



CITY OF HOUSTON - CITY COUNCIL

Meeting Date:

District C

Item Creation Date: 8/21/2018

HPW - 20UPA370 MSD Silver Eagle Distributors, L.P. and Texas Department of Transportation

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).

Silver Eagle Distributors, L.P. and Texas Department of Transportation Application:

Silver Eagle Distributors, L.P. and Texas Department of Transportation are seeking a Municipal Setting Designation (MSD) for 29,3902 acres of land located at 7400, 7502, 7520, 7721 Washington Ave, Houston, TX 77007. The contamination consists of tetrachloroethene, trichloroethene, cis-1,2-dichloroethene, 1,1-dichloroethene, vinyl chloride, arsenic and benzene. The site has a long industrial history (circa 1890s). Groundwater contamination is related to historical use of the property and surrounding area. The Texas Department of Transportation owned the site from the 1950s to 2007. Silver Eagle Distributors, L.P. has owned the site from 2007 to the present. A licensed Professional Geologist has certified that the area of contamination has been thoroughly investigated, is fully delineated and is stable.

Silver Eagle Distributors, L.P. and Texas Department of Transportation 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 August 9, 2018 at the Houston Permitting Center, and a public hearing was held on August 16, 2018 during the Regulation and Neighborhood Affairs 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 Silver Eagle Distributors, L.P. and Texas Department of Transportation site located at 7400, 7502, 7520, 7721 Washington Ave, Houston, TX 77007, and support issuance of an MSD by the Texas Commission on Environmental Quality.

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ATTACHMENTS:

Description

RCA Attachments #2017-107-SET

Type

Backup Material