

**CITY OF HOUSTON
MUNICIPAL SETTING
DESIGNATION APPLICATION**

DESIGNATED PROPERTY:

Former Bumper Service
1200 Givens Street
Houston, Texas 77007
Acreage: 1.36 ACRES

Prepared for
LUI Houston Studemont, L.P.
5 Greenway Plaza, Suite 1300
Houston, Texas 78746

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Municipal Setting Designation Application Instructions

Application Form: The application form is self-explanatory. Submit this completed application form as an electronic portable digital file, including all supporting documentation (#'s 1-26, if applicable) along with one (1) additional copy of the application and all supporting documentation (#'s 1-26), to the City of Houston, Public Works and Engineering Department, Planning and Development Division, Planning Branch (address shown at the bottom of this page) when applying for a Municipal Setting Designation (MSD) Certificate. The MSD application process is governed by the City of Houston Ordinance Number 2007-959. Failure to use this application form will result in denial of the application.

This application must be clear, complete, concise, correct, contain only relevant information and be organized to facilitate analysis. Supporting documentation should be submitted as a separate appendix to the application, as noted (Label "Appendix_") for each numbered item. You should also indicate by checking "Yes", "No", or "N/A" in response to the stated question.

Maps: All maps must be accurate and drawn to-scale. The supporting information can be consolidated on fewer maps than are listed, provided the information is legible.

A professional surveyor registered with the Texas Board of Professional Surveying must certify that all property descriptions or maps with metes and bounds descriptions are accurate.

Submittal: Submit the application form and all supporting information, along with an application fee of \$2,000.00 (payable to City of Houston) to:

City of Houston
Public Works and Engineering Department
Planning and Development Division/Planning Branch
611 Walker, 18th Floor
Houston, Texas 77002

Important Note: The applicant must also pay the estimated cost of mailing notices, advertising for the public meeting, venue costs and filing fee. No refunds of these fees will be made. If there are any questions, please contact the Planning Branch at 713-837-7658.

ITEM	YES	NO	N/A	COH Use Only
**Executive Summary (Use Sheet Attached)	X			
1. Provide a legal description of the boundaries of the designated property and a copy of the deed for the designated property. <u>Label "Appendix A" - Cross Reference with TCEQ's # 3</u>	X			
2. A site map showing: <ul style="list-style-type: none"> a. The location of the designated property. b. The topography of the designated property as indicated on publicly available sources, which must note the watershed and whether the designated property is located in a floodplain or floodway, as those terms are defined in Chapter 19 of the Code. c. The detected area of groundwater contamination. d. The location of all soil sampling locations and all groundwater monitoring wells. e. Groundwater gradients, to the extent known, and direction of groundwater flow. f. The ingestion protective concentration level exceedence zone for each contaminant of concern, to the extent known. <u>Label "Appendix B" - Cross Reference with TCEQ's # 1, 2 & 4</u>	X			
3. A description of the current use, and, to the extent known, the anticipated uses, of the designated property and properties within 500 feet of the boundary of the designated property. <u>Label "Appendix C"</u>	X			
4. For each contaminant of concern within the ingestion protective concentration level exceedence zone, to the extent known, provide the following: <ul style="list-style-type: none"> a. A description of the ingestion protective concentration level exceedence zone and the non-ingestion protective concentration level exceedence zone, including a specification of the horizontal area and the minimum and maximum depth below ground surface. b. The level of contamination, the ingestion protective concentration level, and the non-ingestion protective concentration level, all expressed as mg/L units. c. Its basic geochemical properties (e.g., whether the contaminant of concern migrates with groundwater, floats or is soluble in water). <u>Label "Appendix D" - Cross Reference with TCEQ's # 5</u>	X			
5. For each contaminant of concern within the designated groundwater, to the extent known: <ul style="list-style-type: none"> a. A description of the ingestion protective concentration level exceedence zone and the non-ingestion protective concentration level exceedence zone, including a specification of the horizontal area and the minimum and maximum depth below ground surface. b. The level of contamination, the ingestion protective concentration level, and the non-ingestion protective concentration level, all expressed as mg/L units. c. Its basic geochemical properties (e.g., whether the contaminant of concern migrates with groundwater, floats or is soluble in water). <u>Label "Appendix E" - Cross Reference with TCEQ's # 5</u>	X			

ITEM	YES	NO	N/A	COH Use Only
<p>6. A table displaying the following information for each contaminant of concern, to the extent known:</p> <ul style="list-style-type: none"> a. The maximum concentration level for soil and groundwater, the ingestion protective concentration level, and the non-ingestion protective concentration level, all expressed as mg/L units. b. The critical protective concentration level without the municipal setting designation, highlighting any exceedences. <p><u>Label "Appendix F" - Cross Reference with TCEQ's # 5</u></p>	X			
<p>7. A statement as to whether the plume of contamination is stable, expanding, or contracting, with the basis for that statement. If this information is not known, a statement of why the information is not known should be attached.</p> <p><u>Label "Appendix G"</u></p>	X			
<p>8. A statement as to whether contamination on and off the designated property without a municipal setting designation <u>exceeds</u> a residential assessment level as defined in the Texas Risk Reduction Program or analogous residential level set by EPA, if known, and the basis for that statement.</p> <p><u>Label "Appendix H"</u></p>	X			
<p>9. A statement as to whether contamination on and off the designated property with a municipal setting designation <u>will exceed</u> a residential assessment level as defined in the Texas Risk Reduction Program or analogous residential level set by EPA, if known, and the basis for that statement.</p> <p><u>Label "Appendix I"</u></p>	X			
<p>10. Identification of the points of origin of the contamination and the persons responsible for the contamination, to the extent known.</p> <p><u>Label "Appendix J"</u></p>	X			
<p>11. A description of any environmental regulatory actions that have been taken within the past five years in connection with the designated property, to the extent known.</p> <p><u>Label "Appendix K"</u></p>	X			
<p>12. A listing of all existing state or EPA registrations, permits, and identification numbers that applies to the designated property.</p> <p><u>Label "Appendix L"</u></p>	X			
<p>13. A statement as to whether the designated property has been admitted to the Texas Voluntary Cleanup Program (section 361.601 of the Texas Health & Safety Code, as may be amended from time to time) or similar state or federal programs, and a description of the status of the designated property in the program.</p> <p><u>Label "Appendix M"</u></p>	X			
<p>14. A summary of any environmental site assessment reports filed with TCEQ regarding any site investigations or response actions that are planned, ongoing or completed related to the designated property.</p> <p><u>Label "Appendix N"</u></p>	X			

ITEM	YES	NO	N/A	COH Use Only
<p>15. A statement as to whether any public drinking water supply system exists that satisfies the requirements of Chapter 341 of the Texas Health and Safety Code and that supplies or is capable of supplying drinking water to the designated property and property within one-half mile of the designated property and the identity of each supply system. <u>Label "Appendix O" - Cross Reference with TCEQ's # 2, 1st bullet</u></p>	X			
<p>16. The name and address of each owner or operator of a water well registered or permitted by the state or the Houston-Galveston Subsidence District that is located within five miles of the boundary of the designated property, along with: a. A map showing the location of each well and, to the extent known, a notation of whether each well is used for potable water. b. A statement as to whether the applicant has provided notice to each owner in compliance with section 361.805 of the Texas Health and Safety Code. <u>Label "Appendix P" - Cross Reference with TCEQ's # 8 & 9</u></p>	X			
<p>17. The name and address of each retail public utility, as defined in section 13.002 of the Texas Water Code, that owns or operates a groundwater supply well within five miles of the boundary of the designated property, along with a statement as to whether the applicant has provided notice as required by section 361.805 of the Texas Health and Safety Code. <u>Label "Appendix Q" - Cross Reference with TCEQ's # 7, 3rd bullet</u></p>	X			
<p>18. A listing of each municipality, other than the city of Houston, with a corporate limit within one-half mile of the boundary of the designated property, and a statement as to whether the applicant has provided notice as required by section 361.805 of the Texas Health and Safety Code. <u>Label "Appendix R" - Cross Reference with TCEQ's # 7, 2nd bullet</u></p>	X			
<p>19. A listing of each municipality, other than the city of Houston, that owns or operates a groundwater supply well within five miles of the boundary of the designated property, and a statement as to whether the applicant has provided notice as required by section 361.805 of the Texas Health and Safety Code. <u>Label "Appendix S" - Cross Reference with TCEQ's # 7, 4th bullet</u></p>	X			
<p>20. A listing of owners of real property within 2,500 ft. of the boundary of the designated property as indicated by the most recent appraisal district records. (Include pre-printed mailing labels) <u>Label "Appendix T"</u></p>	X			