

Municipal Setting Designations



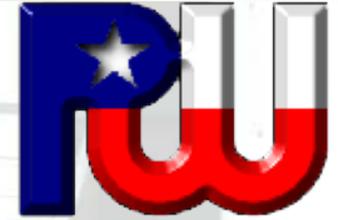
MSDs: Another tool for Houston

Richard Chapin
Sr. Project Manager

Jedediah Greenfield
Brownfields Program Manager

Municipal Setting Designations (MSDs)

Agenda

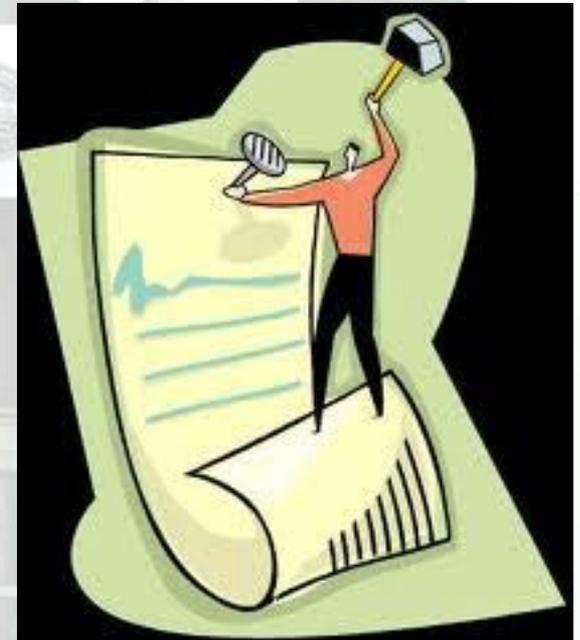


■ City of Houston

- Why we are here
- Who the MSD impacts
- What an MSD is
- Why support an MSD
- Steps in the MSD process
- Questions / Comments

■ MSD Applicant

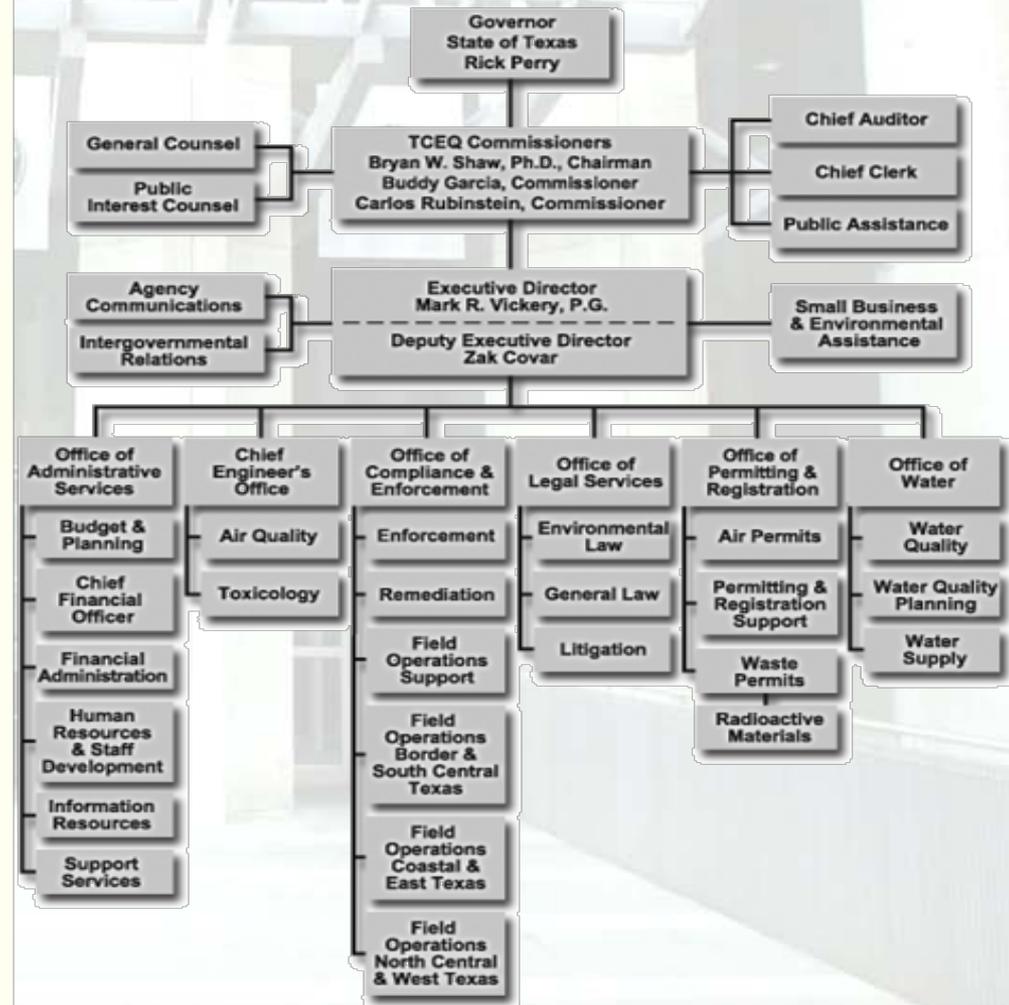
- Specific information on the site
9800 Clinton Drive
- Questions / Comments



Environmental Protection in Texas



- “The TCEQ strives to protect our State’s human and natural resources consistent with sustainable economic development. Our goal is clean air, clean water, and the safe management of waste.”



Municipal Setting Designations (MSDs)

Environmental Protection in Texas



■ Environmental Complaints



- By Phone: 1-888-777-3186
- Online: <http://www5.tceq.texas.gov/oce/complaints/>

■ Environmental Complaints



- By Phone: 311
- Online: https://webintake.houstontx.gov/web_intake/Controller
<http://www.greenhouston.gov/pdf/violations.pdf>

What an MSD is



- State Program
Created in 2003

- Texas
Commission on
Environment
Quality (TCEQ)



- City Program
Created in 2007

- Public Works &
Engineering



What an MSD is



- Voluntary deed restriction to prevent the use of contaminated groundwater
- Another tool to address groundwater contamination
- Public Health Protection



MSD Notice Letters



CITY OF HOUSTON
Public Works and Engineering Department

Annie D. Parker
Mayor

Michael S. Marotta, P.E., D.WRE, BCEE
Director
P.O. Box 1562
Houston, Texas 77251-1562

www.houstontx.gov

February 3, 2010

RE: MSD Application #2009-022-FCE
1111 Lockwood Drive, Houston, TX 77020

Dear Recipient:

Enclosed is a public meeting notice about an upcoming meeting in your area. This is an informational meeting about a property at 1111 Lockwood Drive, Houston, TX 77020 that has contaminated groundwater. We welcome you to attend the public meeting, but it is not mandatory that you come.

The public meeting will be held at:

3/11/2010
6:00 PM
Ripley House
4410 Navigation, Houston, TX 77011

The following notice will give you additional details about the type of contamination that has been found at the site. Please note: the groundwater contamination at the site is very shallow and is not the groundwater that the City of Houston uses for some of its drinking water. Most of the City's drinking water is now from surface water (Lakes Houston, Conroe, and Livingston).

The purpose of this public meeting is to inform you, the nearby neighbors and well owners, about the Municipal Settings Designation (MSD) program and the application. During the meeting a representative from the city will talk about the MSD program and then the MSD applicant will talk about the site. You may come to the meeting just to listen or you can share a comment. Comments can be given in person at the meeting or you can send them to the State of Texas and/or to the City of Houston at the following addresses.

Mr. Scott Settemeyer
Remediation Division
Texas Commission on Environmental Quality
P.O. Box 13087, MC-225
Austin, Texas 78711.

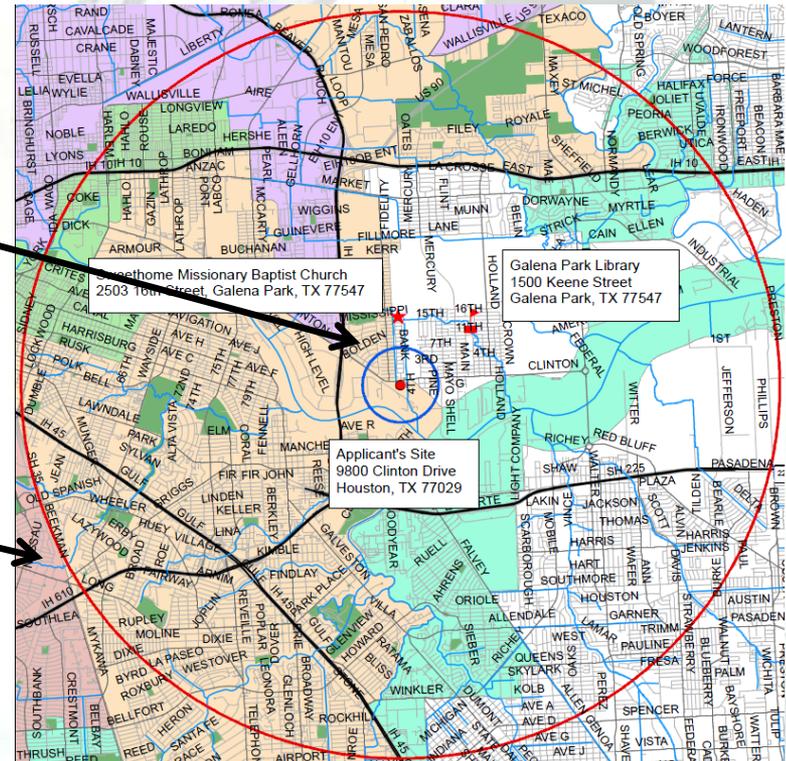
Richard Chapin
Public Works and Engineering Department
City of Houston
611 Walker, 19th Fl.
Houston, Texas 77002
msd@cityofhouston.net
(713) 837-0928

A MSD is the way the city can legally say that the contaminated groundwater at a property cannot be used for drinking water now or in the future, thereby protecting public health. It may also help a contaminated site develop or redevelop because the state's requirements to clean up contaminated groundwater may be set at levels based on this restriction. The MSD does not excuse the applicant from clean up activities such as removing the surface soil or reducing other risks to the public.

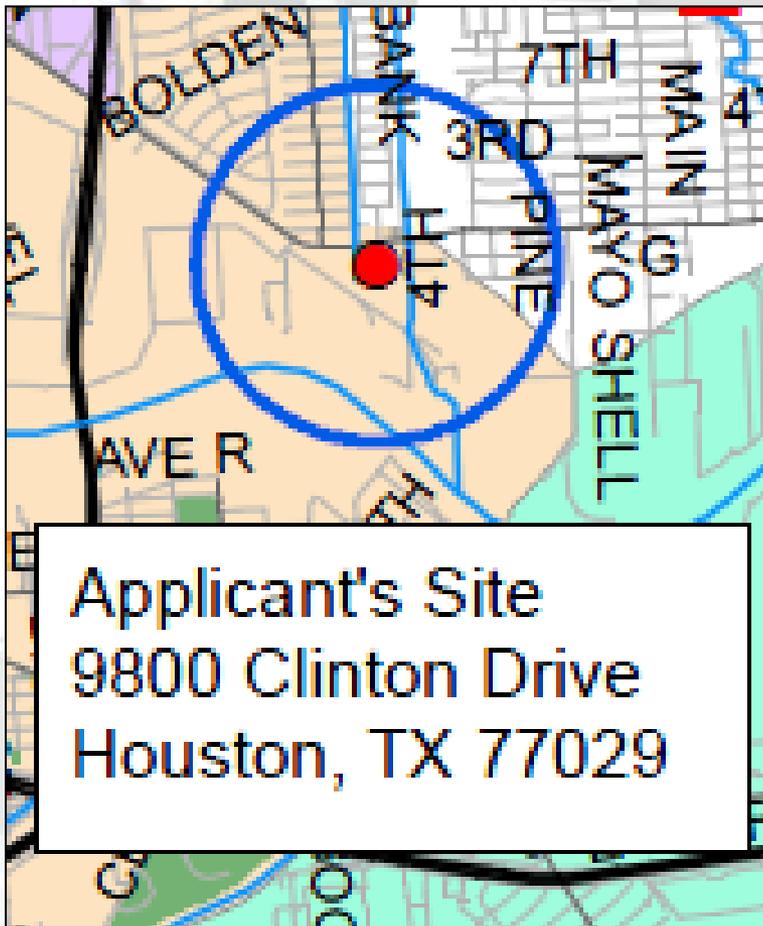
Council Members: Brenda Stapp, Jenis Johnson, Anna Cullenback, Wanda Adams, Mike Sullivan, Al Hoang, Oliver Pennington, Edward Gonzalez, James C. Rodriguez, Stephen C. Canales, Sue Lovell, Melissa Rodriguez, G.O. "Shel" Bradford, Amanda de Jesus, Constanza Hernandez, Green

Property Owners
First-Class Mail
½-Mile Radius
City Requirement

Water Well Owners
Certified Mail
5-Mile Radius
State Requirement



Second Notice



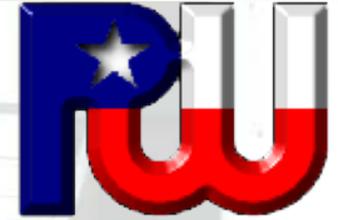
- First Meeting held 3/9/2011 at the Clinton Park Community Center
- 279 property owners in the ½ mile radius were not notified
- Second notice mailed out on 4/20/2011

Who the MSD Impacts



- Unless you are the applicant:
 - An MSD **does not affect** your property
 - An MSD **does not affect** your water well
 - There are **no requirements** on you
- Drinking water supplied by the City is not affected

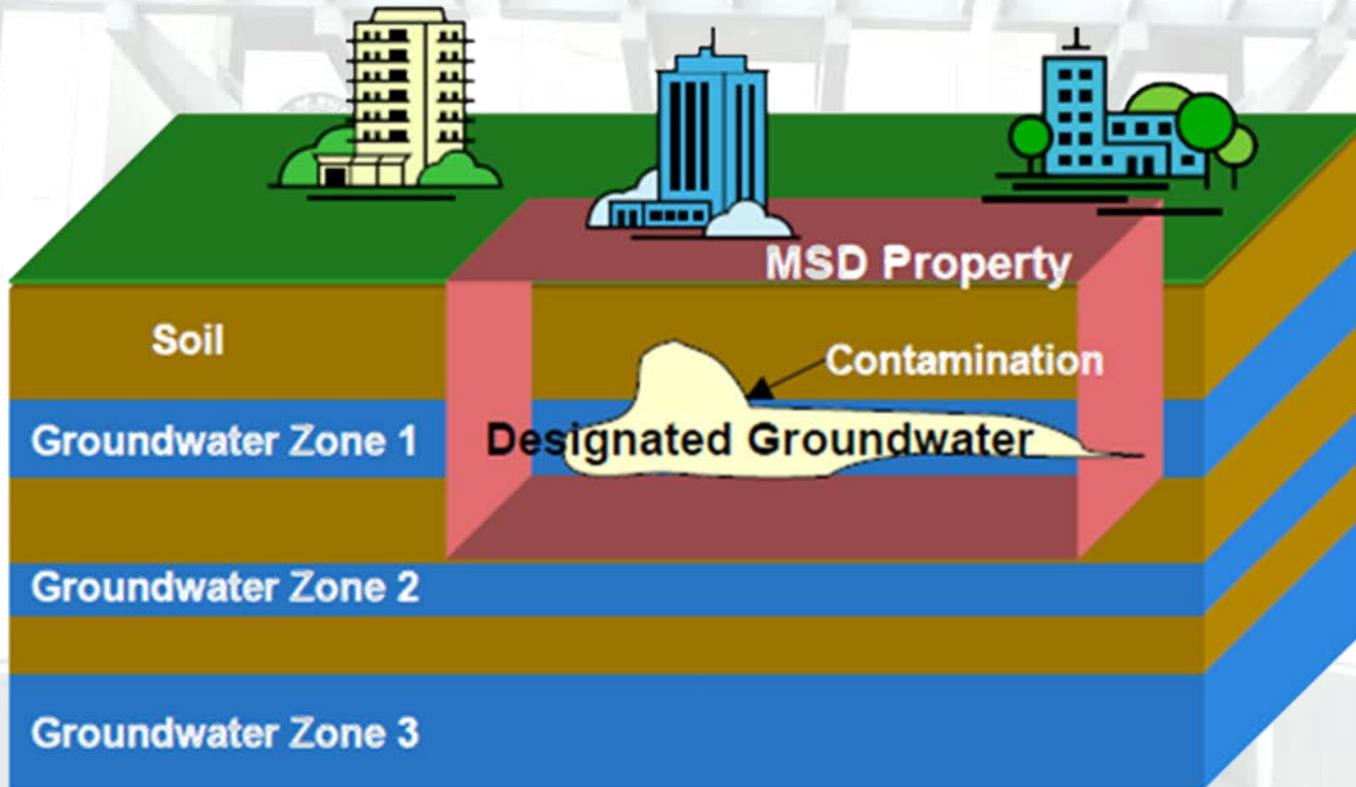
City Water Supply



- Houston's drinking water comes from either deep aquifers (20%) or surface water (80%)
 - No active public supply water wells within 5 miles
 - Surface water supply
 - Lake Houston
 - Lake Conroe
 - Lake Livingston
 - Trinity River



Shallow Contamination



Impacted groundwater is typically between 20 and 60 feet below the surface.

Drinking Water Supply Wells typically get water from 600 feet or deeper below the surface.

- *Please Note: Houston has shallow contaminated groundwater scattered across the City*

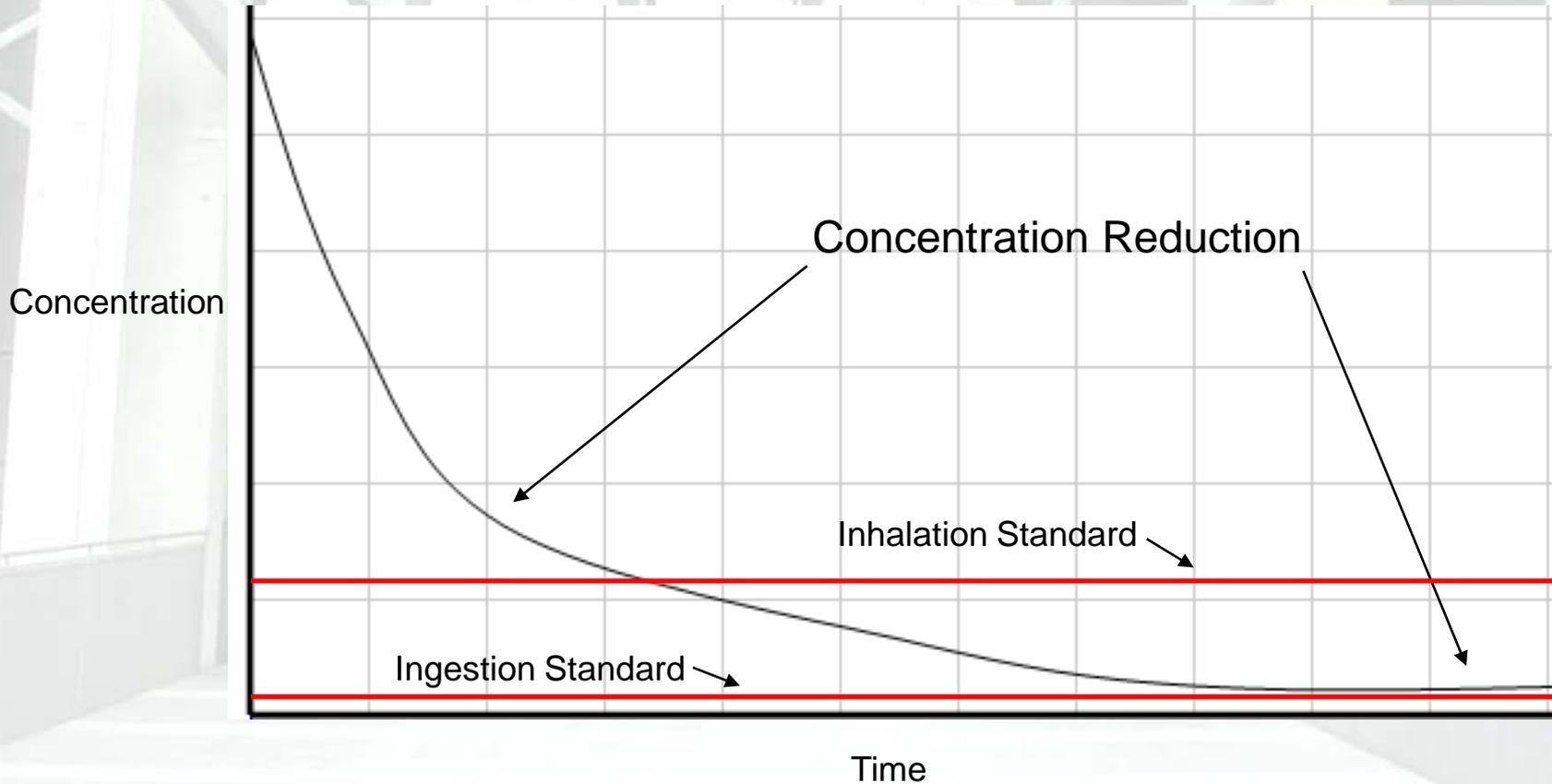
Problems of Traditional Remediation Methods



- Groundwater must be cleaned to drinking water standards even if:
 - There is no need or desire to use it, or
 - Water bearing zone is too silty, too salty, or low
 - producing
- Groundwater remediation to drinking water standards is inefficient, costly, and can take decades

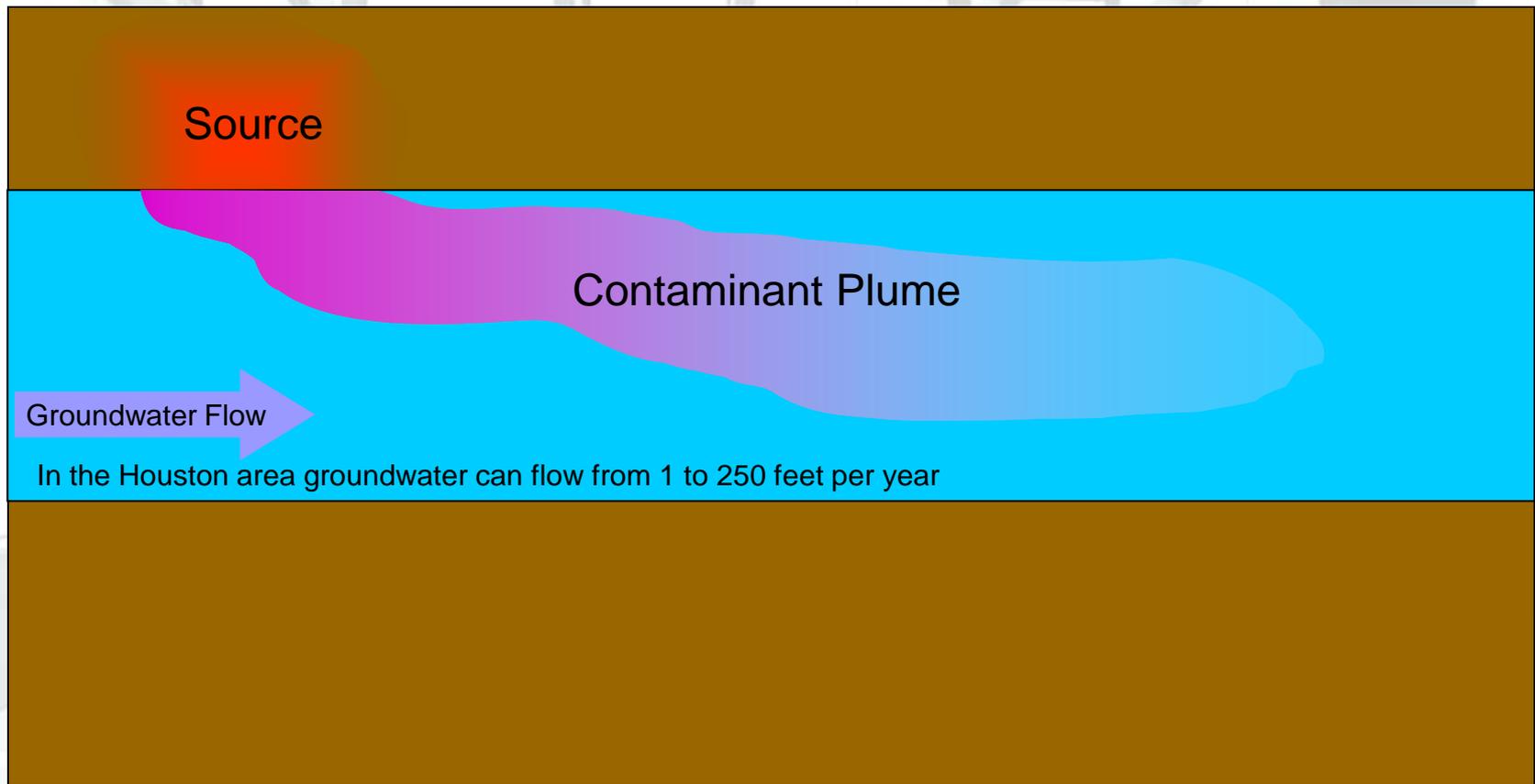


Groundwater Remediation

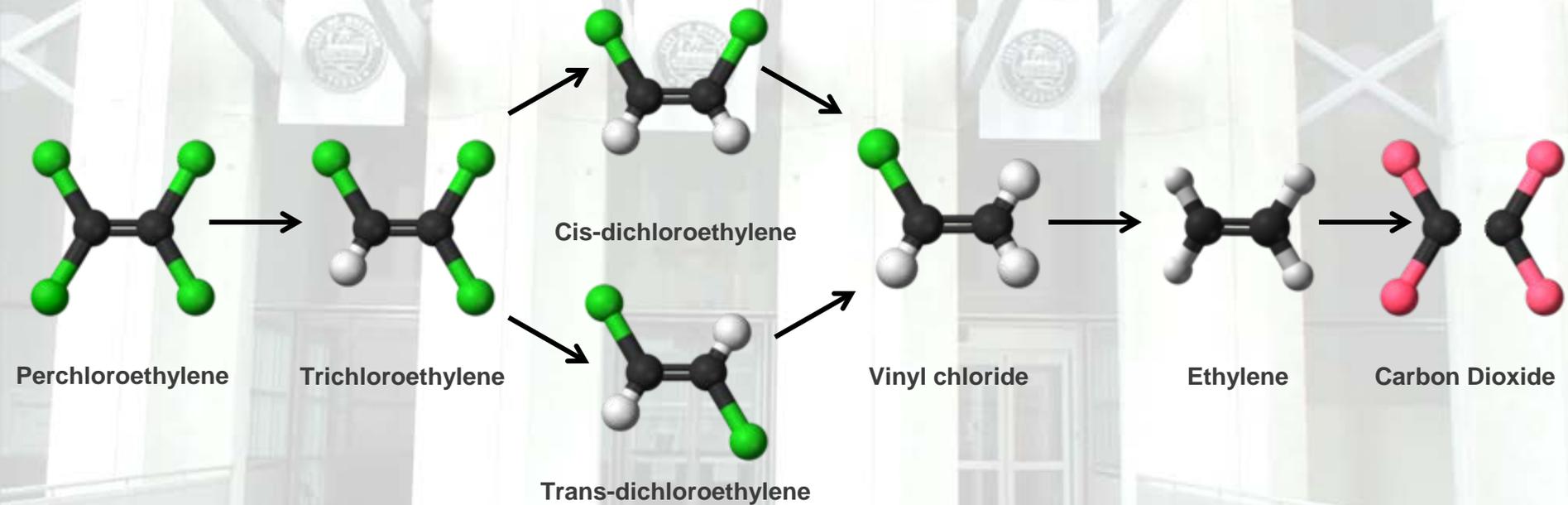


Municipal Setting Designations (MSDs)

Contaminant Flow



Natural Attenuation



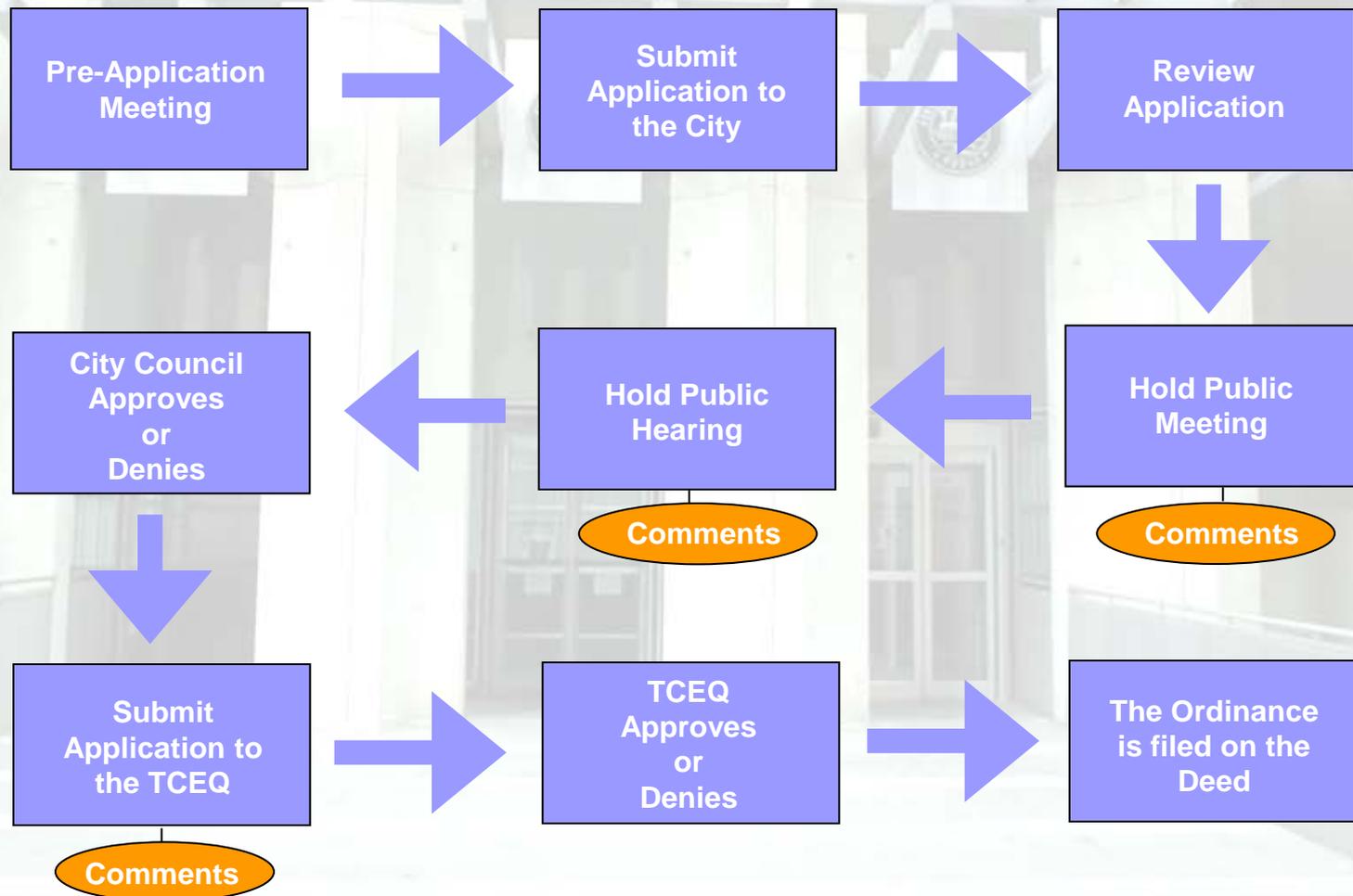
Applicant's Responsibility



- An MSD does **NOT** excuse the applicant from reducing other risks to the public
- Owner must address other exposure pathways
 - Non-Ingestion / Contact
 - Soil
 - Vapors
 - Runoff and other flows



Steps in the Process



Municipal Setting Designations (MSDs)

City's Requirements of the Applicant:



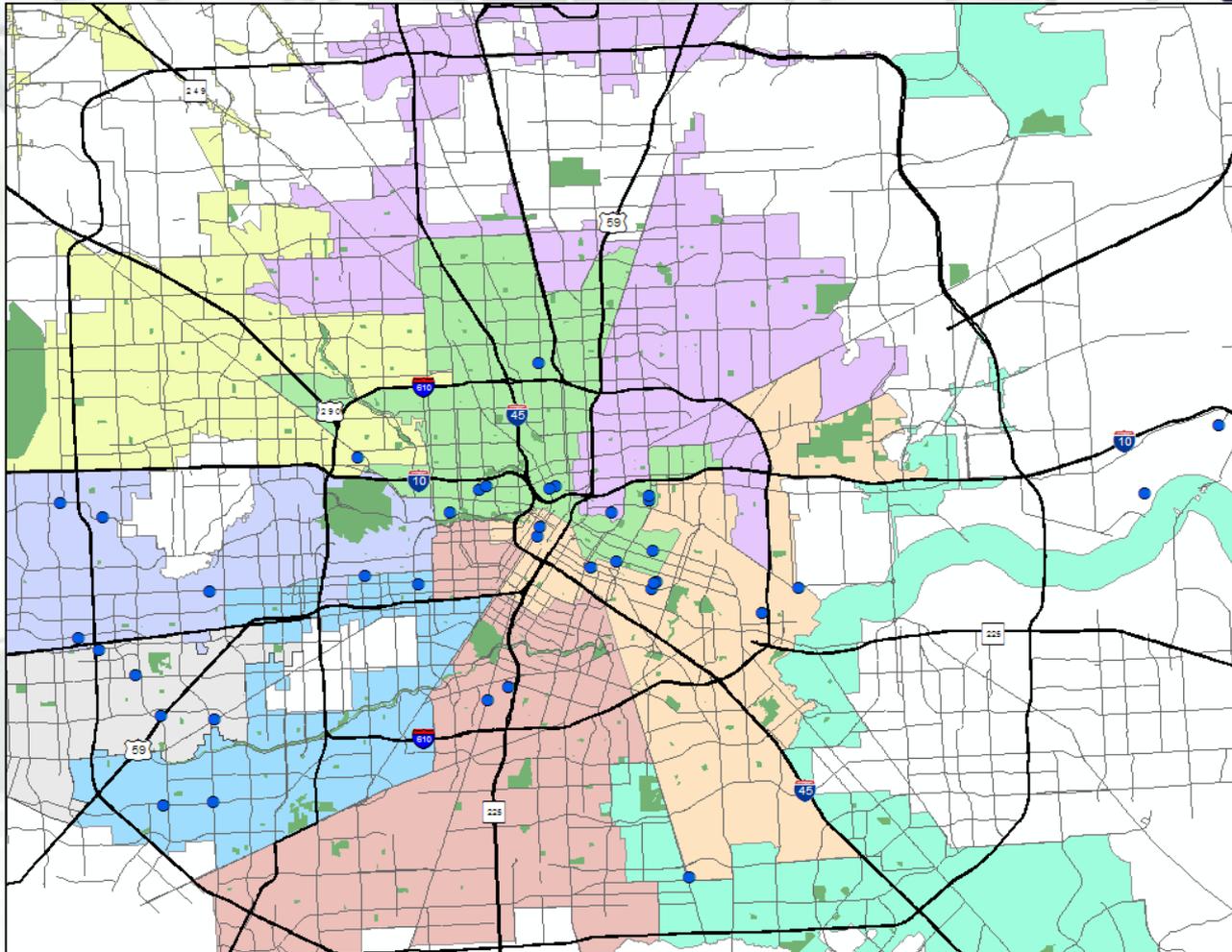
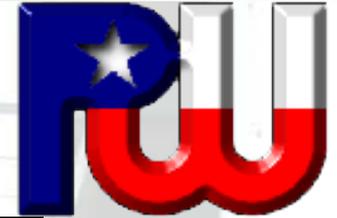
- Enrollment in a State or Federal clean-up program
- Thorough investigation
 - Data must show that the groundwater plume is stable or decreasing.
- A **third party** Professional Engineer (P.E.) or Professional Geologist (P.G.) must be willing to certify that the plume is stable or decreasing.

Why Support An MSD?

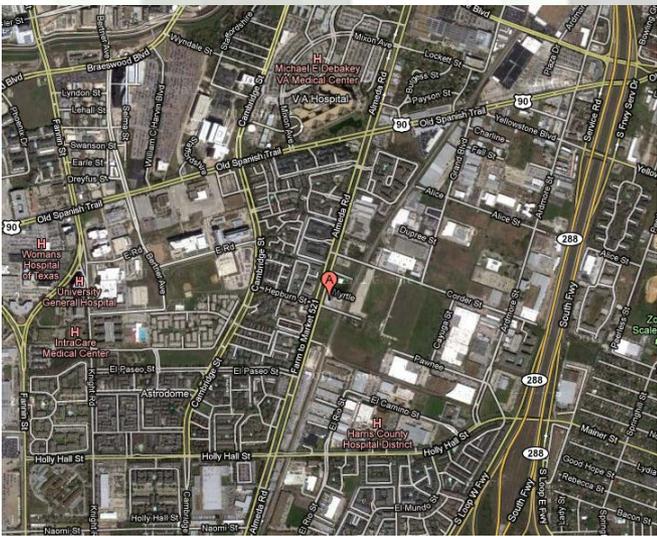


- Protects the public from consumption of shallow contaminated groundwater
- Encourages cleanup of contaminated sites through participation in a State or Federal program
- Promotes redevelopment of under-utilized properties

MSD Sites in Houston

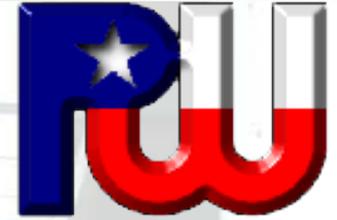


Municipal Setting Designations (MSDs)



Municipal Setting Designations (MSDs)

MSD Application



- Galena Park Library
reference desk
- 1500 Keene Street
Galena Park, TX 77547

The MSD Website



www.houstonmsd.org

The screenshot shows the City of Houston website interface. At the top, there is a navigation bar with links for Home, I Want To..., Government, Residents, Business, Departments, Visitors, and En Español. Below this is a search bar and a main content area titled 'Public Works and Engineering'. On the left, there is a 'Departmental Links' sidebar with categories like Engineering and Construction, Planning and Development, Public Utilities, Resource Management, Right of Way and Fleet Maintenance, Traffic and Transportation, and Directors Office. The main content area is titled 'Municipal Settings Designation' and features a 'History' section, 'General Information' with a bulleted list of details, 'Forms and Information' with links to application forms, and 'FAQ' and 'Other Websites of Interest' sections. At the bottom, there is a footer with copyright information and a 'Site last revised' date.

For more information concerning the application or process of an MSD in Houston, call:

Carol Ellinger Haddock
Senior Assistant Director, PE
PW&E/Planning & Development Services Division
PH 713.837.0928
FX 713.837.0658

- o [MSD Calendar](#)
- o [MSD Completed](#)
- o [MSD in Review](#)

Municipal Setting Designations (MSDs)

The MSD Website



MSD in Review

Carol Ellinger Haddock , Assistant Director, P.E.

MSD in Review

| | |
|--|--|
| Differential Development – 1994, Ltd. #2008-012-DD (Lantern Lane Shopping Center Site) | |
| Executive Summary | |
| Full Application | |
| Hoerbiger Corp. of America Inc. and Morgan Advanced Materials and Tech. Inc. # 2009-016-Milby (Milby Street Site) | |
| Executive Summary | |
| Full Application | |
| Estate of Isadore and Esther Robinson # 2009-020-GMI (Former Gulf Metals Industries Landfill Site) | |
| Executive Summary | |
| Full Application | |
| Public Meeting Notice | |
| Public Meeting Presentation | |
| Silver Bishop Holdings, LP #2010-025-NOR (Navigation-Norwood Site) | |
| Executive Summary | |
| Full Application | |
| Public Meeting Notice | |
| Public Meeting Presentation | |

MSD Calendar

Carol Ellinger Haddock , Assistant Director, P.E.

Municipal Settings Designations Calendar

Information on the latest meetings, conferences, and events.

| Date | Time | Event |
|------------|---------|--|
| 07/14/2010 | 9:00 AM | Public Hearing: FPA/PinPoint Mykawa, LLC. (MSD # 2009-020-GMI) City Hall Council Chambers, 2nd Floor, 901 Bagby, Houston, TX 77002 |
| 07/20/2010 | 6:00 PM | Public Meeting: Schlumberger Technology Corporation (MSD #2010-027-STC) Judson Robinson Jr. Community Center, 2020 Hermann Dr., Houston, TX 77004 |
| 08/03/2010 | 6:00 PM | Public Meeting: Differential Development - 1994, Ltd. (MSD #2008-012-DD) Tracey Gee Community Center, 3599 Westchase Dr., Houston, TX 77042 |
| 08/04/2010 | 9:00 AM | Public Hearing: BAE Systems Resolutions Corporation, Inc. (MSD #2010-026-FSS) City Hall Council Chambers, 2nd Floor, 901 Bagby, Houston, TX 77002 |
| 08/24/2010 | 6:00 PM | Public Meeting: Board of Regents of the University of Texas System (MSD #2010-028-ACD) Judson Robinson Jr. Community Center, 2020 Hermann Dr., Houston, TX 77004 |

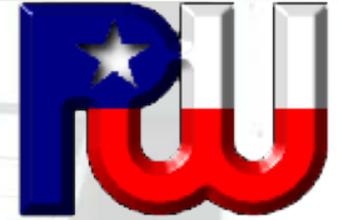
Public Hearing



- Date: June 16, 2011
- Time: 10:00 am
- Place: City Council Chamber (Committee Meeting)
Development and Regulatory Affairs
- Address: 901 Bagby, Second Floor
Houston, Texas 77002

Any person wishing to speak on this issue must arrive at least 15 min early and sign the speakers list located on the front desk.

Contact Information



Richard Chapin
Senior Project Manager



&

Jedediah Greenfield
Brownfields Program Manager

**Public Works & Engineering
City of Houston,
611 Walker, 19th Floor
Houston, Texas 77002**



msd@houstontx.gov
(832) 395-2699

Municipal Setting Designations (MSDs)

Contact Information



Stew Goldsmith

Remediation Division

Texas Commission on Environmental Quality

P.O. Box 13087, MC-225

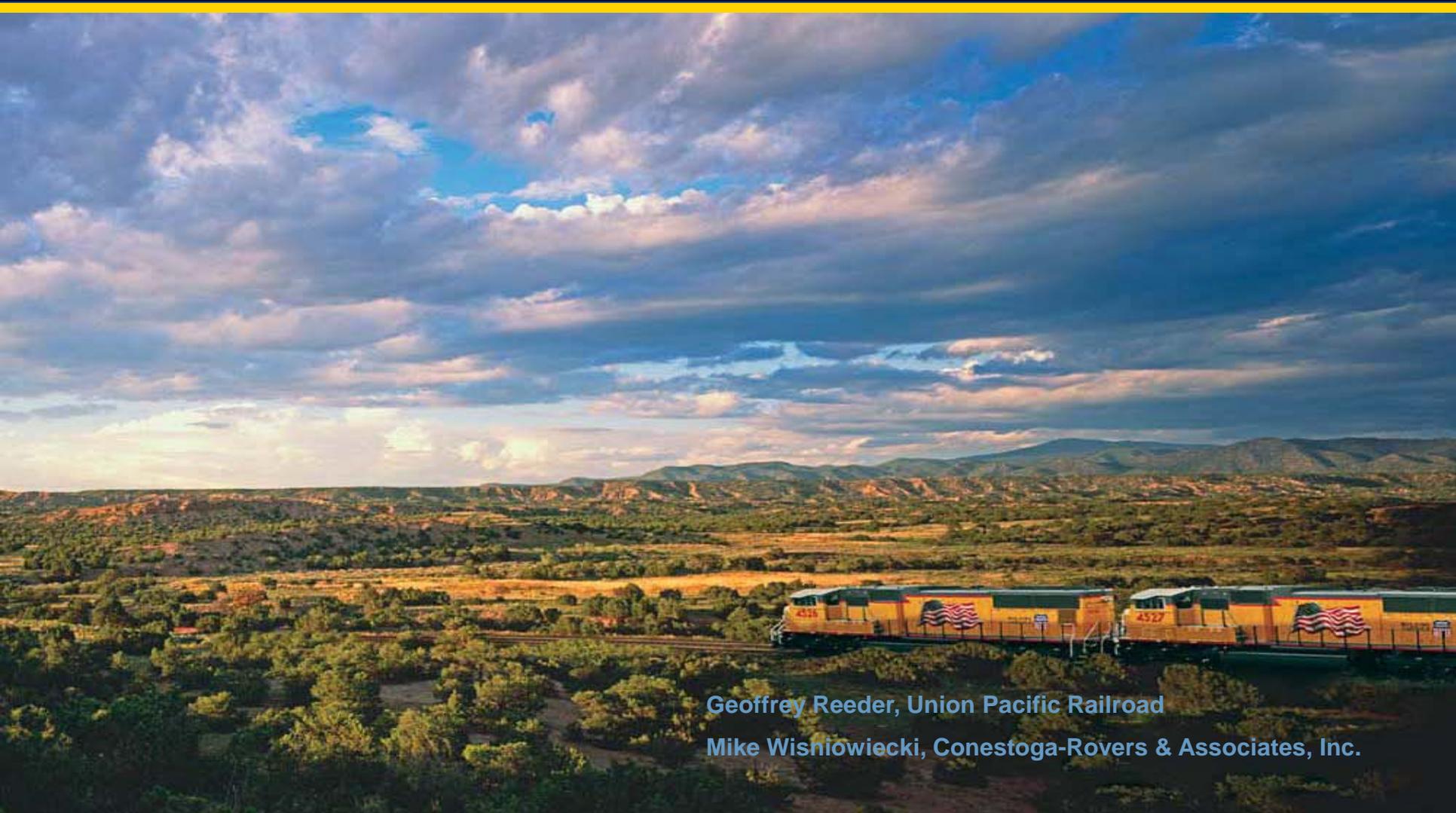
Austin, Texas 78711

512-239-5100

sgoldsmith@tceq.state.tx.us



Municipal Setting Designation Application Encoat Lease Site, Houston, Texas



Geoffrey Reeder, Union Pacific Railroad

Mike Wisniowiecki, Conestoga-Rovers & Associates, Inc.



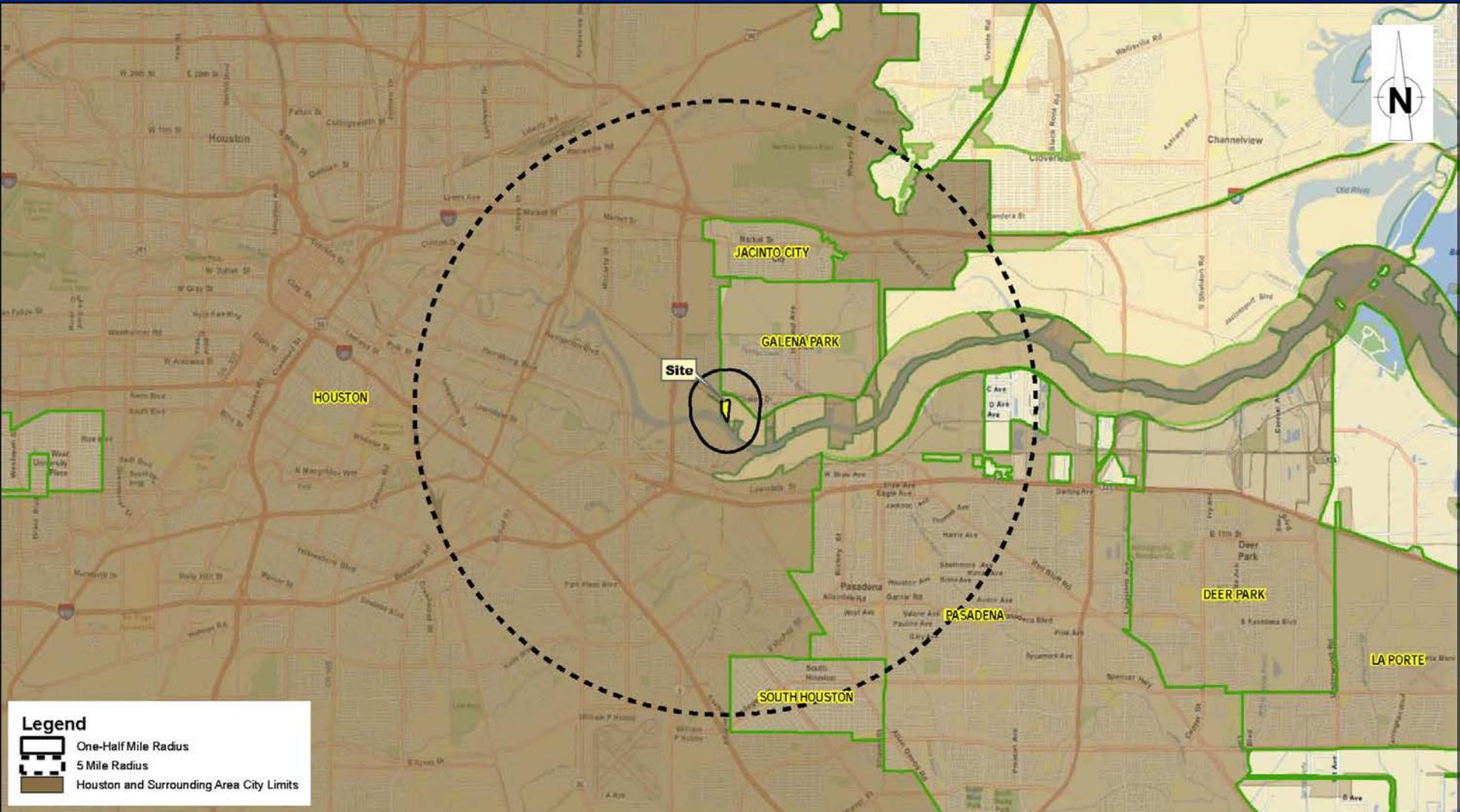
BUILDING AMERICA®

History

- Property leased out by Southern Pacific to multiple tenants
- Tenants used property as pipe storage yard, tank car cleaning and repair facility in 1950s and 1960s
- Pipe coating operations in 1963 through 1988 (Encoat)
- Southern Pacific acquired by Union Pacific in 1997
- A portion of the property was sold to All Trans Port Services in 2003



Municipalities affected by MSD

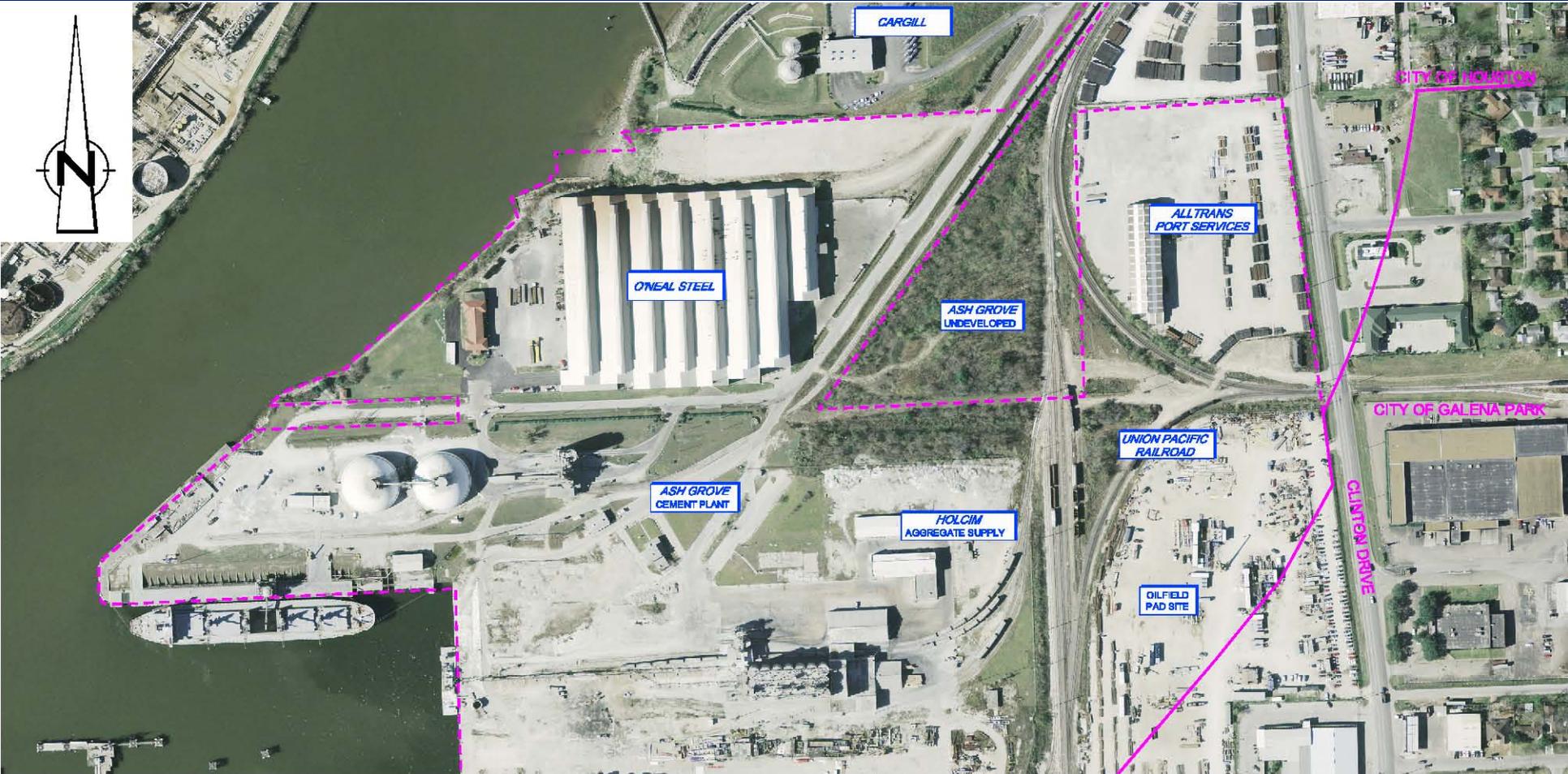


Today

- **The land owned by UPRR consists of main tracks and spur tracks**
 - **The main track runs from several Ship Channel facilities into Houston and beyond**
 - **The tracks are used to transport raw materials and finished products**
- **Site is 15.6 acres, includes adjacent properties of All Trans Port Services, O'Neal Steel, Houston Cement Company, and City of Houston**



Site Map



BUILDING AMERICA®

Environmental Investigation

- The site is enrolled in the Texas Commission on Environmental Quality's (TCEQ's) Voluntary Cleanup Program (VCP)
 - Both the UPRR property and the adjacent All Trans property are part of the same VCP project, 15.6 acres
 - Investigation of the site was conducted by UPRR
 - Investigation has been completed for affected soils and groundwater
 - 234 Soil sample locations
 - 56 Groundwater well locations (700+ samples over 10 years)
 - The State oversees the cleanup and closure of the affected soils and ground water

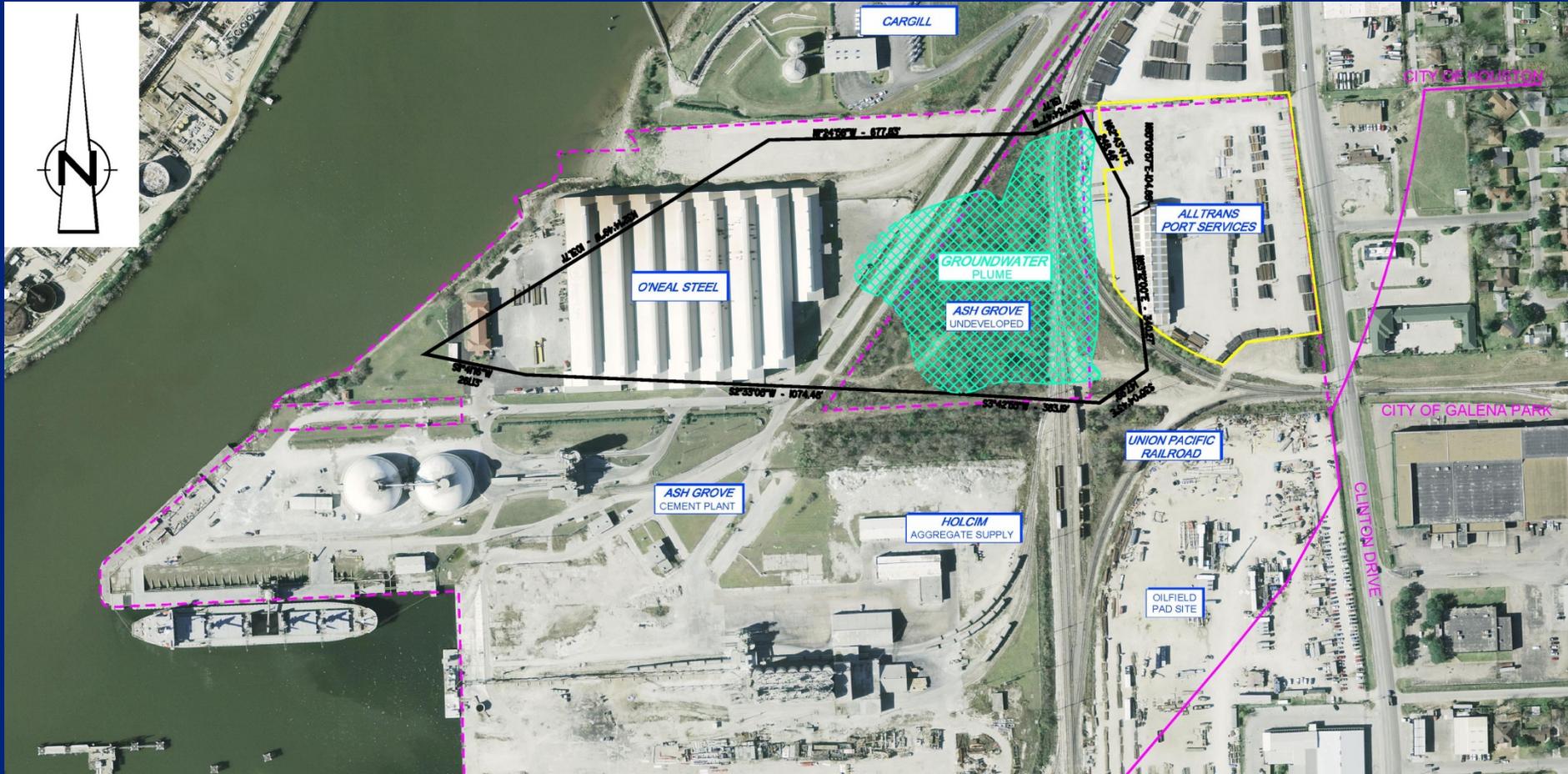


Site Remediation

- Cleanup begun in 1998, included seven former earthen impoundments, tank car washing area, and former Specialty Products building
- 6,500 cubic yards of affected materials removed by covered truck to BFI McCarty Road Landfill, Houston, Texas
- State issued Certificate of Completion for the Partial Response Action Area (7 acres) in June 2007
- Affected ground water fully delineated, stable to declining in size and concentration
- Small amounts of coal tar/creosote shown to be immobile



Ground Water Plume and MSD Zone



Ground Water Plume

- The source of the ground water plume was tenant's six former earthen impoundments and affected soils, which have been removed
- Ground water contains dissolved phase chlorinated hydrocarbons, benzene, naphthalene, other semivolatile organic compounds, and arsenic
- The horizontal and vertical extent of the plume have been delineated, plume shown to be stable, and decreasing in size and concentration



Summary

- **Site investigation and cleanup has been ongoing for 17 years (since 1994)**
- **Ground water conditions are stable and the concentrations are declining**
- **A Municipal Setting Designation (MSD) will restrict the use of ground water**
- **Site will remain under TCEQ regulatory oversight**

