



CITY OF HOUSTON - CITY COUNCIL

Meeting Date:

District C

Item Creation Date: 5/31/2018

20UPA364 MSD Eureka Properties, Ltd. & KCH Property Holdings LLC

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).

Eureka Properties, Ltd. & KCH Property Holdings, LLC Application:

Eureka Properties, Ltd. & KCH Property Holdings, LLC are seeking a Municipal Setting Designation (MSD) for 39.8775 acres of land located at 8300 Hempstead Rd, Houston, TX 77008. The contamination consists of Tetrachloroethene, Trichloroethene, cis-1,2-Dichloroethene, 1,1-Dichloroethene and Vinyl Chloride. Smith Industries primarily used the site for the manufacture and fabrication of steel products. Historically Trichloroethene (TCE) was used as a cleaning solvent for parts. Smith Industries ceased operations and filed for bankruptcy in 1994. The site was enrolled in the Corrective Action Program in 2003 and the Voluntary Cleanup Program in 2015. A licensed Professional Geologist has certified that the area of contamination has been thoroughly investigated, is fully delineated and is stable.

Eureka Properties, Ltd. & KCH Property 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 May 9, 2018 at the Houston Permitting Center, and a public hearing was held on May 29, 2018 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 Eureka Properties, Ltd. & KCH Property Holdings, LLC site located at 8300 Hempstead Rd, Houston, TX 77008, and support issuance of an MSD by the Texas Commission on Environmental Quality.

Carol Ellinger Haddock, P.E.
Director
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ATTACHMENTS:

Description	Type
RCA 20UPA364 Attachments	Backup Material