

CITY OF HOUSTON



**PUBLIC WORKS AND
ENGINEERING**
PLANNING & DEVELOPMENT
DIVISION

Application for Approval of Municipal Setting Designation

APPLICANT INFORMATION

Applicant's Name: Craig's Interests, Inc.
 Individual Private Entity Public Entity Non-Profit Entity Other _____
Address: 5773 Woodway, Suite 440 Houston Texas 77057
(Street) (City) (State) (Zip)
Phone No.: 713-975-7373 Fax No.: 713-975-7172
Email: _____

Contact Information

Name of Contact: Tom McCurdy (InControl Technologies)
Title: Associate
Address: 38/45 FM 1960 W, Suite 195 Houston Texas 77068
(Street) (City) (State) (Zip)
Phone No.: 281-580-8892 Fax No.: 281-580-8853
Email: tmccurdy@incontroltech.com

SITE INFORMATION

Site Name: Former Craig's Cleaners
Site Size: approximately 1 acre
Site Address: 3735 Westheimer, Houston, Harris County, Texas 77027

(List all owners – additional sheet is attached, if needed)

Owner: Craig's Interests, Inc.
Owner Address: 5773 Woodway, Suite 440 Houston Texas 77057
(Street) (City) (State) (Zip)
Name of Contact: Robert M. Craig
Title: Partner
Organization: Craig's Interests, Inc.
Phone No.: 713-975-7373 Fax No.: 713-975-7172
Email: _____

2008-010-CI

Municipal Setting Designation Application

Former Craig's Cleaners
3735 Westheimer
Houston, Harris County, Texas 77027



City of Houston

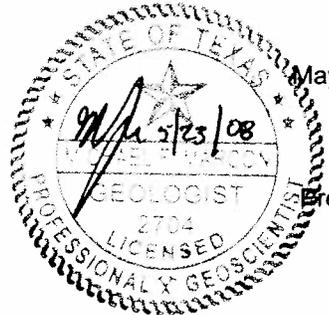
Public Works and Engineering

Planning and Development Division

Prepared for:

Craig's Interests, Inc.
5773 Woodway, Suite 440
Houston, Texas 77057

08-05-30P12:19 RCVD



May 23, 2008

Prepared by:

InControl Technologies, Inc.

3845 FM 1960 West, Suite 195
Houston, Texas 77068
(281) 580-8892 FAX (281) 580-8853



ITEM	YES	NO	N/A	COH Use Only
<p>**Executive Summary (Use Sheet Attached)</p>	√			
<p>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></p>	√			
<p>2. A site map showing:</p> <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. <p><u>Label "Appendix B" - Cross Reference with TCEQ's # 1, 2 & 4</u></p>	√			
<p>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></p>	√			
<p>4. For each contaminant of concern within the ingestion protective concentration level exceedence zone, to the extent known, provide the following:</p> <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). <p><u>Label "Appendix D" - Cross Reference with TCEQ's # 5</u></p>	√			
<p>5. For each contaminant of concern within the designated groundwater, to the extent known:</p> <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). <p><u>Label "Appendix E" - Cross Reference with TCEQ's # 5</u></p>	√			

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<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>	√			
<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>	√			
<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>	√			
<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>	√			
<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>	√			
<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>			√	
<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>	√			
<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>	√			

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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. <u>Label "Appendix N"</u>	√			
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>	√			
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: <ul style="list-style-type: none"> 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>	√			
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>	√			
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>			√	
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>	√			
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>	√			

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<p>21. The following statement signed and sealed by a licensed professional engineer or licensed professional geoscientist authorized to practice in the State of Texas with expertise in environmental remediation:</p> <p>To the best of my knowledge and belief, based upon a review of all public and private records and other information sources available to me in the exercise of due diligence, the opinions stated and conclusions made in this application are supported by such information, and the technical and scientific information submitted with the application is true, accurate and complete. Based on such review, the contaminants of concern from sources on the designated property or migrating from or through the designated property more likely than not do exceed or do not exceed a non-ingestion protective concentration level on property beyond the boundaries of the designated property'</p> <p style="text-align: center;"><u>Label "Appendix U"</u></p>	√			
<p>22. If the licensed professional engineer or licensed professional geoscientist determines that contaminants of concern from sources on the designated property are migrating from or through the designated property more likely than not do exceed a non-ingestion protective concentration level on property beyond the boundary of the designated property, then the applicant must:</p> <ol style="list-style-type: none"> a. Specify the name and address of the owner of each property. b. Send a copy of the application to the owner of the property with the notice of the public meeting. c. Provide documentation that the designated property has been included in a state or federal program that requires that the entire non-ingestion protective concentration level exceedance zone be addressed to the satisfaction of the agency administering the program, along with documentation of the estimated time period in which it is to be addressed. An example of such a program is the Texas Voluntary Cleanup Program (section 361.501 of the Texas Health and Safety Code, as may be amended from time to time). d. Provide documentation upon completion of the state or federal program showing that the non-ingestion protective concentration level exceedances have been addressed to the satisfaction of the agency administering the program. <p style="text-align: center;"><u>Label "Appendix V"</u></p>			√	
<p>23. The following statement certified by the applicant and any authorized representatives of the applicant(s) listed in the application:</p> <p>'I certify under penalty of law that this application and all attachments were prepared under my direction or supervision in a manner designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the persons responsible for gathering and evaluating the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the</p>	√			

possibility of a fine and imprisonment for knowing violation'. <u>Label "Appendix W"</u>				
24. A copy of the TCEQ application, if it has been filed, excluding attachments. <u>Label "Appendix X"</u>	√			
25. The signature of the applicant and proof that the applicant has the legal authority to restrict the use of the groundwater on the designated property. <u>Label "Appendix Y"</u>	√			
26. The initial filing fee of \$2,000.00 payable to "City of Houston". <u>Label "Appendix Z"</u>	√			
27. Any additional information. <u>Label "Appendix AA"</u>			√	

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EXECUTIVE SUMMARY

Project Overview

InControl Technologies, Inc was retained by Craig's Interests, Inc. (the property owner), to provide environmental consulting services for the former Craig's Cleaners located at 3735 Westheimer in Houston, Harris County, Texas. The subject property (Site) consists of approximately 0.3 acres of land located west of downtown Houston, Harris County, Texas. The subject property is developed with vacant buildings that formerly housed a dry cleaning plant and a laundry facility. Approximately 70% of the subject property is covered with the former dry cleaner and laundry buildings. Approximately 25% of the subject property is covered with concrete and brick access drives and walkways, while an estimated 5% of the subject property is covered with decorative landscaping.

Historical Environmental Condition

To date, Craig's Interests, Inc. has undertaken extensive site investigation activities designed to define the nature and extent of the environmental impact from historical releases at the Site. The building where the dry cleaning facility was located has been in place since the mid-1950s. Craig's Cleaners began operating a dry cleaning facility in that location in the early 1970s. Stoddard solvent was used as the dry cleaning solvent from the 1950s until early 1980s, at which time use of tetrachloroethene (PCE) as the dry cleaning solvent began. An initial Phase I Environmental Site Assessment (ESA) and follow-up Phase II Assessment were conducted on the adjacent west Rice Epicurean property in 1995 by Fugro McLelland. The results of this investigation reported PCE in the groundwater. A follow-up investigation by Lynn Clark Associates in August 1996 identified PCE on the Craig's Cleaners property. Further investigation work on the site has provided substantial delineation work.

The use of PCE as a dry cleaning solvent was eliminated around 2000, with a change to different dry cleaning equipment. In 2005, the plant was leased to The Men's Warehouse Cleaners. At that time, a new generation dry cleaning compound, not related to any product previously onsite, began use.

A review of the most recent groundwater sampling data (March 2008) indicates that the only COCs that currently exceed the most conservative TRRP Tier 1 ^{GW}GW_{ing} PCLs are PCE, TCE, cis-1,2-DCE, trans-1,2-DCE, 1,1-DCE and VC. The most recent groundwater sampling data indicates that the PCL exceedence (PCLE) zone extends from the subject property west across Westgrove and south through the neighborhood (**Figure 2.2**).

InControl Technologies, Inc.

Soil samples collected on the subject property were also reported to contain PCE, TCE and cis-1,2-DCE concentrations in excess of the most conservative TRRP Tier 1 ^{GW}Soil_{ing} PCLs. Soil samples with elevated VOC concentrations were collected from locations on the subject property. Two samples collected from the same locations (B-1 and HA-1) reported concentrations of PCE in excess of the TRRP Tier 1 ^{Air}Soil_{inh-v} PCL of 1,000 mg/kg. These soil samples were located on the subject property near the suspected source area.

The lateral extent of groundwater impact has been horizontally delineated in all directions. Groundwater monitoring wells MW-3 and MW-12 are the upgradient delineation points and groundwater monitoring wells MW-18 and MW-23 are the downgradient delineation points. Several monitor wells have been installed off-site to determine if impacted groundwater has migrated off-site. Several monitoring wells were installed in the surrounding residential neighborhood to delineate the groundwater plume. After several years of continuous quarterly groundwater monitoring, it was confirmed impacted groundwater has migrated off-site and that there is no off-site source contributing to the groundwater impacts.

A comparison of the sampling results from as early as July 1995 through March 2008 indicates that the area of impact appears to be stable over time. COC concentrations in the source area wells (MW-3R, MW-10S, MVI-MW1 and MVI-MW3) appear to be relatively stable over the sampling history of the site. Based on the results of historical and recent groundwater sampling results, InControl Technologies anticipates continued impact to off-site areas from the subject property.

Eleven (11) water wells were identified within a ½-mile radius of the proposed MSD boundary. Only two (2) of the eleven (11) water wells are listed as domestic wells and three (3) are listed as public supply wells. The two domestic wells are located almost ½-mile cross-gradient from the proposed MSD boundary. Both of these wells are completed at depths greater than 350-feet bgs (360 ft and 412 ft) and are screened over the intervals 310-330 ft bgs and 382-412 ft bgs respectively. These two wells are drawing water from a zone much deeper than the impacted zone at the former Craig's Cleaners. The nearest public water supply well is located approximately ¼-mile northwest (cross-gradient) from the proposed MSD boundary. The public water supply well is owned by the Willowick Condominium Association and is screened from 426-464 feet bgs; a zone much deeper than the impacted zones at the former Craig's Cleaners. There are no sensitive receptors within 500-feet of the proposed MSD boundary. The nearest receptor is Buffalo Bayou located approximately 1-mile north of the proposed MSD boundary.