSD) for 1.1558 acres of land located at 2819 Fannin St., Houston, TX 77002. Perfecto Cleaners and Dryers operated on site between 1926 and 1986. A gas tank was located on the southeast corner of the property. The contamination consists of 1,2-dichloropropane, 1,2-dichloroethane, carbon tetrachloride, chloroform, tetrachloroethene and trichloroethene. The plume is generally stable to decreasing across the site. A licensed Professional Geologist has certified that the area of contamination has been thoroughly investigated, is fully delineated and is stable.

BAP 2800 LLC and Grassy Knoll 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 August 3, 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 BAP 2800 LLC and Grassy Knoll LLC site located at 2819 Fannin St., Houston, TX 77002, and support issuance of an MSD by the Texas Commission on Environmental Quality.

Carol Haddock 10/6/2021
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Carol Ellinger Haddock, P.E.
Director
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ATTACHMENTS:

Description	Type
Signed Coversheet	Signed Cover sheet
RCA Attachments #2020-148-FPC	Backup Material