



## Legislation Details (With Text)

<b>File #:</b>	22-1983	<b>Version:</b>	1	<b>Name:</b>	
<b>Type:</b>	MISCELLANEOUS HEARINGS	<b>Status:</b>	Hearing Closed; Approved		
<b>File created:</b>	8/29/2022	<b>In control:</b>	Office of Environmental Quality & Sustainability		
<b>On agenda:</b>	9/28/2022	<b>Final action:</b>			
<b>Title:</b>	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 SCP/OI Good Latimer OZ Owner, LLC located near the intersection of South Good Latimer Expressway and Dawson Street and adjacent street rights-of-way; and an ordinance authorizing support of the issuance of an MSD to SCP/OI Good Latimer OZ Owner, 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				
<b>Sponsors:</b>					
<b>Indexes:</b>	2				
<b>Code sections:</b>					
<b>Attachments:</b>	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 SCP/OI Good Latimer OZ Owner, LLC located near the intersection of South Good Latimer Expressway and Dawson Street and adjacent street rights-of-way; and an ordinance authorizing support of the issuance of an MSD to SCP/OI Good Latimer OZ Owner, 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 27 to 42 feet below ground surface (bgs) and extends down to a clay/claystone confining layer, which is located at depths of approximately 33 to 50 feet bgs at the top of the underlying Austin Chalk Limestone formation which is up to 600 feet thick. The direction of groundwater flow beneath the designated property is relatively flat and is generally towards the west/southwest; however, the direction may vary seasonally and be dependent on precipitation. A portion of the designated groundwater has been affected by chlorinated volatile organic compounds (VOCs) including tetrachloroethene, trichloroethene, cis-1,2-dichloroethene, and vinyl chloride at concentrations above groundwater ingestion standards. The source or sources of the chlorinated VOCs appears to primarily be releases from offsite historical industrial operations in the vicinity, including historical auto repair, chrome plating and electro-plating facilities, printing, and trucking services, that used and stored similar chemicals.

The applicant has requested that the City support its application for an MSD. A public meeting will be held on September 22, 2022 to receive comments and concerns. Notices of the meeting were sent to 602 property owners within 2,500 feet of the property and 65 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 September 2021 and is designated as Facility ID No. 3167.

This item is an MSD ordinance prohibiting the use of potable groundwater beneath property located near the intersection of South Good Latimer Expressway and Dawson Street 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 vacant, and formerly contained two warehouse-type buildings and paved parking areas. The anticipated future use following redevelopment is multi-family residential.

### **PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)**

This item has no prior action.

### **FISCAL INFORMATION**

No cost consideration to the City.

### **OWNER**

**SCP/OI Good Latimer OZ Owner, LLC**

Brian Woidneck, Vice President

### **MAP**

Attached