



CITY OF HOUSTON - CITY COUNCIL

Meeting Date:

District I

Item Creation Date:

20UPA359 Ordinance MSD Texas Bastrop Street, LLC

Agenda Item#:

Summary:

A MUNICIPAL SETTING DESIGNATION ORDINANCE PROHIBITING THE USE OF DESIGNATED GROUNDWATER BENEATH A TRACT OF LAND CONTAINING 1.8653 ACRES COMMONLY KNOWN AS 505 BASTROP STREET, 2311 TEXAS AVENUE, AND A PORTION OF THE ADJACENT RIGHTS-OF-WAY OF EMANCIPATION AVENUE (F/K/A DOWLING STREET) AND PRAIRIE STREET, HOUSTON, HARRIS COUNTY, TEXAS; SUPPORTING ISSUANCE OF A MUNICIPAL SETTING DESIGNATION BY THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY AT THE REQUEST OF TEXAS BASTROP STREET, LLC; CONTAINING OTHER PROVISIONS RELATED TO THE FOREGOING SUBJECT; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

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).

Texas Bastrop Street, LLC Application: Texas Bastrop Street, LLC is seeking a Municipal Setting Designation (MSD) for 1.8653 acres of land located at 505 Bastrop Street and 2311 Texas Avenue, Houston, TX 77003. The site consists of two tracts of land owned by the applicant and portions of the adjacent City of Houston rights of way of Emancipation Avenue (F/K/A Dowling Street) and Prairie Street. The contamination consists of trichloroethene, 1,1-dichloroethene, cis-1,2-dichloroethene and vinyl chloride. The site was occupied by Maloney Precision Products from the 1940s-1990s. The facility manufactured rubber, plastic, and metal products. Concentrations in groundwater are generally decreasing and/or stable across the designated property. A licensed Professional Engineer has certified that the area of contamination has been thoroughly investigated, is fully delineated and is stable.

Texas Bastrop Street, 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 November 29, 2017 at the Houston Permitting Center, and a public hearing was held on December 11, 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 Texas Bastrop Street, LLC site located at 505 Bastrop Street and 2311 Texas Avenue, and portions of the adjacent rights-of-way of Emancipation Avenue (F/K/A Dowling Street) and Prairie Street, Houston, TX 77003, and support issuance of an MSD by the Texas Commission on Environmental Quality.

Carol Ellinger Haddock, P.E.
Director
Houston Public Works

Contact Information:

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ATTACHMENTS:

Description

RCA Attachments #2016-100-SDT
Ordinance

Type

Signed Cover sheet
Signed Cover sheet