



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 11/29/2016

District C

Item Creation Date: 10/31/2016

20UPA345 Ordinance/MSD 2015-085-NFF

Agenda Item#: 5.

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).

NFF Realty, LLC APPLICATION: NFF Realty, LLC is seeking a Municipal Setting Designation (MSD) for 5.9572 acres of land located at 349 West 24th Street, Houston, TX 77008. The contamination consists of Trichloroethylene and Chromium. The site is the former location of a machining and forging facility known as National Flame & Forge, which was decommissioned and subsequently demolished in 2010. A licensed Professional Engineer has certified that the area of contamination has been thoroughly investigated, is fully defined and is stable.

NFF Realty, 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 October 5, 2016 at the Houston Permitting Center, and a public hearing was held on October 17, 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 NFF Realty, LLC site located at 349 West 24th Street, Houston, TX 77008, and support issuance of an MSD by the Texas Commission on Environmental Quality.

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ATTACHMENTS:

Description

Type

Attachments MSD 2015-085-NFF

Backup Material