



Legislation Details (With Text)

File #: 22-1337 **Version:** 1 **Name:**

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

File created: 5/27/2022 **In control:** Office of Environmental Quality & Sustainability

On agenda: 6/22/2022 **Final action:**

Title: A public hearing to receive comments on a proposed municipal setting designation to prohibit the use of groundwater as potable water beneath property owned by Preston Forest SC, LLC located near the intersection of Preston Road and Forest Lane and adjacent street rights-of-way; and an ordinance authorizing support of the issuance of a municipal setting designation to Preston Forest SC, 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: 11

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: June 22, 2022

COUNCIL DISTRICT(S): 11

DEPARTMENT: Office of Environmental Quality & Sustainability

EXECUTIVE: M. Elizabeth Cedillo-Pereira

SUBJECT

A public hearing to receive comments on a proposed municipal setting designation to prohibit the use of groundwater as potable water beneath property owned by Preston Forest SC, LLC located near the intersection of Preston Road and Forest Lane and adjacent street rights-of-way; and an ordinance authorizing support of the issuance of a municipal setting designation to Preston Forest SC, 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 a shallow groundwater bearing zone located along the bottom of the weathered limestone where it makes

contact with competent bedrock at depths of 5 to 10 feet below ground surface (bgs). This bedrock confining unit is the Austin Chalk that has an estimated thickness of approximately 240 feet. The direction of groundwater flow beneath the designated property is towards the southwest. A portion of the designated groundwater has been affected by tetrachloroethene (PCE), trichloroethene (TCE), cis-1,2-dichloroethene (cis-DCE), and vinyl chloride (VC) at concentrations above groundwater ingestion standards. The onsite source is from historical dry-cleaning operations that operated in a western suite of the northwestern building on the property from at least 1961 to 1989.

The applicant has requested that the City support its application for an MSD. A public meeting was held on June 6, 2022 to receive comments and concerns. Notices of the meeting were sent to 1,270 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 October 2020 and is designated as VCP Facility ID No. 3108.

This item is a municipal setting designation ordinance prohibiting the use of potable groundwater beneath property located near the intersection of Preston Road and Forest Lane 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 for commercial and retail use and is occupied by the Preston Forest Shopping Center consisting of a grocery store, restaurants, office supply store, retail shopping and associated parking areas. The anticipated future use is expected to remain the same.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

No cost consideration to the City.

OWNER

Preston Forest SC, LLC
Kenneth Pratt, Manager

MAP

Attached