



CITY OF HOUSTON - CITY COUNCIL

Meeting Date:

District H

Item Creation Date: 11/9/2017

20UPA358 Ordinance/MSD 2016-102-SSR

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).

Summer Street Retail, LP Application: Summer Street Retail, LP is seeking a Municipal Setting Designation (MSD) for 21.0991 acres of land located at 1705 Oliver Street, Houston, TX 77007. The contamination consists of arsenic, lead, benzene, 1,1-dichloroethene, cis-1,2-dichloroethene, ethyl-benzene, trans-1,2-dichloroethene, trichloroethene, vinyl chloride and total petroleum hydrocarbons C6 – C12. The site was initially developed for industrial purpose in the 1930s. Texas Tile Manufacturing (TexTile) operated a tile manufacturing, storage and distribution facility from 1986 – 2014. The site is currently vacant and owned by Summer Street Retail, LP. A licensed Professional Geologist has certified that the area of contamination has been thoroughly investigated, is fully delineated and is stable.

Summer Street Retail, LP 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 8, 2017 at the Houston Permitting Center, and a public hearing was held on November 13, 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 Summer Street Retail, LP site located at 1705 Oliver Street, Houston, TX 77007, and support issuance of an MSD by the Texas Commission on Environmental Quality.

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ATTACHMENTS:

Description

RCA Attachments #2016-102-SSR

Type

Backup Material