


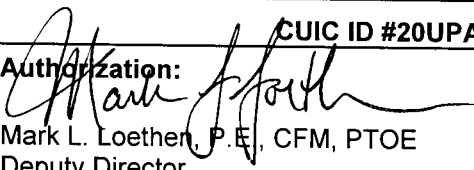


TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: An ordinance to adopt a Municipal Setting Designation prohibiting the use of designated groundwater for TRC General Holdings, LLC for the site located at 3025 Maxroy Street, Houston, TX 77008. (MSD # 2016-089-TRX)		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: C 	
For additional information contact: Jennifer M. Clancey, Program Manager  (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 TRC General Holdings, LLC site located at 3025 Maxroy Street, Houston, TX 77008, and support issuance of an MSD by the Texas Commission on Environmental Quality (TCEQ). (MSD # 2016-089-TRX)			
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).			
TRC GENERAL HOLDINGS, LLC APPLICATION: TRC General Holdings, LLC is seeking a Municipal Setting Designation (MSD) for 2.6825 acres of land located at 3025 Maxroy Street, Houston, TX 77008. The contamination consists of Tetrachloroethene, Trichloroethene, Cis-1-2-dichloroethene, and Vinyl Chloride. The property is currently a developed industrial facility operated by T-Rex who utilizes the site as a staging area for trucks, trailers and miscellaneous equipment associated with hydro-excavation. The future use of the property will remain commercial/industrial. A licensed Professional Engineer has certified that the area of contamination has been thoroughly investigated, is fully defined and is stable.			
TRC General Holdings, 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 July 13, 2016 at the Houston Permit Center, and a public hearing was held on July 18, 2016 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 TRC General Holdings, LLC site located at 3025 Maxroy Street, Houston, TX 77008, and support issuance of an MSD by the Texas Commission on Environmental Quality.			
MLL:RM:jmc P:\UTILITY ANALYSIS-DEVELOPER SERVICES\MSD\GENERIC INFO, LETTERS, MEMOS, ETC\GENERIC RCA - ORDINANCE SUPPORT.DOC C: Marta Crinejo, Phillip Goodwin			
REQUIRED AUTHORIZATION			
Other Authorization:	Authorization:  Mark L. Loether, P.E., CFM, PTOE Deputy Director Planning & Development Services Division	CUIC ID #20UPA341 A Other Authorization:	