



## CITY OF HOUSTON - CITY COUNCIL

Meeting Date:

District C

Item Creation Date: 6/18/2018

20UPA365 MSD Yale and I-10 Property Management, LLC, 5401 Lawndale, LLC, Yale Midtown Partners, 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).

**Yale and I-10 Property Management, LLC, 5401 Lawndale, LLC, & Yale Midtown Partners, LLC Application:** Yale and I-10 Property Management, LLC, 5401 Lawndale, LLC, and Yale Midtown Partners, LLC are seeking a Municipal Setting Designation (MSD) for 3.9360 acres of land located at 357 & 403 Yale Street, Houston, TX 77007. The contamination consists of Arsenic. Chipman Chemical Company manufactured pesticides and herbicides from the 1920s through the late 1940s, possibly into the early 1950s. Arsenic was historically used in the manufacturing process. Gulf Laundry and Cleaning Supply operated on site from 1968 through 2010. Schneider Construction Company had five underground storage tanks on site that were removed in 1990. The site was enrolled in 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.

Yale and I-10 Property Management, LLC, 5401 Lawndale, LLC, and Yale Midtown Partners, 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 May 10, 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 Yale and I-10 Property Management, LLC, 5401 Lawndale, LLC, and Yale Midtown Partners, LLC site located at 357 & 403 Yale Street, Houston, TX 77007, 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 20UPA365 Attachments

#### **Type**

Backup Material