



## CITY OF HOUSTON - CITY COUNCIL

Meeting Date:

District C

Item Creation Date: 4/10/2023

HPW 20UPA447 1501 SEAMIST DRIVE - MSD

Agenda Item#:

### **Summary:**

#### **NOT A REAL CAPTION**

MUNICIPAL Setting Designation Ordinance prohibiting the use of designated groundwater beneath a tract of land containing 15.174 acres of land located at 1501 Seamist Drive, Houston, TX 77008; supporting issuance of a Municipal Setting Designation by the **Texas Commission on Environmental Quality** at the request of **DAIKIN COMFORT TECHNOLOGIES MANUFACTURING, L.P.** (Formerly Goodman Manufacturing Company, L.P.) application - **DISTRICT I - GALLEGOS**

### **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).

**Daikin Comfort Technologies Manufacturing, L.P. (Formerly Goodman Manufacturing Company, L.P.) Application:** Daikin Comfort Technologies Manufacturing, L.P. (Formerly Goodman Manufacturing Company, L.P.) is seeking an MSD for 15.174 acres of land located at 1501 Seamist Drive, Houston, TX 77008. The site was developed for single family residential use since at least 1938, and the residence had been razed as of 1953. The site was developed with a warehousing/distribution facility and rail spur in 1967. Daikin Comfort Technologies Manufacturing, L.P. (Formerly Goodman Manufacturing Company, L.P.), an air conditioning and heating system manufacturer, occupied the site since at least 1986. The site has been used for various industrial uses over the past 30 years. The contamination consists of arsenic, 1,1-dichloroethylene, tetrachloroethylene and methylene chloride. A licensed Professional Engineer has certified that the area of contamination has been thoroughly investigated, is fully defined and is stable.

Daikin Comfort Technologies Manufacturing, L.P. (Formerly Goodman Manufacturing Company, L.P.) 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 15, 2022, via Microsoft Teams, and a public hearing was held on December 13, 2022 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 an MSD ordinance prohibiting the use of designated groundwater at the Daikin Comfort Technologies Manufacturing, L.P. (Formerly Goodman Manufacturing Company, L.P.) site located at 1501 Seamist Drive, Houston, TX 77008 and support an issuance of an MSD by the TCEQ.

DocuSigned by:

*Carol Ellinger Haddock* 2/23/2023  
A93C410B72B3433  
 Carol Ellinger Haddock, P.E., Director  
 Houston Public Works

### **Contact Information:**

Ekaterina Fitos  
 Planning Director, Houston Water  
 Phone: (832)395-2712

### **ATTACHMENTS:**

Description	Type
Signed coversheet	Signed Cover sheet
RCA Attachments 2021-162-FCP - 2023	Backup Material
MSD Acknowledgement Form	Backup Material