

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: An ordinance to adopt a Municipal Setting Designation prohibiting the use of designated groundwater for Baker Hughes Incorporated for the site located at 7135 Ardmore Street, Houston, TX 77054. (MSD # 2014-071-FLM)		Page 1 of 1	Agenda Item #
FROM (Department or other point of origin): Department of Public Works and Engineering		Origination Date	Agenda Date
DIRECTOR'S SIGNATURE:  Dale A. Rudick, P.E., Director		Council District affected: D <i>jmc</i>	
For additional information contact: Jennifer M. Clancey, Program Manager <i>jmc</i> (832) 394-9005		Date and identification of prior authorizing Council action:	
RECOMMENDATION: (Summary) It is recommended that City Council adopt a Municipal Setting Designation (MSD) ordinance prohibiting the use of designated groundwater at the Baker Hughes Incorporated site located at 7135 Ardmore Street, Houston, TX 77054, and support issuance of an MSD by the Texas Commission on Environmental Quality (TCEQ). (MSD # 2014-071-FLM)			
Amount and Source of Funding: N/A			
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).			
BAKER HUGHES INCORPORATED APPLICATION: Baker Hughes Incorporated is seeking a Municipal Setting Designation (MSD) for 13.2435 acres of land located at 7135 Ardmore Street, Houston, TX 77054. The contamination consists of tetrachloroethene, trichloroethene, cis-1,2-dichloroethene, trans-1,2-dichloroethene, 1,1-dichloroethene, vinyl chloride, 1,1,2-trichloroethane, 1,2-dichloroethane, benzene, ethylbenzene, and arsenic. The site has been owned by various companies and used intermittently since 1957 to manufacture and repair industrial parts. The affected groundwater appears to be stable. A licensed Professional Geologist has certified that the area of contamination has been thoroughly investigated, is fully defined and is stable.			
Baker Hughes Incorporated 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 July 30, 2015 at the Judson Robinson Jr. Center, and a public hearing was held on August 18, 2015 during the Transportation, Technology, and Infrastructure 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 Baker Hughes Incorporated site located at 7135 Ardmore Street, Houston, TX 77054, and support issuance of an MSD by the Texas Commission on Environmental Quality.			
MLL:TJH:RM:jmc P:\UTILITY ANALYSIS-DEVELOPER SERVICES\MSDIGENERIC INFO, LETTERS, MEMOS, ETC\GENERIC RCA - ORDINANCE SUPPORT.DOC C: Marta Crinejo, Phillip Goodwin			
REQUIRED AUTHORIZATION		CUIC ID #20UPA329	
Other Authorization:	Authorization:  Mark L. Loethen, P.E., CFM, PTOE Deputy Director Planning & Development Services Division	Other Authorization:	