Legislation Details (With Text)

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On agenda:	5/24/2023			**Final action:**	
Title:	Authorize a resolution of support for a Municipal Setting Designation application to the Texas Commission on Environmental Quality, provided by Hartman Promenade, LLC and approved by the City of Richardson, that prohibits the use of groundwater as potable water beneath property owned by Hartman Promenade, LLC, located near the intersection of Coit Road and Arapaho Road in Richardson, TX within a 0.5 mile radius of the City of Dallas Council Districts 11 and 12 - Financing: No cost consideration to the City				
Sponsors:					
Indexes:	11, 12				
Code sections:					
Attachments:	1. Map, 2. Resolution, 3. Exhibit A				

Date	Ver.	Action By	Action	Result

STRATEGIC PRIORITY: Environmental & Sustainability

AGENDA DATE: May 24, 2023

COUNCIL DISTRICT(S): 11, 12

DEPARTMENT: Office of Environmental Quality & Sustainability

EXECUTIVE: M. Elizabeth Cedillo-Pereira

SUBJECT

Authorize a resolution of support for a Municipal Setting Designation application to the Texas Commission on Environmental Quality, provided by Hartman Promenade, LLC and approved by the City of Richardson, that prohibits the use of groundwater as potable water beneath property owned by Hartman Promenade, LLC, located near the intersection of Coit Road and Arapaho Road in Richardson, TX within a 0.5 mile radius of the City of Dallas Council Districts 11 and 12 - Financing: No cost consideration to the City

BACKGROUND

On March 28, 2022, the City of Richardson approved Ordinance No. 4418 for a proposed Municipal Setting Designation (MSD) submitted by the applicant, Hartman Promenade, LLC. The property is located at 970 North Coit Road. The ordinance from the City of Richardson authorizes support of the issuance of an MSD certification to Hartman Promenade, LLC by the Texas Commission on Environmental Quality (TCEQ) and to prohibit the use of groundwater beneath the referenced

property (see attached map) as potable water. The issuance of an MSD to Hartman Promenade, LLC by the TCEQ will supplement closure under the TCEQ Voluntary Cleanup Program and will ensure protection of human health and the environment.

In June 2022, Hartman Promenade, LLC requested a resolution of support from the City of Dallas for its application to the TCEQ for an MSD certification in accordance with the Texas Health & Safety Code (Section 361.8065(a)(1)(A)), which states that the applicant must provide documentation that the MSD is supported by a resolution adopted by the city council of each municipality with a boundary located not more than 0.5 miles from the MSD designated property.

The designated property is located in the City of Richardson within a 0.5-mile radius of the City of Dallas Council Districts 11 and 12.

Based on information provided by the applicant, the designated property is underlain by a water bearing zone that is encountered at approximately 15 to 25 feet below ground surface (bgs) and extends to a depth no greater than 50 feet to the top of the Austin Chalk formation. The anticipated direction of groundwater flow beneath the designated property is to the southeast, away from the City of Dallas city limits. A portion of this water bearing zone has been affected by vinyl chloride (VC), cis-1,2-dichloroethylene (DCE), tetrachloroethylene (PCE) and trichloroethylene (TCE) at concentrations above groundwater ingestion standards. The probable onsite source identified at the designated property is from activities associated with dry cleaning operations from the 1960s until 2001. Soil remediation in the immediate vicinity of the former dry cleaners was undertaken in the form of excavation and removal. In addition, active groundwater treatment was performed through the establishment of an in situ reactive zone utilizing enhanced reductive dichlorination along with natural attenuation. This resulted in a decrease of the extent and concentration of chlorinated solvents in the groundwater. The groundwater impacted by these chemicals is located within the limits of the City of Richardson. No City of Dallas property is expected to be impacted by the release of chemicals from the MSD designated property.

The applicant’s current plan is to obtain closure under the Voluntary Cleanup Program supported by an MSD. The designated property is currently being used as a retail shopping center. The anticipated future use will remain the same.

This item is a resolution supporting the MSD application to the TCEQ by the applicant, Hartman Promenade, LLC, for designated property located near the intersection of West Arapaho Road and Coit Road in Richardson, TX and within 0.5 miles from the City of Dallas Council Districts 11 and 12. This resolution fulfills a regulatory requirement of the Texas Health and Safety Code for the applicant.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

No cost consideration to the City.

OWNER

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Hartman SPE, LLC

Lou Fox, Chief Financial Officer

MAP

Attached

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