



Legislation Details (With Text)

File #: 22-1982 **Version:** 1 **Name:**

Type: MISCELLANEOUS **Status:** Hearing Closed; Approved
HEARINGS

File created: 8/29/2022 **In control:** Office of Environmental Quality & Sustainability

On agenda: 9/28/2022 **Final action:**

Title: A public hearing to receive comments on a proposed municipal setting designation (MSD) to prohibit the use of groundwater as potable water beneath property owned by Jubilee Park Clinic Holdings, LLC located near the intersection of Parry and Ann Avenues and adjacent street rights-of-way; and an ordinance authorizing support of the issuance of an MSD to Jubilee Park Clinic Holdings, LLC by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath the designated property as potable water - Financing: No cost consideration to the City
Recommendation of Staff: Approval

Sponsors:

Indexes: 2

Code sections:

Attachments: 1. Map, 2. Ordinance, 3. Exhibit A

Date	Ver.	Action By	Action	Result
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STRATEGIC PRIORITY: Environmental & Sustainability

AGENDA DATE: September 28, 2022

COUNCIL DISTRICT(S): 2

DEPARTMENT: Office of Environmental Quality & Sustainability

EXECUTIVE: M. Elizabeth Cedillo-Pereira

SUBJECT

A public hearing to receive comments on a proposed municipal setting designation (MSD) to prohibit the use of groundwater as potable water beneath property owned by Jubilee Park Clinic Holdings, LLC located near the intersection of Parry and Ann Avenues and adjacent street rights-of-way; and an ordinance authorizing support of the issuance of an MSD to Jubilee Park Clinic Holdings, LLC by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath the designated property as potable water - Financing: No cost consideration to the City
Recommendation of Staff: Approval

BACKGROUND

Based on information provided by the Applicant, the designated property is underlain by shallow groundwater that is encountered at approximately 29 to 31 feet below ground surface (bgs) and extends down to approximately 75 to 96 feet bgs at the top of the underlying Austin Chalk formation.

The Austin Chalk is 200 to 300 feet thick and serves as a hydraulic barrier to the underlying Woodbine Aquifer. The direction of groundwater flow beneath the designated property is towards the south-southwest. A portion of the designated groundwater has been affected by chlorinated volatile organic compounds (VOCs) including tetrachloroethylene, trichloroethylene, and cis-1,2-dichloroethylene and petroleum related compounds including total petroleum hydrocarbons, benzene, toluene, ethylbenzene, total xylenes, and naphthalene in the groundwater at concentrations above groundwater ingestion standards. The potential onsite source of chlorinated VOCs is the former operation of a washateria in 1966 and potential offsite sources are the former operation of nearby historical cleaners that operated between 1941 and 1956. The apparent onsite source of petroleum related compounds is a former filling station that operated between 1962 and 1982.

The applicant has requested that the City support its application for an MSD. A public meeting will be held on September 19, 2022 to receive comments and concerns. Notices of the meeting were sent to 957 property owners within 2,500 feet of the property and 76 private well owners within 5 miles of the property. There are no other municipalities within one-half mile of the property.

The designated property was entered into the Voluntary Cleanup Program (VCP) administered by the Texas Commission on Environmental Quality (TCEQ) in June 2020 and is designated as Facility ID No. 3078.

This item is an MSD ordinance prohibiting the use of potable groundwater beneath property located near the intersection of Parry and Ann Avenues including adjacent street rights-of-way; and supporting the issuance of an MSD by TCEQ.

The applicant's current plan is to obtain closure through the VCP supported by an MSD. Currently the Designated Property is developed and operating as Jubilee Park Clinic and includes a vacant lot. The anticipated future use is the continued operation of the clinic and development of a surface parking lot.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

No cost consideration to the City.

OWNER

Jubilee Park Clinic Holdings, LLC

Darrel A. Rice, President

MAP

Attached