



CITY OF HOUSTON - CITY COUNCIL

Meeting Date:

District B

Item Creation Date: 9/11/2017

20UPA354 Ordinance/MSD 2016-094-HRP

Agenda Item#:

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).

Chemetall, US, Inc. and Georgia-Pacific LLC Application: Chemetall, US, Inc. and Georgia-Pacific LLC are seeking a Municipal Setting Designation (MSD) for 14.98 acres of land located at 10100 & 10120 Hirsch Road, Houston, TX 77016. The contamination consists of Chlorobenzene, 1,1-Dichloroethene, 1,2-Dichloroethane, Cis-1,2-Dichloroethene, Tetrachloroethene, Trichloroethene, Vinyl Chloride, Benzene, Ethylbenzene, and Methyl tert-butyl ether. The 14.98 acre site was originally developed for industrial purposes by Dixie Chemical in 1945 and was divided into the two current parcels in 1969. Following the division of the property, Oakite Products purchased 10100 Hirsch Road for chemical manufacturing, blending, and distribution. Oakite has since been purchased by Chemetall US, Inc. Operations on 10100 Hirsch Road ceased in December 2002 and the onsite structures were demolished in December 2012. The property is currently vacant and undeveloped. Georgia-Pacific purchased 10120 Hirsch Road and processed chrome lignosulfate onsite until 1969, when chemical operations ceased. The property was sold to Orion Chemical-Dallas Tech in 2001 and was sold to the current owner, RC Transportation, in 2011. RC Transportation used the property at 10120 Hirsch Road for the transportation, transfer, storage, and shipping of bulk materials and it is anticipated that property use will continue to be commercial/industrial. A licensed Professional Geologist has certified that the area of contamination has been thoroughly investigated, is fully defined and is stable.

Chemetall, US, Inc. and Georgia-Pacific LLC are 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 April 27, 2017 at the Lakewood Community Center, and a public hearing was held on July 17, 2017 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 Chemetall, US, Inc. and Georgia-Pacific LLC. site located at 10100 & 10120 Hirsch Road, Houston, TX 77016, and support issuance of an MSD by the Texas Commission on Environmental Quality.

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Acting Director

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ATTACHMENTS:

Description

RCA Attachments #2016-094-HRP

Type

Backup Material